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“[B]etween fires”: Little Dixie, Missouri,
during the American Civil War

A dissertation submitted in partial satisfaction of the
requirements for the degree Doctor of Philosophy
in History

by

Elle Evelyn Harvell

2019

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ABSTRACT OF THE DISSERTATION

“[B]etween fires”: Little Dixie, Missouri,
during the American Civil War

by

Elle Evelyn Harvell

Doctor of Philosophy in History

University of California, Los Angeles, 2019

Professor Joan Waugh, Chair

Recent historians have argued that the American Civil War was a relatively restrained conflict compared to other wars occurring concurrently. However, the irregular war in Missouri has generally been considered an exception. My dissertation addresses the nature of the war from the perspective of contemporary witnesses living in an eleven-county region located along the Missouri River plagued by guerrilla warfare and Union occupation. The local citizenry were caught between two equally unappealing foes but were most shocked by the behavior of the U.S. citizen-soldiers, occupying the region for the entirety of the war, who embraced irregular tactics and targeted local civilians in retaliation for the acts of destruction and violence meted out by Confederate guerrillas. Over the course of the war, residents grew increasingly disillusioned by soldiers' irregular tactics and the government's punitive policies aimed at the civilian population, and their once conservative, cooperative stance evolved into overt hostility. In the wake of the war, resident's disillusionment caused them to identify more closely with the South and to embrace a southern regional identity symbolized by the application of the moniker "Little Dixie" to the region in the postwar period.

The dissertation of Elle Evelyn Harvell is approved.

Stephen A. Aron

Teofilo F. Ruiz

Daniel H. Lowenstein

Joan Waugh, Chair

University of California, Los Angeles

2019

In memory of Larry David Arndt

It is not Christian charity, but rather sympathy with crime and its perpetrators, that would consign to oblivion those excesses of lawless and arbitrary power which have marked with ruin and devastation some of the fairest portions of our land. That we should treat them as things of the past, and even exorcise from our minds every lingering feeling prompting to revenge or retaliation, which may have been engendered thereby, may readily be conceded; but as we value the welfare of generations which are to succeed us, we dare not exclude them from our annals. . . . the history which fails to record the public and individual crimes which convulse society and sap the foundations of civil liberty, leaves future generations exposed to like evils from like fatal causes.

--George Caleb Bingham, *An Address to the Public, Vindicating a Work of Art Illustrative of the Federal Military Policy in Missouri the Late Civil War* (Kansas City, Missouri, 1871), 3.

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BIOGRAPHICAL SKETCH

Elle Harvell is a Ph.D. candidate in the Department of History at the University of California, Los Angeles. She holds a B.A. and an M.A. in History from the University of Texas at Tyler. She has worked as an intern in Washington, D.C. at the Civil War Trust, now the American Battlefield Trust, where she created historical content, including biographies, battlefield summaries, and videos, for the organization's educational website. Her article "The Struggle for Missouri" was published on The Virginia Center for Civil War Studies' *Essential Civil War Curriculum* website in 2015. She has also published two book reviews and presented her work at three historical conferences during her time as a graduate student at UCLA. In 2016, she received the Paul Stone Legal Research Fellowship from the UCLA Center for the Study of Women, and the final year of her dissertation work has been funded by a dissertation year fellowship provided by the Graduate Division at UCLA.

INTRODUCTION

“[B]etween fires”

A man was in great danger from both sides—he was not considered very patriotic by the Union side, if he did not shoulder his musket and knapsack and join the hosts whose battle cry was down with the rebellion, and death to the traitors; nor was he considered honest to his principles, and even his instincts, if he did not push furiously to the aid of Gen. Price who was calling for fifty thousand men, tried and true to defend their houses, country, and fire sides. If a man saw fit to join neither party—believed they were both wrong—that they were waging the most unnatural war ever known—he was called either an abolitionist or a traitor.¹

--Charles L. Dougherty, 1869

The American Civil War in central Missouri was a brutal guerrilla war, fought fiercely between combatants, who warred on American citizens to a degree unparalleled in United States history. A war unto itself, labeled a mere sideshow by some, Missouri’s Civil War was actually one of the most brutal and prolonged struggles of the conflict. Although small posses of armed Union militiamen and Confederate guerrillas clashed sporadically in skirmishes across the region’s rolling prairies and dense brush, this irregular war was fought mainly in villages and on homesteads. Homes became battlefields and civilians became parties to war. A guerrilla war is a people’s war, and wherever guerrillas roamed, civilians fed and equipped them in underground supply lines, manned, to a great degree, by women. This rogue army secreted themselves among the population, hidden in plain sight. The majority of the populace opposed war and desired neutrality, but found themselves trapped between two foes, equally offensive and dangerous in their methods and manners. The personal accounts contained in this work portray a people caught “between fires.”²

¹ Charles L. Dougherty Diary (1909), January 1869, Clay County Archives and Historical Library.

² I use the terms *citizens*, *civilian*, and *noncombatant* interchangeably to denote unarmed individuals, mostly women and males under or over the age of military service, not engaged in combat. Distinguishing combatants from noncombatants is just as hard for the historian as it was for Union occupiers during the war, since guerrilla warfare significantly blurred the lines between combatant and noncombatant. Distinguishing civilian political loyalties is also difficult, and as a result, I have avoided ascribing the labels Unionist and Confederate to individual citizens, except in cases where it is absolutely clear. My goal is to preserve the political anonymity of civilians in order to adhere as closely as possible to the true nature of the conflict and to better reveal the challenges occupiers faced in

This dissertation is a history of the military occupation of central Missouri during the Civil War. I focus heavily on the experiences and perspectives of white civilians who experienced the war firsthand, many of whom had migrated from the Upper South with their slaves and sympathized, to one degree or another, with the Confederacy during the war. The experiences of the enslaved are included whenever possible, yet the evidence for these experiences often come from accounts written by whites and more often reveals the white perspective than that of slaves. The abundant scholarship on the African American experience during the war has informed my dissertation and will be cited accordingly.³

In this introduction, I will discuss the historiographical literature most influential to my understanding of Missouri's troubled history during this period. Drawing on firsthand accounts as well as the Civil War historiography of Union occupation, guerrilla warfare, and the home front, I have identified four main themes occurring during the Federal occupation of central Missouri that most shocked and outraged residents: U.S. soldiers adopted guerrilla tactics and a counterinsurgency strategy, invaded homes, arrested civilians, and retaliated against local noncombatants. Civilians' complex reactions to soldier's actions in these four main areas form the content of the four main chapters of this dissertation. My primary aim is to demonstrate how harsh, retributive Union occupation policies and practices enacted against civilians in central

trying to distinguish the enemy. Determining political loyalties is even more difficult considering so many in the region held a variety of views during the war. Just because an individual favored slavery does not necessarily mean they were pro-secession and pro-Confederacy. Furthermore, I use the term *southern sympathizer*, since it was used most frequently in Missouri during the war to describe active rebel civilians, as opposed to the term *Confederate*, which I reserve only for guerrillas and commissioned Confederate soldiers.

³ Historians Diane Mutti Burke and Kristen Epps produced excellent studies of slavery in Missouri. I refer the reader to the work of historians and urge others to explore the African-American Civil War experience in Missouri, an area that remains ripe for historical exploration. Diane Mutti Burke, *On Slavery's Border: Missouri's Small-Slaveholding Households, 1815-1865* (Athens: University of Georgia Press, 2010); Kristen Epps, *Slavery on the Periphery: The Kansas-Missouri Border in the Antebellum and Civil War Eras* (Athens: University of Georgia Press, 2016). For studies of slavery and African American culture in Little Dixie specifically see R. Douglas Hurt, *Agriculture and Slavery in Missouri's Little Dixie* (University of Missouri Press, 1992); Jeffrey C. Stone, *Slavery, Southern Culture, and Education in Little Dixie, Missouri, 1820-1860* (New York: Routledge, 2006).

Missouri eroded the initial middling, conservative, and cooperative stance held by the majority of the region's population over the course of the Civil War.

The insights of historian Andrew Lang in his recent study *In the Wake of War* helped shape some of my ideas regarding Union occupation. Lang argues that the Mexican-American War and the Civil War ushered in “the dawning age of American wars of occupation,” marking a major shift in America's republican military tradition. Nineteenth-century Americans held deep-seated fears regarding the coercive and tyrannical tendencies of occupying armies and monarchical governments, fears rooted in the foundations of American democracy stemming from the legacy of the British occupation during the Revolution. They celebrated the United States as an exceptional nation in which the people participated in governance, the central government played a limited role, and perhaps most of all, citizens' rights were guaranteed and protected. Voluntary and temporary military service became a key feature of U.S. citizenship, in which the citizen-soldier fought to defend and protect their government and their sacred liberties. U.S. “citizen-soldiers” engaging in the long-term military occupation of the South, using coercive force to bend the will of the people, stood antithetical to republican values.⁴

Lang focuses on the perspectives of soldiers performing garrison duty across the occupied South, most of who displayed immense discomfort with their new responsibilities. Confederate guerrillas' irregular style of warfare presented the greatest challenge to occupying soldiers because it undermined their ability to maintain the republican military tradition. Lang asserts that in occupied zones the irregular war was not a “sideshow to the ‘real’ war fought by the conventional armies” as some historians suggest but was, in fact, “the battlefield of military

⁴ Andrew Lang, *In the Wake of War: Military Occupation, Emancipation, and Civil War America* (Baton Rouge: Louisiana State University Press, 2017), 4-6, 8 [quotation page 6]. Lang defines military occupation as “a post-invasion doctrine that regulated and controlled both passive and hostile civilian enemies by administering conquered territory through martial law and fortified garrisons.”

occupation.” Here, the Civil War was characterized by its irregularity. U.S. soldiers, unable to combat guerrillas on the field of battle, were driven, instead, to embrace irregular tactics, methods they deemed unacceptable and improper, especially making war on American citizens. “Contemporaries could not escape the unsettling reality,” Lang claimed, “that white citizen-soldiers conducted war against white citizens, all of who claimed a common national heritage.”⁵

For the first time in American history, United States soldiers carried out a destructive punitive war against American citizens. One of the most brutal and deadly iterations of this civilian-centered conflict took place in central Missouri. Federals stole food and livestock, encouraged slaves to abscond, burned down homes, terrorized women and children, and shot down fathers and husbands in front of their families. American soldiers warring on American citizens incensed locals more than any other single factor, primarily because this behavior diverged from American military standards and undermined the central principles of American democracy. United States soldiers were expected to fight to preserve and defend American civil liberties, not destroy them. Thus, as the war progressed, the combination of soldiers repeatedly transgressing against civilians and the incongruity between their behavior and the principles for which they fought caused many Missourians to become disillusioned and lose faith in the United States government.

The larger, secondary aim of this work is to demonstrate how civilians’ disillusionment with the federal government contributed to the development of a southern, pro-Confederate regional identity, symbolized by the application of the moniker “Little Dixie” to the region after the war. As a whole, “[B]etween fires” traces the development of Little Dixie’s southern regional identity from the antebellum period through Reconstruction. In order to demonstrate this, I have

⁵ Lang, *In the Wake of War*, 105-128 [quotations 128].

included two chapters: chapter one traces the antebellum history of the region from Anglo-American settlement, through the raging political struggle over the issue of slavery's expansion, and up to its final eruption in the Civil War in 1861, and the conclusion examines the impact the Civil War had on the region throughout the postwar period.

Defining Little Dixie

Historically, Little Dixie has resisted definition. Scholars have struggled over the years to clearly define the region's geographical and historical parameters. Today, most agree that the central Missouri counties along the Missouri River's fertile river basin share certain characteristics, including their antebellum legacies of slave ownership, cash crop production, and southern culture; their Civil War experiences with intense guerrilla violence and Union occupation; and their postwar tendencies toward racial violence and Democratic Party majorities. For the purposes of this case study, I have selected eleven counties—Boone, Callaway, Carroll, Chariton, Clay, Cooper, Howard, Jackson, Lafayette, Ray, and Saline—to constitute Little Dixie based on three factors: antebellum slave ownership, southern heritage, and most importantly, the prevalence of guerrillas during the Civil War.⁶

⁶ Paul I. Wellman, "Missouri's Little Dixie is Real Although it Appears on No Maps," *Kansas City Times*, December 5, 1941; Robert M. Crisler, "Missouri's Little Dixie," *Missouri Historical Review*, 42 (January 1948): 131-139; Douglas Hurt, *Agriculture and Slavery in Missouri's Little Dixie* (Columbia: University of Missouri Press, 1992), xi, 2; Aaron Astor, *Rebels on the Border: Civil War, Emancipation, and the Reconstruction of Kentucky and Missouri* (Louisiana State University Press, 2012), 12. According to Wellman and Crisler, Democratic Party voting majorities in these counties in the 1930s and 1940s most contributed to the formation of Little Dixie's regional identity, but in recent years, historians of the region have begun to rely on different, more historically oriented, criteria. In his 1992 study *Agriculture and Slavery in Missouri's Little Dixie*, Douglas Hurt, rather than focus on twentieth-century politics, redirected the debate surrounding Little Dixie to "cultural and economic criteria," mainly the prevalence of antebellum slavery within the Missouri River counties. Using slave demographics, Hurt redefined Little Dixie as Clay, Lafayette, Saline, Cooper, Howard, Boone, and Callaway, a seven county region that made up what he deems to be "the heart of the 'Black Belt' in antebellum Missouri." Historian Aaron Astor, in his more recent study of Little Dixie, delineates the region as Lafayette, Saline, Chariton, Cooper, Howard, Boone, Callaway counties.



Fig. 1 Map of Missouri with Little Dixie counties outlined in black. Map taken from yellowmaps.com, accessed June 12, 2014 <http://www.yellowmaps.com/map/missouri-labeled-map-116.htm>. Black border drawn by author.

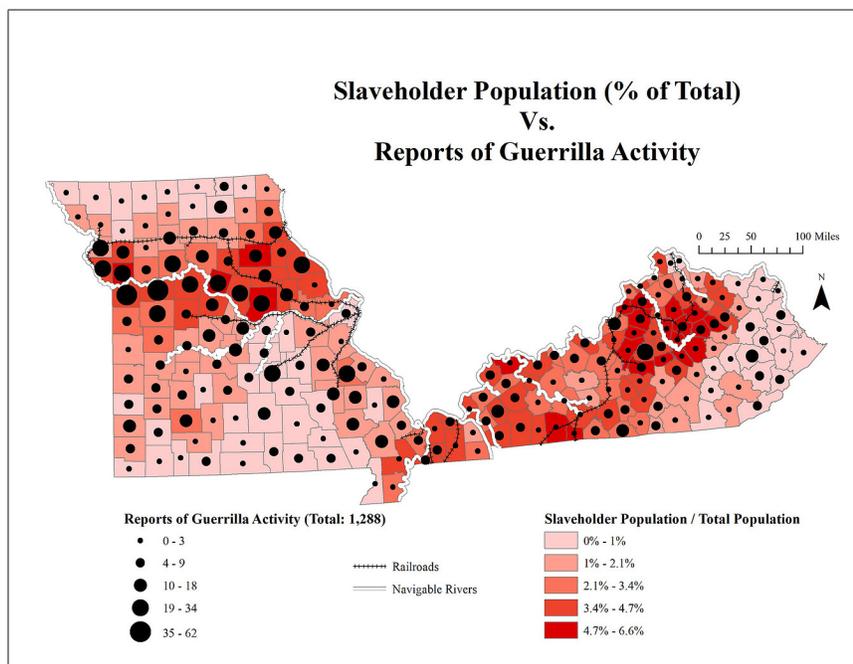


Fig. 2 Map of Missouri and Kentucky denoting the occurrences of guerrilla activity and the slave owning population. These maps demonstrate the correlation between slave ownership and guerrilla activity. Map created by historian Andrew Fialka, accessed May 13, 2019, <https://www.andrewfialka.com>.

Most scholars have come to agree that the region's southern identity evolved over the decades following Anglo-American settlement due to all of the factors listed above; but, I contend the region's Civil War legacy most contributed to the emergence of the southern regional identity that spawned the nickname "Little Dixie" in the postwar period. Before the war, Missourians would have viewed the region along the river as distinct for the prevalence of slaves, southern culture, and cash crop production, but they would not have recognized the name "Little Dixie." Most scholars agree that the name did not come into use until during or immediately following the Civil War and only first appeared in print as late as 1941.

Anachronistic applications of the name Little Dixie occlude the moderate political stance embraced by the majority of the region's residents before the war.⁷ Antebellum Missourians held a moderate position in regard to the issue of slavery's expansion, a stance influenced by the state's location on the far western border of the U.S. and on the northernmost and westernmost borders of slavery, making the state a place of convergence for northern, southern, and western ideologies. Missourians developed a Middle Western political ideology, that historian Christopher Phillips has described as "a peculiar hybrid," which at once celebrated government protection of individual rights, including the right to own slaves, but also viewed government as the biggest threat to these rights.⁸ Missourians staunchly opposed radicalism or fanaticism of any kind, especially that practiced by abolitionists and proslavery demagogues, viewing both as equally threatening to the American experiment.⁹

⁷ I will be using the name Little Dixie to describe the region and its people in this work even though it is questionable if the name was used during the Civil War.

⁸ Christopher Phillips, "'The Crime Against Missouri': Slavery, Kansas, and the Cant of Southernness in the Border West" *Civil War History* 48, no. 1 (March 2002): 60-81.

⁹ Astor, *Rebels on the Border*, 8-9. Astor classifies Missouri and Kentucky as "the middle ground" where "migratory streams of peoples, ideas, and cultures traversed the slave-free line" and created "a heterogeneous border culture."

Notwithstanding Missouri's moderate stance, the state earned a reputation for being radically proslavery during the Bleeding Kansas conflict, according to Phillips. The vociferous efforts of some proslavery demagogues and the visible militancy of border ruffians in the 1850s drowned out the silent moderation of the majority of Missourians living along the border. The resonance of this legacy, which Phillips labels "The Crime Against Missouri," has contributed to the historical tendency of "casting Missouri as uniformly proslavery and, thus, by default, as Southern."¹⁰

The Civil War only compounded this pro-slavery, pro-southern reputation. In *The Rivers Ran Backwards*, Phillips examines a region he terms "the American Middle Border," comprised of Missouri, Kentucky, Illinois, Indiana, and Ohio, from the antebellum period to Reconstruction. He finds that the Civil War and its legacy transformed a culturally analogous middle border region into two distinct regions: with Missouri and Kentucky identifying as southern and Illinois, Indiana, and Ohio identifying as northern.¹¹

Historian Aaron Astor examines this same phenomenon as it developed specifically in Little Dixie from the antebellum period through Reconstruction in his book *Rebels on the Border*, which also includes an examination of Kentucky's Bluegrass region. Astor agrees with Phillips that Missourians held moderate views on the eve of the war, subscribing to a

Americans living in this region, Astor argues, "despised extremism from both abolitionists and secessionists." They desired to remain neutral in the brewing sectional conflict until "neutrality proved untenable."

¹⁰ Phillips, "The Crime Against Missouri," 60-81. See also Christopher Phillips, *Missouri's Confederate: Claiborne Fox Jackson and the Creation of Southern Identity in the Border West* (Columbia: University of Missouri Press, 2000).

¹¹ Christopher Phillips, *The Rivers Ran Backward: The Civil War and the Remaking of the American Middle Border* (Oxford University Press, 2016). For more on Midwestern regional identity and history see: Jon K. Lauck, Gleaves Whitney, and Joseph Hogan, *Finding a New Midwestern History* (University of Nebraska Press, 2018); Andrew R.L. Cayton and Susan E. Gray, eds. *The American Midwest: Essays on Regional History* (Bloomington: Indiana University Press, 2001).

“conservative Unionism,” which emphasized the “Union, the Constitution, and the Laws” above everything else. Little Dixians held a strong allegiance to the United States, sharing the same view of their nation generally embraced by all Americans, who celebrated the democratic republic as exceptional and insisted on its preservation to ensure the enjoyment of civil liberties and democratic governance for future Americans and people around the world.¹² Conservatives in this region condemned the “sectional extremism” embraced by both abolitionists and secessionists and believed political compromise was the best way to quiet both sides and preserve the Union with slavery intact. In the event of war, most hoped to remain neutral.¹³

Little Dixians held “conservative Unionist” views, as outlined by Astor, but they also closely resembled another group of cooperationists identified by renowned Civil War historian James McPherson. Individuals who McPherson labels “conditional Unionists” urged radical Southerners to act cautiously, pleading with their southern brethren, in particular, to wait for the North to commit an “overt act” against slavery before seceding.¹⁴ Little Dixians remained

¹² Gary W. Gallagher, *The Union War* (Cambridge, Massachusetts: Harvard University Press, 2011), 1-2, 34; Lang, *In the Wake of War*, 2; Astor, *Rebels on the Border*, 48-49. Gary Gallagher reveals how white Unionists in the United States during the Civil War viewed the nation and the union of states as synonymous. Unionists fought a war to preserve the United States of America; emancipation came later as a necessary war measure to end the rebellion. For Unionists, the disintegration of the Union would constitute the failure of the American experiment in democratic government, an exceptional form of government and a shining beacon of hope for the world.

¹³ Astor, *Rebels on the Border*, 4, 15; Phillips, “The Crime Against Missouri”, 67; Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York: Harper and Row, 1974), 116. Astor defines “conservative unionism” as an initial desire to preserve the “Union, the Constitution, and the Laws.” Astor attributes its rise in antebellum Kentucky and Missouri to what historian Barbara Fields has labeled the “middle ground” or “a society materially based on small-scale slavery, diversified agricultural holdings, and widespread slave hiring.” But Astor’s study further reveals how this conservative position gradually eroded over the course of the war—especially after Emancipation—and Reconstruction, when conservatives realized all hope was lost for the restoration of the Union as it had been before the war, complete with the Constitution and slavery. Christopher Phillips uses the term “peculiar Unionism,” which historian Carl Degler first introduced in his work *The Other South*, to describe a similar ideology. Degler characterized “peculiar Unionism” as steadfast support for both slavery and the Union and a celebration of the democratic process as the foundation of liberty.

¹⁴ James McPherson, *Battle Cry of Freedom: The Civil War Era* (Oxford University Press, 1988), 237. Before Astor, James McPherson outlined a similar cooperationist ideology extant in the South in his award-winning 1988 monograph, *Battle Cry of Freedom*. McPherson labels this group both “conservative” and “conditional unionists” and claims they held the opinion that the South should wait for Lincoln to act, to give him a chance to fulfill his

confident that the U.S. Constitution provided the best protection for citizens' property, including slave property, and believed President Lincoln when he said he would not interfere with slavery where it already existed. But, they also cautioned the administration against using "coercive force" against the southern states, understanding the union between the states to be a voluntary association, held together by the will of the people, maintained by a delicate balance between state and federal power; thus, any attempt to force the South to remain in the Union would be viewed as a violation of state sovereignty and an abuse of executive and military power.

Missourians' warning against "coercive force" pertained to their state above all others, since they had declared neutrality and voted against secession before the official outbreak of war.¹⁵ Little Dixians urged both sides against drastic action, but for many, most of the burden lay squarely with the Federal government. Their support for the Union hung in the balance, teetering on the decisions of Lincoln and the administration regarding the treatment of both the peculiar institution and rebels.¹⁶

Military Occupation and Irregular Warfare

promises to leave slavery alone. Furthermore, the conditional unionists maintained that the South should not act rashly or secede unless "Republicans committed some 'overt acts' against southern rights."

¹⁵ Astor, *Rebels on the Border*, 51-52; *Resolutions Adopted by the Missouri State Convention* [March 1861], Lincoln Papers, Library of Congress, Washington D.C.; William C. Harris, *Lincoln and the Border States: Preserving the Union* (University Press of Kansas, 2011), 23, 93, 119-121. A minority of radical pro-secession demagogues doubted Lincoln's promise and called for Missouri to join the South. Pro-secession state officials, namely Missouri Governor Claiborne Fox Jackson, desperately wanted Missouri to secede. He complicated the situation in the state when he pursued a similar course to that of officials in Kentucky, professing a policy of "armed neutrality." This was a rather peculiar form of neutrality, since it simultaneously allowed for the militarization of the state and the mobilization of state troops to resist federal forces. Lincoln disapproved and branded the policy of "armed neutrality" basically "treason in effect." This subject will be discussed at length in chapter 1.

¹⁶ Jennifer Weber, *Copperheads: The Rise and Fall of Lincoln's Opposition in the North* (Oxford University Press, 2006), 14. Many conservative Unionists in Little Dixie shared similar views as antiwar Democrats in the North, commonly called "Copperheads." According to Weber, Copperheads "had a very conservative understanding of the Constitution and were deeply suspicious of any attempts—real or perceived—by Lincoln to expand his powers or those of the government."

Recently, several historians have argued that U.S. soldiers in the Civil War largely held themselves to the high standards of proper nineteenth-century behavior, abiding by military decorum and the rules of war and, therefore, successfully limiting the destructiveness of the conflict. In *The Civil War and the Limits of Destruction*, historian Mark Neely, Jr. argues that compared to other wars occurring contemporarily with the Civil War, such as the Mexican-American War and the Indian Wars of the 1860s, the Civil War was far more restrained. Similarly, scholar William Blair subsequently echoed Neely's conclusions in his study *With Malice Toward None*. Blair alleged, "the Union military generally established order and—except perhaps for a few cases—for the most part did not adopt a policy of devastation without rules and limits."¹⁷

Neely attributes the difference in behavior among American soldiers in the Mexican-American War and the Indian Wars to nineteenth-century white American conceptions of racial difference. Soldiers crossed the limits of acceptable nineteenth-century warfare in their unnecessarily violent treatment of Natives and Mexicans, and they justified violence against the cultural and racial "other" because they considered them to be inferior and less worthy of civilized treatment, Neely argues.¹⁸

Contrary to Neely's findings regarding Civil War soldiers' behavior generally, I argue that Federal soldiers in Little Dixie during the Civil War fought Missouri guerrillas with a level

¹⁷ Aaron Sheehan-Dean, *The Calculus of Violence: How Americans Fought the Civil War* (Cambridge, Massachusetts: Harvard University Press, 2018); D.H. Dilbeck, *A More Civil War: How the Union Waged a Just War* (Chapel Hill: University of North Carolina, 2016); William A. Blair, *With Malice Toward Some: Treason and Loyalty in the Civil War Era* (University of North Carolina Press, 2014), 128 [quotation]; Aaron Sheehan-Dean, "Lex Talionis in the U.S. Civil War" in David T. Gleeson and Simon Lewis, eds. *The Civil War as Global Conflict: Transnational meanings of the American Civil War* (Columbia, South Carolina: The University of South Carolina Press, 2014); Mark Neely, Jr., *The Civil War and the Limits of Destruction* (Cambridge, Mass: Harvard University Press, 2007); Mark Neely, Jr., "Retaliation: The Problem of Atrocity in the American Civil War" *Forty-First Annual Fortenbaugh Lecture* (Gettysburg, Pa.: Gettysburg College, 2002).

¹⁸ Neely, *The Civil War and the Limits of Destruction*, 5, 36-37; Lang, *In the Wake of War*, 11, 16, 18.

of brutality approaching that employed by U.S. soldiers fighting those they deemed racial “others.” Modern as well as contemporary observers often ask the same question: how could Americans fight each other with such brutality? Mark Neely’s argument that racial difference increased soldier’s tendency to perpetuate atrocities does not explain how the war in Missouri, a war between foes of the same race and national heritage, reached such unprecedented levels.

As I will argue in “[B]etween fires,” the extreme methods soldiers employed against guerrillas and civilians were desperate attempts to use retaliation as a corrective measure in direct response to the enemy’s violation of the rules of war and reliance on a style of warfare deemed improper by most contemporaries. Rather than join the regular Confederate Army and fight set-piece battles in unfamiliar territory, guerrillas chose to fight at home, remaining close to family and friends, taking up arms at intervals, and resorting to ruthless hit-and-run tactics that took most Union soldiers off guard. Guerrillas picked off the enemy from the brush, destroyed railroad and telegraph lines, burned towns and civilian homes, and terrorized and murdered combatants and civilians alike. They emerged from the people, blended into the people, and relied on the people for support. Initially, Union occupiers tried to eradicate guerrilla bands using traditional military tactics; early initiatives primarily involved garrisoning major towns and county seats and scouting the countryside for guerrilla bands. Federals quickly realized, however, that guerrillas’ mobility, skill, and elusiveness made regular military initiatives ineffectual. Unable to combat their enemy using regular tactics, U.S. soldiers embraced irregular tactics themselves in an effort to beat guerrillas at their own game. Despite the overarching drive toward restraint, generally, Union soldiers were often provoked to extremes out of frustration and anger with their inability to capture or kill irregulars.¹⁹

¹⁹ Lang, *In the Wake of War*, 107, 113-114; Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 9-10.

Union soldiers soon realized they could never eradicate guerrillas using antiguerrilla tactics alone and began to employ a counterinsurgency strategy aimed against the guerrilla's civilian-centered supply line.²⁰ Union occupiers in Little Dixie understood that a guerrilla war was fundamentally “a people's war,” necessitating the support of the local population.²¹ Wherever guerrillas roamed, civilians had to feed and supply them. So, Federals shifted their focus to the civilian population in order to root out rebels and cut off vital resources sustaining guerrillas. Soldiers often sought out civilians suspected of disloyalty and retributively made them suffer for the lawless deeds of guerrillas. Mimicking the tactics of guerrillas, soldiers invaded civilian homes to search for guerrillas and to confiscate or destroy food and supplies; in the process, they occasionally tortured and tormented women, burned homes, and murdered suspected traitors. Some soldiers actively encouraged slaves to abscond from their masters, a strategy first pursued by Kansas Jayhawkers during Bleeding Kansas and continued over the course of the Civil War.

From the perspective of Little Dixians, U.S. soldiers' new counterinsurgency methods essentially made them no better than guerrillas. Most reacted to this development with horror. Their anger amplified when U.S. officials issued military policies authorizing soldiers to

²⁰ Robert Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 14. I borrow the terms *antiguerrilla* and *counterinsurgency* from Mackey. He defines *antiguerrilla* operations as “direct combat operations aimed at destroying irregular units,” while he defines *counterinsurgency* as federal initiatives to eradicate the guerrilla supply base—known more specifically as *pacification*. I use *counterinsurgency* to describe federal policies against civilians specifically.

²¹ Sutherland, *A Savage Conflict*, 10; Mackey, *The Uncivil War*, 10; Carl von Clausewitz, *Clausewitz on Small War*, trans. and eds. Christopher Daase and James W. Davis (Oxford University Press, 2015), 11-12. According to Davis, Europeans typically labeled “asymmetric military conflict” as “Small War” (French: *petite guerre*; German: *kleiner Krieg*; Spanish: *guerrilla*). Originally, the Spanish term *guerrilla*, meaning small war, connoted “the nature of the conflict—Small War—rather than the political aspirations of the combatants.” “Partisan” units carried out Small War, or irregular tactics, in cooperation with the regular army up until the American Revolution and the Napoleonic Wars when Small War came to encompass a new meaning: a “people's war,” or local population motivated to irregular warfare by ideology.

confiscate or destroy the property of disloyal civilians. These policies only emboldened soldiers to continue stealing resources, destroying property, and encouraging slaves to abscond, especially Kansas Jayhawkers and other Radical Union militiamen, who held strong abolitionist views and considered most slave-owning Missourians to be rebels.

Radical initiatives against the institution of slavery in Missouri caused slave-owning Little Dixians massive grief, especially since the protection of slavery formed a major component of their “conditional Unionism.” According to Astor, black emancipation and enlistment caused the collapse of political conservatism in Little Dixie. However, long before the Civil War, the authorization of the emancipation of slaves in the South, and the enlistment of black soldiers in the U.S. army, Little Dixie slave owners lost slaves to the irresistible appeal of freedom in neighboring Kansas, often at the behest of militant abolitionists. Little Dixians complied with soldiers’ demands for a warm meal or supplies; they endured searches and seizures and the confiscation of their firearms; they watched helplessly as soldiers set their homes ablaze, reducing all their worldly possessions to ash; and they witnessed with horror their male relatives riddled with bullets or swinging from the noose. So, by the time black emancipation and enlistment were enacted, local residents viewed these policies as just the latest assault in a long line of federal infractions. Only in this context can these policies be viewed as the death knell of conservatism in the region.²²

Federal soldiers, Union militiamen, and U.S. officials in Little Dixie struggled over the course of the war to establish the best policy for dealing with guerrillas and their civilian aiders and abettors. Quarrels between U.S. officials and soldiers on the front lines in Little Dixie regarding the treatment of rebels and slaves mirrored those among Republicans in Congress and

²² Astor, *Rebels on the Border*, 5, 10-11, 46-47.

Missouri's General Assembly. Missouri radicals, led by Senator Charles D. Drake, called for a hard campaign against slavery and rebels, relying on the international law of nations to justify harsher policies; but conservatives, led by Provisional Governor Hamilton Gamble, desired the preservation of slavery and conciliatory policies toward disloyal southerners, relying on the restraint and leniency embedded in the Constitution. Conservatives clung tightly to the U.S. Constitution, arguing that working within the limits prescribed in America's sacred founding document and protecting civil liberties, above all else, would be the surest way to preserve the Union and, thus, American democracy.²³

Most Little Dixians aligned with conservative Unionists on these issues, believing soldiers and military officials should adhere to the Constitution and should not interfere with the institution of slavery. Soldiers using coercive force against civilians and actively working to undermine slavery stood as affronts to the two conditions of many Little Dixians' "conditional Unionism," and these two problems continued to constitute the primary grievances of residents throughout the war. Some federal occupiers believed "hard war" policies and initiatives against civilians were necessary in order to effectively root out rebels and cripple the guerrilla war effort quickly and decisively.²⁴ On the contrary, though, soldiers participating in the guerrilla war and pursuing extreme measures against civilians and slavery only served to erode Little Dixians' political conservatism and to inspire more sympathy with guerrillas and the Confederacy among the population.

²³ Blair, *With Malice Toward Some*, 80, 81, 87, 89-90.

²⁴ Mark Grimsely, *The Hard Hand of War: Union Military Policy Toward Southern Civilians, 1861-1865* (Cambridge University Press, 1995), 3. Grimsley defines "hard war" as "actions against Southern civilians and property made expressly in order to demoralize Southern civilians and ruin the Confederate economy, particularly its industries and transportation infrastructure" as well as "the allocation of substantial military resources to accomplish the job."

The Domestic War

Federal counterinsurgency initiatives forced soldiers into Little Dixie households. Historians typically struggle to cross the threshold of the domestic sphere and accurately reveal the intimate inner workings of the home and the family. However, Civil War Little Dixie presents the historian with a rare opportunity. Guerrillas and Union militiamen invaded local homes in desperate need of supplies or in hot pursuit of the enemy, bringing them into frequent contact with the occupants, the majority of whom were women.

Over the last forty years, Civil War historians have increasingly shifted their focus from the battlefield to the home front in the occupied South, examining more closely the role southern women played in the war. *Occupied Women*, edited by LeeAnn Whites and Alecia P. Long, has done much to foster this historiographical trend, bringing needed attention to the domestic sphere as a field of battle in its own right.²⁵ The examination of women and the home makes up a large portion of this dissertation, since women made up the largest percentage of the civilian population remaining in occupied territories. Not all women sat at home, enduring occupation merely as victims; many actively participated in the conflict, causing occupiers a great deal of grief and headaches. My dissertation builds on the contributions of historians LeeAnn Whites, Michael Fellman, and others by revealing the active, rather than passive, status of women on the home front in Little Dixie's irregular war.²⁶

²⁵ LeeAnn Whites and Alicia P. Long, eds. *Occupied Women: Gender, Military Occupation, and the American Civil War* (Louisiana State University Press, 2009), 6-7.

²⁶ Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri during the Civil War* (Oxford University Press, 1989); Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War*, (Chapel Hill: University of North Carolina Press, 1996); LeeAnn Whites, *The Civil War as a Crisis in Gender: Augusta, Georgia, 1860-1890* (Athens: University of Georgia Press, 1995); LeeAnn Whites and Alicia P. Long, *Occupied Women: Gender, Military Occupation, and the American Civil War* (Baton Rouge: Louisiana State University Press, 2009); Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Harvard University Press, 2010).

While some scholars examining the wartime behavior of southern women have largely understood their participation and resistance almost exclusively in political terms, others have shown that women often acted to preserve the antebellum social order and their traditional status in society. Historians Drew Gilpin Faust agrees with Whites interpretation of female resistance as a desperate attempt to preserve the status quo, the gender order, and women's traditional roles in society. During the war, Faust argues, women merely "invented new selves designed in large measure to resist change, to fashion the new out of as much of the old as could survive."²⁷ Faust's and Whites' conclusions suggest that southern women's motives extended far beyond political ideology or loyalties.

Little Dixie women's mobilization of their domestic duties to support combatants was one area in which they attempted to maintain their traditional roles in society. Antebellum Americans idealized women as the guardians of the domestic realm and the helpmeets of men. Women living in households with domestic slaves were primarily responsible for managing the household, whereas women in households without slaves often ran the house and assisted their husbands or fathers in the field by planting or harvesting crops or by performing other chores around the farm. With the outbreak of war, women continued their responsibilities of feeding, clothing, and sheltering men, providing them with the products manufactured and produced within the pre-industrial household, only now these efforts helped sustain insurgents in their fight against the Federal government, which virtually made them into the quartermasters of the irregular war. However, when women performed these tasks willingly, they often did so because

²⁷ Faust, *Mothers of Invention*, 8; Whites, *The Civil War as a Crisis in Gender*, 5. Whites writes, "Breaking with the antebellum gender order under the altered conditions of war could actually constitute a last desperate effort to preserve it." Whites' study is a groundbreaking work that positions gender at the center of the Civil War. She argues that the Civil War upended traditional gender constructs, challenging Americans' conceptions of the proper roles of men and women in society and causing a crisis in established American gender relations.

they understood them not as revolutionary changes but as natural extensions of their traditional domestic duties, simply the *status quo ante bellum*.²⁸

Similarly, those who willingly aided bushwhackers did so out of familial obligation. The Little Dixie women who supplied bushwhackers were often supporting their sons, husbands, or fathers. Historian of Missouri's irregular war Joseph Beilein found evidence of an "informal" pre-war "*supply line*" in Civil War Little Dixie comprised of pre-industrial households repurposed for the guerrilla war and linked together by familial and social relations, an evolution peculiar to the irregular war; in fact, many of these households were the homes of guerrillas themselves or their extended relatives in what scholar LeeAnn Whites terms "the relational field of battle."²⁹

Women supporting their male counterparts in their partisan endeavors and mobilizing the domestic sphere to help sustain a war effort represented the primary patriotic responsibilities of American women in wartime in the nineteenth-century.³⁰ As previous generations of American women before them, Little Dixie women took over the management of the household while their male counterparts went off to war. Traditionally, men went off to war to protect women and the

²⁸ Kimberly Harrison, *The Rhetoric of Rebel Women: Civil War Diaries and Confederate Persuasion* (Carbondale: Southern Illinois University Press, 2013), 28-29; Joseph M. Beilein, Jr., "The presence of these families is the cause of the presence there of the guerrillas': The Influence of Little Dixie Households on the Civil War in Missouri" (M.A. Thesis, University of Missouri, 2006), 4; Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988), 37-99.

²⁹ LeeAnn Whites, "'Corresponding with the Enemy': Mobilizing the Relational Field of Battle in St. Louis" in *Occupied Women*, eds. LeeAnn Whites and Alecia P. Long, 116; Beilein, "The presence of these families," 13-41. I take the term "supply line" from Joseph Beilein's work on Missouri guerrilla supply networks. Beilein's thesis highlights the existence of an antebellum communal support network linked by family and friends that transformed into the guerrilla "supply line" during the war. Armed with knowledge of the economic and political strands linking members of local communities, guerrillas more easily distinguish friends from foe, relying heavily on specific households for sustenance and support. His more recent book, *Bushwhackers*, extends the work of his thesis.

³⁰ Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (University of North Carolina Press, 1980), 73-74; Mary Beth Norton, *Liberty's Daughters: The Revolutionary Experience of American Women, 1750-1800* (Ithaca: Cornell University Press, 1980).

same was true for the Civil War generation.³¹ Ironically, in their efforts to protect their families by going off to war, men had to leave them behind, alone and vulnerable. However, men felt reassured that in their absence the established wartime custom of sparing civilians, especially women and children, would prevail and enemy soldiers would not plague their families.

Combatants in Little Dixie generally tried to preserve the custom of sparing women and children physical harm. Union soldiers did not pursue the calculated murder or massacre of women and children in Little Dixie as they sometimes did when fighting enemies they considered racially inferior “others.”³² According to Fellman, this would have caused “the erasure of all lines between civilian and soldier and the treatment of men and women,” an evolution that would have approximated the level of violence necessary for classifying the conflict as a total war.³³ Nonetheless, soldiers did not hesitate to torment women, verbally threatening and terrorizing them, and in the most extreme cases, actually physically or sexually assaulting them. More often, however, combatants attacked women indirectly by destroying items symbolic of domesticity or destroying the very site of female control: the home. The burning of a home or the murder of a father, husband, or son at the hands of a ruthless enemy often left women homeless, destitute, and completely grief-stricken, epitomizing combatant’s campaign of terror against women on the home front. These wartime evolutions in the treatment

³¹ Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (President and Fellows of Harvard College, 2010), 94 [quotations]; Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books Inc., 1977), 42-43. Sparing noncombatants harm was an important custom evident throughout many societies. Michael Walzer notes, “the general conception of war as a *combat between combatants*” and insists upon the near universality of this moral notion, since it “turns up again and again in anthropological and historical accounts.” Walzer simultaneously acknowledges, however, that principles regarding the wartime treatment of noncombatants often depend on the circumstances of the war and the “social and cultural perspective” of the people involved.

³² Neely, *The Civil War and the Limits of Destruction*, 5, 36-37; Lang, *In the Wake of War*, 11, 16, 18.

³³ Fellman, *Inside War*, 201-208; Matthew Stith, *Extreme Civil War: Guerrilla Warfare, Environment, and Race on the Trans-Mississippi Frontier* (Baton Rouge: Louisiana State University Press, 2016), 13.

of women represented radical and extremely unsettling developments, as they diverged so drastically from nineteenth-century Americans conceptions of the proper behavior of republican “citizen-soldiers.”

Nevertheless, because they felt assured of their survival during encounters with soldiers, Little Dixie women were better able to successfully perform their new roles as defenders and protectors of the home and the family. Men were largely absent from the home, and women took over as the last bastion of defense against armed intruders. Women found cooperation the most useful strategy and often turned to their skills in verbal persuasion to ward off disaster. In some instances, women successfully persuaded soldiers not to destroy their home or, in cases where men remained at home, not to arrest, capture, or murder a male relative, who often faced life-threatening danger in encounters with combatants. However, women taking on the role of the defenders and protectors of men represented a radical change in nineteenth-century gender dynamics, in which women typically relied on men for protection.

Little Dixie women also unsheathed their sharp tongues to defend their personal honor and their privileged status as women in society. According to historian Kimberly Harrison, southern women strove to maintain their honor through rhetoric in encounters with Union soldiers, primarily by exhibiting prudence and self-control. Soldiers’ aggressive demands and offensive taunts toward women, alone within the confines of the private sphere without the supervision or protection of a male family member, as was the prevailing antebellum custom, radically disrupted Victorian social standards regulating the polite interactions between ladies and gentlemen. When challenged by soldier’s aggressive demands and offensive taunts, women often employed what Harrison calls “a gendered rhetorical honor for self-protection.”³⁴ Women

³⁴ Kimberly Harrison, *The Rhetoric of Rebel Women: Civil War Diaries and Confederate Persuasion* (Carbondale: Southern Illinois University Press, 2013), 27, 30.

responding with aggressive retorts further destabilized proper male-female social dynamics, but women's aggression was in direct response to the radical change in male behavior and a desperate attempt to correct a soldier's violation of social rules, a kind of verbal duel.

Despite women's efforts to preserve the status quo on many fronts, Union occupiers classified many female behaviors as treasonous in the irregular war. Women who aided guerrillas along with those who spoke, wrote, or demonstrated any sentiments that indicated their sympathy with the Confederacy or opposition to the Union risked being labeled traitors, a crime for which they could be arrested, tried, and confined, or even banished, if convicted. This was a shocking and revolutionary development.

Neither Union soldiers nor Little Dixie residents welcomed this wartime evolution. By treating women as traitors, Federals recognized their capacity to participate in politics and in war, a drastic shift in women's traditional status in nineteenth-century American society. Most Union soldiers struggled with the concept that women were capable of being traitors, making it difficult for them to carry out their new responsibilities of arresting and detaining women as well as testifying against them in military courts.³⁵

Some historians have cast women's wartime politicization as a positive milestone in the drive toward the full realization of their political rights in America. Little Dixie men and women, however, certainly did not view it that way. In fact, I will show that women's motivations for resisting and participating in the conflict were far deeper and more intimate than simply demonstrating their political loyalties. I agree with historian Matthew Stith's assertion in his study *Extreme Civil War* that civilian actions in a brutal irregular war were more about survival

³⁵ LeeAnn Whites "Corresponding with the Enemy" in *Occupied Women*, 116; Kristen Streater, "'She-Rebels' on the Supply Line: Gender Conventions in Civil War Kentucky" in *Occupied Women*, 88-102; Fellman, *Inside War*, 193; Stith, *Extreme Civil War*, 14.

than demonstrating “an abstract notion of Confederate or Union nationalism.”³⁶ Little Dixie women aided their guerrilla relatives out of a sense of traditional female domestic, familial, and wartime obligations. Some may have actively supported the Confederacy, but more often than not, their rebellion stemmed from their disgust with federal policies and initiatives that allowed armed strangers to invade their private spaces and upset domestic tranquility, challenging their ability to preserve the sanctity of the home and their role within it. They despised the U.S. soldiers who targeted civilians, turned their homes into battlefields, and made women and children into parties of war. Little Dixie women used whatever means available to them to preserve their honor and to protect their family, their property, and their households, as well as their privileged status in society. When faced with the choice of appeasing a Union soldier or defending themselves or a loved one, women usually chose the latter.

Treason

U.S. military officials arrested civilians, including women, for treason on an unprecedented scale during the Civil War. In *The Fate of Liberty*, Civil War scholar Mark Neely Jr. claims that the poor condition of the Union Provost Marshal Files, the main source of compiled civilian arrest records, has made it impossible for historians to calculate the exact number of treason cases, explaining why no “systematic statistical investigation” has ever been conducted. While the exact number of arrests may never be known, Neely contends that the existing records reveal a higher rate of arrest in the state of Missouri than any other state during the war.³⁷

³⁶ Stith, *Extreme Civil War*, 6 [quotation].

³⁷ Mark E. Neely, Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 45.

From extant records available from Gratiot Street Prison in St. Louis, Neely produced an estimate of the number of prisoners held there over the course of the war. He contends that between September 1861 and April 1865 some 4,770 political prisoners, excluding prisoners of war, passed through the prison gates, which represents roughly one out of every one hundred men in the state. Neely speculated that any estimate of the total number of prisoners held for treason gathered from available records could “produce a formidable if not staggering figure,” leading him to conclude, “Missouri proved from start to finish to be a sorry blemish on the administration’s record. It became a nightmare for American civil liberties.”³⁸

Neely’s groundbreaking work has paved the way for more in-depth explorations of the records of civilian arrests compiled in the *Union Provost Marshals’ File of Papers*. Historians have yet to thoroughly investigate the nature of civilian arrests for treason during the war and the impact these arrests had on the war effort. I believe my work helps to fill these gaps in the historiography. By exploring the details of individual cases of treason on a microhistorical level in Little Dixie, it becomes clear why locals viewed military occupation as detrimental to American civil liberties.

The widespread arrest of Missourians for treason diverged drastically from the precedent established for punishing treason in the early republic. In fact, few charges of treason came down from the legal institutions of the U.S.—fewer than forty in fact—before the Civil War. Only one man suffered the death penalty for the crime of treason: John Brown. His crime was not for committing treason against the U.S. but against the Commonwealth of Virginia, a crime for which he hanged in December 1859.³⁹

³⁸ Neely, *The Fate of Liberty*, xiii, 46, 50.

³⁹ Blair, *With Malice Toward Some*, 13, 16.

When President Abraham Lincoln declared martial law at the war's outset, he set precedent and inspired military officials in Missouri to follow suit. In August 1861, John C. Fremont, Commanding General of the Department of the West, issued a proclamation for Missouri declaring martial law throughout the state. Instituting martial law meant that normal civil governance in hostile areas would be subsumed under military authority.⁴⁰ Martial law combined with the suspension of the writ of *habeas corpus* made possible the mass incarceration of Little Dixie civilians during the war. Suspending the writ allowed officials to lawfully detain accused traitors indefinitely without providing any explanation of the charges against them. The law permitted the suspension of the writ of *habeas corpus* "when in Cases of Rebellion or Invasion the public Safety may require it" but remained silent on who was endowed with this power.⁴¹ The president's suspension of the writ was also extremely controversial, and in response, Chief Justice Roger B. Taney declared only Congress possessed the right to suspend *habeas corpus* in his ruling *ex parte Merryman*.⁴²

The arrest of Little Dixie civilians for a variety of political actions, now classified as treasonous, further diverged from tradition and a strict interpretation of the U.S. Constitution.

⁴⁰ Neely, *The Fate of Liberty*, 34-35, 38. Fremont first declared martial law in Missouri by proclamation on August 30, 1861, but Lincoln, disagreeing with many of the edicts contained in the proclamation, subsequently revoked it. General Henry W. Halleck, the new commander of the department, wanted to receive official permission from Lincoln before officially declaring martial law in St. Louis, which he received on December 2, 1861, and he reinstated martial law there on January 1, 1862, in General Order No. 1. Neely further claims that the decision to prosecute armed citizens by court-martial "would prove extremely damaging to Abraham Lincoln's reputation."

⁴¹ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995) 29-30; Jonathan W. White, *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman* (Baton Rouge: Louisiana State University Press, 2011), 37-38.

⁴² Neely, *The Fate of Liberty*, 32-40, 51; John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Free Press, 2012), Appendix, 375-376; White, *Abraham Lincoln and Treason in the Civil War*, 4, 31; Blair, *With Malice Toward Some*, 91-92. Neely claims that by the time of the Emancipation Proclamation the writ had only been officially suspended in a few places, namely Florida, St. Louis, along the railroad and telegraph lines in Missouri, and along a "military line" from Washington, D.C. to Bangor, Maine. However, the writ was essentially "a dead letter" in many areas of the North, the seceded South, and much of the Border States. Controversial as it was, Lincoln's suspension of the writ was eventually sanctioned in the Habeas Corpus Act in March 1863.

Treason is the only crime expressly defined in the Constitution and is limited to the definition of “overt treason,” exclusively the acts of “levying war” against the United States or “adhering to their Enemies, giving them Aid and Comfort.”⁴³ Early in the war, officials focused only on arresting men who actively aided the rebellion. Eventually, however, they began arresting local residents for uttering disloyal sentiments, demonstrating support for the Confederacy, or corresponding with the enemy. Behavior previously accepted in America society as healthy demonstrations of political opinion now became political crimes punishable by military authority, a dramatic evolution that compromised America’s bipartisan tradition but, most of all, threatened American’s beloved right to freedom of speech.

By arresting citizens for more than just levying war, Union officers more closely approximated the tyrannical practices of their English forbearers. British monarchs often punished subjects for committing acts of treason that corresponded to the definition of “constructive treason,” which consisted of speaking or writing disloyal words against the monarchy. Convicted British traitors faced certain death, but in some severe cases, monarchs also demanded the entire inheritance or the execution of the traitor’s family.⁴⁴ Convictions for treason in monarchical societies typically relied on the whims of the ruler. In contrast, the Framers of the Constitution required authorities acquire at least two witnesses or a confession to the crime and provide a lawful trial before a legal conviction could be reached.⁴⁵

Nevertheless, in many cases, Federals often acted rashly, presuming the guilt of suspicious individuals and apprehending citizens they suspected of aiding the enemy with little

⁴³ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995); 38; Blair, *With Malice Toward Some*, 2.

⁴⁴ Blair, *With Malice Toward Some*, 15; White, *Abraham Lincoln and Treason in the Civil War*, 53.

⁴⁵ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995); 38; Blair, *With Malice Toward Some*, 2.

proof of disloyalty beyond rumor, hearsay, or the accusation of a neighbor. They rarely considered the role coercion played in encounters between unarmed civilians and guerrillas and spent little time trying to sort out civilian's intentions, assuming, instead, that everyone who aided guerrillas did so willingly. This assumption was fueled further by the prevalence of slave-owners in the region and their historical reputation for militant proslavery support lingering from Bleeding Kansas.

Occupiers assumed correctly that a large percentage of the population aided guerrillas but were generally unable to adequately determine civilian intent. Many residents were often forced to comply with their demands, especially considering they lacked any means to protect themselves. Locals had been required by military order to turn over their firearms to authorities in 1862, and with an insufficient number of troops to effectively defend the region, residents were left extremely vulnerable and incapable of resisting bushwhacker demands, especially those living in the countryside far from the urban centers of occupation. Historian Stephen Ash's explication of the "pattern" of Union occupation across the South reveals a lack of Federal control in the Little Dixie countryside. Ash claims Federals only sufficiently controlled major towns, what he calls "the garrisoned town"; whereas, Ash describes most of the surrounding countryside as a "no-man's-land," an "unpacified territory" or "a twilight zone neither Union nor Confederate."⁴⁶ While many Unionists flocked to the garrisoned towns to enjoy the protection of the army, others felt compelled to remain on their homesteads in "no-man's-land," which stood outside the Federal purview.

Overlooking the compulsory nature of civilian cooperation in "no-man's-land," Federals equated cooperation with disloyalty. According to Fellman, many Missourians cooperated with

⁴⁶ Stephen V. Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (Chapel Hill: University of North Carolina Press, 1995), 77, 99-103, 111.

either party that came to their door and, by doing so, lied about their true political loyalties, an act which nineteenth-century Americans would have considered a violation of their personal honor. He labels this behavior “survival lying.”⁴⁷ However, I contend Little Dixians prewar political moderation, marked by a desire for neutrality and sympathy with or aversion to both sides, made cooperation the most palatable option and rarely required lying. Federalists inability to see any gray in a situation they conceived as only black and white resulted in the unwarranted arrest of many cooperationists for the crime of willingly aiding the enemy.

Military occupiers approximating the monarchical practices in their prosecution of civilians for treason further undermined the very foundation of republican government. For nineteenth-century Americans, America’s republican traditions and institutions stood as the antithesis of European monarchical government. Protecting individual rights and freedoms from coercive or tyrannical government or military authority represented the primary impetus behind the creation of the American republic in the first place. The Framers of the Constitution carefully crafted a governing document that effectively limited executive power and prioritized the will of the people. Little Dixians preferred occupiers limit initiatives against suspected traitors in order to preserve the sanctity of the Constitution and the supremacy of the law to prevent the U.S. from spiraling into tyranny.

Extralegal Justice

Historians have long acknowledged the extremely vicious nature of Missouri’s guerrilla war. Historian Michael Fellman insisted that the irregular conflicts have been treated as “sideshowes to the real event” in the nationalist retelling of the Civil War because they do not fit

⁴⁷ Fellman, *Inside War*, 48-52.

neatly into American imaginings of “those sublime battles and that glorious victory for human liberty the just war brought.”⁴⁸ In fact, the “uncivilized” nature of the war in Missouri contributed to its being relegated to the margins of Civil War history for decades, demonstrated by the fact that historians Mark Grimsley and Robert Mackey both acknowledged the brutality of Missouri’s guerrilla war but excluded the state from their studies. Grimsley admitted that his neat three-phase progression of Union occupation policy, from conciliation in April 1861 to “hard war” in February 1864, did not apply to Missouri.

Only within the last thirty years, after the publication of Fellman’s seminal work *Inside War* in 1989, have historians begun to treat Missouri as a viable, even vital area of historical examination.⁴⁹ In 2000, Daniel Sutherland published *A Savage Conflict* and Clay Mountcastle published *Punitive War*, both of which included examinations of Missouri and affirmed the state’s distinctiveness as the site of some of the most intense guerrilla activity and the harshest Union reprisals, as early as 1861. “Nowhere was the rebel response more immediate or intense than in Missouri,” Sutherland asserted, and the Union policy of “conciliation was never practiced universally, in Missouri, perhaps least of all.” The appearance of hostile rebels in the state from the first days of the war meant that the Union “hard war” policies began earlier and ran longer in Missouri, more so than any other state in the nation.⁵⁰

⁴⁸ Michael Fellman, “I Came Not to Bring Peace, But a Sword: The Christian War God and the War of All against All on the Kansas-Missouri Border,” in *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*, eds. Jonathan Halperin Earle and Diane Mutti Burke (University of Kansas Press, 2013), 23; Daniel E. Sutherland, “Sideshow No Longer: A Historiographical Review of the Guerrilla War,” *Civil War History* 46, no. 1 (March 2000): 5-23. Fellman’s discussion of the historical relegation of Missouri’s guerrilla war to the margins of Civil War history echoes Daniel Sutherland’s article on the historiography of Civil War guerrilla warfare, in which he announces the emergence of the subject of guerrilla warfare from the shadows.

⁴⁹ Michael Fellman’s *Inside War* was the first holistic study of Missouri’s guerrilla war, highlighting the impact and meaning of the war for all participants—civilians, guerrillas, and Union soldiers—and concluding that the war initiated a complete breakdown of traditional “boundaries, expectations, and standards” related to cultural and social norms throughout every aspect of Missouri society, from gender norms to notions of honor.

Historians have recently begun to argue for the limited nature of the Civil War and to examine the role retaliation played in the conflict. Aaron Sheehan-Dean and Mark Neely examine the role of the international military policy of retaliation in the Civil War and argue that retaliation restrained the conflict, preventing it from descending into a “spiral of retaliatory violence,” and that military officials retaliated as “a last resort and with the intention of ending a cycle of violence rather than initiating one.”⁵¹ Retaliation served to correct a violation and to redirect the conflict back to an acceptable standard, but as Sheehan-Dean claims, in order for retaliation to be effective, it had to be pursued with caution and with close adherence to the following standards of practice: the person to be reprimanded should be of the same category as the original victim, the punishment must be equal to the crime, and the act of retaliation should only be pursued in order to correct an illegitimate act.

My dissertation extends existing scholarship on the role retaliation and revenge played in the Civil War through the investigation of the limits of violence in Missouri’s irregular war. Death in the irregular war is often dismissed as an unfortunate, yet unavoidable, side effect of the lawless and chaotic environment created by guerrillas. Many have shed light on the nature of guerrilla violence, but few have attempted to understand why combatants on both sides pursued such brutal methods against one another and local civilians, all of whom were fellow white

⁵⁰ Grimsely, *The Hard Hand of War*; Mackey, *The Uncivil War*; Sutherland, *A Savage Conflict*, 11, 18 [quotation]; Clay Mountcastle, *Punitive War: Confederate Guerrillas and Union Reprisals* (University of Kansas Press, 2009), 54. Mountcastle elevated Missouri’s guerrilla war to a place of prominence in the historiography by classifying Missouri as “the proving ground” for Union occupation policies. Missouri held a formative position in the war because the state witnessed the first aggressive counterinsurgency tactics aimed against civilians and created the war’s most well-known “practitioners of total war,” including John Fremont, John Pope, Henry W. Halleck, and John M. Schofield.

⁵¹ Aaron Sheehan-Dean, “Lex Talionis in the U.S. Civil War” in *The Civil War as Global Conflict: Transnational meanings of the American Civil War*, eds. David T. Gleeson and Simon Lewis (Columbia, South Carolina: The University of South Carolina Press, 2014), 175, 183; Neely, “Retaliation: The Problem of Atrocity in the American Civil War” *Forty-First Annual Fortenbaugh Lecture* (Gettysburg, Pa.: Gettysburg College, 2002).

Americans. In *Inside War*, Fellman pinpointed vengeance as a key motivator for combatants on both sides but failed to explain what inspired combatants to seek revenge in the first place. My work will demonstrate that Little Dixie combatants' desires for revenge were primarily motivated by strong feelings of injustice, due, at least in part, to the enemy's violations of the rules or customs of warfare. While Union occupiers were frustrated most by guerrillas resorting to irregular tactics, guerrillas often reacted to Union transgressions against the custom of sparing civilians, primarily women, from involvement in war.

Abusing the law of retaliation could easily cause a conflict to spiral out of control and devolve into cycles of vengeance. Union Brigadier General Henry Halleck, one-time commander of the Department of Missouri and later Lincoln's general-in-chief, deemed retaliation "the sternest feature of war" and cautioned against its misuse: "[u]njust or inconsiderate retaliation removes the belligerents farther and farther from the mitigating rules of regular war, and by rapid steps leads them nearer to the internecine wars of savages."⁵²

Notwithstanding the warnings against the dangers of retaliation, Union soldiers on the ground frequently acted out their desire for revenge against guerrillas and their civilian accomplices. Military officials in Missouri issued orders early in the war that seemingly encouraged this behavior. A proclamation issued by John C. Fremont, commander of the Department of the West, in August 1861 set a dangerous precedent in the state. While Fremont's edict guaranteed every captured rebel the right to a trial, it simultaneously established the death penalty as the proper punishment for all armed men.⁵³ This policy had a lasting impact on the

⁵² Aaron Sheehan-Dean, "Lex Talionis" in *The Civil War as Global Conflict*, 172; Neely, "Retaliation"; Henry Wager Halleck, "Retaliation in War," *The American Journal of International Law* 6, no.1 (Jan., 1912), 108 [quotation]; Witt, *Lincoln's Code*, 235-236 [quotation]; Appendix, 377, Section 1, Article 11; Dilbeck, *A More Civil War*, 89.

⁵³ *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (70 vols., 128 books. Washington, D.C.: Government Printing Office, 1880-1901) Series I, vol., Part III, pg. 466-467 [hereafter

war in Missouri, encouraging soldiers on the ground to pursue harsher tactics against suspicious armed men.

Federal condemnations of guerrilla warfare on the national level further encouraged soldiers in their harsh methods. Francis Lieber, a German-American jurist and political philosopher, wrote extensively on guerrilla warfare and would go on to compose the official Union military code known as General Order No. 100, or “Lieber’s Code.” This code heavily influenced the creation of international laws of war at The Hague in 1899 and would come to be celebrated “as a seminal document in the history of civilization.”⁵⁴ Lieber disapproved of guerrillas’ methods of warfare and condemned guerrillas as outlaws. Men without official army commissions, Lieber insisted, should not be “entitled to the privileges of prisoners of war” and, if captured, should be “treated summarily as highway robbers or pirates.”⁵⁵ Military orders issued in Missouri reflected a similar stance toward guerrillas and authorized soldiers shoot them on sight.

To further delegitimize guerrillas and their style of warfare, Federals likened them to those they deemed inferior “others.” Soldiers demonized guerrillas, fellow white Americans, by equating their tactics to those practiced by Native Americans: silently skulking through the woods, meticulously hunting the enemy, violently ambushing the unsuspecting victim, and

cited OR].

⁵⁴ Witt, *Lincoln’s Code*, 3.

⁵⁵ Francis Lieber, *Guerrilla Parties Considered*, 6; Witt, *Lincoln’s Code*, Appendix, 385; I will use the terms *guerrilla*, *bushwhacker*, *irregular*, and *insurgent* interchangeably throughout this dissertation to denote non-commissioned Confederate irregular fighters in Little Dixie, Missouri. *Guerrilla warfare*, historian Robert Mackey insists, was a term that has been misused and misunderstood in Civil War historiography. He relies on Lieber’s definition of *guerrilla* outlined in his 1862 work *Guerrilla Parties Considered with Reference to the Laws and Usages of War* and restated in the Lieber Code. This is the same definition quoted above. Mackey further states that the term *bushwhacker* first came into use in Virginia in 1861; however, Herman Hattaway, commenter for John McCorkle Kerr in his memoir *Three Years With Quantrill*, claims the term “earlier had been an honorable one to describe backwoodsmen in American folklore.” John McCorkle Kerr, *Three Years with Quantrill: A True Story Told By His Scout* (University of Oklahoma Press, 1992), 9.

brutally murdering, at times scalping, their victims without mercy. Union soldiers used the terms “fiends,” “savages,” and “barbarians” to describe guerrillas in order to equate them with an uncivilized foe, who employed a fighting style deemed deplorable, beyond the pale of acceptable warfare. Over the course of the war, the terms *bushwhacker* and *guerrilla* also became derogatory terms meant to denigrate the guerrilla style of war and distinguish it from a more acceptable form of irregular warfare practiced by commissioned partisans.⁵⁶

Casting guerrillas as criminals and savages helped soldiers justify ruthlessly eradicating them by any means necessary, but this proved disastrous for all Little Dixie men due to the difficulty soldiers faced in distinguishing guerrillas from the general population. After military authorities required citizens relinquish all firearms in 1862, occupiers viewed any man with a firearm as a guerrilla. Some residents understandably refused to comply with this order, secreting a gun or two on their property for self-protection. Furthermore, soldiers viewed all local men with a degree of suspicion, since guerrillas blended so well into the civilian population. Bushwhackers wore no distinctive uniform, so they could easily murder a Union soldier, slip seamlessly back into the population, and go completely undetected. To complicate matters further, insurgents often donned the Federal blue, stealing the coats from dead soldiers and wearing them as means to travel inconspicuously from one location to another. Guerrilla’s clever deceptions ultimately served to blur the line between combatants and civilians.

Determined to differentiate civilian from combatant and friend from foe, Union soldiers resorted to entrapment. Whereas bushwhackers donned the federal blue to look like soldiers,

⁵⁶ Lang, *In the Wake of War*, 110-111; Sutherland, *A Savage Conflict*, 28-29; Neely, *The Civil War and the Limits of Destruction*, 10, 59-60. While Neely argues that, overall, “evoking images of an alien enemy did not work in the Civil War,” he claims that in Missouri “the Union army may have been fighting guerrillas by means reminiscent in some ways of the ruthless campaigns against Plains Indians, largely without the rules of ‘civilized warfare.’” In order to justify fighting fellow Americans in this fashion, Union soldiers had to cast their enemy as “alien,” or less than human, similar to the ways in which they imagined Natives.

soldiers discarded their coats in order to resemble guerrillas. Through the use of deception and disguise, these men hoped to determine a civilian's *true* loyalties. Soldiers assumed any aid they received while disguised definitively proved the aiders disloyalty. Again, soldiers failed to account for the role fear played in influencing the cooperative responses of many civilians when armed men demanded aid. Rather than arrest suspected aiders and abettors and guarantee them the right to a trial, vengeful soldiers sometimes simply shot them on sight.

Soldiers rooted out rebels with a blind determination, resulting in the deaths of many noncombatants who friends and acquaintances described as "peaceable, unoffending" men. Soldiers and guerrillas were locked in a dangerous cycle of revenge that threatened to engulf the entire region and destroy every man therein. Those who cooperated with combatants on both sides were most at risk. These individuals attempted to walk a very fine line, remaining silent and cooperating with whomever came to their door in order to avoid an immediate threat. However, if one man or woman decided, or was forced, to aid a partisan of one side, he often, then, became the target of the other. When one citizen was arrested or killed, another came onto the radar of the opposing side intent on retaliation or revenge. Civilians recognized the near impossibility of surviving in this ruthless environment. On August 5, 1864, Saline County resident Elvira Scott hopelessly wrote the following in her diary: "So a man has nothing left but to choose sides. It seems to be a war of extermination. At least if a man cannot join one or the other party he has no business here; he is between fires."⁵⁷

In Little Dixie, Missouri during the Civil War, U.S. citizen-soldiers fought to preserve a democratic government "of the people" by using decidedly undemocratic methods against civilians. The military occupation of a loyal state by the U.S. army was unprecedented, and

⁵⁷ Diary of Elvira Ascenith Weir Scott (C1053), The State Historical Society of Missouri, Columbia, 214.

together with the occupation of the South, left a lasting impact on the U.S. military and the American military tradition. Soldiers justified occupation and retributive policies as a necessary response to the threat Confederate insurgents posed to the security of loyal citizens, the state, and the nation. Federals chose national security over the rights and freedoms guaranteed to American citizens in the Constitution, rights and freedoms Little Dixians conceived as the most sacred components of American democracy and most worthy of preservation. By the end of the Civil War, a democratic union of states had faced a national crisis, had been tried and tested, and had come out intact, but at what cost? The once peaceful and prosperous communities nestled along the Missouri River had been ravaged by the dueling fires of civil war, and they knew exactly what they had lost: they lost livelihoods, homes, and loved ones; but they also lost faith in the United States government. Out of the ashes of desolation rose Little Dixie.

CHAPTER ONE

“Demon of Discord”

[T]he poisonous serpent of Secession, with blood in its fangs and treason in its heart has invaded the fair and peaceful precincts of our Eden and tempted thousands of good men and women to commit in the sight of Heaven the sin of rebellion.¹

--*Columbia Statesman*, November 15, 1861

Just before sunrise on the morning of June 7, 1804, one keelboat and two small pirogues glided silently through the morning mist rising off the swollen and muddy Missouri River.² The men onboard carefully navigated around an island as the clearing fog revealed a tributary jutting off to the northeast. As the men began to traverse the serpentine channel, flanked by “high Land” to the south and by “high Bluffs” to the north, they were struck by “[s]everal Courious Paintings and Carveing in the projecting rock of Limestone.”³ The mysterious inscriptions lured the crew to shore, straight into “a Den of rattle Snakes” concealed within the crevices of the rocks, a seeming aegis for the antlered and horned anthropomorphic figures painted on the cliff face. Three of the “verry [sic] large” gorgonian vipers were swiftly slain. The men had found themselves in the very heart of what would become the state of Missouri at the mouth of a large creek called “big Monetou,” a French word for the original Algonquian roughly translated as “spirit,” but recorded by these men as “Big Devil.”⁴

¹ *Columbia Statesman*, November 15, 1861.

² A keelboat is a ship designed for shipping cargo down a river, usually shaped like a cigar but with a flat bottom. *Pirogue* was a commonly used term for the Native style dugout canoes.

³ Big Moniteau Rock Art Site (23B0476) (website), accessed February 14, 2018, <http://users.stlcc.edu/mfuller/moniteau.html>. Pictographs can still be seen today approximately 4 miles Southwest of Rocheport, Missouri. However, these pictographs are most likely not the same as those seen by Lewis and Clark on this day because Clark drew different images in his journal. Scholars speculate there were several rock art sites in the area originally.

⁴ William Clark, June 7, 1804, “Journals of the Lewis and Clark Expedition,” accessed February 14, 2018, <https://lewisandclarkjournals.unl.edu/item/lc.jrn.1804-06-07>. In the journals, the term Moniteau is spelled in a variety of ways. William Clark spelled it “Monetou,” as cited above, and others used the spellings *monitu* or *Monetuie*. Sergeant Charles Floyd, “Lewis and Clark Journals,” June 5, 1804. Floyd omitted the term Moniteau

The men had traveled nearly 150 miles west from St. Louis on the Missouri River before reaching this spot on Moniteau Creek tributary near present day Rocheport, Missouri. They belonged to the famed “Corps of Volunteers for North West Discovery,” better known as the Lewis and Clark Expedition. After purchasing the expansive and largely unexplored Louisiana territory from France, President Thomas Jefferson commissioned the voyage westward along the Missouri River. He selected Meriwether Lewis, a fellow Virginian and U.S. army captain, who worked as the president’s personal secretary. Lewis, in turn, selected as second in command William Clark, his friend and army comrade. Jefferson instructed Lewis to find, first and foremost, “the most direct & practicable water communication across this continent for the purposes of commerce.” Finding a northwest river passage to the Pacific Ocean was not the expedition’s only mission. In addition to documenting the river’s course, position, and measurements, Jefferson instructed Lewis to record “with great pains and accuracy” the region’s climate, geography, wildlife, minerals, and people. Jefferson added that Lewis’ men should record the languages, occupations, rituals, laws, and social customs of the Natives in great detail “as it may better enable those who may endeavor to civilize & instruct them.”⁵

Despite the ominous greeting at Moniteau Creek, the landscape recorded by Lewis and Clark bespoke a benevolent spirit rather than the “Big Devil” interpretation of these men. In fact, the vibrant landscape was “a well timber’d country, having fine bottoms with rich soil,” bearing myriad oak, hickory, cottonwood, and walnut trees, a “fine rich land, & well watered,” yielding

altogether, preferring instead to record his own translation: “the River of the Big Devil.” Moniteau Creek has retained the name up to the present. “Maniteau” was a commonly used French translation of an Algonquian word roughly translated as spirit. Carol Diaz-Granados and James R. Duncan, *The Petroglyphs and Pictographs of Missouri* (Tuscaloosa: University of Alabama Press, 2000), 7-9. French explorers Friar Jacques Marquette and Louis Joliet recorded similar pictographs when they explored the area in 1673. According to one scholar, these pictographs were destroyed during construction of the Katy Railroad and the MKT tunnel in the 1870s.

⁵ Thomas Jefferson to Meriwether Lewis, June 20, 1803, Thomas Jefferson Papers, Library of Congress. <https://www.loc.gov/exhibits/lewisandclark/transcript57.html>.

an abundance of wild plums, apples, strawberries, blackberries, and raspberries and sustaining a plethora of wildlife. Although plagued by ruthless ticks and mosquitoes, the men found bountiful herds of deer and bison grazing on the plains and plumps of geese floating down the river. They also occasionally saw turkeys and bears. In fact, the day they arrived on Moniteau Creek they killed “a She Bear, and her two Cubbs.”⁶

The crew’s simple report held an abundant promise for the future of America: the rich soil and rolling prairie land of the Missouri River basin presaged agricultural production and profit for the fledgling nation, allowing for the expansion of the borders of western civilization. The territory along the Missouri River basin appeared ripe for transplanting American farmers. Anglo-American settlement and agricultural pursuits in the region corresponded with Thomas Jefferson’s hope for America. Jefferson touted his own personally conceived agrarian ideology: “Those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue.”⁷ For Jefferson, agricultural pursuits cultivated morality and virtue in society and, thus, created a self-sustaining and righteous nation. But this would only happen after Anglo-American immigrants moved in and bent the land, and its people, to their will.

Several Native American tribes made the banks of the Missouri River their home. Natives had been interacting with white explorers and traders along the Missouri River for centuries. French explorers, beginning with Rene-Robert Cavelier, Sieur de La Salle in the late seventeenth century, ventured down the Mississippi River, establishing remote forts and villages, one of

⁶ Joseph Whitehouse, June 7, 1804, “Journals of the Lewis and Clark Expedition,” accessed February 13, 2018, <https://lewisandclarkjournals.unl.edu/item/lc.jrn.1804-06-07>.

⁷ Thomas Jefferson, “Query XIX: The present state of manufactures, commerce, interior, and exterior trade?” in *Notes on Virginia*, accessed February 23, 2018, <http://xroads.virginia.edu/~hyper/jefferson/ch19.html>.

which would later become St. Louis, a bustling town by the time of Lewis and Clark's expedition. A few subsequent adventurers probed the environs of the Missouri River, including Louis Jolliet and Father Jacques Marquette (1673) as well as Etienne de Veniard and Sier de Bourgmont (1713-1714). French traders then entered the region intent on establishing relationships with local tribes for fur trading purposes. Many of these traders, commonly known as *couriers de bois*, became intimately familiar with the river and the Indian tribes in the region, often living among the Natives and marrying into them.⁸ As the Lewis and Clark expedition sailed down the river, they also negotiated with members of the Osage tribe on occasion for trade and diplomacy purposes. At least once, the corps heard rumors of an attack from an Osage war party, but that fear diminished when members of the expedition caught sight of several abandoned villages (in present day Carroll County) formerly belonging to the Missouri tribe, whose numbers had dwindled over the years as a result of warring with the Sauk and Fox tribes.⁹

The Corps of Discovery's trailblazing voyage triggered an influx of Anglo-American enterprises to this "unsettled" region. First, between 1805 and 1807, Nathan and Daniel Morgan Boone, sons of the famed Kentucky pioneer Daniel Boone, reconnoitered the territory west of their father's most recent homestead in St. Charles County, Missouri, and happened upon a

⁸ The Spanish, after acquiring the Louisiana territory, also sent expeditions to explore the region, one of which was headed by James MacKay and John Evans (1796-1797). The Spanish were also the first Europeans to explore the Mississippi River with the expedition under the command of Hernando de Soto; in fact, de Soto died in 1542 and his men submerged his body below the waters of the Mississippi River.

⁹ May 31-June 1804, "Journals of the Lewis and Clark Expedition," accessed February 14, 2018 <https://lewisandclarkjournals.unl.edu/item/lc.jrn.1804-05-31>; Footnote 2, May 31, 1804, "Journals of the Lewis and Clark Expedition," accessed February 14, 2018. According to this source, the Great (Grand or Big) Osage tribe—speakers of a dialect of the Siouan language—lived in western Missouri at the time of the Lewis and Clark expedition. Earlier in the eighteenth century, a portion of the Osage tribe moved west, joining the Missouri tribe on the lower Missouri River, becoming known as the Little Osage, but by the time of the expedition, the Little Osage had moved back with their kinsmen of the Great Osage on the Osage River. Footnote 5, June 13, 1804, "Journals of the Lewis and Clark Expedition," accessed April 15, 2018 <https://lewisandclarkjournals.unl.edu/item/lc.jrn.1804-06-13>. The Missouri Indians, another large and important tribe in the region, traditionally made their home near the Grand River, in present day Carroll County; however, the tribe suffered severe decline after violent war with the Mississippi River tribes, primarily the Sauks and the Fox, in the latter eighteenth century.

natural saltwater spring where animals often came to lick salt from the ground. They soon began manufacturing salt for shipment to St. Louis and beyond. The salt works, located in present day Howard County across the river from Arrow Rock, became widely known as “Boon’s Lick,” a name eventually applied to a broad swath of land bordering the Missouri River, encompassing what eventually became Saline, Howard, and Cooper counties, an attractive area for early American settlers to the region.¹⁰ In 1808, William Clark, now a U.S. agent of Indian Affairs, chose a site some fifteen miles from present day Independence in Jackson County on which to build Fort Osage. Since the fort provided a measure of safety on the frontier, it attracted Osage Indians as well as American and French settlers. This area of settlement became known as Six Mile country.¹¹

Pockets of white settlement gradually popped up across the Missouri River Valley, igniting land disputes and necessitating territorial negotiations with Natives. Many officials, including Meriwether Lewis, territorial governor of Louisiana at the time, frowned upon white settlement that far west because it encroached on Indian country and sparked conflict, proving extremely dangerous for settlers living so far away from government protection. For example, in 1808, Benjamin Cooper became one of the first American settlers in the county that would come to bear his surname. After realizing the precarious position of his homestead, Cooper soon moved back east to Loutre Island, one of the oldest white settlements on the Missouri River west

¹⁰ R. Douglas Hurt, *Agriculture and Slavery in Missouri’s Little Dixie* (University of Missouri Press, 1992), 2; William F. Johnson, *History of Cooper County, Missouri* (Topeka: Historical Publishing Company, 1919), 57; Christopher Phillips, *Missouri’s Confederate: Claiborne Fox Jackson and the Creation of Southern Identity in the Border West* (Columbia: University of Missouri Press, 2000), 24; “General Information, Boone’s Lick State Historic Site: Boone’s Lick Salt Works,” *Missouri State Parks* (website), accessed February 18, 2018, <https://mostateparks.com/page/54948/general-information>.

¹¹ Kristen Epps, *Slavery on the Periphery: The Kansas-Missouri Border in the Antebellum and Civil War Eras* (University of Georgia Press, 2016), 19.

of St. Louis dating back to the period of French imperial rule.¹² The constant stream of plucky pioneers to the region soon forced the hand of William Clark. In 1808, Clark selected Nathan Boone—also a skilled Indian interpreter—to negotiate a land cession treaty with the Osage tribe. These initial negotiations resulted in the tribe’s loss of some fifty million acres in the Missouri and Arkansas river valleys in exchange for federal protection and access to government merchandise and services.¹³

Even though Boone’s treaty established peace with the Osage, other tribes continued to plague early settlers in the area. Frustrated by repeated incursions on their land and mistreatment at the hands of whites, Natives fought to preserve the spirit of their people and their way of life. In 1810, Pottawatomie war chief Nessotiningeg and a party of eighteen warriors stole several horses from the white settlement at Loutre Island, where Benjamin Cooper, Stephen Cole, William Cole, and Sarshall Brown, among others, made their homes. In response, six pioneers armed themselves and pursued the Natives. One night, while the frontiersmen slept at their campsite, near present day Mexico, Missouri, the Pottawattamie warriors skulked silently up to the site and “opened a volley” on the men. The Indians succeeded in killing all of the men except Stephen Cole, who suffered a grievous wound but survived to tell the tale.¹⁴

¹² Johnson, *History of Cooper County, Missouri*, 58; Hurt, *Agriculture and Slavery*, 2.

¹³ Stephen Aron, *American Confluence: The Missouri Frontier from Borderland to Border State* (Bloomington: Indiana University Press, 2006): 139-144; Jeremy Neely, *The Border Between Them: Violence and Reconciliation on the Kansas-Missouri Line* (Columbia: University of Missouri Press, 2007), 17-19; Epps, *Slavery on the Periphery*, 19-20. Another Osage treaty in 1825 resulted in the complete removal of the tribe from the boundaries of the state of Missouri. U.S. dealings with the Osage fit the newly emerging trend in American Indian affairs; once aiming to civilize and incorporate Native peoples within the nation’s borders, now U.S. officials worked to remove Natives beyond the confines of American settlement. This new approach culminated in 1830 when Andrew Jackson approved of the removal of Indian tribes from the American southeast to the newly established Indian Territory in the present-day state of Oklahoma. Jackson’s Removal Act resulted in the infamous Trail of Tears.

¹⁴ Johnson, *History of Cooper County, Missouri*, 59-60.

Conflicts between Natives and whites only intensified in the region with the outset of war between the U.S. and Great Britain in 1812. Warriors from the northern tribes frequently attacked the vulnerable white settlements along the fringes of the American frontier in the soon to be Missouri territory, thought by many at the time to have been instigated by the British. Americans in the Boon's Lick region were the most vulnerable to Indian raids, suffering heavy losses both in property—primarily horses and cattle—and lives. The hostilities between Indians and the few settlers clinging to their land in the Boon's Lick temporarily stanching the tide of Anglo-American emigration.¹⁵

American victory and the signing of the Treaty of Ghent in 1814 established U.S. hegemony over the Missouri territory and initiated the largest flood of American emigrants to the Boon's Lick region. Between 1816 and 1817, the population of the region, now officially incorporated as Howard County, nearly doubled from 526 to 1,050 free white males; and by 1820, some 20,000 people lived in the expansive county in central Missouri.¹⁶ Most of the early emigrants to the Boon's Lick came from Kentucky, Tennessee, Virginia, and Maryland, bringing with them their southern culture and propensity for using slave labor to farm cash crops, such as hemp and tobacco.¹⁷ As opposed to the production of sugar and cotton in the Deep South, the cultivation of hemp and tobacco necessitated less labor; therefore, most settlers in the region

¹⁵ Aron, *American Confluence*, 153, 164; R. Douglas Hurt, *Nathan Boone and the American Frontier* (Columbia: University of Missouri Press, 1998), 99; Kate L. Gregg, "The War of 1812 on the Missouri Frontier," pts 1-3, *Missouri Historical Review* 33 (October 1938): 3-22; 33 (January 1939): 184-202; 33 (April 1939): 326-48.

¹⁶ Aaron Astor, *Rebels on the Border: Civil War, Emancipation, and the Reconstruction of Kentucky and Missouri* (Baton Rouge: Louisiana State University Press, 2012), 15-25; Aron, *American Confluence*, 165; Hurt, *Agriculture and Slavery*, 4. Howard County was one of the first and largest counties in the Missouri territory, which, according to historian Douglas Hurt, encompassed thirty thousand square miles (The state of Missouri contains 68,898 square miles today), spanning the entirety of the Boon's Lick region and then some. Hurt claims 12,000 people lived in central Missouri by 1820, a very different number than the 20,000 provided by Aron. This discrepancy most likely resulted from different county designations for central Missouri or the Boon's Lick region.

¹⁷ Epps, *Slavery on the Periphery*, 14; Hurt, *Agriculture and Slavery*, 6.

owned, on average, only one or two slaves. According to historian Stephen Aron, slaves comprised roughly one seventh of the population flooding into the region after the war; and by 1820, slaves in the Boon's Lick numbered around 2,000, one-fifth of the total slave population in the territory.¹⁸

Americans were not the first to introduce slave labor into the Missouri territory. Many Native tribes embraced the common practice of taking captives in war and incorporating them into their own society as slaves long before contact with Europeans. Initially, the early French explorers and settlers to the Mississippi River Valley in the seventeenth and eighteenth centuries considered appropriating native slavery to their own labor needs but ultimately decided to import African chattel slavery to the continent. By 1724, the French firmly rooted African slavery in the region by regulating the institution with the *Code Noir*, or "Black Code." During the American Revolution, members of the U.S. Confederation Congress outlawed slavery north of the Ohio River and east of the Mississippi River in the Northwest Ordinance of 1787. The Missouri territory sat outside of American territory and, thus, outside of the purview of the American government; therefore, slavery continued to flourish. Few anticipated the implications of this for the future of America as Missouri's statehood loomed.¹⁹

Nevertheless, American enterprise progressed unabated in the Missouri River Valley. The year 1819 witnessed the first steamboat journeys on the Missouri River west from St. Louis to the village of Franklin, in Boon's Lick country. In May, the *Independence* sputtered up the muddy waterway, and soon after, in June, the *Western Engineer* followed. A few descriptions of

¹⁸ Aron, *American Confluence*, 150, 174-175.

¹⁹ Epps, *Slavery on the Periphery*, 17; Arvarh E. Strickland, "Aspects of Slavery in Missouri, 1821," *Missouri Historical Review* 65 (July 1971): 505-506; Aron, *American Confluence*, 173; Brett Rushforth, *Bonds of Alliance: Indigenous and Atlantic Slavery in New France* (Chapel Hill: University of North Carolina Press, 2012).

the *Western Engineer* as it approached Franklin, not far from the Moniteau Creek tributary where Lewis and Clark landed 15 years earlier, almost to the day, conjure images eerily similar to those recorded by the corps. According to William Johnson, in his *History of Cooper County, Missouri*, the boat's appearance "excited the greatest fear among the Indians," while some flocked to the river's edge to catch a glimpse of the marvel, others ran away "thinking it an evil spirit, a very devil with horned head, and breath of fire and steam." An article in the *Saint Louis Enquirer* described the boat as resembling "a huge serpent, black and scaly, rising out of the water."²⁰

The westward course of empire stopped for no man or beast. Missouri officials began to petition for the admittance of the territory to the Union as a state in early 1818. Over a year later, Missouri's statehood bill appeared on the House Floor with one extremely contentious antislavery amendment submitted by Representative James Tallmadge of New York. The amendment prohibited "the further introduction of slavery or involuntary servitude" and stipulated "all children born within the said State . . . shall be free at the age of twenty-five years."²¹ Tallmadge's amendment generated boisterous, even hostile, congressional debates and sparked a hailstorm of sectional animosity. Missouri's entrance into the Union on August 10, 1821, occurred only after politicians reached a compromise, admitting Missouri to the Union as a slave state and Maine as a free state. The Missouri Compromise also prohibited slavery in all territories to the west of Missouri and north of the 36°30' latitude line. Many recognized the

²⁰ Johnson, *History of Cooper County, Missouri*, 84.

²¹ William W. Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854*, vol. 1 (Oxford University Press, 1990), 148-155; Annals of Congress, House of Representatives, 15th Congress, 2nd Session, "A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1875" (p 1170), *Library of Congress: American Memory* (website), accessed February 21, 2018, <http://memory.loc.gov/cgi-bin/ampage?collId=llac&fileName=033/llac033.db&recNum=582>. See also Elizabeth R. Varon, *Disunion!: The Coming of the American Civil War, 1789-1859* (Chapel Hill: University of North Carolina Press, 2008).

problems inherent in the Compromise, none more so than Thomas Jefferson, who called it “a fire bell in the night” and surmised it to be the “knell of the Union.”²²

Missouri quickly became the principal conduit for westward migration. For centuries, Native Americans and French fur traders used the Missouri River as a transportation artery and the ancient trails as a means to convey people and goods through the region. Americans followed when William Becknell, a merchant living in Franklin, utilized the Missouri River as well as several of these pre-existing Indian trails when he set out from Arrow Rock on a trade mission to Santa Fe, New Mexico, in 1821. The route Becknell followed soon became known as the Santa Fe Trail. Starting in Independence, Missouri, and extending southwest to Santa Fe, the trail accommodated thousands of American settlers in their westward migration over the subsequent decades; and as a result, the port villages on the river, such as Franklin and Arrow Rock, grew into vital supply depots on the route to Independence.²³

Throughout the 1820s and 1830s, a second wave of emigrants flocked to central Missouri, lured in by the prospect of cheap land, profitable harvests, and economic independence. For these prospective settlers, the Boon’s Lick country was “a farmer’s paradise,” what land developers at the time were calling the “Canaan of America” and “a promised land.”²⁴ Enterprising farmers from the Upper South—primarily Virginia and Kentucky—dominated this

²² Aron, *American Confluence*, 178; Freehling, *The Road to Disunion*, vol. 1, 155; Thomas Jefferson to John Holmes, April 22, 1820, *Library of Congress* (website), accessed December 27, 2014, <http://loc.gov/exhibits/jefferson/159.html>. The Missouri Compromise did, in fact, intensify the debate and sectional controversy over slavery’s expansion. Flashpoints throughout the 1850s, many of which were located in or connected to Missouri, including the Compromise of 1850, the Dred Scott case (1846-1857), and the Kansas-Nebraska Act (1854), were attempts to answer one question: would Congress or the people have the right to decide if any given territory or state would have slavery? In the Compromise of 1850, politicians decided on popular sovereignty as the best way to settle the issue in the newly acquired Mexican territories of New Mexico and Utah, meaning settlers would ultimately decide if a territory would eventually become a free or a slave state.

²³ Perry McCandless and William E. Foley, *A History of Missouri: 1820-1860* (University of Missouri Press, 1972), 129; Hurt, *Agriculture and Slavery*, 11; Aron, *American Confluence*, 201-202.

²⁴ Phillips, *Missouri’s Confederate*, 26; Hurt, *Agriculture and Slavery*, 51.

migration as they had years earlier; however, foreign-born emigrants of German, Irish, and English descent also made up a small portion of this wave.²⁵ Most emigrants focused on planting staple crops, such as tobacco, hemp, and cotton, as the surest way to acquire affluence and success. These crops flourished in the loess soil of the river basin, a kind of wind-blown silt that often develops into rich agriculturally productive dirt, and tobacco soon became the primary staple crop in the region. As historian Christopher Phillips described, “tobacco culture defined the very culture of the settlers themselves, and the pattern of life enjoyed by them derived from its rhythms.”²⁶

Despite the central importance of tobacco, staple crops did not dominate the Boon’s Lick economy. The cold winter months in Missouri made growing cash crops like cotton less profitable than in the Deep South “Cotton Belt.”²⁷ Thus, farmers living in the Missouri River counties diversified their agricultural products by planting wheat, corn, flax, and clover and by raising cattle, hogs, and sheep.²⁸ The majority of settlers engaged in agriculture, but many of the most recent foreign-born emigrants made their living as merchants, mechanics, doctors, and lawyers.²⁹ Even though commercial agriculture dominated the region’s economy, by the 1840s and 1850s, central Missouri’s economy was far more diversified than that of the Deep South, more closely resembling its Upper South progenitor.

²⁵ Hurt, *Agriculture and Slavery*, 52-53; Astor, *Rebels on the Border*, 18.

²⁶ Phillips, *Missouri’s Confederate*, 32 [quotation]; Epps, *Slavery on the Periphery*, 48-49; Astor, *Rebels on the Border*, 23-24.

²⁷ Phillips, *Missouri’s Confederate*, 35.

²⁸ Hurt, *Agriculture and Slavery*, 65-66; Epps, *Slavery on the Periphery*, 51-52.

²⁹ Phillips, *Missouri’s Confederate*, 36; Hurt, *Agriculture and Slavery*, 52-53.

Humble wood-framed homesteads peppered the undulating grasslands of central Missouri, standing as one of the most visible symbols of their frontier heritage. Frontier emigrants initially constructed one or two-story dogtrot log cabins, simple structures most likely originating on the Kentucky or Tennessee frontier, designed with a breezeway through the middle to enable significant air flow in warmer climates. Eventually, some settlers transitioned to the statelier Federal-style wood or brick farmhouses, but these structures differed drastically from the stately plantation homes of the Deep South, more closely resembling houses built in the Northwest. While a few of the wealthier Boon's Lickers built towering brick-walled estates, others were satisfied with simpler abodes. An example of this comes from Dr. John Sappington, who, although prominent and wealthy, lived in a two-story dogtrot cabin his whole life and disapproved of his son William Breathitt Sappington's stately "Prairie Park" home.³⁰



Fig. 3. Two-story dogtrot home of John Sappington near Boonville. Image courtesy of Friends of Arrow Rock. Taken from "John S. Sappington" on The State Historical Society of Missouri, *Historic Missourians* (website), accessed May 16, 2019 <https://shsmo.org/historicmissourians/name/s/sappington/>.

³⁰ Phillips, *Missouri's Confederate*, 29.

As the cultural offspring of the settlers of the original frontier in Virginia and then Kentucky, those who settled in Missouri idealized the ever-extending western frontier as a “bastion of democracy,” a zone of settlement where people were free to build their own communities and manage them without much interference. According to Phillips, Missourians developed a distinctly Middle Western frontier mentality, which he describes as “a peculiar hybrid: at once individualistic, democratic, and egalitarian while innately traditional, hierarchical, and conservative.” Their notion of democracy was “inherently undemocratic” in its promotion of “free access to the means of advancement, rather than to its actual achievement.” They viewed government as the biggest threat to individual rights and freedoms while simultaneously celebrating government protection of individual rights, especially the right to own slaves.³¹

Throughout the 1830s and 1840s, Jacksonian Democrats in the central Missouri River counties known as the “Boon’s Lick Democrats,” or “Central Clique,” comprised mainly of slaveholding elites, came to dominate state politics. Considering themselves the inheritors of Jeffersonian principles, Jacksonian Democrats from the rural, agrarian-centric Boon’s Lick cherished “the individual rights of common folk” and looked suspiciously at government intervention in most matters, except in its minimal support of commercial interests. Boon’s Lick Democrats clung to their frontier mentality, which privileged local governance over federal initiatives, even though the Whig opposition emerging from within the Democratic Party in the state, which embraced government support for commercial endeavors, more closely aligned with their diversified economic interests. The Central Clique vehemently opposed what they believed

³¹ Christopher Phillips, “‘The Crime Against Missouri’: Slavery, Kansas, and the Cant of Southernness in the Border West” *Civil War History*, 48: 1 (March 2002): 62, 63.

to be the tyrannical interests of business and industry ruling society in urban centers and in the east as a whole.³²

A rift began to develop among Democrats in the state during the nullification crisis of the 1830s. The crisis came to a head in 1832 when South Carolinians assembled in a state convention and adopted an Ordinance of Nullification, declaring the exceedingly high tariffs of 1828 and 1832 unconstitutional and nullifying them in the state. With the Ordinance, South Carolina challenged the sovereignty of the federal government. Statesmen ultimately sidestepped a crisis after South Carolina accepted the Compromise Tariff of 1833, but the issue of the constitutionality of state nullification of a federal law continued to loom and would come back to haunt Americans during the secession crisis of 1860-61. The crisis did not spark debate over state or federal authority in Missouri; instead, Missouri's Jacksonian Democrats debated the role of the government in state and local economic affairs. Some of the more conservative Jacksonian Democrats in the West, led by Senator Thomas Hart Benton, widely known as "Old Bullion" because he favored the use of bullion over paper currency, embraced elements of "Whig doxology," primarily the penchant for government support of economic development and commercial interests.³³

The cleavage deepened within the Democratic Party as discord over slavery's expansion into newly acquired territories came to dominate politics throughout the 1840s and 1850s as a result of the nation's expansionist impulses. In the 1840s, Benton, previously an advocate of westward expansion, earned the ire of the more traditional Boon's Lick Democratic faction when he announced his opposition. Unlike the more militant Senators, such as David Rice Atchison,

³² Phillips, *Missouri's Confederate*, 79-80.

³³ Phillips, *Missouri's Confederate*, 79; Varon, *Disunion!*, 87-95; Freehling, *The Road to Disunion: Secessionists at Bay*, 253-271.

Benton firmly rejected aggressive means to gain more territory or extend slavery. Old Bullion railed against the “nullifiers” and the “ultras” threatening “the subversion of the Union” with their fire-eating proslavery propaganda. Rising Boon’s Lick politico and pro-slavery Democrat, Claiborne Fox Jackson stood diametrically opposed to Benton in the late 1840s. The fissures developing within the Democratic Party in Missouri widened after a series of watershed events, starting with the Oregon boundary dispute (1818-1846), continuing through the U.S. annexation of Texas (1845), and flaring up again significantly with the Mexican-American War and consequent Treaty of Guadalupe Hidalgo (1848), which resulted in the U.S. acquisition of California, New Mexico, Arizona, Nevada, and Utah, as well as parts of Wyoming and Colorado. The acquisition of new land generated aggressive political debates across the nation over the legality of transporting slavery to the newly acquired territories.³⁴

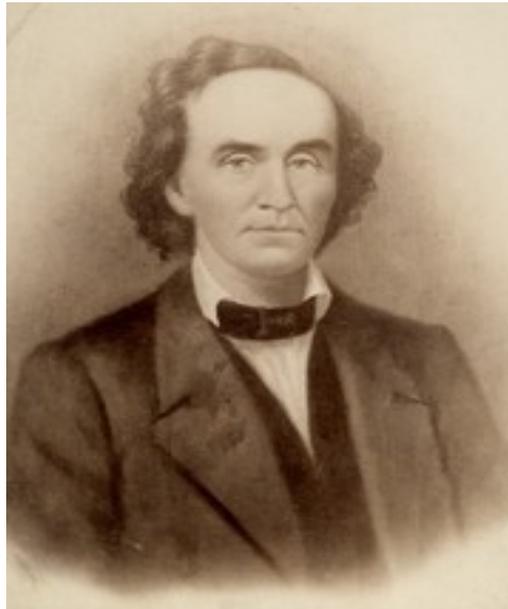


Fig. 4. Claiborne Fox Jackson. Image courtesy of Missouri Historical Society, accessed May 20, 2019, mohistory.org.

³⁴ Phillips, *Missouri's Confederate*, 164-165; Lawrence O. Christensen, William E. Foley, Gary R. Kremer, and Kenneth H. Winn, eds. *Dictionary of Missouri Biography* (Columbia: University of Missouri Press, 1999), 423; James McPherson, *Battle Cry of Freedom: The Civil War Era* (Oxford University Press, 1988), 47-57.

Missouri Democrats participated in the national political debate over slavery's expansion when Mexico ceded territories to the U.S. in 1848 following the Mexican-American War. Just twenty-eight years prior, Congress outlawed slavery in the western territories north of the 36°30' parallel as part of the Missouri Compromise. However, politicians continued to debate who should possess the power to determine if slavery would be excluded or permitted in any given territory: the people or Congress? William Barclay Napton, a Missouri State Supreme Court Justice, and Claiborne Fox Jackson, a member of the Missouri State House of Representatives, were two of the most prominent and outspoken politicians in the Boon's Lick "Central Clique." In 1849, these two men crafted and introduced to the Missouri legislature the "Jackson Resolutions," which asserted Congress had no right to limit slavery in the territories and upheld the doctrine of popular sovereignty, the right of the people living in a territory to decide if a new territory would become a free or slave state. The final resolution outlined Missourians' continued support for the main principle established in the Missouri Compromise: the protection of slavery south of the 36°30' parallel. Furthermore, the resolutions stipulated that future Missouri Senators would uphold these resolutions, and if Congress made any attempt to act contrary to these resolutions, "Missouri will be found in hearty co-operation with the slave-holding states." With these resolutions, Boon's Lick Democrats linked themselves firmly with the South in their insistence on the constitutional protection of slavery yet demonstrated the ability to compromise through their support for popular sovereignty.³⁵

Congressional support for popular sovereignty won the day and helped to temporarily settle the political debate over slavery with the Compromise of 1850. This political compromise

³⁵ Phillips, *Missouri's Confederate*, 78-79; 170-171; Christopher Phillips, *The Making of a Southerner: William Barclay Napton's Private Civil War* (Columbia: University of Missouri Press, 2008), 60; Christensen, Foley, Kremer, and Winn, ed. *Dictionary of Missouri Biography*, 423.

settled the boundaries of Texas, admitted California as a free state, and allowed people living in the New Mexico and Utah territories to decide the status of their states as free or slave by popular sovereignty. One provision required runaway slaves to be returned to their masters regardless of whether they were captured in a free state or a slave state, which strengthened the Fugitive Slave Law and became a major point of contention between northerners and southerners in the years leading up to the Civil War. In fact, the Fugitive Slave Law would become the subject of much hostility for the militant antislavery faction in the new Kansas territory in the coming decade. The Law caused divisions within both the national Democratic Party and the Whig Party along sectional lines. The fractures exposed between the southern and northern Whigs in the aftermath of the compromise would ultimately cause the party to fall apart by 1856.³⁶

What to do with the Kansas and Nebraska territories became the most contentious political question of the 1850s for Missourians. Rather than settle the matter, the Kansas-Nebraska Act of 1854 only intensified tensions and led directly to bloodshed over the issue of slavery. Similar to the Compromise of 1850 before it, the Kansas-Nebraska Act allowed settlers to decide the issue of slavery in the Kansas and Nebraska territories. By permitting the prospect of slavery north of the 36°30', the act effectively nullified the dividing line between free and slave states established by the Missouri Compromise, representing a major boon to the southern slave interest. In direct opposition to the Kansas-Nebraska Act, Free-Soil Democrats and anti-slavery Whigs in the North joined forces and created the Republican Party in 1854.³⁷

³⁶ William E. Gienapp, *The Origins of the Republican Party, 1852-1856* (New York: Oxford University Press, 1987), 13-17; McPherson, *Battle Cry of Freedom*, 71-76.

³⁷ Nicole Etcheson, *Bleeding Kansas: Contested liberty in the Civil War era* (Lawrence: University of Kansas Press, 2004), 31-189; Gienapp, *The Origins of the Republican Party*, 103. Gienapp argues, "the slavery expansion issue was crucial to the formation of a northern sectional party. But emphasis on the Kansas-Nebraska Act has obscured

Missourians overwhelmingly supported the Kansas-Nebraska Act, believing popular sovereignty would ultimately contribute to the creation of more slave states on their western border. Slave-owning Missourians believed slavery was necessary in these new territories because the addition of another free state on their border would undermine and endanger their way of life. They feared the prohibition of slavery in another neighboring state would, at the very least, provide runaway slaves with another place of refuge and, at the most, initiate the end of slavery in Missouri and the other slave states.³⁸ Missourians, in general, supported the extension of slavery into new territories, arguing that the right to own property and move that property wherever one pleased was a right guaranteed in the Constitution, but they disagreed amongst themselves on the means to achieve this goal. Some proslavery Democrats were willing to violently suppress abolitionism, which was threatening the very basis of their way of life. This was especially true in dense slaveholding counties along the Missouri River where local radical slave-owning elites called for the active defense of slavery; their flaming rhetoric often overpowered the voice of the moderate majority.³⁹

Proslavery demagogues rose up throughout the Missouri River counties in vehement opposition to the prospect of a free-state Kansas, encouraging likeminded residents to emigrate and settle in the neighboring territory. A mass migration of settlers from Missouri flooded into the Kansas territory. Missourians, in fact, made up nearly half of the emigrants to Kansas in the 1850s. However, as historian Nicole Etcheson demonstrates, not all settlers from Missouri were

the import of other factors in the antebellum realignment, and consequently historians have underestimated the extent to which the Republican Party organization was a lengthy and difficult process.” He points to the issue of nativism as a similarly important issue in the development of the Republican Party.

³⁸ Nicole Etcheson, *Bleeding Kansas: Contested Liberty in the Civil War Era* (University Press of Kansas, 2004), 10-21.

³⁹ Hurt, *Agriculture and Slavery*, 280-283, 297-299; Etcheson, *Bleeding Kansas*, 28-31.

proslavery. In reality, many moved to the new territory to escape “the economic competition of slavery,” hoping to live in a more egalitarian society than the more elitist and hierarchical society extant in slaveholding communities.⁴⁰

Nevertheless, Missourians earned a bad reputation on the national stage for their role in Kansas. Proslavery defensive organizations, known as Blue Lodges or Self-Defensives, formed in Missouri border counties. Benjamin F. Stringfellow’s Platte County Self-Defensive Association was one of the most infamous for crossing into Kansas to ensure the extension of slavery in the territory. Newspapers dubbed the proslavery Missourians flooding into Kansas “border ruffians,” casting them as rough-and-tumble, lawless frontiersmen because they entered the territory to vote fraudulently and to thwart antislavery ballots for territorial representatives by any means necessary.⁴¹ The corrupt initiatives of the border ruffians, primarily intimidating free-state voters and importing illegal voters, in the first elections in November 1854 resulted in the election of an overwhelming majority of proslavery representatives to the territorial legislature. The territorial governor of Kansas, Andrew Reeder, ruled the election fraudulent, however, and called for a second election the following May to settle the issue.⁴² Missourians’ role in Kansas, as historian Christopher Phillips has argued, led many Americans to associate all Missourians with the South and proslavery militancy, a biased overgeneralization he labels “The Crime Against Missouri.”⁴³

⁴⁰ Etcheson, *Bleeding Kansas*, 31.

⁴¹ Etcheson, *Bleeding Kansas*, 31-32. Organizations known as Blue Lodges or Self-Defensives formed in Missouri to support the settlement of proslavery Missourians in Kansas. The Platte County Self Defensives was headed by B.F. Stringfellow and David Rice Atchison and became the most famous of these organizations.

⁴² Etcheson, *Bleeding Kansas*, 28-31, 53-61. According to the territorial census, at the time of the election, 2,905 voters lived in the territory; however, the election produced 5,427 proslavery votes. Missourians succeeded in aggressively disrupting the electoral process and trampling on the most celebrated right in a Democracy.

⁴³ Phillips, “The Crime Against Missouri,” 60-81.



Fig. 5. *Liberty, The Fair Maid of Kansas, In the Hands of the Border Ruffians*, 1856. Courtesy of John L. Magee, Rare Book and Special Collections Division, Library of Congress (website), accessed January 27, 2016, https://www.visitthecapitol.gov/civilwar/html/slide_7a.html. This political cartoon portrays a scene of death and destruction from an outbreak of war in Kansas. Northern anti-slavery proponents berated the Kansas-Nebraska Act for allowing slavery north of the long-standing geographical border established by the Missouri Compromise.

Contrary to the lawless proslavery border ruffian image, most residents of the Boon's Lick called for a more cautious approach to the slavery issue. Many Missourians, as historian Aaron Astor has demonstrated, despised extremism of any kind and blamed both abolitionists and proslaveryites for the political disagreements and violent conflicts of the 1850s.⁴⁴ Therefore, rather than favoring radical proslavery Democrats, citizens preferred moderate Democrats,

⁴⁴ Astor, *Rebels on the Border*, 8.

previously associated with the proslavery Whig faction and the idea of popular sovereignty.⁴⁵

Many conservative Democrats disapproved of the use of force to extend slavery. Even some citizens in Weston, Missouri, a hotbed of border ruffian activity, condemned the militant tactics of the Self-Defensives. On September 1, 1854, a group of one hundred and seventy-four Weston residents met and signed resolutions condemning “mob law” and the militant methods of the Self-Defensives.⁴⁶

By the mid to late 1850s, Missourians had developed a distinctive “Middle Western” mentality, viewing themselves as separate from both the North and the South, celebrating the Middle West as a place of moderation and compromise between two militant factional extremes, a potential “healer of the ailing nation” to save the Union.⁴⁷ They believed compromise in regard to slavery was necessary in order to avoid violent conflict and to preserve the peculiar institution. Thus, they stressed the preservation of slavery and the Union above all other concerns. While some grew enraged by abolitionist attacks against the institution, the majority despised the demagoguery and factionalism from both sides ripping at the nation’s seams.⁴⁸

Defending the state against the radical proslavery Democrats, the conservative Whiggish faction of the Democratic Party in Missouri gave voice to this Middle Western ideology. Politicos Thomas Hart Benton, Frank Blair Jr., Benjamin Gratz Brown and Edward Bates dominated this wing of Missouri politics. In a speech before the Missouri legislature in January

⁴⁵ Hurt, *Agriculture and Slavery*, 280-283, 297-299; Etcheson, *Bleeding Kansas*, 28-31.

⁴⁶ Etcheson, *Bleeding Kansas*, 34; Thomas Goodrich, *War to the Knife: Bleeding Kansas, 1854-1861* (Boulder: Stackpole Books, 1998), 28.

⁴⁷ Phillips, “The Crime Against Missouri,” 67-68; Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century* (New York: Harper and Row, 1974), 116.

⁴⁸ Phillips, “The Crime Against Missouri,” 67-70; Astor, *Rebels on the Border*, 40-41; Phillips, *Missouri’s Confederate*, 48; 227-241.

1855, Representative Benjamin Gratz Brown of St. Louis gave voice to this middling Western mentality when he thundered:

Missouri is, in fact, the very heart of the West. . . . The eternal war between the North and the South is but a game of politics. . . . We must dissolve the charm of this conjuring fanaticism. . . . We must inscribe neutrality—an armed neutrality upon our banners. . . . We here in the West, above all others, were sanguine, for we saw in restored harmony a prospect that the West would receive fair consideration at the hands of the government, and that it would then hold the balance of power, and preserve thereby the union of the States. . . . Let us organize the Great West as one body against the spoilers, and the plunderers, and the agitators, and the fanatics. Let us discredit every Western man who connects himself with either North or South.⁴⁹

Even though conservatives were in the majority in central Missouri, the louder and more passionate proslavery minority typically won out. One of the first instances of the conservative Whig faction of the Democratic Party capitulating to the “fire-eating, mobocratic” position of the militant proslavery Democrats occurred on June 2, 1855. On this day, Democrats and Whigs met at a town hall meeting in Columbia, Missouri, to establish resolutions for their position regarding the extension of slavery in Kansas. Failing to reach a consensus, the Democrats “seceded” from the meeting and passed their own resolutions, to which the Whigs eventually relented.⁵⁰

Although Whigs and Democrats disagreed on the means to solving the slavery issue, both agreed they wanted to preserve slavery and the Union.

By the summer of 1855, the tide was turning in favor of a free-state Kansas, despite the fact that the proslavery faction still maintained a firm grip on the territorial legislature. The New England Emigrant Aid Company, established for the explicit purpose of facilitating the

⁴⁹ *Speeches of Hon. B. Gratz Brown, of St. Louis, upon the Western Question, in the House of Representatives, January 10th, 1855, and also upon the Senatorial Election, Delivered in Joint Session, January 29th, 1855, in reply to Mr. Stewart, of Buchanan County.* Francis Asbury Sampson Collection (C3813), State Historical Society of Missouri, Columbia.

⁵⁰ *Missouri Statesman* (Columbia), June 8, 1855; Hurt, *Agriculture and Slavery*, 28.

immigration of East Coast opponents of slavery in Kansas, flooded the territory with more abolitionist-minded settlers.⁵¹ Free-state supporters soon outnumbered proslavery supporters, and a federal committee of investigation deemed the Kansas elections, which established a proslavery legislature, fraudulent. In spite of that, the proslavery legislature continued to function as the lawfully elected state legislature, establishing headquarters at Shawnee Mission, eventually moving to Lecompton, and passing laws protecting slave property. In response, antislavery Kansans formed their own government stationed in Topeka. Despite the corrupt birth of the proslavery government, President Franklin Pierce recognized it as legitimate and condemned the antislavery administration as traitorous.⁵² Two governments stood diametrically opposed as tensions rose in the territory.

Proslavery Missourians and free-state New England settlers in Kansas differed most radically in their conceptions of liberty. Historian Nicole Etcheson, in her aptly titled study *Bleeding Kansas*, emphasizes how differing concepts of white male liberty accelerated the violence in Kansas. Proslavery men advocated a concept of liberty based on the freedom to hold property, most importantly, slaves, and the freedom to transport that property anywhere; free-state men advocated a concept of liberty based on the right of the people to decide political issues, stressing popular sovereignty and majority rule. Both sides drew on principles solidified in the American Revolution, and both were willing to violently protect their most prized liberties. Over the course of the conflict and into the Civil War, the issues between the two gradually

⁵¹ Etcheson, *Bleeding Kansas*, 36-39. Etcheson, *Bleeding Kansas*, 29. Missourians made up fifty percent of the first wave of immigrants to Kansas. Etcheson, *Bleeding Kansas*, 43. Southerners made up only seven percent of immigrants to the territory. The availability of land in the Deep South made immigration to Kansas unappealing to many southerners. Midwesterners also immigrated to Kansas, making up thirty-five percent of the population by 1860.

⁵² Etcheson, *Bleeding Kansas*, 54-79, 91-92.

focused in on black rights: “As free-state Kansans increasingly championed black rights, that debate was shaped by white settlers’ fears of what black rights meant for whites.”⁵³

Proslavery Missourians and free-state Kansans initially shared similar beliefs regarding black rights. Despite proslavery advocates emphasis on free-state supporters’ emancipationist aspirations, in 1855, free-state supporters did not generally embrace abolitionism. In fact, radical abolitionists only made up a small portion of the Free-State party in the territory. Most advocates of a free-soil Kansas, especially immigrants from the Middle Western states, accepted slavery where it already existed and only rejected the spread of slavery to new territories because they believed it had a corrupting effect on white society and produced lazy, aristocratic-minded citizens. Despite their opposition to slavery’s expansion, most free soilers also rejected cohabitation or miscegenation between whites and blacks. In fact, at one point, the Free-State Party even demanded a law prohibiting black emigration to the territory altogether. As the conflict in Kansas wore on, some Free-State Party advocates developed more radical ideas and tactics in regard to slavery. James H. Lane from Indiana started out as a Democrat favoring popular sovereignty and the Kansas-Nebraska Act of 1854, but by the eve of the Civil War, he embraced the militancy and radical abolitionism associated with the radical wing of the Republican Party in Kansas.⁵⁴

⁵³ Etcheson, *Bleeding Kansas*, 1-8.

⁵⁴ Etcheson, *Bleeding Kansas*, 72, 71.



Fig. 6. James H. Lane. Image courtesy of Library of Congress, accessed May 20, 2019.

Tensions in Kansas erupted into violence in the winter of 1855, sparking frenzied excitement in central Missouri. On November 21, south of Lawrence, proslavery supporter Franklin Coleman shot and killed anti-slavery resident Charles Dow, ending a personal feud over a land dispute. The event quickly took on political dimensions, beginning the so-called Wakarusa War. Word quickly spread about the death of Dow. Proslavery demagogues and propagandists inflamed an already tense situation by spewing exaggerated stories of abolitionist violence. Hiram Hill, a man traveling through Missouri on his way to Kansas City, testified to this in a letter to his brother: “the Missourians tell terrible Stories about the Abolitionest they Say the abilitonest are Driving out pro slavery famelies & Burning thare Houses [sic].”⁵⁵ In Lafayette

⁵⁵ Hiram Hill to his brother, December 7, 1855, *Territorial Kansas Online*, accessed March 13, 2018, www.territorialkansasonline.org.

County, on December 3, 1855, Colonel Oliver Anderson spoke before the people of Lexington, Missouri, urging men to take up arms to defend their liberties as they had done in 1812. One man in the audience, Erasmus Hix, was so convinced by Anderson's rhetoric that he later recorded in his diary "that any one who would be backward after hearing the remarks of Col. Anderson at the Court House, should have his throat cut."⁵⁶ Riled by these reports and speeches, nearly 100 men assembled in Clay County and raided the Liberty Arsenal for weapons in preparation for armed conflict with Kansans in Lawrence. In response, Kansas Territorial Governor Wilson Shannon called out the state militia, which was dominated by proslavery Missourians. The militia surrounded Lawrence hell bent on destroying the free-state stronghold. What began as a standoff near Lawrence ultimately led to a small skirmish, which although explosive, only caused the death of one man, Thomas Barber, and ended hastily in a peace agreement. The Wakarusa conflict was swift and limited, but it demonstrated that political conflicts over slavery could turn violent and foreshadowed the bloodier conflict to come.⁵⁷

Peace did not last long on the border. On April 23, a free-state man shot Sheriff Jones in the back as he attempted to make an arrest. In response, proslavery forces assembled, a Missouri militia unit known as the Platte County Rifles among them, and laid siege to the city of Lawrence.⁵⁸ A month later, far to the east in Washington, D.C., Charles Sumner of Massachusetts recited his speech "The Crime Against Kansas" from memory on the floor of the Senate. He decried the events in Kansas as follows: "It is the rape of a virgin Territory, compelling it to the hateful embrace of Slavery." He went on to analogize the southern slave

⁵⁶ Erasmus Hix Diary, Battle of Lexington State Historic Site.

⁵⁷ Etcheson, *Bleeding Kansas*, 81-88; Tony Mullis, "Wakarusa War" *Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865*, The Kansas City Public Library, accessed March 7, 2018, <http://www.civilwaronthewesternborder.org/encyclopedia/wakarusa-war>.

⁵⁸ Etcheson, *Bleeding Kansas*, 100-105.

interest to “the great Terrestrial Serpent,” a creature with both serpentine and feline characteristics from Norse mythology known as Jormungand or World Serpent, which grew to such a length it encircled the entire earth. Sumner likened the southern “Slave Power” to a fearsome cat with its “paws . . . fastened upon Kansas,” and slavery to a serpent “now coiled about the whole land.”⁵⁹

Sumner’s speech only served to infuriate pro-southern partisans in Kansas. On May 20, Butler’s cousin Congressman Preston Brooks of South Carolina approached Sumner at his desk on the Senate floor and proceeded to beat him with his cane. The next day, proslavery forces sacked Lawrence, targeting many of the abolitionist strongholds in town, including the Free State Hotel.⁶⁰ Meanwhile, a radical abolitionist named John Brown joined his family in Kansas, where he grew increasingly incensed by proslavery intimidation and militancy. On the night of May 24, Brown and his eight-man posse, including four of his sons, pulled five proslavery men from their homes on Pottawatomie Creek and killed them with broadswords.⁶¹

The Pottawatomie Massacre initiated a guerrilla war between proslavery and free-state men in Kansas. Men on both sides formed armed vigilante bands that occasionally clashed in skirmishes, climaxing in the summer of 1856 with the Battle of Black Jack and the Battle of Osawatomie, during which a total of 200 men died.⁶² Proslavery men may not have been

⁵⁹ Charles Sumner, “The Crime Against Kansas. The Apologies for the Crime. The True Remedy,” 5, 8, *United States Senate* (website), accessed March 17, 2018, <https://www.senate.gov/artandhistory/history/resources/pdf/CrimeAgainstKSSpeech.pdf>; Etcheson, *Bleeding Kansas*, 98-99.

⁶⁰ Etcheson, *Bleeding Kansas*, 99-105.

⁶¹ Christopher Rein, “Pottawatomie Massacre” on *Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865*, The Kansas City Public Library, accessed March 9, 2018, <http://www.civilwaronthewesternborder.org/encyclopedia/pottawatomie-massacre>.

⁶² Etcheson, *Bleeding Kansas* 107-123; Rein, “Pottawatomie Massacre,” *Civil War on the Western Border*, accessed March 9, 2018.

winning the war per se, but they were winning the propaganda campaign against free-state supporters. Proslavery newspapers cast free staters as lawless rebels and cast the proslavery party as the righteous restorers of law and order, emphasizing the fact that they had federal support.⁶³ Newspapers in the east directed their fair share of hostility toward proslavery supporters and cast the free-state supporters who lost their lives in Kansas as righteous martyrs. In September, a poem by Charles Weyman appeared in the *New York Daily Tribune*, part of which read:

Far in the West rolls the thunder—
The tumult of battle is raging
Where bleeding Kansas is waging
War against Slavery!⁶⁴

This marked one of the first instances of the use of the term “bleeding Kansas,” which eventually came to define the conflict in the territory leading up to the Civil War.

Amidst the “Bleeding Kansas” crisis, another watershed moment in the national slavery debate took place in Missouri: the Dred Scott case. Like the Missouri Compromise, this legal case triggered alarm bells across the nation. In 1846, Dred Scott, an African American slave residing in St. Louis, sued for his and his family’s freedom based on the fact that their owner had taken them to Wisconsin territory and several free states where laws prohibited slavery and revoked citizens’ rights to own slaves. After nearly ten years of trials, in 1857, Supreme Court Chief Justice Roger Brooke Taney ruled Congress’ prohibition of slavery in western territories was unconstitutional and declared African Americans, whether free or slave, were not citizens of the United States and, thus, had no right to bring suits to court. The ruling of this case had

⁶³ Etcheson, *Bleeding Kansas*, 124-125, 101.

⁶⁴ Catherine Denial, “Bleeding Kansas,” accessed April 5, 2018, <http://teachinghistory.org/history-content/ask-a-historian/25650>; “Fremont and Victory: The Prize Song by Charles S. Weyman,” *New York Daily Tribune*, September 13, 1856.

broader implications as it denied Congress the power to free a person's slaves or to outlaw slavery in the territories.

In the wake of the Dred Scott case, vigilante units continued to run amok in the border region. One of the last major acts of terrorism in Bleeding Kansas occurred in May 1858. Proslaveryite Charles Hamilton led a unit of Missourians to the Marais des Cygnes River Valley and took suspected antislavery men hostage. After releasing some of their captives, the Missourians lined up the remaining eleven men and opened fire, killing five, forever cementing the Marais des Cygnes Massacre in the memory of Kansas abolitionists.⁶⁵ Enraged, John Brown joined forces with James Montgomery, a likeminded radical abolitionist, and began harassing proslavery citizens by stealing property, liberating slaves, burning homes, and occasionally murdering men. Montgomery quickly earned the ire of officials in the state of Missouri and in the federal government, who called out the U.S. Army to reassert law and order in the region. One of Montgomery's goals was to disrupt the institution of slavery in Missouri by liberating blacks and refusing to enforce the Fugitive Slave Law, which mandated the return of runaway slaves to their masters and instituted punishments for individuals who aided runaways.⁶⁶

Much to slaveowners' dismay, Bleeding Kansas exposed the first fissures in the slave system in Missouri. In January 1858, Kansas voters rejected the proslavery Lecompton Constitution, marking the last attempt to make Kansas a slave state and transforming Kansas into

⁶⁵ Etcheson, *Bleeding Kansas*, 192-194; Christopher Rein, "Marais des Cygnes Massacre" on *Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865*, The Kansas City Public Library, accessed March 9, 2018, <http://www.civilwaronthewesternborder.org/encyclopedia/marais-des-cyignes-massacre>.

⁶⁶ Etcheson, *Bleeding Kansas*, 191-192; Tony Mullis, "The Illusion of Security: The Governments' Response to the Jayhawker Threat of Late 1860," in *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*, eds. Jonathan Halperin Earle and Diane Mutti Burke (University of Kansas Press, 2013), 99-105. John Brown went on to lead a raid on the Virginia town of Harper's Ferry, where he hoped to spark a slave rebellion. Brown's raid failed miserably, and he was hanged for treason for his crimes against the state of Virginia. James Montgomery went on to play an important role in the Civil War in Kansas and then in the East as an army colonel.

a haven for runaway slaves.⁶⁷ According to historian Kristen Epps, by 1857 and 1858, the conflict on the Kansas-Missouri border became a “struggle for control of slave mobility.”⁶⁸ While Jayhawkers helped to disrupt the system and liberate slaves, blacks themselves became “agents of their own independence,” taking advantage of the conflict between whites to escape to freedom in Kansas.⁶⁹ Lawrence, Kansas, the renowned abolitionist stronghold, became a refuge for runaways from Missouri, and many abolitionist-minded Kansans harbored runaway slaves in a well-established Underground Railroad system. Naturally, however, the higher frequency of slave escapes increased slave-owners’ efforts to recapture their lost property, and with the resulting proliferation of slave patrols, slave catchers, local posses, and the presence of the U.S. military in the area, fugitive slaves faced the mounting threat of being recaptured and re-enslaved.⁷⁰

Throughout 1860, conditions further deteriorated as a drought plagued the region. Rain refused to fall and temperatures hovered in the 90s most of the summer. Citizens in Missouri and Kansas suffered from want of provisions and funds.⁷¹ Independence resident J. Calvin Iserman wrote his brother William in January 1861 of the unfavorable conditions and foresaw no end to the region’s misery: “I have been Idle all winter, and find it mighty hard scratching to get along. . . . What makes the times so hard here is the scarcity of provisions, on account of the drouth last

⁶⁷ Epps, *Slavery on the Periphery*, 114, 163-164, 204-205. Kansas constituents initially accepted the Lecompton Constitution with slavery because free-state voters chose to boycott the election. However, once officials called for a second vote for the territorial legislature, rather than voting on territorial representatives under the Lecompton Constitution, more than ten thousand free-state men voted against the constitution altogether in January 1858. Kansans also submitted to Congress two other constitutions: the Topeka and the Leavenworth Constitutions. This further confused the issue. Ultimately, all of these constitutions were rejected.

⁶⁸ Epps, *Slavery on the Periphery*, 117.

⁶⁹ *Ibid.*, 120.

⁷⁰ *Ibid.*, 140, 132-133.

⁷¹ Etcheson, *Bleeding Kansas*, 220.

year, and there is no money here at all. The hardest times I ever saw. And I am afraid it will remain so for some time, on account of the trouble in the South.”⁷²

In addition to environmental troubles, Missourians on the border continued to suffer from sporadic guerrilla raids throughout 1860 and 1861. In the same letter, Iserman pithily recounted a story of a posse of men who rode from “the [Kansas] Territory” to “a plantation” only ten miles from his home in Independence. Iserman suspected they were Montgomery’s men coming to “steal niggers,” but he described how one of the abolitionists “turned traitor” and alerted the slaveholder, Morgan Walker, to his fellow raider’s schemes. In the ensuing scuffle, the slaveholder and his allies killed all of the men except the “traitor.” Iserman’s “traitor” was a man known at the time as Charley Hart, an Ohio schoolteacher turned militant Kansas abolitionist, who would become notorious as a Confederate guerrilla chieftain in the ensuing Civil War on the border: William Clarke Quantrill.⁷³

Contentious forces continued to plague the area around Independence, Missouri, in January 1861, intensifying the “scarcity of provisions” caused by the recent drought. In the same letter to his brother, William, Iserman bemoaned the presence of “Patrol men through the county and minuet [sic] men & secret guards” who seek “to find out a man’s principles” and “have threatened to drive all the men out that voted for Lincoln.” Iserman believed, as a result, “all of us (eastern men) will be drove out of the State.” Jayhawkers also prowled the area, as Iserman observed, “some half a dozen men came here from the Territory [supposed to have belonged to Montgomery’s band] to steal niggers.” These conditions drove Iserman to make an accurate

⁷² Calvin Iserman to brother William, January 20, 1861, *Missouri Digital Heritage Online*, accessed May 13, 2019, <http://cdm16795.contentdm.oclc.org/cdm/compoundobject/collection/moksconf/id/784/rec/1>.

⁷³ Ibid.; Epps, *Slavery on the Periphery*, 139-140; Rev. John J. Lutz, “Quantrill and the Morgan Walker Tragedy,” in *Transactions of the Kansas State Historical Society, 1903-1904; together with Addresses at Annual Meetings, Miscellaneous Papers, and a Roster of Kansas for Fifty Years*, ed. George W. Martin, vol. III, (Topeka: George A. Clark, State Printer, 1904), 326.

prediction: “its my opinion there is going to be civil war and that before long, if there is woe unto the border state of Missouri. Kansas will have a sweet time revenging their rong[.]”⁷⁴ Three days after Iserman wrote this letter, Kansas officially became a free state.

By 1861, citizens living along the Missouri River had endured six long years of political turmoil, resulting in the loss of property and lives and the significant crippling of their social and economic systems, so intimately tied to the institution of slavery. During the Bleeding Kansas crisis, the extralegal actions of Border Ruffians and the vociferous propaganda of proslavery advocates tightly bound the interests of Missourians with those of the South on the national stage. Simply put, Bleeding Kansas cemented Missouri’s southern reputation, a reputation most applicable to the state’s densest slaveholding counties along the Missouri River. Although the region would not be dubbed “Little Dixie” until after the Civil War, its identity was already beginning to form. Once the war broke out, federal officials would eye this area in the center of the state with extreme suspicion due to its close association with Border Ruffians and slavery during Bleeding Kansas.

Slavery in Missouri’s “Little Dixie” region did not just survive Bleeding Kansas, it flourished. Between 1850 and 1860, the total slave population in the Little Dixie counties increased by 35 percent.⁷⁵ Slavery stood at the heart of Little Dixie’s economy, and together, those counties surpassed the rest of the state in slave ownership, but the institution never reached proportions extant in the Deep, or even the Upper, South. In 1860, 43,856 slaves resided in these eleven counties, constituting one-fourth of Little Dixie’s total population and a little over one-

⁷⁴ Calvin Iserman to brother William, January 20, 1861, *Missouri Digital Heritage Online*, accessed May 13, 2019, <http://cdm16795.contentdm.oclc.org/cdm/compoundobject/collection/moksconf/id/784/rec/1>.

⁷⁵ *Social Explorer* (website), accessed March 14, 2018, socialexplorer.com. 1850 Slave Population in Little Dixie Counties; 1860 Slave Population in Little Dixie Counties. Percentage calculated by author.

third of Missouri's 114,931 total slave population.⁷⁶ Few slave owners held more than 100 slaves, whereas in the Deep South, some counties contained as many as 30 slave owners who owned more than one hundred slaves. In fact, only ten percent of the white male population in the region owned slaves, with the majority owning fewer than ten.⁷⁷ So, not a single Little Dixie farm could be called a plantation nor could any slave owner be called a planter, as in the Deep South; rather, the terms "farm" and "yeoman" are more fitting descriptions of this region, a slave system deemed "small-scale slaveholding" by scholar Kristen Epps.⁷⁸

Little Dixie's increasingly diversified population further hindered the region's development into a full-fledged plantation society. Together, the counties constituting Little Dixie contained a total population of 177,387, fifteen percent of Missouri's 1,182,012 total population, including white men and women as well as the enslaved, free people of color, foreign-born whites, and a few Native Americans. While the majority of Little Dixie's black population was enslaved, the region did contain a small free black population, numbering at only 419 individuals. The proportion of free to enslaved blacks in these counties further contributed to the region's closer resemblance to the Upper South than to the Deep South. The foreign-born white population amounted to fourteen percent of the total white population, consisting primarily

⁷⁶ "Historical Census Browser" on *University of Virginia, Geospatial and Statistical Data Center* (website), accessed November 15, 2014, <http://mapserver.lib.virginia.edu/>. 1860, Slave Population of Missouri; 1860, Slave Population in each Little Dixie county. The five highest-ranking counties in the state of Missouri for the number of slaves: Lafayette: 6,374, Howard: 5,886, Boone: 5,034, Saline: 4,876, Callaway: 4,523.

⁷⁷ "Historical Census Browser" on *University of Virginia, Geospatial and Statistical Data Center* (website), accessed November 15, 2014, <http://mapserver.lib.virginia.edu/>. 1860, Missouri Farms with 1,000 or more acres; 1860, Missouri Slaveholders holding 200-1,000 + slaves; 1860, Missouri Slaveholders holding 1-10 slaves. Only 3 slave-owners owned more than 100 slaves in Little Dixie. This differs drastically from some Deep South counties in South Carolina, Louisiana, and Alabama where some counties contain over fifty slave-owners with over 100 slaves. *Social Explorer* (website) accessed April 5, 2018, socialexplorer.com. 1860, Slaveholders with 100 to 199 Slaves.

⁷⁸ Kristen K. Epps, "Before the Border War: Slavery and the Settlement of the Western Frontier," in *Bleeding Kansas, Bleeding Missouri*, 30. Hurt, *Agriculture and Slavery*, xi. Hurt labels the antebellum region Missouri's "Black Belt" as each of his seven counties—also included in my list of eleven counties—ranked among the top ten slave counties by population in the state.

of recent German and Irish immigrants. Also of note are the seventeen Native Americans who resided in Jackson County, constituting the majority of the state's native population of twenty.⁷⁹

Little Dixie's cash crop production and diversified economy also distinguished the region from the Deep South. Containing over twenty percent of Missouri's cash value of farms, Little Dixie produced a significant amount of the state's total tobacco and hemp products; in fact, farmers across these eleven counties produced fifty percent of the state's total hemp crop in 1860, the region's single most valuable crop.⁸⁰ Primarily used for rope to bind cotton bales in the Deep South, hemp was intimately connected to the supply and demand of cotton. However, as previously mentioned, farmers in the region planted subsistence crops and raised livestock alongside staple crops. Many residents still raised cattle, hogs, and sheep and planted corn, wheat, flax, and clover. The region's emphasis on manufacturing is further indicative of a diverse economy, the most profitable companies being those that sawed lumber and processed flour and meal. Commodities other than hemp and tobacco dominated manufacturing and often surpassed the value of cash crops in most of these counties. For example, Cooper County, one of the most violent and chaotic of the Little Dixie counties during the Civil War, produced only thirty-five thousand dollars in tobacco but produced almost a half a million dollars in products ranging from shoes to bread.⁸¹

⁷⁹ "Historical Census Browser" on *University of Virginia, Geospatial and Statistical Data Center* (website), accessed November 15, 2014, <http://mapserver.lib.virginia.edu/>. 1860, Total Missouri Population. 1860 Total Population of the eleven Little Dixie Counties. 1860 Free Black Population. 1860 Foreign-born White Population. Totals and percentages calculated by the author.

⁸⁰ *Manuscript Census Schedules, Agriculture, 1860, Missouri, Total Cash Value of Farms in all Little Dixie Counties*, 88; *Total Hemp in all Little Dixie Counties*, 91. Totals and percentages calculated by the author.

⁸¹ *Manuscript Census Schedules, Agriculture 1860, Manufacturing 1860, Missouri, Cooper County Tobacco Manufactured; Cooper County Total Manufactured Products*, 299. Totals and percentages calculated by the author. One exception to this production balance was Howard County, with an annual value of hemp and tobacco production at \$763,045 and an annual production total of all other products at \$181,442. *Manuscript Census Schedules, Manufacturing, 1860, Missouri, Howard County*, 302.

By the late 1850s, Missouri's political scene experienced a shift. Thomas Hart Benton, the moderate voice of Missouri's Democratic Party, passed away, causing conservative Democrats, commonly called Bentonites, to lose a significant amount of power. Central Clique Democrats, also known as "Ultras," saw in the recent demise of the Bentonites and the widespread aversion to Republicans in Missouri an opportunity to take control of the state government, leading Ultra Democrat Claiborne Fox Jackson to announce his candidacy for governor in 1859. He wrestled the position from fellow Central Clique Democrat Sterling Price, who, notwithstanding his membership in the same party, held a more moderate position opposing the militancy of Senator David Rice Atchison, leader of the Self-Defensives, or Border Ruffians, in the Bleeding Kansas crisis. Price's opposition to Ultras represented a larger fissure within the state Democratic Party, a split roughly correlating with divisions between Ultras and Bentonites in the 1830s and 40s regarding the best means to expand slavery into new territories. In the months before the gubernatorial election of 1860, however, Jackson prevaricated on certain issues and presented himself as more conservative, seeking to heal the schism within the Democratic Party and to recruit supporters.⁸²

⁸² Philips, *Missouri's Confederate*, 221-225.



Fig. 7. General Sterling Price. Image courtesy of State Historical Society of Missouri, Photograph Collection, accessed May 20, 2019.

On the eve of the 1860 election, the national Democratic Party split into a northern and a southern wing over the issue of congressional protection of slavery. Growing tired of the federal government's refusal to ensure slavery's expansion into the western territories, the southern wing of the Democratic Party walked out of the Democratic National Convention in Charleston, South Carolina, establishing their own Southern Democratic Party and nominating John C. Breckinridge as their presidential candidate. The Northern Democrats stood by Stephen A. Douglas and his concept of popular sovereignty, believing it was the best method to decide the slavery issue in new territories moving forward. Another party also emerged: the Constitutional Union Party. Led by presidential nominee John Bell, the Constitutional Union Party advocated adherence to "the Constitution of our country, the union of the States, and the enforcement of the

Laws.”⁸³ This party appealed most to border state moderates who desperately wanted to heal the sectional factionalism pulling at the very fibers of the nation.⁸⁴

The voice of the moderate majority in Missouri came through in the 1860 election with Northern Democrats carrying the state. Missourians elected Claiborne Fox Jackson, from Saline County, to the governorship under the Northern Democratic ticket, and Senator Stephen Douglas of Illinois, also a Northern Democrat, and the great compromiser on the slavery issue, to the presidency in the national election with 58,801 votes, the only state in the Union to go to Douglas.⁸⁵ Despite the victories of Northern Democrats in the state, John Bell and the Constitutional Union Party followed close behind with 58,372 total votes, making the presidential race in Missouri a close one between moderate candidates. In fact, Bell received a majority of the votes in seven of the eleven Little Dixie counties; the four other counties went to Douglas but only by a small margin.⁸⁶ Although Lincoln received a miniscule number of votes in Little Dixie counties, and throughout the South, he defeated the other three candidates with northern votes, emerging as the sixteenth President of the United States in November. The Republican ascendancy prompted South Carolina’s secession from the Union in December, followed by Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas. William B. Napton,

⁸³ Lauren Jensen, “The Struggle for the Union: The Constitutional Union Party in the Election of 1860,” *Constructing the Past* 6: 1 (2005): 11. <http://digitalcommons.iwu.edu/constructing/vol6/iss1/5>.

⁸⁴ Etcheson, *Bleeding Kansas*, 222-223.

⁸⁵ Mark Lause, *Price’s Lost Campaign: The 1864 Invasion of Missouri* (Columbia: University of Missouri Press, 2011), 10; Dennis K. Boman, *Lincoln and Citizens’ Rights in Civil War Missouri: Balancing Freedom and Security*, (Louisiana State University Press, 2011), 21. Claiborne Jackson was elected Missouri governor under a Unionist ticket in support of Stephen A. Douglas; however, in reality, Jackson held strong secessionist sentiments and desired to bring Missouri out of the Union. As Boman recognizes, such circumstances “could spell future trouble . . . since Jackson held executive authority and was the commander in chief of the state militia.”

⁸⁶ *The Tribune Almanac and Political Register for 1861* (New York: The Tribune Association, 1860), 54-55, accessed February 4, 2019, www.archive.org.

Little Dixian and Missouri Supreme Court Justice, took a break from his normal proslavery rhetoric to lament the demise of the United States: “The Republic of our forefathers—its spirit has departed long since—& it has been for years, but a mere lifeless hulk.”⁸⁷

Secession forced Little Dixians to contemplate the course they would take in the brewing conflict, and once again, they chose a path of compromise and conciliation. Prominent men from Saline County met at the county seat in Marshall in December 1860 to discuss “the disturbed conditions of the country.” The meeting resolved that the bonds between government and citizen must be preserved “until the evils become such as to justify revolution,” that the Constitution was the basis for the Union, and that if the laws of the Constitution were disregarded, the Union could not stand. The members further resolved that in order to mend the sectional conflict, the southerner must stand to maintain his constitutional rights, and the northerner must stop interfering with the institution of slavery. The assembly hoped to “preserve the union if it can be done,” but if it could not, they resolved to unite “in a Southern confederacy.”⁸⁸

With seven of the southern states out of the Union and their senators absent from their seats, Congress finally passed a bill admitting Kansas to the Union. Kansas entered the Union as a free state on January 29, 1861. After struggling over four different constitutions and multiple Congressional votes, Congress finally accepted the Wyandotte Constitution, which prohibited slavery in the state. Kansas representatives debated two seemingly contradictory possibilities: granting African Americans suffrage rights and excluding them from emigrating to the state altogether. Neither of these propositions made it into the state constitution.⁸⁹

⁸⁷ William B. Napton to Melinda Napton, December 16, 1860, (A1121), Civil War Manuscript Collection, Missouri History Museum and Archives, St. Louis.

⁸⁸ William B. Napton, Jr., *Past and Present of Saline County, Missouri* (Indianapolis, Indiana: B.F. Bowen and Company, Publ., 1910), 144, 146.

⁸⁹ Epps, *Slavery on the Periphery*, 114, 150; Etcheson, *Slavery on the Periphery*, 206, 217, 220.

Missourians had their own important issue to decide: to secede or not to secede? Once again, Missourians opposed secession. In February 1861, Missourians elected county delegates to a special state convention held in Jefferson City. The delegates voted seventy to twenty-three to remain in the Union.⁹⁰ Missouri had no reason to “dissolve her connection with the Federal Union,” claimed delegates, and furthermore, the state would “labor for such an adjustment of existing troubles as will secure the peace, as well as the rights and equality of all of the States.” Delegates feared that “the employment of military force by the Federal Government to coerce the submission of the seceding States, or the employment of military force by the seceding States to assail the Government of the United States, will inevitable plunge this country into civil war,” and they advised both sides against resorting to force.⁹¹ In the eyes of many Missourians, the use of force or coercion by the Federal government, especially against Missouri, would tip public opinion in the state in favor of the South.

During the “secession winter” between Lincoln’s election and inauguration, compromise failed to keep several southern states in the Union, and federal offensives gradually turned more Missourians against the administration.⁹² On April 14, 1861, Confederate guns opened fire on Ft. Sumter when Union forces determined to reinforce the fort with supplies and refused to surrender it to the fledgling Confederate nation. Immediately following Fort Sumter, Lincoln

⁹⁰ Adam Arenson, *The Great Heart of the Republic: St. Louis and the Cultural Civil War* (Harvard University Press, 2011), 113.

⁹¹ *Resolutions Adopted by the Missouri State Convention* [March 1861], Lincoln Papers, Library of Congress; William C. Harris. *Lincoln and the Border States: Preserving the Union* (University Press of Kansas, 2011), 23.

⁹² Daniel Crofts, *Lincoln and the Politics of Slavery: The Other Thirteenth Amendment and the Struggle to Save the Union* (University of North Carolina Press, 2016), 1-7. Crofts is the first to reveal the details surrounding Congress’ attempt to ratify an amendment in March 1861 that would have prohibited Congress from interfering with slavery in the states where it existed. The initiative represented a desperate attempt to stop the secession movement and the impending civil war. Despite its ratification, the war broke out six weeks later, causing the amendment to fall into obscurity, forgotten due to the ratification of the thirteenth amendment in 1865, which officially ended slavery.

called for 75,000 troops to put down the insurrection, roughly 4,000 of which were to come from Missouri. Lincoln's plan to fight to bring the seceded states back into the Union was exactly what Missouri convention delegates had cautioned against.⁹³ Lincoln's actions prompted four more southern states, Virginia, Arkansas, North Carolina, and Tennessee, to leave the Union between April and June of 1861.

Missouri Governor Claiborne Fox Jackson condemned Lincoln's action and began to mobilize Missouri for secession from the Union, disregarding the state conventions vote against it a few months earlier. Jackson deemed Lincoln's call to arms "illegal, unconstitutional and revolutionary, in its object inhuman and diabolical" and refused to comply; instead, he began mobilizing the state to defend against a possible Federal incursion.⁹⁴ Like Jackson, fellow Boon's Lick Democrat, William Napton fumed indignation over Ft. Sumter. He hoped Missouri and Kentucky would follow in the footsteps of "Old Virginia," which "refused to bow the knee to this infernal despotism." According to Napton, "The miserable vacillation of the border states has impressed those Vandals at Washington with an idea that they could walk over the Southern States." War could easily be avoided, Napton believed, if the people of the Border States "act manfully & promptly" and reject the present "state of suspense & cowardly inaction."⁹⁵

Regardless of the mounting aggression between the North and the South, many Little Dixians determined to follow a moderate and neutral course in the brewing conflict. Days after

⁹³ United States Record and Pension Office, *Organization and status of Missouri troops, Union and Confederate, in service during the Civil War* (Washington: Gov't. Print., Off., 1902), 12. The number of troops requested from Missouri was exactly 3,123.

⁹⁴ C.F. Jackson to Simon Cameron, April 17, 1861, C3087, Western Historical Manuscript Collection, University of Missouri, Columbia.

⁹⁵ William B. Napton to Melinda Napton, April 19, 1861, Civil War Manuscript Collection, Missouri History Museum and Archives, St. Louis.

the bombardment of Ft. Sumter, the publisher of the *Columbia Statesman*, William F. Switzler, issued a statement of neutrality in his paper:

As Union men, standing by the Constitution as the sheet anchor of our hope, and alike opposed to the fanaticism of both sections, we felicitate ourselves and friends that we are responsible for the consequences of neither. If this, therefore, be the inauguration of civil war, growing out of the fratricidal strifes between the extremes of the Union, we feel that we can in very truth say to the Demon of Discord, shake not thy gory locks at me!⁹⁶

Another article appeared in the *Liberty Tribune* a month later expressing similar sentiments and estimating that roughly “four-fifths of the county of Clay are in favor of Missouri taking no part in the present fight between the north and the cotton States.”⁹⁷

Nonetheless, some Confederate-sympathizing citizens across the region heard the governor’s call and assembled for action. On April 20, 1861, a force of nearly 200 men from Jackson and Clay counties assembled under the command of Henry S. Routt and, in a blatant act of aggression against the U.S. government, stormed the U.S. arsenal located at Liberty Landing. Routt and his men demanded the surrender of the arsenal and all of its weapons, including cannons, caissons, rifles, muskets, pistols and several hundred rounds of ammunition. Routt’s men distributed the firearms amongst themselves and left some in the possession of local civilians who hid them for the state militia should they need them in the near future.⁹⁸

⁹⁶ *Columbia Statesman*, April 19, 1861.

⁹⁷ *Liberty Tribune*, May 24, 1861.

⁹⁸ *History of Clay and Platte Counties, Missouri, written and compiled from the most authentic official and private sources, including a history of their townships, towns and villages, together with a condensed history of Missouri; a reliable and detailed history of Clay and Platte counties—their pioneer record, resources, biographical sketches of prominent citizens; general and local statistics of great value; incidents and reminiscences.* (St. Louis: National Historical Co., 1885), 196-197. Union officials subsequently arrested Henry S. Routt for his role in the arsenal raid; however, Lincoln issued a presidential pardon for Routt in 1862. The Clay County Historical Society possesses the official letter pardoning Routt.

Whether Governor Jackson ordered or even knew about the raid in Liberty remains unknown, but he surely approved of the initiative taken by these citizens. Jackson, aware that a large portion of his constituents favored conditional Unionism and that there was only moderate support for the Confederacy, attempted to walk a fine line after Ft. Sumter, although his militarization of the state did not come across as such to many U.S. officials. Missouri state officials, like their neighbors in Kentucky, decided to adhere to a policy of “armed neutrality,” a policy advocating the use of force if either side compromised the state’s neutral position, a rather conservative policy at the time that most Missourians supported. Jackson began a campaign of state armament in which he demanded weapons from both the St. Louis arsenal, reportedly the best-stocked arsenal of any slave state, and from Confederate President Jefferson Davis. He also appointed General Daniel M. Frost to begin training volunteer militiamen at the newly established Camp Jackson.⁹⁹

Jackson insisted he was preparing the state to defend itself against a threat from either the North or the South, but many federal officials knew better. Lincoln viewed Kentucky’s and Missouri’s proclamations of armed neutrality as little better than proclamations of war. Lincoln voiced his disapproval in a speech before a special session of Congress on July 4, 1861. Such a policy, Lincoln exclaimed, “recognizes no fidelity to the Constitution, no obligation to maintain the Union, and while very many who have favored it are, doubtless, loyal citizens, it is, nevertheless, treason in effect.”¹⁰⁰ Lincoln’s suspicions that the Border States were proclaiming neutrality and feigning innocence while secretly arming the populace in order to, ultimately, facilitate secession were most definitely justified in Missouri’s case. Governor Jackson and

⁹⁹ Harris, *Lincoln and the Border States*, 119-121.

¹⁰⁰ Harris, *Lincoln and the Border States*, 93.

several of his cabinet hoped “to use ‘armed neutrality’ as a strategy for secession,” deferring federal fears while simultaneously arming the state for war. However, a significant number of Missourians agreed with Jackson’s policy because they believed it was a genuine attempt to maintain the peace and to avoid a civil war.¹⁰¹

U.S. troops responded with force to the “armed neutrality” of the Missouri state government, further undermining the generally neutral, compromising stance of the state’s citizenry.¹⁰² In early May, soldiers under General Nathaniel Lyon, commander of the St. Louis arsenal, captured state forces training under Brigadier General Daniel Marsh Frost. But the real drama took place as federal troops, mostly made up of German-Americans, marched their prisoners through the streets of St. Louis. Civilians began shouting and throwing rocks. A shot rang out, killing a federal soldier. The commander of the troops ordered his men to return fire. After the smoke cleared, seventy-five lay injured and twenty-eight lay dead in the street, including two women and one child. This event, labeled the “Camp Jackson Massacre” by the press, incensed Missourians and drove many more to sympathize with the newly established Confederate Nation.¹⁰³

Rushing to take advantage of this sharp turn in public opinion, Jackson and the legislature officially began mobilizing the state’s military force. The legislature, already in special session debating a military bill introduced by the Governor, took only fifteen minutes to pass the legislation after hearing news of the Camp Jackson affair, authorizing the formation of the

¹⁰¹ Phillips, *Missouri’s Confederate*, 249, 248.

¹⁰² Albert Castel, *General Sterling Price and the Civil War in the West* (Baton Rouge: Louisiana State University Press, 1996), 10-11; Thomas L. Snead, *The Fight for Missouri: From the Election of Lincoln to the Death of Lyon* (New York: Charles Scribner’s Sons, 1886), 81; Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 18.

¹⁰³ Thomas Snead, *The Fight for Missouri*, 170-176; Castel, *General Sterling Price and the Civil War in the West*, 12-13; Arenson, *The Great Heart of the Republic*, 116; Phillips, *Confederate*, 251-252.

Missouri State Guard and the recruitment of all able-bodied men between eighteen and forty-five. The law also granted the Governor expansive military powers, including the power to control the militia and appoint a major general. Jackson chose Sterling Price, a prominent Little Dixian and former governor, a man who had been a conditional Unionist up until Camp Jackson.¹⁰⁴

Despite growing tensions, state and federal officials attempted to prevent further bloodshed in a momentary spirit of compromise. On May 21, Price met with conservative General William Harney, commander of the U.S. Department of the West. Harney condemned the actions of Lyon at Camp Jackson as well as the military bill hastily passed in the legislature but hoped cooler heads would prevail. Price and Harney agreed on terms to keep the peace in Missouri: federal forces would not impede on state authority as long as state officials maintained the peace. Despite the peace agreement, Missouri Republican Frank Blair, disturbed by Harney's compromising stance regarding treason, insisted upon and succeeded in attaining Harney's removal.¹⁰⁵

Like Harney, some in Little Dixie still wanted their state to maintain a calm resolve in the face of extremism and war. In Carroll County, on June 1, conservative men met to discuss the state of affairs in the state and the country. By the conclusion of the meeting, members decided, "neutrality is the only policy Missouri should adopt." They also condemned the use of slander and terrorism among the proslavery faction: "we condemn as dastardly the attempt by some to introduce a spirit of terrorism to awe Union men, by denouncing all who are not Secessionists as

¹⁰⁴ Paul Rorvig, "The Significant Skirmish: The Battle of Boonville, June 17, 1861" *Missouri Historical Review*, 86: 2 (January 1992), 130-132; Phillips, *Missouri's Confederate*, 252-253.

¹⁰⁵ Rorvig, "The Significant Skirmish," 131; Phillips, *Missouri's Confederate*, 255.

Abolitionists. This charge of Abolitionism has often been falsely brought against our best men to injure them, but the people are now too well posted to heed such false accusations.”¹⁰⁶

The following month, a second attempt at peace negotiations in St. Louis again ended in utter failure. On June 11, 1861, three representatives from both sides met at the Planter’s House in St. Louis: Nathaniel Lyon, Frank Blair, and Horace Conant representing the U.S. and Claiborne Jackson, Sterling Price, and Thomas Snead representing Missouri. After four long hours, Lyon promptly brought the meeting to an end, frustrated with the unwillingness of state representatives to recognize federal authority. In closing, Lyon initially remained seated and spoke calmly:

rather than concede to the State of Missouri the right to demand that my Government shall not enlist troops within her limits, or bring troops into the State whenever it pleases, or move its troops at its own will into, out of, or through the State; rather than concede to the State of Missouri for one single instant the right to dictate to my Government in any matter however unimportant, I would rather see you, and you, and you, and you, and you, and every man, woman, and child in the State, dead and buried.

Finally, he turned to Jackson and roared, “This means war.”¹⁰⁷

Both sides amassed for a fight. Immediately after the meeting, Lyon petitioned the U.S. War Department for 5,000 arms and permission to recruit troops. Jackson and Price promptly fled St. Louis for the state capital at Jefferson City, cutting telegraph wires and burning bridges along the way. Once in Jefferson City, secessionist state representatives scrambled to collect important government documents and resources for a swift departure. During the evacuation of Jefferson City, Jackson solicited the help of his *aid-de-camp*, Thomas Snead, in crafting a proclamation to the people of Missouri to rally their support for the impending armed conflict. In the proclamation, Jackson insisted, “It has been my earnest endeavor . . . to maintain the peace of

¹⁰⁶ *Liberty Tribune*, June 14, 1861.

¹⁰⁷ Snead, *The Fight for Missouri*, 199-200.

the State, and to avert, if possible, from our borders, the desolating effects of a civil war.” He blamed federal representatives for the failure to establish a peace agreement, claiming: “We can hope nothing from the moderation or justice of the agents of the Federal Government in this State. They are energetically hastening the execution of their bloody and revolutionary schemes for the inauguration of civil war in your midst.” Finally, Jackson called for 50,000 volunteers “for the purpose of repelling said invasion, and for the protection of the lives, liberties, and property of the citizens of the State.”¹⁰⁸

State officials left the city on June 13 onboard the steamboat *White Cloud* and headed west on the Missouri River toward the dense slaveholding counties of central Missouri. Jackson and Price settled on the Missouri River town of Boonville as the best location to make a stand because it was “in the midst of a friendly population, and contiguous to the counties from which he expected the strongest support.”¹⁰⁹ Jackson also knew Lyon would fight for Boonville because it would determine who would gain control of the Missouri River, a waterway of immense strategic importance for the brewing conflict.¹¹⁰

Just after sunrise on June 17, 1861, three steamboats landed a few miles west of Rocheport and the Moniteau Creek tributary, within view of the location Lewis and Clark landed 57 years earlier, almost to the day. General Lyon and his 1,700 man U.S. force disembarked and marched to a strategic location in “a broad meadow of bottom lands that ran, about one and a half miles wide, between the river and a tall, steep bluff,” which helped to conceal them from

¹⁰⁸ Snead, *The Fight for Missouri*, 202, 203, 205

¹⁰⁹ Snead, *The Fight for Missouri* 207. The steamer Jackson and his secessionist state officials took to Boonville was named after the Native American leader White Cloud, who cooperated with the U.S. government but, ultimately, lost his tribal lands and the support of his Ioway tribe in Missouri in the nineteenth century.

¹¹⁰ Snead, *The Fight for Missouri* 201-207; Rorvig, “The Significant Skirmish,” 132-135.

view.¹¹¹irate Missourians, heeding their governor’s call to arms, flocked to the river towns of Lexington and Boonville determined to repel what they viewed as an invasion. As Lyon’s force slowly advanced along the Rocheport road toward Boonville, Union scouts met with gunfire from John S. Marmaduke’s picket line. The Battle of Boonville commenced. The much more disciplined Union force quickly overpowered the state militia, and Jackson called on his nephew Marmaduke to order a retreat, which started out orderly but soon descended into chaos, with state militiamen running in all directions, some even swimming across the Missouri River.¹¹² Subsequently, Cincinnati printmakers produced a political cartoon of the battle modeled after a missing livestock advertisement. Plastered at the top of the lithograph was the word “STRAYED,” a typical headline for such advertisements. The lithograph humorously depicted Governor Jackson as a jackass and General Lyon as a lion and stated, “a mischievous JACK who was Frightened and run away from his Leader by the sudden appearance of a Lion. He is of no value whatever and only a low PRICE can be given for his capture.”¹¹³

¹¹¹ Colonel Hans Christian Adamson, *Rebellion in Missouri 1861: Nathaniel Lyon and His Army of the West* (Pickle Partners Publishing, 2016), 125-127.

¹¹² Rorvig, “The Significant Skirmish,” 141-142.

¹¹³ *Strayed*, Cincinnati: Ehtagott, Forbriger, 1861, Library of Congress Online, accessed March 30, 2015, <http://loc.gov/pictures/resource/cph.3a17210/>.



Fig. 8. *Strayed*, Cincinnati: Ehrgott, Forbriger, 1861. Image courtesy of Library of Congress online, accessed March 30, 2015, <http://loc.gov/pictures/resource/cph.3a17210/>. From the early days of the war, Cincinnati printmakers Ehrgott, Forbriger & Co. began to issue a series of portraits of Civil War figures: politicians as well as military and naval officers.

After the embarrassing debacle at Boonville, Jackson and Price, fearing the arrival of more Union troops from Kansas, fled to the southwest corner of the state. While many flocked to aid the secessionist state government, Jackson ultimately did not receive the overwhelming support he expected from Little Dixie. Nevertheless, Jackson's state forces managed to secure two subsequent victories: one at Carthage and another at Wilson's Creek, where Nathaniel Lyon fell on the field of battle, making him the first Union general to die during the Civil War. In the interim between these two battles, the two rival state governments in Missouri both made sweeping changes. A special convention assembled and delegitimized the secessionist state government in exile, replacing them with provisionally appointed officials, headed by conservative provisional governor Hamilton R. Gamble. Lincoln approved the new Missouri state government and also appointed John C. Fremont as commander of the Department of the

West to fill the void left by Lyon. Jackson, still believing himself the rightful governor, made moves to bring Missouri into the Confederate fold by fostering his relationships with CSA officials and declaring Missouri a free republic in a “Proclamation of Independence.”¹¹⁴

Successes in the southwest allowed Price to return to the Missouri River Valley once again in the fall in order to try to regain control of that vital waterway. Between September 12 and 20, 1861, Price’s army and federal forces clashed at Lexington in what subsequently became known as “The Battle of Hemp Bales” because state troops under Brigadier General Thomas Harris’s command used hemp bales as “mobile defensive breastworks” to successfully assault the federal garrison. Despite his victories in the southwest and in the Missouri River Valley, Jackson feared his army could not hold the valley against the much larger federal army heading their way under Fremont’s command. Once again, the secessionist state government abandoned the river and fled southward.¹¹⁵

On October 28, Jackson and the Missouri General Assembly, while in exile in Neosho, passed an ordinance of secession for the state of Missouri, part of which stated:

Whereas the Government of the United States in the possession and under the control of a sectional party has wantonly violated the compact originally made between said Government and the state of Missouri, by invading with hostile armies the soil of the state, attacking and making prisoners, the militia whilst legally assembled under the state laws forcibly occupying the state capital and attempting through the instrumentality of domestic traitors to usurp the state government, seizing and destroying private property, and murdering with fiendish malignity peaceable citizens, men, women, and children, together with other acts of atrocity indicating a deep settled hostility towards the people of Missouri and their institutions.¹¹⁶

¹¹⁴ Phillips, *Missouri’s Confederate*, 261-264; Harris, *Lincoln and the Border States*, 137-142.

¹¹⁵ Phillips, *Missouri’s Confederate*, 265-266.

¹¹⁶ *An Act declaring the political ties heretofore existing between the State of Missouri and the United States of American dissolved*, Missouri Confederate (C2722), State Historical Society of Missouri, Columbia.

The assembly also ratified the Constitution of the Confederate States of America. As a result, Missouri became part of the Confederacy, while simultaneously officially remaining a Union state, with stars on both flags for the remainder of the war.¹¹⁷ Jackson's ordinance of secession ensured that Confederate guerrillas and Union militiamen would spend the remainder of the war in a bloody struggle to secure the state for their respective governments. Little Dixie and the strategically important Missouri River would be the site of some of the most violent encounters.

¹¹⁷ Louis Gerteis, *The Civil War in Missouri: A Military History* (Columbia: University of Missouri Press, 2012), 117. Some 109,000 Missouri men served in Union forces, while 30,000 men served in the Confederate army during the war; many more men served irregular Confederate units, but the exact number of these men remains unknown. "Abstract of Wars and Military Engagements: War of 1812 through World War I" on *Missouri Digital Heritage* (website), accessed June 6, 2019, <https://www.sos.mo.gov/archives/soldiers/abstract.asp>.

CHAPTER TWO

“[W]olves of anarchy”

A spirit of lawlessness and recklessness, having no regard for the rights of any class of citizens, whether loyal or not, had pervaded the western portion of the Central District of Missouri to such an extent, that the civil functions of the law were utterly helpless, and the military law, to a great extent, was crippled. Men thoroughly organized in bands, and having a perfect connection, had inaugurated a reign of terror and crime which rendered the lives and property of all citizens unsafe, and so completely cowed citizens into submission, through fear of repeated outrages, that it had become impossible to reach and punish the perpetrators through the legitimate channels of properly constituted military tribunals. These acts of crime were not confined to rebel enemies of the occupying army, but extended to various men and bands, who used their cloak of loyalty as a disguise to gratify the spirit of plunder and aggrandizement.¹

--Minority Report of the Committee of the House of Representatives of the Twenty-Second General Assembly of the State of Missouri Appointed to Investigate the Conduct and Management of the Militia, February 12, 1864.

On the eve of the Civil War, Richard C. Vaughan owned and operated a prosperous farm in Saline County, Missouri. As with other nineteenth-century farms in slaveholding regions, the productivity of Vaughan’s land rose due to the labor of the African slaves he owned. A Virginian by birth, Vaughan subscribed to the dogma of his southern brethren: the ownership of land and slaves afforded white males the necessary tools to achieve economic independence and success. They understood their “unalienable Rights” to “Life, Liberty, and the pursuit of Happiness,” a concept immortalized by Thomas Jefferson in the Declaration of Independence and protected later in the U.S. Constitution, to include their right to own property, a right which included slave property. By the 1850s, the right to own property was tightly tethered to the ownership of slaves in the minds of American slaveholders, some of whom were prepared to fight and die to protect their avowed right.²

¹ *Minority Report of the Committee of the House of Representatives of the Twenty-Second General Assembly of the State of Missouri Appointed to Investigate the Conduct and Management of the Militia Including an Index, February 12, 1864* (Jefferson City: W.A. Curry Public Printer, 1864), 470.

² William B. Napton, Jr., *Past and Present of Saline County, Missouri* (Indianapolis, Indiana: B.F. Bowen and Company, Publ., 1910), 338-339, 410-411; United States, John Dunlap, Peter Force, David Ridgley, and Printed Ephemera Collection. *In Congress, July 4, a declaration by the representatives of the United States of America, in General Congress assembled* (Philadelphia: Printed by John Dunlap, 1776) Image. Library of Congress Online <http://www.loc.gov/item/2003576546/>. Thomas Jefferson was inspired by the writings of John Locke who in his *The*

However, with the outbreak of hostilities between the North and the South in 1861, Vaughan remained loyal to the Union, believing the U.S. Constitution protected slaveowners and trusting that the newly elected Republican president would not interfere with the institution where it already existed. In the summer of 1861, Vaughan declared his undying allegiance to the Union, picked up his firearm, and fought to defend Lexington, Missouri, from Confederate invasion. Lexington fell into Confederate hands that summer, but by the end of 1861, federal forces had the town and the rest of the Missouri River securely under Union control and military occupation.

Two years later, Vaughan, now a Brigadier General in the Union army, experienced a series of events that tested his loyalty. In early May 1863, Union soldiers and ex-slaves, whom Vaughan described as “ruffians,” plundered his farm looking for horses and other supplies and burned his barn and stable full of valuable equipment and foodstuffs. These “ruffians” also stole and destroyed property owned by John F. Ryland and Henry Davis, also prominent Lexington Unionists, whom Vaughan described as “some of the best and most loyal of our citizens.” Even though Vaughan, as the commander of the 5th Military District, Enrolled Missouri Militia (E.M.M.), had a small force of militia at his disposal in Lexington, he lamented that his men were “powerless to protect the lives and property of our citizens, who have been shot upon the street & beaten & robbed, without being able to obtain redress.” Vaughan concluded his letter as follows: “Our wives and our daughters are panic stricken, and a reign of terror, black as hell itself, envelops our country. My God! Is this the reward for all that the loyal men of Lafayette &

Two Treatises of Civil Government claimed “The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one out to harm another in his life, health, liberty, or possessions . . . (and) when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.”

Jackson County have endured?” Vaughan was horrified that he, a devoted Union man, had been targeted by these hordes, exclaiming he had “never for one moment either in thought word or deed faltered in my allegiance to my government.” Nevertheless, his valuable property had been destroyed by members of the very party he supported and expected to protect him.³

Union soldiers carried out “a reign of terror” in Little Dixie, Missouri during the war. The terror for Vaughan and many others stemmed from the reality that soldiers were using coercive force against civilians and undermining the institution of slavery. The punitive methods pursued by soldiers on the ground in Missouri opened a deep cleavage between the radicals, who justified harsh initiatives against rebels and slavery, and the conservatives, who believed a more humane and conciliatory course would be more effective, more in line with republican principles, and overall healthier for the future of American democracy. Most Little Dixians aligned with conservatives, insisting that the war should be fought in the most civilized manner, with soldiers adhering strictly to the rules of war and the Constitution.

Initially, most soldiers adhered to the rules; after all, they were fighting fellow Americans. But, guerrillas proved proficient and elusive, and they demonstrated a lack of regard for the rules of war and a penchant for extreme violence. Occupiers eventually became frustrated with their inability to effectively deal with guerrillas by conventional means and began to embrace irregular tactics themselves and to pursue a hard war aimed at destroying guerrilla’s civilian supply base.

The “hard war” initiatives in Missouri failed miserably. And, as I will argue in this chapter, by using such extreme methods against civilians, radical federal soldiers only intensified the chaos and deepened the rift within Union ranks, further complicating the war effort. In the

³ R.C. Vaughn to James Broadhead, May 8, 1863, James Overton Broadhead Papers, 1861-1899 (A118), Civil War Manuscripts Collection, Missouri Historical Society, St. Louis.

resulting anarchic environment, soldiers and insurgents became synonymous in the minds of locals.

Union Occupation and the Guerrilla Problem

As the dust settled in the wake of Union General Lyon's defeat of the Missouri State Guard at Boonville on June 17, 1861, Union forces trickled into Little Dixie over the remainder of June and throughout July, some from Kansas, others from St. Louis, and many more from the states of Iowa, Ohio, and Illinois. These troops, responsible for restoring order in the region following the retreat of the secessionist state forces, faced significant challenges as they struggled to undertake the daunting task of establishing military occupation and reasserting federal authority, including the lack of a sufficient number of men to effectively deal with not only the confused and vacillating citizenry but also the armed resistance from local insurgents.

Soldiers, however, were pleasantly surprised by the warm welcome they initially received upon their arrival in the larger cities in the region. A few days after the Battle of Boonville, the steamship *January*, brimming with federal reinforcements from St. Louis, docked at the prosperous port city of Boonville. Among the members of Company D, 5th Regiment Missouri Infantry on board sat Private James Edwin Love, an Irish-American resident of St. Louis, who left behind his fiancé, Eliza Mary "Molly" Wilson. On June 22, he wrote Molly telling her of the warm welcome he and his fellow soldiers had received upon their arrival in that "pretty little city." He also included reports from a regiment of mounted troops that had recently arrived from Iowa of "a good reception all along the route, & especially at Macon City where the Ladies presented them with a flag which they hoisted on a tall pole." Boonville residents presented Love and his comrades with similar hospitality. "Why even the Secessionists in Boonville hail us now as delivers," he exclaimed, "& the Union Citizens, Ladies especially positively adore us & when

we get a little Liberty ashore invite us into their houses & make us free to anything they have.” Those most “frantic in their welcome,” Love noted, were the “German & Eastern citizens,” leading him to conclude that most of the “rabid Secessionists” had fled the area in the wake of the battle.⁴



Fig. 9. Photographs of James Edwin Love and Eliza Mary “Molly” Wilson, circa 1864. Image courtesy The Civil War Project (TCWP website), accessed May 16, 2019, <https://thecivilwarproject.com/2012/11/16/150-years-ago-sunday-november-16-1862/>.

Love’s initial letters brimmed with optimism, but as he experienced more and more opposition from the local population residing in the smaller towns nearby, this outlook was quickly replaced with suspicion. Love’s regiment departed Boonville in early July and continued on to Brunswick, the home of Sterling Price, where Love reported “a good reception. Crowds of Ladies & Boquets again, but they had given Jackson’s Army boquets [sic] as they passed so we were not so much elated.” Regardless of the dubious gesture, the troops held a flag raising ceremony, accompanied by speeches from the regiment commanders Colonel Charles G. Stiefel

⁴ *My Dear Molly: The Civil War Letters of Captain James Love*, ed. M.E. Kodner (St. Louis: Missouri History Museum Press, 2015), 19-20.

and Colonel Robert White. After the regiment departed Brunswick, the men received word that the flag had been torn down.⁵ Colonel White returned to the city and forced the mayor to sign an agreement promising to defend the flag, threatening to “hold the lives and property of all the inhabitants responsible” if the mayor failed. Word of a possible secessionist attack against the *January* docked at Waverly reached the regiment. Any planned initiative dissipated, however, when the 5th Regiment arrived in town. Nevertheless, Love described the town as “by far the worst place we have been yet & in fact is the worst in Missouri in proportion to population there being only ten Union men in the town.” The mixed receptions he had experienced over the last few days led him to ultimately conclude, “so closely are the lines drawn here it is county against county man against man.”⁶

What confused matters even more was the fact that residents appeared to prevaricate in their support, one day favoring the Confederacy and the next the Union. “Out West there was a good deal of confusion in men’s minds during the first months of the great trouble—a good deal of unsettledness, of leaning first this way, then that, then the other way. It was hard for us to get our bearings,” wrote Samuel Clemens, better known by his pseudonym Mark Twain, in his essay “The Private History of A Campaign That Failed.” Twain reminisced about his experiences in the early days of the Civil War in Marion County, recounting how he spontaneously joined a state militia unit known as the “Marion Rangers” but served only two weeks before becoming disillusioned with the situation and quitting the cause altogether.⁷ Palpable enthusiasm and the

⁵ *My Dear Molly*, 20, 26-27; Letter from Colonel Charles G. Stifel to Lieutenant Colonel Robert White, June 23, 1861, *Missouri Digital Heritage* (website), accessed May 29, 2019.

⁶ *My Dear Molly*, 29.

⁷ Mark Twain, “The Private History of A Campaign That Failed,” reprinted in Louis Budd, *Mark Twain: Social Philosopher* (Columbia: University of Missouri Press, 2001), 863; Matthew Hulbert, *The Ghosts of Guerrilla Memory: How Civil War Bushwhackers became Gunslingers in the American West* (Athens: University of Georgia Press, 2016), 1-3.

vociferous rhetoric of local secessionist fire-eaters seemingly lured men into home guard units like a siren song. In the early days of the war, Alexander Walker of Carroll County found himself assembled with 100 other men in a military company in Mandeville listening to speeches encouraging the men to join the rebel army. Most of the crowd did not know the purpose of the assembly, including the commander of his company, who, upon learning of the secessionist goals of the meeting, quickly ordered his men to return home. Walker noted that if his commander had not ordered him home, he might have been swept into the Confederate service.⁸

Federal occupation played out in a manner similar to that described by Private James Love. Once a regiment arrived in Little Dixie, they were stationed in one of the major towns or county seats across the region. Some regiments established permanent military garrisons in towns, such as Kansas City, Liberty, Independence, Marshall, Lexington, Fayette, Boonville, Keytesville, and Columbia. Unionist citizens and runaway slaves often took refuge in these towns because soldiers provided a modicum of safety, a fact recognized by Union militia Colonel John F. Philips when he noted that the “few loyal men” in the area gather around the county seats where “a few troops . . . give security to this class and afford a place of refuge.”⁹ Federal occupiers and local residents perceived a sharp urban-rural divide, believing Union troops controlled the towns and guerrillas ruled the countryside, supplied by a willing populace. A.J. McRoberts, a Unionist citizen living in the countryside around Marshall, the county seat of

⁸ Alexander Warfield Walker, “Memories of My Life,” 1914, (C3163) State Historical Society of Missouri, Columbia.

⁹ Stephen V. Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (University of North Carolina Press, 1995), 76-77; *War of the Rebellion: Official Records of the Union and Confederate Armies* (70 vols. in 128; Washington, D.C.: Government Printing Office, 1880-1901), Series I, vol. 41, Pt. IV, pg. 598 [hereinafter cited *OR*].

Saline County, claimed rather matter-of-factly that “[t]he feds hold Marshal and the bushwhackers the country.”¹⁰

Despite the federal presence in urban areas, occupying forces often failed to prevent guerrillas from raiding occupied towns or destroying vital lines of communication and transportation. Working under the cover of darkness, irregulars and their civilian accomplices dug up railway lines, burned bridges, and cut telegraph wires; even in broad daylight, they fired on steamboats and stole the mail, all in an effort to damage resources essential for facilitating the movement and support of troops. And Union troops were constantly on the move scouting for guerrillas. Even soldiers stationed in permanently garrisoned towns were often required to leave their post for scouting missions. Because of their relatively small numbers, guerrillas knew when they raided a major town, their chances of survival increased with a decrease of armed opposition, so they often strategically timed their raids to immediately follow the departure of Union troops from Little Dixie towns.¹¹

Union soldiers outnumbered guerrillas, but guerrillas were desperate and had powerful motivations for resisting. Guerrilla ranks overflowed with young men from the wealthy, slave-owning families in the area, who did not personally own slaves or possess large amounts of wealth but stood to inherit both. The threat of being deprived of this inheritance and, thus, their

¹⁰ A.J. McRoberts to Molly McRoberts, July 5, 1863, A.J. McRoberts Family Letters, Western Historical Manuscript Collection, State Historical Society of Missouri, Columbia.

¹¹ Andrew Fialka, “Reassessing Guerrillas: A Spatial and Temporal Analysis of Missouri’s Civil War” (M.S. Thesis, West Virginia University, 2014); Andrew Fialka, “Controlled Chaos: Spatiotemporal Patterns within Missouri’s Irregular Civil War” in *The Civil War Guerrilla: Unfolding the Black Flag in History, Memory, and Myth*, eds. Joseph Beilein Jr. and Matthew Hulbert (University of Kentucky Press, 2015), 43-60. Historian Andrew Fialka has used existing records to track the movement of Union troops and guerrillas in Missouri and to produce maps of these movements using GIS technology. His findings suggest that guerrilla initiatives were far more strategic and coordinated than previously believed.

future economic and social prominence in society, to which they felt entitled, motivated many bushwhackers to carry on their fight against what they considered a federal invasion.¹²

Some guerrillas possessed a strong motivation for revenge against the Union forces who mistreated their family members during Bleeding Kansas or early in the Civil War. Little Dixie's irregular Civil War was in many ways a continuation of the guerrilla war initiated during Bleeding Kansas. Antislavery Jayhawker and Red Leg forces under the leadership of James Lane, Charles "Doc" Jennison, and James Montgomery continued to raid into Missouri, destroying property, freeing slaves, and capturing and killing pro-slavery Missourians as they had done in the years preceding. After the outbreak of war, in a stunning reversal, Jayhawkers became commissioned United States soldiers. President Lincoln even recruited notorious Jayhawk leader and Kansas Senator James Lane along with his one-hundred-man "Frontier Guard" to act as his personal bodyguards in the first months of the war. Lane must have earned the president's trust because, a few months later, the president asked Secretary of War Simon

¹² Don R. Bowen, "Guerrilla War in Western Missouri, 1862-1865: Historical Extensions of the Relative Deprivation Hypothesis" *Comparative Studies in Society and History* 19:1 (January 1977): 30-51; Scholar Don Bowen examined a sample of guerrillas from Jackson County and relied on the "relative deprivation hypothesis," which theorizes that individuals often act out in political violence when they are deprived of the potential for economic or social standing to which they feel entitled, to make his conclusions. Mark Geiger, *Financial Fraud and Guerrilla Violence in Missouri's Civil War, 1861-1865* (Yale University Press, 2010), 1-6, Appendix D, 123-131, 137, Appendix G, 218-220; Mark Geiger, "Indebtedness and the Origins of Guerrilla Violence in Civil War Missouri" *The Journal of Southern History* 75:1 (February 2009). Bowen's conclusions are supported by the findings of scholar Mark Geiger. Geiger exposed a scandal—previously unexamined by historians—initiated by Governor Claiborne Fox Jackson in the early days of the war in Missouri. Jackson and other prominent secessionists in Missouri transferred funds from the state bank to leading secessionist citizens to be used for the establishment of state militia units. The governor planned to replace the money later through state bonds. However, when Union forces took control of the state, they sued Missourians to recover on the defaulted loans. These lawsuits led to the financial ruin of many wealthy Little Dixians and motivated many desperate young men to resist Union occupation. Geiger found that a majority of guerrillas had been prosecuted themselves or were related to those prosecuted for the debt. He investigated guerrillas from seven counties and found fifty-one guerrillas associated with this fraud from Chariton, Cooper, Lafayette, and Saline Counties alone. Likewise, he found a strong correlation between heavily indebted counties and guerrilla activity, the majority of which occurred in 90 percent of the indebted counties.

Cameron to grant Lane authorization to raise two Kansas regiments.¹³ These developments only served to fan the flames of resentment and vengeance harbored among pro-slavery Missourians.

Guerrillas' intimate connection to and profound familiarity with their local communities gave them a substantial advantage that Union occupiers were never able to fully understand or overcome. Bushwhackers relied heavily on the resources and supplies provided by family members, who mobilized a pre-established antebellum "*supply line*" to support the irregular war.¹⁴ Because they were natives of the area, bushwhackers could more effectively differentiate between friend and foe, but relied on both for supplies, for separate strategic reasons. They would often steal or destroy the resources of families they knew to be loyal to the Union in order to prevent them from falling into federal hands. Taking resources from households in the rural environs also provided guerrillas with the best chances of avoiding detection from prying federal eyes. However, bushwhackers' perceived hegemony in the countryside caused soldiers to believe that most people living in the countryside willingly aided guerrillas and, therefore, held rebel sympathies. By believing the country only contained rebel citizens, soldiers could more easily justify confiscating civilian property. According to a member of the 54th Regiment, Illinois Volunteers stationed in Boonville early in the war, "There are some who turn the cold shoulder and show a disposition to insult and annoyance, but they are more numerous in the country than in town and this is more to our liking than otherwise; for it is but little we need from the citizens in town, but from the country we need mules, horses and forage, and confiscation is now the order of the day."¹⁵

¹³ Bryce D. Benedict, *Jayhawkers: The Civil War Brigade of James Henry Lane* (Norman: University of Oklahoma Press, 2009), 37.

¹⁴ Joseph M. Beilein, Jr., "'The presence of these families is the cause of the presence there of the guerrillas': The Influence of Little Dixie Households on the Civil War in Missouri" (M.A. Thesis, University of Missouri, 2006), 13-41

When Confederate soldiers under the command of Sterling Price returned to Little Dixie in September for a second attempt to take control of the Missouri River, they also relied on the local population for supplies, as Union forces and guerrillas had done before them. Between September 18 and 21, Price's army engaged federal troops at the Battle of Lexington and succeeded in defeating Union Colonel James A. Mulligan and winning control of the city. Price's men were extremely low on resources, however, and turned to local Unionists for necessary supplies. Confederate Lieutenant Colonel Edward B. Hull, 1st Missouri Infantry approached the home of Judge Hiram Phillips, who they called in from the field, telling him "they had come for his pair of mules and two-horse wagon that they knew him; they had heard of him, he was a Lincoln man." The soldiers not only confiscated his mules but also threatened to take Phillips prisoner. Upon hearing this news, William Switzler, editor of the *Columbia Statesman* newspaper, leapt at the opportunity to condemn local secessionists for their hypocrisy. He asked, "What have our secessionist friends to say to this outrage. . . . Have they no words of condemnation for the plundering of secessionist troops, when they are so prodigal of indignation and wrath against every outrage by federal troops?"¹⁶

Soldiers and guerrillas often confiscated horses from the local population. Guerrillas, especially, relied on the flexibility horses afforded, allowing them to effectively ambush federal scouting parties. With lightning speed, irregulars struck a regiment, engaged them briefly in skirmishes, killing two to three soldiers on average, and scattered in multiple directions to increase their odds of survival. Ambush quickly became the guerrilla's *modus operandi* and contemporaries created the new term *skedaddle* to better describe the rapid guerrilla retreat.

¹⁵ David Lathrop, *History of the fifty-ninth regiment Illinois volunteers* (Indianapolis, Indiana: Hall & Hutchinson, printers, 1865), 12, <https://archive.org/details/histfiftyninth00lathrich/page/n8>.

¹⁶ *Columbia Statesman*, September 20, 1861.

Desiring an ease of mobility and a level of flexibility impossible to achieve when weighed down by resources or prisoners, guerrillas widely practiced a no quarter policy, symbolized by a black flag, which earned them a reputation for extreme ruthlessness.¹⁷

Skirmishes between Union scouting parties and guerrillas often had deadly results for soldiers. The experience of Daniel Holmes, a native of Illinois and a member of Company D of Jayhawker Charles R. “Doc” Jennison’s newly-minted unit, the 7th Kansas Cavalry, demonstrates this point. He wrote several letters to his “Folks at home” in the winter months of 1861 describing various aspects of his service. On December 8, 1861, he wrote, “Mother I don’t want you to feel worried upon my account in the least, as far as danger I feel just as safe as if at home.”¹⁸ A few weeks later, his parents received another letter, only this time it was from Dan’s close friend and fellow Jayhawker F.E. Newton, who ominously began his correspondence: “It is under peculiar circumstances that I write.”¹⁹ Dan Holmes was missing, Newton reported, presumed killed by guerrillas in a skirmish near Holden, Missouri. His body was never found; his fate forever remaining a mystery, a destiny shared by many practitioners of irregular warfare on the Kansas-Missouri border.

¹⁷ Joseph M. Beilein, Jr., *Bushwhackers: Guerrilla Warfare, Manhood, and the Household in Civil War Missouri* (Kent State University Press, 2019), 130-131; “Skedaddle,” etymonline.com, accessed July 10, 2017; Beilein and Hulbert, “Introduction: Of Black Flags and History, Authentic and Apocryphal,” in *The Civil War Guerilla*, 1-2. Joseph Beilein and Matthew Hulbert outline the connection between guerrillas and the black flag, a symbol of no quarter or “a war without mercy, fought to the death, without exception.” However, they contest the existence of actual black flags among Missouri guerrillas during the Civil War. A few reasons for this include the dearth of flags in the guerrilla war altogether and the lack of any black flag artifacts from the war.

¹⁸ Dan Holmes to Folks at home, December 8, 1861, Letters—Holmes, Daniel B., fl. 1858-1862, Kansas State Historical Society, Topeka.

¹⁹ F.E. Newton to Dear Friends, January 15, 1862, Letters—Holmes, Daniel B., fl. 1858-1862, Kansas Historical Society, Topeka; W.W. Moses to Nancy Mowry, 13 February 1862, 14 March 1862, Webster W. Moses Papers, 1856-1882, Kansas Historical Society, Topeka.



Fig. 10. Charles R. “Doc” Jennison, notorious Kansas Jayhawker and colonel of the 7th Kansas Volunteer Infantry. Photography courtesy of Kansas Historical Society on *The Civil War on the Western Border*, accessed May 20, 2019.

Along with being difficult to defeat, bushwhackers were especially challenging to identify and capture. Jayhawker Webster Moses, a farmer from Illinois, also served with Holmes in Company D. He too wrote home profusely in the winter of 1861-1862 complaining of the dangers and difficulties of catching guerrillas: “They all hide in the timber and among the rocks and it is hard getting to them.”²⁰ Just identifying bushwhackers was extremely difficult for federals because they wore no distinctive uniform, favoring, instead, plain civilian clothing, which made them relatively indistinguishable from the local civilian population and allowed them to retreat undetected back into the fields and farmhouses from whence they emerged. However, over the course of the war, guerrillas came to develop a rather distinctive style of

²⁰ W.W. Moses to Nancy Mowry, 9 December 1861, Webster W. Moses Papers, Kansas Historical Society, Topeka.

dress, a fashion that embodied that of “the frontier hunter”: growing beards, wearing their hair long, and carrying upwards of six pistols in their belts. Historian Joseph Beilein detailed another unique fashion prevalent among irregulars in the region, what he terms the “guerrilla shirt.” Female family members often lovingly hand embroidered overshirts with colorful floral patterns. These shirts, however, were often hidden from plain view under overcoats, sometimes under the dark blue federal coats guerrillas often stole from dead soldiers and wore as effective disguises for the purpose of deception.²¹

In their efforts to identify and root out guerrillas, federals often came up empty handed and, many times, short another man. Many Union soldiers despised irregular tactics, particularly the secessionist’s penchant for tormenting loyal civilians. On November 15, 1861, Samuel Ayers, chaplain of the 7th Kansas Cavalry, complained of the relentlessness of “secessionists” after his regiment had undertaken repeated campaigns against them, writing, “they rise up and command and commence anew their depredations and prosecutions of the Union men, confiscating their property, shooting, hanging, or driving them from the country.” Guerrilla’s relentless and brutal methods caused Ayers to believe equally harsh methods were necessary in response: “the only way to subdue [guerrillas] is to take from them all means of subsistence and execute their leaders as fast as they fall into our hands.” Ayers recognized both the dangers and the advantages of such a course, however: “True such a course is repulsive to the finer, noble

²¹ Joseph Beilein, Jr., “The Guerrilla Shirt,” in *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*, eds. Jonathan Halperin Earle and Diane Mutti Burke (University of Kansas Press, 2013), 171, 173, 177, 179-180. Beilein claims that guerrilla manhood took on various forms during the Civil War, including “the self-reliant and independent backwoodsman, the Indian fighter, and the hunter,” but the strongest influence was their southern identity, strengthened by the guerrilla attachment to their Southern lineage and the protection of the institution of slavery. For further discussion of the guerrilla shirt see Joseph M. Beilein, Jr., *Bushwhackers: Guerrilla Warfare, Manhood, and the Household in Civil War Missouri* (Kent State University Press, 2016).

feeling of our nature, but the question is will it not in the end save means and life and materially shorten the period of this destructive and heart sickening war.”²²

Unable to fight guerrillas by regular means, soldiers adapted to the situation by embracing irregular tactics themselves. Soldiers began gathering information from locals, often by brute force, and scouting the countryside looking for guerrillas, hunting them through the brush, clashing with them in small skirmishes, often losing a few men in the process. There were no rules, no official strategy. Soldiers learned to live by the saddle and by the mantra “shoot first, ask questions later.” Without civilian supplies, soldiers quickly realized, guerrillas would not be able to last long, so scouting units turned their attention to the homes of locals they suspected of actively aiding guerrillas.

The Specter of Military Oppression

As federal occupiers shifted their focus to noncombatants, some frustrated soldiers discarded any previous notions they had regarding a cautious and conciliatory course, preferring, instead, stronger initiatives that would make local civilians suffer for the crimes of guerrillas. In the eyes of many occupiers, guerrillas and their civilian enablers were one and the same. Federals began to treat all slaveowners and those residing in the countryside as active and willing rebels, causing loyal and moderate civilians to suffer along with the guilty. Missourians had feared Union intervention in their state might lead to ruin, and according to historian Daniel Sutherland, “Many Union troops lived up to expectations by treating all Missourians, whether friend or foe, as potential guerrillas.”²³

²² Samuel Ayers to Lyman Langdon, November 15, 1861, Misc. Samuel Ayers, *Kansas Memory* (website), Kansas Historical Society, kansasmemory.com.

In July 1861, letters authored by Missouri citizens detailing “outrages” committed by troops under Union command flooded the desk of Provisional Governor Hamilton Gamble, who responded with a proclamation to the people of Missouri on August 3, 1861. He acknowledged that some Union military forces had overstepped their boundaries in regard to civilian property and civil liberties, assured the populace that the institution of slavery would be protected, and promised efforts would be made to put an end to illegal practices within the army, “such as arresting citizens who have neither taken up arms against the Government, nor aided those who are in open hostility to it, and searching private houses without any reasonable ground to suspect the occupants of any improper conduct, and unnecessarily seizing or injuring private property.” He lamented “the scenes of violence and bloodshed” in Missouri and appeared shocked that “even neighbors of the same race have come to regard each other as enemies.”²⁴ How could Americans, and more than that, neighbors and friends, resort to such hostility against one another?

²³ Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), 18

²⁴ *Minority Report*, February 12, 1864, 35.



Fig. 11. Provisional Governor Hamilton R. Gamble. Photograph courtesy of Harvard University Library on The Civil War on the Western Border, accessed May 20, 2019.

A few days later, secessionist Governor-in-exile Claiborne Fox Jackson reacted to what he considered to be the gross violations of Abraham Lincoln and the Union army against the people of Missouri. In a proclamation to the people of Missouri on August 5, 1861, Jackson railed against the “manifold and inhuman wrongs” enacted by Lincoln “under the tyrant’s plea of necessity” in order “to carry on his unholy attempt to reduce a free people into slavish subjection to him,” listing all of the ways in which Lincoln trampled on the U.S. Constitution, including suspending the writ of habeas corpus, depriving Missourians of the right to bear arms, committing unreasonable searches and seizures of civilian homes and property, freeing and arming slaves. Insisting Missourians should not have to deal with such unjust treatment, Jackson rebelled, declaring the state “a SOVEREIGN, FREE and INDEPENDENT REPUBLIC.”²⁵ By

²⁵ *Columbia Missouri Statesman*, August 23, 1861.

casting Lincoln as a tyrant and his soldiers as violators of the democratic social contract, Jackson ignited Missourians' fears of excessive state force and the loss of personal freedoms. Jackson believed Union control in Missouri would result in the loss of slave property but also white male independence and liberty. These ideas promoted hatred of the federal government and drove many men into the ranks of state militia units or guerrilla bands.

On August 30, John C. Fremont, newly appointed Union commander of the Department of the West, complicated matters with his controversial proclamation. Fremont, like Gamble and Jackson, lamented the chaotic conditions in Missouri, which included “[i]ts disorganized condition, the helplessness of the civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders.” Fremont declared martial law throughout the state and called for the slaves of disloyal masters to be liberated, the property of proven rebels to be confiscated, and men found with “arms in their hands” to be court martialed and shot.²⁶



Fig. 12. John C. Fremont. Lithograph by Crehan after Saintin. New York: Publ. By W. Schaus; Boston: Print ed. By J.H. Bufford, c. 1856. Image courtesy of Library of Congress, accessed May 20, 2019.

²⁶ *OR*, Series I, Vol. 3, p. 466.

Fremont's proclamation caused Lincoln much anxiety, and he responded with a letter asking Fremont to alter his order. Lincoln was angered by his commander's policy regarding the confiscation of property and emancipation of slaves of traitorous owners, fearing it "will alarm our Southern Union friends and turn them against us." He also feared shooting those in arms in Missouri would cause the Confederates to "shoot our best men in their hands in retaliation; and so, man for man, indefinitely." Lincoln knew very well that the loyalty of many Americans hinged on the preservation of the institution of slavery where it already existed, so he asked the commander to make his policy align more closely with the recent Confiscation Act passed by Congress, which made all Confederate property useful to the war effort, including slave property, subject to confiscation. Lincoln's letter stood as a prophetic warning of things to come in Missouri.²⁷

Fremont believed only "the severest measures" would remedy Missouri's problems, but he believed some responsibility lay in the hands of the people themselves. He called for a "unity of purpose" among the citizens of the state to "suppress disorder," believing it was the people's responsibility to end lawlessness by working together to regain some semblance of order. Fremont issued harsh punishments for disloyalty, while at the same time appealing to the citizenry to end the civil insurrection. He hesitated to make the army fully responsible for

²⁷ OR, Series I, Vol. 3, p. 469; Roy P. Basler, ed., *Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick, N.J.: Rutgers University Press, 1953-1955), 4:506; Kristen Epps, *Slavery on the Periphery: The Kansas-Missouri Border in the Antebellum and Civil War Eras* (University of Georgia Press, 2016), 172; Aaron Astor, *Rebels on the Border: Civil War, Emancipation, and the Reconstruction of Kentucky and Missouri* (Baton Rouge: Louisiana State University Press, 2012), 119. Abraham Lincoln revoked Fremont's proclamation in an attempt to preserve his promise to the Border States to not interfere with slavery where it already existed. Official federal policies evolved over the course of the war to sanction the military confiscation of the slave property of rebel masters but insisted on proof of disloyalty. The Second Confiscation Act appeared a year after the first and ultimately freed all slaves of disloyal masters who escaped behind Union lines. General Samuel Curtis in Missouri issued General Order No. 35 in December 1862 in order to enforce the Second Confiscation Act in the state.

enforcing law and order partly due to the long-standing American fear of using armed force to coerce the people. Fremont highlighted the extremely unacceptable nature of the war in Missouri by labeling irregular forces “bands of murderers and marauders” and their actions “crimes and outrages.”²⁸ With these pejorative labels, Fremont located guerrillas and irregular warfare outside the boundaries of acceptable behavior and lawful warfare.

Desperate times called for desperate measures and warranted harsh Union intervention in the minds of strong Unionists. State and federal authorities could not afford to sit back and watch Missouri go over to the Confederacy, considering this loss would most likely cause the loss of other Border States to the South. In early September, an article in favor of the recent proclamation of martial law appeared in the *St. Louis Republican*, in which the author argued that U.S. military power was the best means “to punish these outrages and to restore peace to the State” and encouraged Missourians to “submit to the new order of things.”²⁹

Enforcing martial law and restoring order did not necessitate ruthlessly brutal methods. Some believed that the presence of well-behaved federal troops could do much to further the Union cause and discourage secessionism in Missouri. An article in the *Columbia Statesman* celebrated the exceptionally good behavior of Colonel William H. Worthington’s 5th Iowa Volunteer Infantry Regiment, which made “a very favorable impression” on the community during their stay in Boone County: “Their demeanor so gentlemanly; their abstinence from depredations and outrages so marked and universal; taking nothing that did not belong to them and paying for what they got,” did “a good deal against, the scheme of secession.” The editor

²⁸ *OR*, Series I, Vol. 3, p. 466.

²⁹ *Columbia Statesman*, September 6, 1861.

seemed to suggest the entire war hinged on better discipline and propriety among combatants, especially Union troops.³⁰

The extreme behavior of soldiers on the ground in Missouri, Kansas Jayhawkers in particular, did much to undermine any efforts other units made to maintain law and order. On September 23, Jayhawk leader James Lane and his “Kansas Brigade,” now associated with the U.S. Army as the 3rd, 4th, and 5th Kansas Volunteers, raided and sacked the town of Osceola, south of Little Dixie. Lane’s force of 2,000 Jayhawkers looted private homes and businesses and captured a Confederate supply train on its way to Price’s army. They destroyed a total of 1 million dollars’ worth of property, practically burning down the entire town, leaving only three out of the 800 buildings standing, and killing ten men. As they left the city, the Jayhawkers, now drunk, carried with them thousands of dollars’ worth of property and 200 slaves in tow.³¹

As Jayhawker operations intensified, Union officials in Missouri stepped up their initiatives against guerrillas and rebel citizens. Governor Gamble had been relentlessly petitioning President Lincoln to authorize the formation of a militia force in the state, paid for by the federal government but comprised of Missourians. On November 4, 1861, Lincoln finally approved the formation of the Missouri State Militia (M.S.M.). The military also experienced significant restructuring during the fall of 1861. Lincoln replaced Fremont with Major General Henry Halleck, reorganized the territory, and renamed it the Department of the Missouri. By December, Halleck issued his own severe strike against guerrillas and their civilian allies in General Order No. 13. No longer would federals pursue a “mild and indulgent course” against

³⁰ *Columbia Statesman*, September 16, 1861.

³¹ Scharla Paryzek, “Sacking of Osceola” *Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865*, The Kansas City Public Library, accessed February 14, 2019, <http://www.civilwaronthewesternborder.org/encyclopedia/sacking-osceola>.

those who “threaten and drive out loyal citizens and rob them of their property”; instead, Halleck made guerrillas “liable to capital punishment.” Those who aided Confederate irregulars, he believed, “forfeited their civil rights as citizens by making war against the Government, and upon their own heads must fall the consequences.” As for the irregular belligerents, Halleck called for them to be “punished as criminals,” rather than be “treated as prisoners of war,” sweepingly declaring, “all persons found guilty of murder, robbery, theft, pillaging, and marauding, under whatever authority, will either be shot or otherwise less severely punished.”³² He failed to mention anything about a military commission or a court-martial. His ambiguous wording only served to confuse the issue for Union military officials and soldiers regarding the proper way to determine the guilt of an individual accused of a crime. Nevertheless, Halleck did not discriminate between Confederate or Union marauders, rather “all persons . . . under whatever authority” would be held responsible for their actions. Halleck might as well have been speaking directly to Jayhawkers and other unruly Union soldiers when he insisted, “If the enemy murders and robs Union men, we are not justified in murdering and robbing.”³³

Privates Dan Holmes and Webster Moses, members of the 7th Kansas Cavalry, Jennison’s Jayhawkers, demonstrated few qualms about detailing their extreme methods in letters to friends and family. Holmes, in a letter to his sister in December, even used the term “jayhawked” to describe the tactics employed by the members of his company. He defined these methods as follows: “when we are traveling through a secesh country we come to the house of some leading

³² *OR*, Series I, Vol. 8, p. 405-07. Halleck’s order addressed individuals he called “rebels” and “spies” who aided the enemy and facilitated the robbery and destruction of loyal civilians’ property carried out by guerrillas. According to Halleck and the laws of war, civilians who aided the enemy in this fashion could be categorized as enemy combatants and subjected to the death penalty. Denis K. Boman, *Lincoln and Citizens’ Rights in Civil War Missouri* (Baton Rouge: Louisiana State University Press, 2011), 71; *OR*, series I, vol. 8, p. 611-612. Robert Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 14.

³³ *OR*, Series I, Vol. 8, p. 406.

secesh, or of some man in the secesh army then we take his horse and property, burn his house, or as we say clean them out.”³⁴ Each described burning homes and taking property, specifically in and around the town of Independence. Holmes claimed his commanders were “well acquainted with the conduct and principles of nearly all the inhabitants of these two counties (Jackson and Cass).” Whenever they failed to find “any large members of the leading secessionists in arms,” the Jayhawkers turned to civilians suspected of disloyalty, taking “possession of their property, sometimes burning their houses, and in every instance taken their slaves.” Dan estimated he and his fellow soldiers had “restored to liberty about two hundred slaves.”³⁵

Jayhawkers’ descriptions of their own actions align closely with descriptions provided by Little Dixie residents. Eighteen-year-old Kate Watkins lived with her family on a large farm and newly minted wool mill in Clay County, not far from the home of Frank and Jesse James. Writing her aunt and uncle in Kentucky in June 1862, Kate insisted her relatives “have never heard the half of the outrages that have been committed” because most newspaper accounts failed to give an accurate portrayal of the situation in Missouri, but instead, “give accounts of a great many misdeed which they say the rebels have done but if you want to know the truth of the case just reverse the parties.” In reality, Kate asserted, “All the western border counties have been almost ruined by the Kansas jayhawkers,” who “have stolen all the stock run off all the

³⁴ Dan Holmes to Sister, December 21, 1861, Letters—Holmes, Daniel B., fl. 1858-1862, Kansas Historical Society, Topeka. Another Jayhawker in the same company as Holmes, Webster W. Moses, described jayhawking in a very similar manner: “The next morning we took our two wagons and went out into the country about two miles to a secesh house and loaded them with Furniture pork chickens &c. then started for camp and got here about 3 o'clock this afternoon. That is the way we Jayhawk. We have every thing we want.” W.W. Moses to Nancy Mowry, January 18, 1862, Webster W. Moses Papers, 1856-1882, Kansas Historical Society, Topeka. Both men used the term “secesh,” which was a slang term for secessionist commonly used by Union troops to describe Missourians.

³⁵ Dan Holmes to Folks at Home, December 8, 1861, Letters—Holmes, Daniel B., fl. 1858-1862, Kansas State Historical Society, Topeka; W.W. Moses to Nancy Mowry, December 9, 1861, Webster W. Moses Papers, Kansas State Historical Society, Topeka.

negroes and burnt a great many dwellings.” Kate openly expressed her distaste for Union forces in her letters, but hid her identity behind the pseudonym “secesh,” a detail that might make one stop and question the validity of her claims, if not for the remarkable similarity between her description and the personal accounts written by Jayhawkers themselves.³⁶

As a direct result of these methods, Jayhawkers earned a bad reputation for broadly interpreting and radically enforcing federal policy. These methods violated acceptable standards of warfare as outlined in official military orders, and many witnesses considered them to be outright robbery and outlawry. Jayhawker Webster Moses acknowledged in a letter to his friend Nancy Mowry that Jayhawkers “got a hard name” but insisted they “have been misrepresented.” Moses recognized that it might be hard for his friend to accept Jayhawker methods, primarily stealing, but from his perspective “it is no more than [the secesh] deserve.”³⁷

While Union Jayhawkers justified their use of hard war methods as necessary to subdue the disloyal population of Missouri and end the war quickly, many local citizens, observing the similarities between Jayhawkers and Confederate guerrillas, believing each of these parties acted outside the boundaries of acceptable nineteenth-century warfare, condemned both for violating military standards. In fact, the terms *Jayhawker* and *bushwhacker* eventually became synonymous, broadly defined by observers as the embodiment of lawlessness and barbarism.³⁸ All told, Jayhawker lawlessness had an extremely negative impact in Missouri as Halleck recognized in a letter to his superior Union General-in-Chief, George B. McClellan. Halleck

³⁶ “Secesh” (Kate Watkins) to Uncle and Aunt, June 9, 1862, Watkins-Woolen Mill State Park and State Historic Site Archives, Lawson, Missouri.

³⁷ W.W. Moses to Nancy Mowry, March 14, 1862, February 13, 1862, Webster W. Moses Papers, 1856-1882, Kansas Historical Society, Topeka.

³⁸ Andrew Brownslow to Hamilton Gamble, August 1, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis; Christopher Phillips, *The Rivers Ran Backward: The Civil War and the Remaking of the American Middle Border* (Oxford University Press, 2016), 216.

lamented, “forces under Lane and Jennison has done more for the enemy of this State than could have been accomplished by 20,000 of his own army.”³⁹

By July 1862, new military authorities in the state determined to draw a clear line between loyalty and disloyalty among civilians in an effort to more effectively weed out rebels. That month, President Lincoln appointed Henry Halleck to the position of General-in-Chief of the Union armies, headquartered in Washington D.C., and appointed General John M. Schofield as the new Union commander of the Department of the Missouri. Although Schofield was generally considered a moderate Unionist and often criticized for being too lenient on bushwhackers, his first military orders sparked significant ire among the entire population of Little Dixie, disloyal and loyal. General Schofield’s Order No. 19 called for the confiscation of “all arms and ammunition . . . not in the hands of the loyal militia.”⁴⁰ Saline County resident Elvira Scott recorded in her diary that this order was promptly executed in her community in Miami that same month when the Union army took “every shotgun from citizens” until “every man not in the service of the Federal government [had] been disarmed.”⁴¹

Schofield combined the order to confiscate all firearms with an order for the conscription of all military aged men in Missouri, which only caused more confusion and problems within military ranks. Schofield called for every “able-bodied man” to join the Enrolled Missouri Militia, formed for the explicit purpose of “exterminating the guerrillas that infest our State.”⁴²

³⁹OR, Series I, vol. 8, p. 448-449.

⁴⁰ OR, Series I, vol. 13, p. 506.

⁴¹ Diary of Elvira Ascenith Weir Scott (C1053), Western Historical Manuscript Collection, State Historical Society of Missouri, Columbia, pg. 151.

⁴² OR, Series I, vol. 13, p. 506; Jeremy Neely, *The Border Between Them: Violence and Reconciliation on the Kansas-Missouri Line* (Columbia: University of Missouri Press, 2007), 114-115. 50,000 men were recruited in Missouri for service in the EMM as a result of Schofield’s Order No. 19.

Schofield's orders explicitly forbid the enrollment of any man who had ever been categorized as a rebel.⁴³ The commander intended for conscription to draw a sharp line between loyalty and disloyalty, believing Unionists would gladly join the ranks of the militia while southern sympathizers would remain at home without firearms, unable to actively participate in the rebellion. Many, however, faced with the choice of becoming the targets of vengeful Union forces, potentially losing their property, and maybe even their lives, or joining the Union militia, chose the latter. Thus, Little Dixians with southern sympathies enrolled in the Union militia. According to Elvira Scott, men in Miami "dare[d] not disobey the call." This did not mean that southern sympathizers welcomed their new duties as militiamen; in fact, Scott believed they considered conscription the "bitterest degradation."⁴⁴ In the county seat of Saline County, Colonel W.A. Wilson wrote to provost marshal Major F.J. White admitting to enlisting former Confederates into the militia at his post in Marshall and asking if he was supposed to "force the Secesh between the age of 18 and 45 into the ranks."⁴⁵

Conscription proved a significant burden for Unionists as well. Although a Unionist, A.J. McRoberts found himself pressured into the service along with many of his acquaintances in Saline County. In a letter to his wife, Molly, who fled the county for safety, McRoberts lamented, "they are taking evry man subject to military duty and the late order of the secretary of war makes us liable to be arrested at any time and compelled to perform military duty unless we enrole our selves in the militia, so I do not see any chance to escape." In his next letter, A.J. told

⁴³ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 211. General Order No. 24 exempted southern-sympathizers from military service.

⁴⁴ *OR*, Series I, vol. 13, p. 192; *Union Provost Marshals' File of Papers Relating to Two or More Civilians* (Missouri State Archives, Jefferson City, Missouri [hereinafter cited UPM], F1652-19510; Diary of Elvira Scott, WHMC-Columbia, 151, 139.

⁴⁵ United States Record and Pension Office, *Organization and status of Missouri troops, Union and Confederate, in service during the Civil War* (Washington: Gov't. Print., Off., 1902), 48; *UPM*, F1652-19510.

his wife he had joined the “rag tag militia” along with his friends and that those who failed to enroll would be “treated as rebels.”⁴⁶ Rebel or not, joining the militia took men away from their homes and families, leaving them extremely vulnerable to attack. In a letter to General William Rosecrans, P.W. Thompson complained that the home guard was “an entire failure. Men are called from their farms to guard the little villages, whilst their homes are plundered by the bushwhackers.” He blamed the failure to rid “the country of these scoundrels” on the lack of a sufficient number of loyal men.⁴⁷

Radical Unionists joining the ranks of the militia also caused serious problems. Abolitionist Kansans came to Little Dixie specifically to join Union militia units and adopted similar methods to those employed by Jayhawkers. Men from counties across Missouri and from states across the country, especially the “middle border,” also served in Little Dixie and held different views of how best to treat rebels and southern sympathizers.⁴⁸ A private named Andrew Brownslow of Captain Perry’s company complained to Governor Gamble in August 1862 about the activities of the more radically minded Unionists in the ranks. Brownslow took most issue with the way these men interacted with women, insisting, “they have caught young ladies stripped their clothes over their heads pretending they were in search of pistols.” Furthermore, Brownslow disapproved of what he described as Brigadier General Benjamin F. Loan “playing into the hands of the Kansas thieves” and appointing “Black abolitionists” to many important

⁴⁶ A.J. McRoberts to Molly McRoberts, August 10, 1862, A.J. McRoberts Papers (C0375) Western Historical Manuscript Collection, Columbia; A.J. McRoberts to Molly McRoberts, September 6, 1862, A.J. McRoberts Papers (C0375) WHMC, Columbia.

⁴⁷ *OR*, Series I, vol. 34, Pt. IV, p. 471.

⁴⁸ Christopher Phillips used the term “middle border” or “West” to describe “states bordering the Ohio and Missouri Rivers west of the Appalachian Mountains and south and east of present-day Nebraska, Iowa, Wisconsin, and Michigan. Individuals living in the middle border possessed a variety of opinions on the slavery issue; Phillips claims, “their shades of gray were largely more moderate than is presently understood.” Phillips, *The Rivers Ran Backwards*, xvii.

offices. He believed Loan's intention "to drive all the southern people from this section of the state" would only succeed in driving men from the militia and into the ranks of the bushwhackers. Brownslow, himself, threatened to leave his unit, "if this work is allowed." He further declared himself a Constitutional Union man "but no abolitionist nor thief," and he swore there were many more men like him as well as "honorable secessionists" in the area who "are willing to do anything that is in accordance with the constitution."⁴⁹ Brownslow recognized the presence of gray in a war in which most saw only black or white, and he, like so many others in the area, insisted on the preservation of the law and a strict adherence to the Constitution.

Protests against the behavior of the Missouri State Militia abounded in the fall of 1862, particularly in regard to Ben Loan and the pilfering of loyal citizens by Union militiamen. Governor Gamble, determined to sort out fact from fiction, wrote to General Loan personally in late September about this very matter, questioning Loan as to the validity of the accusations flooding Gamble's office in Jefferson City. Loan, responding a few days later, first made sure to emphasize the degree to which Union men suffered at the hands of guerrillas, claiming "the enrolled militia have suffered a degree of persecution and outrage at the hands of the guerrillas . . . their families have been robbed insulted outraged and driven from their homes by these same demons." He insisted the militia had not "committed any serious outrages" against Union men and believed Gamble would surely "denounce the militia for their moderation," rather than for their force. Loan finished his letter to the governor by promising to "guard against the demoralization that is engendered by permitting men in the name of law and order to plunder rob and steal from their fellow citizens."⁵⁰

⁴⁹ Andrew Brownslow to Hamilton Gamble, August 1, 1862, Hamilton R. Gamble Papers (A0549), Missouri History Museum and Archives, St. Louis.

More letters followed between Gamble and Loan about the specific case of the murder of a man named Major N.A. Holden in Warrensburg.⁵¹ Gamble received information that Union militiamen had perpetrated the murder, and he asked Loan to investigate the matter. Loan did not have good news to report. His subordinate Colonel R.R. Spedden found men in the enrolled militia had indeed killed Holden and admitted “that his life was taken improperly no one can deny.” Loan continued, as he had in his previous letter, to seemingly justify these actions by decrying the outrageous actions of guerrillas: “Could you know truly all the acts of fiendish outrage perpetrated on union men by the guerrillas at the instigation and by the procurement of such men as Holden was you would be astonished at the mildness and forbearance of the enrolled militia in that unhappy section of the state.”⁵² Gamble had also heard of other murders from James D. Eads, who accused the state militia of killing 4 or 5 men in the area of Warrensburg alone. Eads complained, “No man’s life is safe, and we are liable to be shot by the infuriated troops or bushwhackers at any time.” He pled with Gamble to remove Major Emory S. Foster from command because Foster and his men were locals and, thus, had “many personal difficulties to settle” and “threaten to kill any one who informs on them for shooting a man or for stealing a horse.”⁵³

⁵⁰ Ben Loan to Hamilton Gamble, September 28, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society, St. Louis.

⁵¹ Ewing Cockrell, *History of Johnson County, Missouri* (Topeka: Historical Publishing Company, 1918), 104. According to the Johnson County history, Major N.B. Holden lost his life in Warrensburg on September 25, 1862, when he “was called from his bed and assassinated at his residence.” No other details surrounding Holden’s death are provided.

⁵² Hamilton Gamble to Ben Loan, Oct 13, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

⁵³ *OR*, Series I, vol. 13, p. 437; R.R. Spedden to Ben Loan, October 10, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis. Cockrell, *History of Johnson County*, 107. It is noted in the Johnson County History that Emory S. Foster formed one of the first Union companies in the county. James Eads is also mentioned as serving as a second lieutenant in another Union militia unit formed early on in the county.

Persistent accusations against the state militia forced officials to open an investigation. In February 1863, the House of Representatives formed a committee to inspect the conduct and management of the “Missouri State Militia, the Enrolled Missouri Militia, the Provisional Militia, and the Paw Paw Militia” in Missouri. The findings were published as *Report of the Committee of the House of Representative of the 22nd General Assembly of the State of Missouri Appointed to Investigate the Conduct and Management of the Militia* and added gravity to many of the expressed grievances against the militia. In their concluding minority report, the representatives serving on the committee found no cause for concern about the militia or the Provisional Government. The only reprimand they issued was for the Radical Republicans who have “caused insubordination in the militia.” Ultimately, they decided that the people possessed the power to resolve the problem of lawlessness in their local communities and determined that the best course of action for representatives was to return to their constituencies and encourage the people to “render implicit obedience to the law.”⁵⁴

Simultaneously, the administration in Washington worked to create an official code of military law for the armies in the field. General Order No. 100, or “Lieber’s Code,” issued on April 24, 1863, addressed many of the problems facing military officials at the time, including how to treat irregulars and belligerent civilians. For the most part, Lieber provided statutes that aligned closely to the policies established during the first year of the war by Fremont and Halleck in Missouri. Part of the reason for this was Lieber’s close friendship with Halleck and his heavy reliance on Halleck’s previous war treatises, including his work *International Law*.⁵⁵ Lieber defined guerrillas as follows:

⁵⁴ *Report of the Committee*, 466, 472.

⁵⁵ Henry W. Halleck, *International Law: or Rules Regulating the Intercourse of States in Peace and War* (New York: D. Van Nostrand, 1861).

Men, or squads of men, who commit hostilities, whether by fighting, or inroads for destruction or plunder, or by raids of any kind, without commission . . . without sharing continuously in the war . . . are not public enemies, and therefore, if captured, are not entitled to the privileges of prisoners of war, but shall be treated summarily as highway robbers or pirates.⁵⁶

Lieber also addressed the disorderly behavior of soldiers as he explicitly prohibited “all destruction of property” and “[a]ll wanton violence” against the citizens of an “invaded country.” Lieber declared, “all robbery, all pillage or sacking . . . all rape, wounding, maiming, or killing of such inhabitants, are prohibited under the penalty of death.”⁵⁷

In his code, Lieber clearly contrasted the civilized warfare of modernity with the barbarism of previous centuries. Modern wars, he believed, differed from those fought between “barbarous armies” of centuries past, whose belligerents targeted private individuals, making them “suffer every privation of liberty and protection.” Lieber argued that “as civilization has advanced during the last centuries. . . . The principle has been more and more acknowledged that the unarmed citizen is to be spared in person, property, and honor” and that “[r]etaliatio[n] too, as “the sternest feature of war,” should only be resorted to in extraordinary circumstances, and even then, it should be employed with caution as it could easily lead the conflict “nearer to the internecine wars of savages.”⁵⁸ Lieber’s conviction that “[t]he more vigorously wars are pursued, the better it is for humanity” did not conflict with his belief that the nineteenth century was an enlightened age and that modern warfare had evolved away from savagery and barbarous outrages.

⁵⁶ John Fabian Witt, *Lincoln’s Code: The Laws of War in American History* (New York: Free Press, 2012), Appendix, 385.

⁵⁷ Witt, *Lincoln’s Code*, Appendix, 381.

⁵⁸ Witt, *Lincoln’s Code*, Appendix, 378.

As Lieber finished his code, “barbarous outrages” continued unabated in Little Dixie. Noncombatants increasingly reported being plundered by combatants on both sides. J.P. Matthews, postmaster of Cogswell Landing in Jackson County, described in great detail the robbery of his Post Office and home at the hands of militiamen in the 5th Regiment, Missouri State Militia Cavalry, under the command of Colonel William R. Penick. The men stole “stamps, envelopes, money” from his store and “halters, reins, etc.” from his home. Matthews appeared dumbfounded. He had been “often robbed by Guerrillas, and Secesh” in the past and lost more property, but he thought, “this last blow is the worst of all” because as a loyal citizen, he could not comprehend being “abused by those whom I have a right to call friends.”⁵⁹

J.P. Matthews’ letter reached the desk of the governor, who took up the issue with Ben Loan, the general commanding the region. Governor Gamble appeared rather shocked that the 5th Regiment was still in action, since, according to Order No. 38, it was supposed to have been mustered out of service. Loan, on the other hand, claimed to know nothing about the regiment as the region encompassing Jackson County had been removed from his direct control. General Samuel R. Curtis, now commander of the Department of the Missouri, supervised the region and had revoked the order to muster out the regiment, Loan reported. However, Loan raised questions about Matthews. Loan said he “became thoroughly satisfied of his disloyalty” after discovering evidence that Matthews had been deceptive in attempting to get a safeguard, or letter of protection, from the commander.⁶⁰

⁵⁹ J.P. Matthews to Hamilton Gamble, April 9, 1863, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

⁶⁰ Hamilton Gamble to Ben Loan, April 17, 1863; Ben Loan to Hamilton Gamble, April 18, 1863, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

Union militiamen and Jayhawkers often caused more problems for occupying Union forces than guerrillas, since they tended to categorize all Missourians as rebels, including loyal civilians. While stationed in Harrisonville, Missouri, in April 1863, Union Colonel Bazel Lazear described a situation in which irregular Union forces plagued Union authorities more than the Confederate guerrillas. He claimed that while the bushwhackers “dont seem to molest anyone,” another “class of men . . . are keeping up more disturbance than the rebels,” and he described these men as “thieves and murderers” who “claim to be Union men” and “any man who does not agree with them they call them Rebels.”⁶¹

Neither Kansas Jayhawkers nor Missouri militiamen made much of an effort to determine loyalties before tormenting civilians. Scouting units took captives, burned homes, and murdered male citizens in Little Dixie on the slightest provocation. Sherman Bodwell, a member of the 11th Kansas Cavalry under the command of Brigadier General Thomas Ewing, recorded such a scouting mission in his diary on July 11, 1863. Upon hearing of guerrillas in Sibley, Bodwell’s company set off to investigate. A white man accompanied by a black boy on the road aroused their suspicion, enough so that they decided to take the white man, who identified himself as Charlie Alderman, prisoner. “Things looked black for prisoner,” Bodwell exclaimed, because his cavalry commander believed Alderman was a guerrilla and “could tell all about [the guerrillas] if he would.” As the company proceeded to Alderman’s home, they spotted three more men they believed to be guerrillas and immediately opened fire, but the supposed guerrillas escaped. Simon Hamilton was thought to be among them, most likely for the sole reason that his house was nearby, so the Kansans set his house ablaze.⁶² Bodwell seemed to revel in the effect the

⁶¹ Bazel Lazear to wife, April 29, 1863 in “The Civil War Letters of Colonel Bazel Lazear,” ed. Vivian K. McCarty, *Missouri Historical Review*, 44, no. 3 (April, 1950): 269.

burning had on Hamilton and his daughter because, in his words, they “worked for once like ‘niggers’” in their frantic attempt to clear their home of valuables. Widow Amilda Halley rushed to help her neighbors, and the soldiers, after witnessing the assistance the “amiable lady” provided the Hamiltons, left to set fire to her home “with all in it but what her negro woman chose to carry out.” Bodwell jested, “She probably knew better not to sympathize on her return, and having no house to keep, will be able to devote more time to carrying the news.”⁶³ The force continued on to the home of their prisoner, Alderman, and finding “strong indications of [guerrillas] sojourning,” the men torched the place along with the mill. When Alderman finally attempted to escape his captivity, Captain Ridgeway shot him dead.⁶⁴

By targeting civilians, stealing foodstuffs, confiscating property, and destroying shelters, Union forces pursued initiatives that they, up to this point in American history, had only employed against Native Americans and other races. Historian Megan Kate Nelson identified similarities between the tactics of some Union troops in the Civil War and those employed by federals against Native American communities in the West. She claimed that once Civil War soldiers embraced “a war waged against all elements of the society rather than just warriors,” they were employing “traditionally ‘savage’ tactics,” tactics that, according to Nelson, “made everyone guerrillas.”⁶⁵

⁶² Bodwell wrote “Sim Hamilton” in his diary. However, according to the 1860 census, the man’s full name is Simon. Simon most likely lived close to several of his relatives as there are at least four other male patriarchs named Hamilton in Fort Osage, Jackson County. U.S. Census, 1860, accessed on ancestry.com.

⁶³ Bodwell only calls this woman “Widow Halley,” but according to the 1860 census, there was an Amilda Halley living as a widow in the Fort Osage area of Jackson County. U.S. Census, 1860, accessed on ancestry.com.

⁶⁴ Sherman Bodwell Diaries and Notebook, July 11, 1863, (MC283) Kansas Historical Society, Topeka. The Captain Ridgeway mentioned by Bodwell was most likely Colonel William Ridgeway Penick, commander of the 5th Missouri State Militia Cavalry.

⁶⁵ Megan Kate Nelson, “Indians Make the Best Guerrillas,” in *The Civil War Guerrilla*, 103; Mark Grimsley, *The Hard Hand of War: Union Military Policy Toward Southern Civilians* (Cambridge University Press, 1995), 17-18.

Union soldiers' "hard war" initiatives against Little Dixie civilians bred a culture of lawlessness. Henry Clay Bruce, a former slave from Harrisonville, Missouri, experienced the Civil War in Little Dixie and wrote his memoirs after the war, proudly titled "The New Man." He recalled that as 1863 gave way to 1864, Union forces "were on top" and "the disloyal or southern sympathizers had to submit to everything." Local men of "[t]he lower class," who claimed to be "so-called Union men," took advantage of the chaos in the region and prayed upon southern sympathizers and their property. Men, whom Henry knew personally, visited neighbors "dressed and armed as soldiers" and took what they wanted by force of arms, insisting it was "a military necessity."⁶⁶

Slavery

Soldiers preying on local civilians, confiscating and destroying their property, violated the first condition of Little Dixians Unionism: soldier's interfering with the institution of slavery represented the second condition. Kansas Jayhawkers started the revolution on the ground in Missouri by freeing the slaves of Missouri masters, regardless of their political loyalties, and other radical, abolitionist-minded troops followed suit. These actions caused a major rift to develop in the state between radical and conservative Unionists, which only widened as the government began to sanction the confiscation and emancipation of slaves as a military necessity in occupied areas. Radical initiatives against slavery challenged many locals in their initial belief that the government would protect the institution, as Lincoln promised.

⁶⁶ Henry Clay Bruce, "The New Man. Twenty-Nine Years a Slave. Twenty-Nine Years a Free Man" (University of North Carolina, 1997), 103-104 on *Documenting the American South*, <https://docsouth.unc.edu/fpn/bruce/bruce.html>.

As radical abolitionists, Jayhawkers primarily aimed to cripple, if not destroy, slavery in Missouri and prevent masters from recapturing their slaves in accordance with the Fugitive Slave Law. James H. Lane, Jayhawk leader and U.S. senator, made no pretenses about his intentions toward the peculiar institution. In a speech in July 1861, Lane averred, “the effect of marching an army on the soil of any slave State will be to instill into the slaves a determined purpose to free themselves. . . . There will be a colored army marching out of the slave States while the army of freedom was marching in. . . . I do not propose to make myself a slave catcher for traitors and return them to their masters.”⁶⁷

To make matters worse for slaveowners, early military policies effecting slavery in Missouri only encouraged Jayhawkers and other radical soldiers to liberate slaves. Fremont’s controversial proclamation, issued in August 1861, authorized the emancipation of the slaves of disloyal masters. This policy, although revoked by Lincoln, gave many Radical Union soldiers all the permission they needed to continue equating the ownership of slaves with disloyalty and to continue liberating slaves in the state regardless of the owner’s political loyalties. Fremont’s proclamation also caused a sharp division among Unionists in the state, pitting radicals, who favored harsh policies against rebels and slavery, against conservatives, who promoted more conciliatory initiatives.⁶⁸

Once again, Private Dan Holmes provided stunning insights into Jayhawker methods, only now, in the wake of Fremont’s proclamation, a new sense of confidence in his company’s anti-slavery exploits imbued his correspondence. On November 11, Holmes proudly detailed his “Jayhawking” exploits in which confiscating slaves featured prominently: “Yesterday we

⁶⁷ Bryce D. Benedict, *Jayhawkers: The Civil War Brigade of James Henry Lane* (Norman: University of Oklahoma Press, 2009), 37.

⁶⁸ *OR*, Series I, Vol. 3, p. 466; Phillips, *The Rivers Ran Backward*, 218; Astor, *Rebels on the Border*, 107.

marched to Independence and jayhawked about 50 homes and mules as many negro men, women and children pillaged two stores burnt two dwellings and one large mill.”⁶⁹ According to historian Kristen Epps, some Missouri counties lost from one quarter to one half of their slaves in this manner over the four years of the war.⁷⁰

Despite these inroads against slavery, many conservative Unionists in Little Dixie continued to contest the claims of those who insisted upon the abolitionist aims of the Union war effort. On November 15, in an article in the *Columbia Statesman*, William Switzler denounced the “secession calumny that this war was prosecuted to give freedom to the negro.” Switzler pointed to a specific example to prove his point: when two runaway “contrabands” absconded to the camp of Colonel Morse, rather than harbor or liberate these slaves, he returned them to their owner. This was enough in Switzler’s opinion to discredit secessionist’s complaints of abolitionism among federal troops, and he hoped these details would cause “Secessionists at least to pause and think before they again seek to inflame the people by incendiary falsehoods concerning the objects of the war?”⁷¹ Switzler failed to recognize the threat Kansas Jayhawkers posed to the continued existence of slavery along the border. Only a month prior, James Lane wrote to General S.D. Sturgis, declaring, “Confiscation of slaves and other property which can be made useful to the Army should follow treason as the thunder peal follows the lightening flash.”⁷²

⁶⁹ Dan Holmes to Folks at Home, November 11, 1861, Letters—Holmes, Daniel B., fl. 1858-1862, Kansas Historical Society, Topeka.

⁷⁰ Earl J. Nelson, “Missouri Slavery, 1861-1865” *Missouri Historical Review*, 28:4, pg. 268-269; Epps, *Slavery on the Periphery*, 159.

⁷¹ *Columbia Statesman*, November 15, 1861.

⁷² *OR*, Series 1, Vol. 3, p. 516.

Kansas Jayhawkers liberated thousands of Missouri slaves, but many more slaves effected their own freedom, instigating a mass exodus, most notably in the counties along the state's western border. Following their escape, newly freedpeople often sought refuge in Union army camps, a pattern that commenced in the first days of Union occupation in Missouri and similarly unfolded across the Upper South. In May 1861, slaves in Virginia flocked to Union camps in droves, prompting Department commander General Benjamin Butler to designate black refugees "contraband of war," prohibiting soldiers from returning slaves to their masters. Missouri slaves escaping from the western border counties had a fairly accessible safe haven in Kansas, where they could settle safely in refugee camps, work as farm laborers, find employment in army camps, or join black military units.⁷³

Despite the frequency with which Jayhawkers liberated slaves, armed them, and harbored them in army camps, Union officials in Missouri generally opposed such practices and issued orders designed to keep slavery in Missouri intact. General Halleck's Order No. 3, issued in November 1861, represented a direct counter order to Fremont's emancipation proclamation. The order made it illegal to harbor fugitive slaves behind Union lines and required commanders return all stolen property, including slaves, to Missouri citizens. The military, Halleck insisted, was not to play a role in hunting down runaways, however. Contradictory orders from department commanders left many Union soldiers confused as to proper procedure, and many continued to act according to their own principles in determining how best to handle fugitive slaves.⁷⁴

⁷³ Phillips, *The Rivers Ran Backward*, 216-217; Epps, *Slavery on the Periphery*, 153-157, 160-161. Epps claims that according to the 1860 and 1870 federal census records, the black population decreased in the border region by 25%. Overall, between 500,000 and 700,000 slaves escaped to army lines across the nation during the war. Epps, *Slavery on the Border*, 159. Using the total black population from 1860 and 1870 in the Little Dixie counties, I found that the total black population in this region decreased over the course of these ten years by a little less than 20%. *Social Explorer* (website), accessed May 22, 2019.

Federal military policies regarding slaves passed over the course of 1862 forewarned a radical shift in Union war aims. In July, Congress passed the Second Confiscation Act and the Militia Act. The first bill took a page from Fremont's playbook and authorized the confiscation of slave property owned by disloyal masters. In order for slave confiscations to be legal, however, military personnel in Missouri had to acquire evidence proving the disloyalty of the slave's master. Many officials found the burden too much to bear, leading them to liberate or return slaves according to their own personal preferences. The second bill permitted the enrollment of thousands of military age men in the army and granted the president power to liberate slaves and to employ them in "any war service for which they may be found competent," which could include the enrollment of black males in the army.⁷⁵

Following the passage of the Second Confiscation Act in July 1862, military officials in both Kansas and Missouri began enlisting black men. Upon receiving official authorization, Jayhawkers, a black captain named William Matthews chief among them, immediately raised the first black unit formed during the war, the 1st Kansas Colored Infantry. It was not until the subsequent summer that the adjutant general of the United States authorized Colonel William A. Pile, 33rd Missouri Volunteers, to raise the first "colored troops" in Missouri, however. Governor Gamble supported the enlistment of black troops but feared it would hurt loyal slaveowners. As a result, he required military officials first gain permission and provide compensation to loyal slaveowners upon the enlistment of their slaves.⁷⁶

⁷⁴ Epps, *Slavery on the Periphery*, 162; Phillips, *The Rivers Ran Backward*, 218. See also Kristopher A. Teters, *Practical Liberators: Union Officers in the Western Theater during the Civil War* (University of North Carolina Press, 2018).

⁷⁵ Phillips, *The Rivers Ran Backwards*, 219.

⁷⁶ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 199-200; Ian Michael Spurgeon, *Soldiers in the Army of Freedom: The 1st Kansas Colored, the Civil War's First African American Combat Unit* (University of Oklahoma Press, 2014), 5.



Fig. 13. Captain William Matthews, free black businessman, recruited former slaves into the 1st Kansas Colored Volunteer Infantry Regiment at Fort Scott. Photograph courtesy of Kansas Historical Society, accessed May 20, 2019.

Jayhawkers arming and enlisting former Missouri slaves in Kansas caused hysteria along the border and rumors quickly spread of an impending invasion. Missourians appeared to be terrified by the prospect of an imminent invasion comprised largely of their ex-bondsmen. Governor Gamble wrote to Lincoln early in September expressing his fear that “organizations of negroes” planned to enter Missouri “armed and equipped as soldiers of the United States” for the explicit purpose of “committing depredations” under the leadership of Lane and Jennison. He threatened “that if such an invasion is made I will resist it with all the force I can command” but pleaded with the president to intervene and forbid any U.S. troops from entering Missouri without the approval of state officials.⁷⁷

⁷⁷ Hamilton R. Gamble to Abraham Lincoln, September 8, 1862, Hamilton Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis; Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 210.

In Gamble's estimation, another threat, potentially more detrimental to future military operations in Missouri, loomed over Missouri that month. Lincoln had replaced General John M. Schofield with General Samuel R. Curtis as the military commander of Missouri. Gamble and other conservative state officials considered Curtis an abolitionist. Strongly believing he would inflict more damage and cause more suffering in the state, the conservative coalition immediately petitioned the president for his removal. Lincoln relented to conservative demands, removing Curtis and replacing him with the previous commander, General Schofield, who once again assumed the position in the summer of 1863. The executive action caused major blowback from the radical faction in the state, led by Charles Drake, who resolved to initiate a smear campaign against General Schofield in order to affect his removal.⁷⁸

Conservatives versus Radicals: The War between Unionists

Lincoln's removal of Curtis opened a fresh wound between the radical and conservative factions in Missouri. Ideological divisions first became visible between Unionists in reaction to Fremont's proclamation in August 1861 and gradually deepened throughout 1863 and 1864 as secessionist threats mounted. The two factions, the conservatives, commonly called "Claybanks," and the radicals, also known as "Charcoals," disagreed on the best way to approach rebels and slavery. Claybanks approached these issues with caution, desiring to preserve slavery, or at least to provide compensation to owners in the event of emancipation, and to pursue rebels with restraint; but the Charcoals, much more radical than Lincoln, wanted immediate emancipation and harsh punishments for disloyal civilians.⁷⁹ General Schofield once commented

⁷⁸ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 191-194.

⁷⁹ William C. Harris, *Lincoln and the Border States: Preserving the Union* (University Press of Kansas, 2011), 156.

that these two factions were “hardly less bitter in their hostility to each other than to the part of secession,” animosity which added another layer of conflict to the war in Missouri; Republicans fought Republicans, Unionist fought Unionist.⁸⁰

Events in September 1863 only intensified factional animosities in Missouri. September 17, 1863, signaled a sea change in the Union war effort. On this day, the Battle of Antietam, though inconclusive, proved to be a strategic Union victory, giving Lincoln the confidence he needed to issue the Preliminary Emancipation Proclamation, which stated that as of January 1, 1863, all slaves held in states in rebellion against the Union would be freed.

The Emancipation Proclamation applied only to the states in rebellion against the United States and, thus, would do little to alter official military policies toward slave property in Little Dixie. Military officials in Missouri were supposed to continue to protect the slave property of loyal masters and only confiscate slaves or recruit black men into the army who belonged to disloyal masters in accordance with the Second Confiscation Act and the Militia Act.⁸¹

Many Union officials remained committed to preserving the institution of slavery in Missouri following the Emancipation Proclamation. Conservative Unionist Colonel Odon Guitar disagreed with the military’s interference with the institution but repeatedly refused to become embroiled in local conflicts over slaves. Testifying before a committee investigating the conduct of the Union militia, Surgeon John E. Bruere and Lieutenant Ferdinand Hess, both members of the 1st Battalion of Cavalry, Missouri State Militia, implicated Guitar for his inaction during an episode that occurred in late November 1862. Bruere and Hess claimed that when their battalion returned to camp at Fulton accompanied by “a number of Negroes,” they were attacked by an

⁸⁰ John M. Schofield, *Forty-six years in the army* (New York: Century Co., 1897), 56.

⁸¹ Boman, *Lincoln and Citizens’ Rights in Civil War Missouri*, 196-198.

armed “mob of citizens” who forcibly took twelve black men from the group. This reportedly took place within view of Colonel Guitar’s headquarters, but he had done nothing. The two soldiers alleged this “was a concerted plan on the part of the powers that be to give such parties who could not well prove their loyalty an opportunity to take possession of their black property.” Furthermore, they insisted that “from the day when Col. Guitar’s command made its first appearance, the town of Fulton began to fill with rebels from all quarters of the county; men who had enrolled disloyal and had been in prison would boldly show themselves now with defiant look and manner.”⁸²



Fig. 14. Portrait of Brigadier General Odon Guitar by George Caleb Bingham, circa 1860. Image courtesy of the State Historical Society of Missouri, Columbia (website), accessed May 16, 2019 <https://digital.shsmo.org/digital/collection/art/id/362/>.

Soldiers like Bruere and Hess distrusted conservative officials like Guitar, viewing their leniency toward rebels and their determination to preserve slavery as proof of their southern

⁸² *Report of the Committee of the House of Representatives of the Twenty-Second General Assembly of the State of Missouri Appointed to Investigate the Conduct and Management of the Militia Including an Index* (State Historical Society of Missouri, 1998), 73-74.

sympathies. They shared similar views as those voiced by Samuel Ayers, chaplain of the 7th Kansas Cavalry, in a letter to his friend Lyman Langdon in Defiance, Ohio, in February 1863. Ayers believed even the slightest degree of disloyalty to the government should be stamped out, and he seemed to harbor the most contempt for those, such as Copperheads, who opposed the government while remaining safely in its borders, untouched, fully enjoying the privileges of citizenship. He also insisted on a stronger government policy against the enemy in both the North and in the South, insisting the Union “strike at rebellion wherever it can be found—give it no quarters.” One of the most effective ways to end the rebellion, in his opinion, would be to bring about the end of slavery and “all unholy oppression” once and for all and finally put an end to America’s hypocrisy: “it shall no more be said that whilst we boast of our free institutions we are the supporters of the barbarous system of African slavery.”⁸³

While radical abolitionist soldiers believed nothing short of the complete destruction of the institution of slavery would end the rebellion and fulfill the promise of freedom in America, the more conservative element reacted to soldiers freeing and arming blacks with utter dismay. In the letter Union General Richard C. Vaughan wrote to Provost Marshal James Broadhead in May 1863 describing the “reign of terror” perpetrated by Union soldiers in Lexington, he also complained of the pillaging carried out by black soldiers. Vaughan claimed that a force of “fifty or sixty negroes” plundered the property of Lexington Unionists Judge John F. Ryland and Henry Davis, the editor of *The Union* newspaper, and stole horses and wagons. “Hundreds of negroes every week run off from their masters, these negroes are all armed, and as the citizens

⁸³ Samuel Ayers to Lyman Langdon, February 18, 1863, Misc. Samuel Ayers, *Kansas Memory* (website), Kansas Historical Society, kansasmemory.com; Jennifer Weber, *Copperheads: The Rise and Fall of Lincoln’s Opposition in the North* (Oxford University Press, 2006), 146. Weber claims that in the spring and summer of 1864, many Union soldiers returned to their homes after their three-year term of military service ended. Many of these soldiers harbored significant resentment for Copperheads, who, in some cases, were despised even more than rebels.

are all disarmed, they take their horses, mules, oxen & wagons by hundreds,” Vaughan reported. Kansans “convoy [blacks] out of the state and then return for another party,” he continued. Moreover, Missouri militia officers appeared to condone these methods. When Ryland and Davis set out to apprehend the perpetrators, having recruited the assistance of the Sheriff, members of Colonel Walter King’s regiment “threatened to fire on them” if they persisted. Vaughan believed that the men under the command of King and Colonel William Penick “do all in their power to encourage this most horrible condition of things.” This lead Vaughan to insist on the “necessity for an immediate change in this Department, unless it is really the policy of the Government . . . to turn our state over to be laid waste and our citizens to be plundered by the hordes of thieves which come in from Kansas, without the slightest reference to their loyalty or disloyalty.”⁸⁴

Armed black men invading Missouri and plundering the property of loyal and disloyal citizens alike was the realization of many white Little Dixians’ worst nightmare. Deep-seated fears of armed blacks rising up and meting out violent retaliation against their white masters plagued the white imagination throughout the antebellum era. Owners and overseers were constantly struggling to deter slaves from absconding, rebelling, or conspiring by threatening, intimidating, and abusing them and by limiting their mobility and access to information. Small forces of armed men on horseback, commonly known as slave patrols, roamed the countryside searching for runaways and monitoring slave movements within the community, acting as “the guardians of public order.” During the war, these patrols generally dissolved in Little Dixie due to the lack of manpower and the threat posed by scouting Union militias. This sharp decline in surveillance contributed to the rise in black runaways and refugees, and once those newly freed men picked up firearms, many whites considered it to be the most terrifying blow to the

⁸⁴ Richard C. Vaughan to James O. Broadhead, May 8, 1863, James Overton Broadhead Papers (A118), Civil War Manuscripts Collection, Missouri Historical Society Archives, St. Louis.

antebellum racial social order, a complete reversal that threatened their power and control and even their rights as citizens.

The fear black soldiers engendered in Little Dixie can be gleaned from an account written by Elvira Scott after “a procession” of armed black men, followed by women and children and accompanied by “an escort of soldiers,” entered the village of Miami. Elvira started her diary entry by recording the date, August 31, 1863, followed by the phrase, “a day long to be remembered here.” She described how the procession of former slaves “swarmed” through town, raided homes, and pillaged “gardens, chicken coops, & peach trees.” When opposed, the men replied that they had come to “tear up the secesh root & branch & that they were going to do it.” That night, she locked her house and fled to the seminary, where she and her children stayed up until midnight anxiously watching the group from the window.⁸⁵

Slaveowners understood that the arming of former slaves in Missouri represented a major blow against the peculiar institution and the racial hierarchy it engendered. Many feared that black freedom would ultimately lead to black rights and a future of black and white equality, even miscegenation. In fact, few Americans, including some of the most radical abolitionists, advocated the social and political equality of blacks and whites. In direct response to the radical social upheavals brought about by emancipation and enlistment, and in a desperate attempt to reassert their antebellum social status, guerrilla fighters intensified their campaign of terror against blacks in Little Dixie, not only threatening violence but, more often than not, hanging or shooting them down in the streets without even the slightest provocation.⁸⁶ One of the slaves of

⁸⁵ Diary of Elvira Ascenith Weir Scott (C1053), Western Historical Manuscript Collection, Columbia, 220-221.

⁸⁶ Phillips, *The Rivers Ran Backwards*, 259; Boman, *Lincoln and Citizens' Rights*, 195; Astor, *Rebels on the Border*, 118-119, 144-145; LeeAnn Whites, “You Can’t Change History by Moving a Rock: Gender, Race, and the Cultural Politics of Confederate Memorialization,” in *The Memory of the Civil War in American History*, eds. Alice Fahs and Joan Waugh (University of North Carolina Press, 2004), 222.

George R. Jacobs of Columbia suffered such a fate. His name was Sevriss. Jacobs claimed that bushwhackers, men he labeled “thieves & robbers,” came into town and hanged Sevriss for “no apparent cause.” The event struck fear into his other slaves and Jacobs lamented, “every one left me suddenly.”⁸⁷

Missouri slaves had yet to be declared legally free, however, and debates over the best policy to pursue in regard to this issue continued to rage among state officials in Jefferson City. Lincoln had proposed compensated emancipation to the border states in 1862, but Congress and Missouri delegates to a state convention in June rejected the offer. By June 1863, Governor Gamble convened the Missouri State Convention to decide the issue of emancipation. A committee, of which the governor served as the chair, created a plan for gradual emancipation, which repealed the parts of the state constitution requiring the consent and compensation of slave-owners and set an end date for slavery of July 4, 1876.⁸⁸

Compromise on the emancipation issue did little to quell the conflict between factions. Radicals had grown increasingly exclusionary in their definition of Union loyalty, considering anyone disloyal who supported slavery or gradual emancipation. Increasingly, as General Schofield recognized, “they disdained to make any distinction between ‘conservatives,’ ‘copperheads,’ and ‘rebels.’”⁸⁹ Many radical Unionists believed conservative Union officials were sympathetic with the rebel cause and blamed them for the pervasive problem of guerrilla resistance. These radical Unionists denounced both Governor Gamble and General Schofield,

⁸⁷ [Undated letter], George R. Jacobs Account Book, 1853-1877 (C2218), State Historical Society of Missouri, Columbia

⁸⁸ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 196-197; Astor, *Rebels on the Border*, 176; Harris, *Lincoln and the Border States*, 220, 321-329, 345, 348; Kristen Layne Anderson, *Abolitionizing Missouri: German Immigrants and Racial Ideology in Nineteenth-Century America* (Baton Rouge: Louisiana State University, 2016), 113.

⁸⁹ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 194; Schofield, *Forty-six years in the army*, 57.

and on a more local level, in Little Dixie, General Odon Guitar, believing their moderate policies toward guerrillas and rebel civilians allowed guerrilla warfare to continue unabated. The *Missouri Democrat* cleverly criticized Guitar's conservatism with a historical analogy: "Nero fiddled while Rome was burning—now we have Gamble & Co., Guitar-ing while Union men are arrested and soldiers made to catch rebel's negroes."⁹⁰

Conservatives, on the other hand, believed the fault for the increasingly violent guerrilla war lay squarely with the radicals. They responded to the radicals' denunciations of prominent conservative Union officials by labeling the radical faction *Jacobins*, a radical republican faction during the French Revolution renowned for their ruthless terror tactics against any and all opponents. A newspaper article entitled "The Jacobin Programme" outlined the zealous and "factionist" outlook of the radical Unionists: "Every man who raises his voice for the Constitution or for "law and order" must be execrated as a copperhead or a rebel and be driven out, directly or indirectly, by Jacobin process."⁹¹

Due to heightened tensions along the Kansas-Missouri border in the fall of 1863, military officials increasingly called on local citizens to assemble for the defense of their own communities. Missouri officials issued General Order No. 80 in August with the goal of the "suppression of guerrilla warfare, marauding and robbery." Officials determined to handle civilians who aided guerrillas in a "severe manner" through "the destruction or seizure of all houses, barns, provisions and other property belonging to disloyal persons." Those issuing the order realized that, up until this juncture in the war, the use of armed force failed to adequately quell guerrilla violence; in fact, it had greatly exacerbated the violence. Thus, the order called

⁹⁰ *Columbia Statesman*, August 14, 1863.

⁹¹ *Columbia Statesman*, September 18, 1863; "Jacobins," *The Columbia Encyclopedia*, 6th ed., accessed April 18, 2019, encyclopedia.com.

upon the “aid of good citizens” to reestablish “a state of security and peace.” However, the policy also contained extremely conciliatory treatment of “all those who voluntarily abandon the rebel cause” by permitting them to “surrender themselves and their arms to the nearest military post” and allowing them to “be released upon their taking the oath of allegiance and giving bond for their future good conduct.”⁹²

In Clay and Platte Counties, local men, some of whom held southern sympathies or had once been considered disloyal, assembled into militia units, called “Paw-paw militias,” to guard against an invasion from Kansas.⁹³ Union Colonel James H. Moss, the commander of a paw-paw unit in Platte County, soon came under attack from local Unionists, who denounced him as “a semi-rebel” for “arming the rebels” and demanded his removal. These loyal men admitted they had once subscribed to conservatism in the past but had since altered their outlook, believing “there is but one way to put down this rebellion, and that is not conservatism.”⁹⁴ Moss responded to these accusations by accusing Union forces in Clay and Platte counties of being “an armed mob and a portion of them in full fellowship with the Kansas Red Legs” and maintaining that his arrival in the region “with authority to arm the people . . . was like the falling of a thunder bolt . . . and the thieves of Kansas & Missouri have been yelling with rage and disappointment ever since.” Labeling his accusers liars, Moss swore his main goal was to reassert federal authority and reinstate law and order in the region. He admitted to enlisting men who had been “lead off at the beginning by various influences into the rebel army voluntarily returned took the oath of

⁹² *Columbia Statesman*, September 4, 1863.

⁹³ Paw-paw militia units formed after the Lawrence Massacre for the protection of communities along the border, primarily in Clay and Platte counties. *Report of the committee*, 70.

⁹⁴ “The Refugee Meeting Last Night,” Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis; T.J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Vintage Books, A Division of Random House, Inc., 2002), 97-98.

allegiance and have faithfully lived up to it.” He hoped to assemble a force of men willing to defend the border against an invasion of “the great army of outlaws in Kansas & Missouri.”⁹⁵ For Moss, the primary enemy was not Confederate guerrillas but Union Jayhawkers and Redlegs.

In October 1863, radical state officials lead by Senator Charles D. Drake worked desperately for the removal of General Schofield as commander. Although labeled a conservative by his radical enemies, Schofield denounced factions and insisted upon pursuing a moderate course. In a letter to James L. Thomas in November, Schofield boasted, “I know nothing of radicals or conservatives. The question with me is simply what individuals obey the laws and what violate them; who are for the government and who against it.”⁹⁶ Drake and his fellow radical Unionists in the Missouri legislature became disillusioned with the inaction of federal military officials in the state and petitioned Lincoln to remove Schofield from his post. In his response, Lincoln made sure to redirect any blame for Missouri’s present condition away from any one person or general and, instead, faulted the differing ideas about the main issues of the war, “Union and slavery,” not just between Unionists and Confederates but between Unionist factions as well. He outlined these opinions as follows:

those who are for the Union *with*, but not *without*, slavery; those for it *without*, but not *with*; those for it *with* or *without*, but prefer it *with*; and those for it *with* or *without*, but prefer it *without*. Among these again is a subdivision of those who are for *gradual*, but

⁹⁵ James H. Moss to Colonel A.W. Doniphan, October 3, 1863, James Overton Broadhead Papers (A118), Civil War Manuscripts Collection, Missouri Historical Society Archives, St. Louis. Governor Gamble addressed the enrollment of disloyal men in the state militia in his speech advocating gradual emancipation at a state convention in the summer of 1863. He stated, “Yet there are persons who speak against the Enrolled Militia and make accusations against them of disloyalty. It may be true that the anxiety of Officers, when forming Regiments to swell the number and apparent strength of their commands may have caused them to admit into their ranks some disloyal men. Such conduct was in direct violation of the orders issued by Genl Schofield and of orders issued from the Head Quarters of the State. . . . That some of them have been disorderly and lawless committing gross outrages may be admitted, but this will be the case with all troops in the field.” “Gentlemen of the Convention,” Hamilton Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

⁹⁶ Schofield, *Forty-six years in the army*, 103.

not for *immediate*, and those who are for *immediate*, but not for *gradual*, extinction of slavery.⁹⁷

Despite Lincoln's support of Schofield at this time, a few months later, in January 1864, the President removed the general, replacing him with General William S. Rosecrans.

A few months before Schofield's removal, officials legally sanctioned the arming and enlisting of black men as soldiers in the Union army in Missouri. On November 14, 1863, General Schofield issued Order No. 135, calling for the recruitment of all African Americans and promising freedom from bondage in return for their military service.⁹⁸ Former slave Henry Clay Bruce recalled how recruitment efforts began in earnest in Chariton County in December. Bruce did not want to enlist in the Colored Troops but felt immense pressure from those already enrolled. "[T]hey thought it no more than right to press every young man they could find" into service, Bruce claimed, and because "[c]olored men scoured the county in search of young men for soldiers," he had "to sleep out nights and hide from them in the daytime."⁹⁹

⁹⁷ Abraham Lincoln to Hon. Charles D. Drake and Others, Committee, October 5, 1863 in Schofield, *Forty-six years in the army*, 94-95. In the same letter, Lincoln continued to detail the devolution of factional hatred in Missouri: "It is easy to conceive that all these shades of opinion, and even more, may be sincerely entertained by honest and truthful men; yet all being for the Union, by reason of these differences each will prefer a different way of sustaining the Union. At once sincerity is questioned and motives are assailed; actual war coming, blood grows hot and blood is spilled. Thought is forced from old channels into confusion; deception breeds and thrives; confidence dies, and universal suspicion reigns. Each man feels an impulse to kill his neighbor, lest he be first killed by him. Revenge and retaliation follow, and all this, as before said, may be among honest men only. But this is not all. Every foul bird comes abroad, and every dirty reptile rises up. These add crime to confusion. Strong measures deemed indispensable, but harsh at best, such men make worse by maladministration. Murders for old grudges and murders for pelf proceed under any cloak that will best cover for the occasion. These causes amply account for what has occurred in Missouri, without ascribing it to the weakness or wickedness of any general."

⁹⁸ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 199-200; Ian Michael Spurgeon, *Soldiers in the Army of Freedom: The 1st Kansas Colored, the Civil War's First African American Combat Unit* (University of Oklahoma Press, 2014), 5; Epps, *Slavery on the Periphery*, 172.

⁹⁹ Bruce, "The New Man," 107-110.

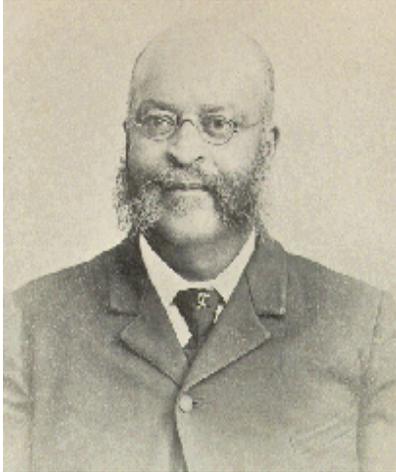


Fig. 15. Henry Clay Bruce. Photograph courtesy of University of North Carolina, *Documenting the American South*, accessed May 20, 2019.

Missourians feared there might be no end to the internecine violence. Inaction on the part of the military and the administration caused some to cry for help. On July 24, 1864, Missouri Provost Marshal General James Broadhead detailed the extent of the problems plaguing the state in a letter to U.S. Attorney General Edward Bates, previously a Missouri statesman. “I speak the truth when I say that the condition of Missouri is worse today than it ever has been,” Broadhead exclaimed, pointing to several glaring issues, a few of which included “the burning of towns, the murdering of people, the destruction of property by guerrillas and soldiers.” Lamenting the inability of the military to stop this violence, Broadhead criticized the actions of state military officials, primarily General Rosecrans, who had been appointed as commander of the Department of Missouri in January, and who, in Broadhead’s opinion, seemed ill-equipped to perform the task at hand. Broadhead fumed as he addressed the hypocrisy of the military administration’s insistence on civilians rising up to defend themselves against these fiends while upholding the order prohibiting civilians from possessing firearms. Even Unionist civilians who formed militant self-defense organizations, known as “Loyal Leagues,” also turned extremely exclusionary and violent towards non-members, adding to the complexity of the situation. If

Rosecrans could not end the violence, should Missouri “be left to the demon of desolation?” Broadhead asked. Would the administration “leave him here to cower before the wolves of anarchy . . . ?”¹⁰⁰

Disillusionment drove some Unionists to give up the fight completely. Many lost faith in the Union war effort as a direct result of the manner in which radical soldier’s fought the war in Little Dixie. Federal methods caused some to switch allegiance, or at least to resist Union forces in various capacities, and drove others to step down from their posts. In August 1864, Brigadier General Odon Guitar penned his letter of resignation, outlining three reasons behind his choice. His third reason explained his disagreement with the policies pursued in the Department of the Missouri: “the whole tendency and effect of the present policy is to excite opposition to the Government, and to engender distrust and disaffection among its friends.” He disagreed with the policies of the Commanding General and believed the success of the Union cause required “the utmost harmony and accord between the chief and his subordinates.” Guitar also made sure to reiterate his continued loyalty to the federal government and his determination “[t]o reunite and cement more closely the broken bonds of the once ‘Glorious Union,’ to reestablish and Vindicate the majority of an insulted and violated Constitution.” With this statement, Guitar attempted to demonstrate how loyalty did not necessitate agreement with military policies and tactics, as many radical Unionists tried to contend.¹⁰¹

By the fall of 1864, Unionists were able to reconcile some of their differences, enough, at least, to secure the majority of votes in favor of re-electing Lincoln as president. According to historian William Harris, Missouri election results produced the largest percentage of votes for

¹⁰⁰ James Broadhead to Edward Bates, July 24, 1864, James Overton Broadhead Papers (A118), Civil War Manuscripts Collection, Missouri Historical Society Archives, St. Louis.

¹⁰¹ Odon Guitar to O.D. Greene, August 18, 1864, Odon Guitar Collection (C0882), State Historical Society of Missouri, Columbia.

Lincoln in a border state; interestingly, however, 52,000 fewer men voted in 1864 than had voted in 1860.¹⁰² Thomas Fletcher won the election for Missouri governor, taking office in January 1865. Nearly ten days later, the Missouri state constitutional convention passed an ordinance abolishing slavery and approved the Thirteenth Amendment, making it the first state to support nationwide emancipation. The convention created a new state constitution, also known as the “Drake Constitution,” ratified in April 1865, that abolished slavery in Missouri, disenfranchised former Confederates, and required all public officials to take the “Ironclad Oath” promising loyalty to the Union.¹⁰³

Like some officials in Missouri, Abraham Lincoln believed the people of Missouri held the peace of the state within their grasp. In a letter to the new governor of Missouri, Thomas C. Fletcher, in February of 1865, Lincoln insisted the solution to Missouri’s problems lie with the people themselves: “It cannot but be that every man, not naturally a robber or cut-throat, would gladly put an end to this state of things.” Thus, he believed that the people needed to come together in the best interest of the community to “pledge each to cease harassing others and to make common cause against whomever persists in making, aiding or encouraging further disturbance” and that if each man could relinquish his “apprehension” and “mischievous distrust,” Missourians could unite together to eradicate common criminals.¹⁰⁴

¹⁰² Harris, *Lincoln and the Border States*, 343-346. Lincoln received 71,676 votes to McClellan’s 31,626. Richard Orr Curry, *Radicalism, Racism, and Party Realignment; The Border States during Reconstruction* (Baltimore: Johns Hopkins Press, 1969), 6. According to Curry, Little Dixie provided the primary source of support for the Democrats in Missouri. He mentions fifteen counties along the Missouri River but does not denote which counties. He further claimed, “These counties remained consistently Conservative, or Democratic, throughout the postwar era. Their solidarity attributed to a large Negro population or a high per capita value of real and personal property, or both.”

¹⁰³ Harris, *Lincoln and the Border States*, 348; Curry, *Radicalism, Racism, and Party Realignment*, 7. The Supreme Court nullified the “Ironclad Oath” in 1867.

¹⁰⁴ Roy P. Basler, ed., *Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick, N.J.: Rutgers University Press, 1953-1955), 8:308.

Governor Fletcher disagreed. He believed the bad men in Missouri could not be enticed by any proposition and the good men would not want to make any agreement with them. The citizens of Missouri had been laboring for years to destroy the “robbers” and “cut throats” Lincoln referenced, but to no avail. “An agreement to leave ‘all others alone’ would be kept by the good, and only result in advantages to the men who can neither be bound by oaths nor agreements,” Fletcher claimed. The only way forward, Fletcher insisted, was “to assert by force the supremacy of the law”; loyal, law-abiding men would only feel safe to lay down their guns and their grudges after the guerrillas “unconditional submission to the authority of the law.”¹⁰⁵

Over the course of the war, citizens and soldiers across Missouri tried each solution presented by Lincoln and Fletcher; neither worked. Out of frustration, many federal and state military forces, desperate to eradicate rebels and end the war, waged a hard and destructive war against Missouri citizens and the institution of slavery, enflaming the already chaotic and complex situation initiated by guerrillas. Even the mere presence of what some believed to be a coercive and tyrannical military force struck fear into the hearts of independent westerners. The burden to re-establish law and order largely fell on local citizens, who acquired arms, assembled for the defense of their homes and communities, petitioned their government officials, and formed Loyal Leagues in a final attempt to take matters into their own hands and take back control. Yet, nothing seemed to work; little could temper the swell of anarchy. Even after the Civil War ended, some former guerrillas carried on their exploits, robbing, terrorizing, and all out defying state and local authorities. It appeared that there were few limits to the destruction of Missouri irregulars, continuing their fight for independence and infamy on the edges of civilization. The absence of discipline and structure in Missouri’s prolonged guerrilla war was

¹⁰⁵ Basler, ed., *Collected Works of Abraham Lincoln*, 8:319-320.

indicative of the people of the frontier, a people struggling with the dueling desires of freedom and security, an innate struggle endemic within citizens of a democratic nation.

CHAPTER THREE

“Home was no longer a safe asylum, a sacred place”

Everything that gave ‘home’ its meaning has been polluted and destroyed . . . and the quiet, unoffending man whose only crime was that he would not take up arms against the government . . . has been compelled to turn his back on home, field, cattle, and all his property, and leaving behind him all the hopes and the associations of home, to march to the wail of children calling for shelter, and the complaints of wife and children for food, toward the regions of loyalty and liberty . . . He finds himself houseless, homeless and friendless in our streets, with no means of giving the helpless ones dependent on him even the bread to keep body and soul together.¹

--*St. Louis Missouri Democrat, February 11, 1862*

Martha Horne stood in front of her barn toe-to-toe with a man she later described as a low-ranking officer, the loyalties of whom she did not divulge. Most likely he was a Union soldier, since Martha had just scared off “a boy who wore the blue uniform” by speaking “imperiously” to him, demanding he “throw back all the corn he had pitched out” of her barn. Loyalties, however, did not occupy Mrs. Horne at the moment. She was more concerned with this man’s motives. He was now demanding she unlock the barn door so he could confiscate her food supply. Martha vehemently refused. When he picked up a rock to break the padlock on the door, she lifted an ax over her head, threatening that “if he struck that lock [she] would brain him.” He looked her directly in the eye, dropped the rock, and left with the rest of his men. Martha succeeded in deterring the man. Rattled, she sat down and, “womanlike,” had “a good cry.”²

Martha’s brawl with the soldier outside her barn came close to blows but ended safely in a stalemate. The stress and discomfort she felt in the aftermath of the traumatic encounter caused

¹ *St. Louis Missouri Democrat*, February 11, 1862; LeeAnn Whites, “‘A Rebel Though She Be’: Gender and Missouri’s War of the Households” in *Gender Matters: Civil War, Reconstruction and the Making of the New South* (New York: Palgrave Macmillan, 2005), 51.

² Martha F. Horne, “War Experiences” in *Reminiscences of the Women of Missouri* by the United Daughters of the Confederacy, Missouri Division (Jefferson City: Hughs Stephens Print, Co., 1913), 43-44 [hereinafter cited as *Reminiscences*].

her emotions to seethe and provoked her to tears. Her experience was not a normal one for a privileged white woman in the nineteenth century. As the weaker sex, women required the protection of men, who were expected to behave towards them in a gentlemanly manner. In exchange for male protection, women were expected to subordinate themselves to men, deferring to them in all matters. Standing there, ax in hand, and threatening an armed man, Martha felt extremely uncomfortable and even felt her own self-image as a woman challenged. Perhaps, her own aggressive conduct caused her to immediately revert to a behavior customarily regarded as feminine: crying.

Hostile encounters between women and soldiers, like the one described by Martha, occurred often in Little Dixie during the war. Federals increasingly crossed the thresholds of civilian homes throughout the region, bringing them into frequent contact with local women inside the domestic sphere. Strange, armed men invading the privacy of the home, uninvited, engaging with women alone, without the presence of a male chaperone already constituted an extreme violation of nineteenth-century social norms. So, when soldiers began to chastise, provoke, or threaten women or their family members, women began to fight back not only to defend their own honor but also to correct the soldier's offense.

Union occupiers did not take female aggression lightly and eventually categorized certain female behaviors as treasonous, recognizing their capacity as political beings. Federals generally treated women's participation in the irregular war and resistance to Union occupiers as blatant demonstrations of Confederate sympathies. In this chapter, I will examine several encounters between Little Dixie women and Union soldiers taking place in or around the home in order to demonstrate that women were often motivated less by a sense of abstract Confederate nationalism and more by pressing, personal concerns, such as survival, love, honor, and revenge.

This is not to say that women did not hold political opinions. They most certainly did. However, when these women voiced their political sentiments, they rarely expressed blatant devotion to the Confederacy or revulsion toward the United States, instead, as I will argue, they expressed impassioned indignation about the irregular and lawless methods of Union occupiers.

The women and families featured in this chapter came from demographically diverse backgrounds. Out of the 23 total households represented, only eleven owned slaves, for a total of 135 slaves, and only three male patriarchs can be classified as wealthy slave-owners: William B. Sappington, Claiborne Fox Jackson, and George Rodney Jacobs. Claiborne Jackson, alone, owned 48 slaves, or 35 percent of this total. Jackson also owned the most real estate and personal property, with William B. Sappington, his brother-in-law, and George Rodney Jacob trailing close behind. According to the 1860 census, the patriarchs of the 23 households represented engaged in a diverse array of primary occupations, including carpenter, merchant, grocer, carriage maker, school teacher, sheriff, and attorney.³

Domesticity and Domestic Conflict

Antebellum Little Dixie households functioned slightly differently than those in the industrial North or in the plantation South. The majority of Missouri households correlate more closely with the yeoman lifestyle, which is well described by Stephanie McCurry in her study of the South Carolina Low Country, *Masters of Small Worlds*. In the small-scale slaveholding society of Little Dixie, white male heads of household, along with their wives and children, frequently worked in the fields alongside slaves or hired hands out of economic necessity. According to historian Diane Mutti Burke, white masters and black slaves in Missouri worked

³ U.S. census, 1860, accessed January 2018, ancestry.com.

together and developed relationships of “economic and emotional interdependency.”⁴ The entire household was expected to chip in to complete tasks for the welfare of the whole unit.

The ideals of domesticity regarding separate spheres for men and women, customary in the North, held slightly less sway in Little Dixie, yet always remained the standard.⁵ Victorian social customs dictated a separation of spheres along gendered lines in society, advocating women’s place inside the home in the private sphere and men’s place outside the home in the public sphere. Homes were idealized as a “woman’s sphere,” supervised and controlled by white women, a safe place, providing family members “security not only from the world, but also from delusions and errors of every kind.” Women defended the home from the corrupting influences of the outside world and guarded family members “against the excesses of human passions.”⁶

As in the Deep South, society in rural, agrarian-based central Missouri revolved around the “pre-industrial household,” the epicenter of economic production for the family and the community. “The southern home was always more than a place to live,” historian Kimberly Harrison insists, “it was also a place of production.”⁷ Women were primarily responsible for

⁴ Diane Mutti Burke, “Slavery Dies Hard” in *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*, eds. Jonathan Halperin Earle and Diane Mutti Burke (Lawrence: University Press of Kansas, 2013), 152.

⁵ Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (Oxford University Press, 1995); Diane Mutti Burke, *On Slavery’s Border: Missouri’s Small-Slaveholding Households, 1815-1865* (Athens: University of Georgia Press, 2010), 49-51; Kristen Epps, *Slavery on the Periphery: The Kansas-Missouri Border in the Antebellum and Civil War Eras* (University of Georgia Press, 2016); Victoria E. Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South* (University of North Carolina Press, 1992), 7-9.

⁶ Barbara Welter, “The Cult of True Womanhood, 1820-1860” *American Quarterly*, 18:2 Part I (Summer, 1966): 162.

⁷ Kimberly Harrison, *The Rhetoric of Rebel Women: Civil War Diaries and Confederate Persuasion* (Carbondale: Southern Illinois University Press, 2013), 28-29 [quotation]; Burke, *On Slavery’s Border*, 54-55; Joseph M. Beilein, Jr., “‘The presence of these families is the cause of the presence there of the guerrillas’: The Influence of Little Dixie Households on the Civil War in Missouri” (M.A. Thesis, University of Missouri, 2006), 4, 12; Laura F. Edwards, *Scarlett Doesn’t Live Here Anymore: Southern Women in the Civil War Era* (Urbana: University of Illinois Press, 2000), 3-4; Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988), 37-99; Bynum, *Unruly Women*, 60. Victoria Bynum describes nineteenth-century society as extremely paternalistic. Property-owning white men held sway over

running the household by performing daily tasks, such as cooking, cleaning, and clothing production. In homes where slaves performed many of the domestic duties, white mistresses supervised and supplemented slave labor. Men owned the home, the land, and the property and lorded over all of the members of the household community, who were expected to remain dependent on and subservient to the patriarch. The labor of white women and slaves afforded men the freedom and independence to participate in the public sphere, where they represented the family in business and politics.

In times of war, American women traditionally mobilized the household to support the war effort. Women served in various capacities during the Revolutionary War, acting “in an institutional context” by serving “as cooks, washer women, laundresses, private nurses, and renters of houses or of rooms.” These efforts initiated a debate about the nature of female patriotism but “did not seriously challenge the traditional definition of the women’s domestic domain.”⁸

On the eve of the Civil War, Americans believed strongly in women’s apolitical and nonpartisan nature. The common conception was that women lacked free will, and thus, could not hold their own political views. Only white male heads of household as the primary property owners, voters, and office holders held the prerogative to possess political opinions or participate in politics. Women, on the other hand, were seen as extensions of their male counterparts and were expected to embrace the political ideology of their husbands or fathers. Americans also

most aspects of society. Women, once married, experienced a “legal submersion” of their identity under that of her husband; according to the law, husband and wife merged into one unit and the husband became the official representative, responsible for the home, the children, and the behavior of his wife, which he could legally control by physical force.

⁸ Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (The University of North Carolina Press, 1980), 73-74; Mary Beth Norton, *Liberty’s Daughters: The Revolutionary Experience of American Women, 1750-1800* (Ithaca: Cornell University Press, 1980).

held a deep-seated reluctance to “see women as parties to war” and expected women to remain safely within the home and away from harm. They were not to participate in conflicts with male combatants in any way or suffer abuse or punishment from the enemy, which provided women with a significant amount of confidence in their future safety as the war approached. When men left their family to fight, they felt comforted that women and children would be spared in their absence.⁹

Little Dixie men began agitating and mobilizing to defend the state in the spring of 1861 as martial fervor and excitement hit their zenith. With the first whispers of war, men across Missouri gathered together in town squares to listen to the stump speeches of the most prominent men, assembled in town hall meetings to discuss a plan of action, and amassed to drill in local militia units. While the siren song of war seduced some Little Dixie men, others who held more conservative political views decided to stay at home, hoping to remain neutral and avoid a war between two foes whom they found equally alarming. These men viewed both Unionists and Confederates as fanatics and detested the fact that fellow Americans were resorting to war with one another. James S. Rollins adequately expressed the sentiments of this portion of Little Dixie society: “It is a disgrace and a scandal to the age in which we live, that in our government, the purest and most enlightened on earth, political questions have to be settled by the arbitrament of the sword . . . in order to gratify the malice or the ambition of a few disappointed demagogues.”¹⁰

⁹ Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (President and Fellows of Harvard College, 2010), 85-86; Kerber, *Women of the Republic*, 9. The American ideology of women as nonpartisan and apolitical also existed before and during the American Revolution. However, as Linda Kerber explains, this prevailing ideology faced serious challenges during the Revolutionary war, as Americans began to ask the question of “whether a woman could be a patriot—that is, an essentially political person—and it also raised the question of what form female patriotism might take.”

¹⁰ *Columbia Missouri Statesman*, May 31, 1861.

Demagogues appealed to the martial spirit of men by characterizing the war in Missouri as a defensive one and motivated men to volunteer by emphasizing the federal threat to Missouri families. In June 1861, with the passage of a state Military Bill, pro-secession Governor Claiborne Jackson called on Missourians to assemble in Home Guard units for the defense of the state against a federal “invasion.” Jackson issued a proclamation to the people of Missouri, published in newspapers across the state, that demanded they rise up together and “drive out the invaders who have dared to desecrate the soil which your labors have made fruitful, and which is consecrated by your homes!” Jackson saw the protection of “homes and firesides” against the inroads of the federal government, by force, if necessary, as the primary duty of honorable men.¹¹

Governor Jackson’s call for Missouri men to protect their “homes and firesides” appealed to the central male obligation in times of war. Nineteenth-century American males understood the performance of temporary, voluntary military service as their sacred patriotic duty, an obligation necessary for defending and preserving their liberties. But American social custom also designated white men as the protectors of the home and family. Women folk, who, branded as the weaker sex, stood helpless in wartime; and it was this custom, in particular, that fueled Missouri men’s impulse to fight.¹²

Many Little Dixie women responded to the martial stirrings of their men, as they had in previous wars, with moral support, sanctified by symbolic gestures and public ceremonies. By May 1861, nearly one hundred men had amassed together to form the Jackson Guard in Saline County. On May 13, citizens came together for a parade celebrating the company’s departure to

¹¹ *Marshall Democrat*, June 19, 1861.

¹² McCurry, *Confederate Reckoning*, 94; Andrew F. Lang, *In the Wake of War: Military Occupation, Emancipation, and Civil War America* (Baton Rouge: Louisiana State University Press, 2017), 3.

join other state forces in defense of Missouri against what they viewed as federal tyranny. Saline County women presented the Guard with a handmade unit flag, along with their expression of hope that it “may be to you in the hour of trial and of battle an evidence of the interest that will be manifested by the ladies of your county in the glorious cause you have so nobly espoused.” In response, Lucius J. Gaines, the company’s first lieutenant, made explicitly clear the connection between the male impulse to fight and the female need for protection when he assured the ladies “[i]t is for you that we fight.” In honor of this sacred duty, Gaines promised never to let the flag “trail in disgrace.”¹³ Ironically, in order to protect their families, men left them alone and vulnerable as they marched off to the field of battle.

The Guerrilla Supply Line

Confederate guerrillas’ reliance on the vital resources produced by the pre-industrial households of Little Dixie initiated a shift in the war away from the battlefield and into the domestic sphere. Bushwhackers disrupted the traditional boundaries between public and private spaces in war. Homes became supply depots for guerrillas and women became the primary suppliers, and thus, active participants in the war, dramatically altering the nature of warfare and the traditional role of women and the home in times of war.

¹³ William B. Napton, *Past and Present of Saline County Missouri* (Indianapolis: B.F. Bowen & Company, Publishers, 1910), 148-150; *History of Saline County, Missouri* (1881; reprint, Marshall, Mo.: Marshall Commemorative Sesquicentennial Book Committee, 1967), 276; Rebekah Weber Bowen, “The Changing Role of Protection on the Border: Gender and the Civil War in Saline County” in *Women in Missouri History: in Search of Power and Influence*, eds. LeeAnn Whites, Mary Neth, and Gary R. Kremer (Columbia: University of Missouri Press, 2004), 121-123. The companies that formed in Saline County included the Jackson Guard, named after the Governor, and commanded by John Sappington Marmaduke; the Saline Mounted Rifles, commanded by Thomas W.B. Crews; and a company commanded by Captain William B. Brown. *Marshall Democrat*, June 19, 1861; Albert Castel, *General Sterling Price and the Civil War in the West* (Baton Rouge: Louisiana University Press, 1996), 24-27. These Saline County companies participated in the Battle of Boonville on June 17, 1861. During this battle, Union General Nathaniel Lyon routed Col. Marmaduke’s force of seven hundred men.

Networks of households comprised mostly of individuals directly related to guerrillas helped foster the guerrilla war. Historian Joseph Beilein, Jr. found evidence of a network of Little Dixie households connected by familial and communal relationships actively supporting the irregular war. In *Bushwhackers*, Beilein revealed the existence of two extensive supply networks running through the Little Dixie region, one run by the Fristoe family and another by the Holtzclaw family. These networks consisted of 122 households spanning over 14 counties, containing a total of 884 men, women, and children.¹⁴ The number of individuals involved in these supply chains represents a relatively small percentage of the total population of nearly 200,000 people across these fourteen counties.¹⁵

Female family members played a vital role in these supply lines, which, in actuality, was just a continuation of their antebellum role as the caregivers and helpmates of men. By hand-making provisions, caring for the sick and wounded, and feeding and housing soldiers, women believed they were fulfilling their natural wartime responsibilities, much as their ancestors had done during the Revolutionary War.¹⁶

Irregular fighters relied on handcrafted clothing made by women on the home front, which although a necessity, also represented a labor of love on the part of female family members. Missouri guerrillas embraced a style of dress highly reminiscent of the frontier hunter

¹⁴ Joseph M. Beilein, Jr., *Bushwhackers: Guerrilla Warfare, Manhood, and the Household in Civil War Missouri* (Kent State University Press, 2016), 195-200; Beilein, ““The presence of these families,””13-41; Francis Fristoe Twyman, “Francis Twyman Recalls Battle of Blue Mills Landing,” Clay County Historical Society.

¹⁵ Using the counties designated by Beilein as containing households in the guerilla supply line, I collected county level population data from the 1860 census and then calculated the total population of these 14 counties. He also noted that the two supply lines—Holtzclaw and the Fristoe—contained 884 total individuals. This number represents an extremely small percentage of the total population of these counties. Most likely, more guerrilla households and supply lines existed than Beilein has uncovered but even if we multiply the number of people involved in these networks several times, the number of people involved in systematically aiding guerrillas would not represent a significant portion of the population.

¹⁶ Kerber, *Women of the Republic*, 73-74.

and reflective of two particular tenets of Southern manhood: love and immortality. Women on the home front embroidered colorful flower patterns of various symbolic meanings onto simple frontier-style overshirts as a token of their devotion and as an amulet, of sorts, to protect against death. While the guerrilla shirt reflects the nature of the relationship between bushwhackers and their women on the home front, it also reveals the unique brand of guerrilla masculinity, a hybrid of southern and western mentalities. Thomas Westlake, a guerrilla fighter from Boone County, reminisced about receiving clothing made by his mother and other local women to replace his tattered, “old Confederate uniform.” He lovingly remembered a particular gesture of one of his “sweetest Sweethearts”: she cut a small brass button from her dress and sowed it to the breast of his shirt, which he believed made it “very handsome and attractive.”¹⁷

While some women aided guerrillas out of “relational obligations,” others simply sympathized with the hungry, roaming men and aided them out of a boundless maternal compulsion.¹⁸ James Lewis Lynch wrote of one such encounter in his memoirs, scratched with pencil on brown loose-leaf paper in 1923. Lynch moved to Saline County from Virginia at a young age, but his father eventually established their homestead in Howard County near extended family, of which Sallie Ann Hanna was a member. James lovingly remembers Aunt Sallie in his memoir, and one encounter in particular stuck clearly in his mind. Early in the war, Sallie received a visit from local guerrilla Captain Cliff Holtzclaw. She did not know him, though, as James recalled, and although “political sentiment and partisan hate were intense at

¹⁷ Joseph M. Beilein, Jr. “The Guerrilla Shirt: A Labor of Love and the Style of Rebellion in Civil War Missouri” in *Bleeding Kansas, Bleeding Missouri: The Long Civil War on the Border*, eds. Jonathan Halperin Earle and Diane Mutti Burke (University of Kansas Press, 2013); Watson-Westlake Family Papers (C0186), Western Historical Manuscript Collection, The State Historical Society of Missouri, Columbia.

¹⁸ LeeAnn Whites, “‘Corresponding with the Enemy’: Mobilizing the Relational Field of Battle in St. Louis” in *Occupied Women: Gender, Military Occupation, and the American Civil War*, eds. LeeAnn Whites and Alecia P. Long (Baton Rouge: Louisiana State University Press, 2009), 106.

that time,” Sallie “never hesitated to feed and comfort all hungry comers.” While Holtzclaw remained outside mounted on his horse, Sallie brought out “good coffee, milk, meat, bread, pie and cake.” Sallie aided the man in need regardless of his identity because “[h]e was some mother’s child begging for food.” For Sallie, as for other women across Little Dixie, a desire to aid men in need stemmed from convention mixed with an innate motherly instinct.

Federal occupiers in Missouri began to recognize the vital role women and the familial supply line played in sustaining bushwhackers as early as December 1861. As mentioned in Chapter 2, Brigadier General Henry W. Halleck, newly appointed commander of the Department of Missouri, issued General Order No. 13 in December 1861. Just as he took a hard line against guerrillas in the order, Halleck also presented a more nuanced definition of the term *traitor* that diverged from traditional military precedent.¹⁹ Halleck insisted, “the laws of war make no distinction of sex” in regard to the traitor. Now, women caught giving “Aid and Comfort” to an enemy of the United States fell under the constitutional definition of a traitor and could be arrested and tried as such.²⁰

Going forward, Union occupiers classified the aid women provided to bushwhackers as treasonous and routinely arrested, confined, and prosecuted them by military commission. If convicted, they faced prison time or banishment from the state. Mary, Sue, and Bettie Jackson faced just such a prospect as they sat on trial in the summer of 1863 for feeding bushwhackers. The arresting officer, Lieutenant William D. Blair, of the 4th Calvary M.S.M., testified to the

¹⁹ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995), 38. Treason is the only crime specified in the U.S. Constitution. Treason is defined as “levying war” against the United States or “adhering to their Enemies, giving them Aid and Comfort.” A conviction for treason requires two witnesses or a confession.

²⁰ *War of the Rebellion: Official Records of the Union and Confederate Armies* (70 vols. in 128; Washington, D.C.: Government Printing Office, 1880-1901), series I, vol. 8, p. 405-406. [hereinafter cited as *OR*; All references to Series I unless otherwise noted.]

fact that “a colored woman” stopped him and informed him that a band of bushwhackers had been “fed in the woods by the Jackson women.” Blair claimed that Mary had admitted to him that she had preferred to feed the men in the woods rather than in her home and that she sent her daughters to feed them. Furthermore, he reported the women were proud of aiding the bushwhackers, claiming Sue had stated that if the Union soldiers “had not taken their arms she could fight for [the guerrillas] too because the Lieutenant had insulted her.”²¹

While these women apparently admitted their guilt and demonstrated their pride in aiding the bushwhackers to Blair at the time of their arrest, the women changed their tune at their court-martial, insisting they were forced to feed the bushwhackers. Mary’s written defense asserted that she “ordered him off from her premises but was forced by them to prepare their dinner.” A few men testified they remembered Mary saying similar things at the time of her arrest. Union officials at the trial struggled to decipher the veracity of the testimony of Mary and the male witnesses. Many times women lied about their willingness to aid visiting guerrilla soldiers in order to escape immediate harm or punishment, a tactic recognized by historians as a useful deflective strategy and “survival mechanism.” In fact, one scholar described this strategy as a “woman’s replication of the experience of the defiant guerrilla in the bush who became the supplicating guerrilla captive.”²²

Women also played on the traditional privileges associated with their nonpartisan status in order to avoid punishment. Lt. Blair testified that Bettie Jackson claimed she would continue to feed bushwhackers in the future if given the opportunity. However, in her defense statement,

²¹ Thomas Lowry, *Confederate Heroines: 120 Southern Women Convicted by Union Military Justice* (Louisiana State University Press, 2006), 18; Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri during the Civil War* (Oxford University Press, 1989), 195-196.

²² Lowry, *Confederate Heroines*, 18; Fellman, *Inside War*, 195-196 [quotation].

Bettie countered this accusation by feigning ignorance and playing up the traditionally nonpartisan and apolitical status of women, saying, “with reference to uttering disloyal sentiments, her being a lady and unaccustomed to being held responsible for anything she might say, she really did not know what was loyal or disloyal.” In their efforts to escape punishment, women believed they would always be able to rely on their womanhood as a last resort for defense. A “retreat into helpless, apolitical womanhood,” while a successful strategy for some, ultimately failed for Bettie, who was convicted of her crime.²³ The Jackson women surely aided this band of bushwhackers willingly, since the leader of the band that came to her home demanding food was William “Bill” Jackson, Mary’s nephew and her daughter’s cousin.²⁴

In desperate situations, women tried to rely on antebellum notions, appealing to men for protection or feigning ignorance of politics, but found many of those notions were being radically overturned. Once Union authorities deemed women performing their traditional domestic duties a threat and considered them capable of committing the political act of treason, women became partisans of war and political beings, on par with men. In fact, according to historian Victoria Bynum, “[i]ronically, the very duties ascribed to nineteenth-century women—nurturance of family and maintenance of hearth and home—lent the greatest force to women’s

²³ Lowry, *Confederate Heroines*, 19, 180; Fellman, *Inside War*, 196, 298. Women convicted of aiding bushwhackers faced either imprisonment or exile from the state of Missouri. Union officials convicted the Jackson women for aiding bushwhackers and banished them from the state; however, the commander of the district, Union General John M. Schofield, later suspended the sentence “until further orders;” yet, no further orders exist and Schofield provided no explanation for his actions. Historian Thomas Lowry calculated the frequency of convictions in Missouri for crimes of treason and found that the state had the highest rate of all the states in convictions for wire cutting, harboring/feeding bushwhackers, corresponding with the enemy, and helping Confederate prisoners to escape.

²⁴ Lowry, *Confederate Heroines*, 18; Fellman, *Inside War*, 196-197; Larry Wood, *Bushwhacker Belles: The Sisters, Wives, and Girlfriends of the Missouri Guerrillas* (Pelican, 2016), 33-40. Lowry concludes that Mary Jackson was the wife of William “Bill” Sappington Jackson, the guerrilla. Larry Wood in his book *Bushwhacker Belles* contests Lowry’s claim due to census records indicating otherwise. He further states, “three Jackson women who were unrelated to Bill Jackson.” However, in my census search, I was able to find that William Sappington Jackson was the son of C.F. Jackson, who was the brother of Thomas Jackson, the husband of Mary. Therefore, Mary most likely willingly aided the guerrilla band because the leader was her nephew and her daughters’ cousin.

exhibition of ‘manly’ behavior.”²⁵ Women no longer fit neatly within the boundaries of proscribed female behavior, leading some observers to characterize these women as “unruly” and masculine, diminishing soldier’s impulse to protect them.

Confiscation and Destruction of Property

Union soldiers lived off of the land from the moment they first arrived in Little Dixie in the summer of 1861. Initially, soldiers relied on the hospitality of locals for their sustenance. After Private James Love, Company D, 5th Regiment Missouri Infantry, disembarked the steamer *January* at Boonville, he traveled with his regiment on foot to the city of Lexington. In a letter to his wife written on July 15, Love described how he and 280 other soldiers, hungry from their travels and lacking sufficient food and supplies, received warm meals from the Unionists in the countryside surrounding the city. In one instance, Love described his hostess, whom he called “The Old Lady Mrs. White,” as “the very essence of old Virginia,” offering an “old fashioned kind of hospitality,” in which “the very essence of comfort lies in stuffing you with good eating and drinking.” Despite having to prepare dinner for an inordinate number of men, Mrs. White seemed to revel in the responsibility.²⁶

In the same letter, Love reported that while Unionist citizens willingly, even lovingly, provided soldiers with a warm meal, secessionists greeted them with “closed doors & sour looks.” Love also mentioned finding munitions left behind by Price and his men in the wake of their defeat at Boonville and secreted in barns and buried underground on the property of local

²⁵ Bynum, *Unruly Women*, 132.

²⁶ *My Dear Molly: The Civil War Letters of Captain James Love*, ed. M.E. Kodner (St. Louis: Missouri History Museum Press, 2015), 36.

citizens.²⁷ In fact, the same day Love ate at Mrs. Whites', he and his comrades hauled back "4 Wagon Loads (ox teams) powder besides Shot, Shell, Haversacks, Cartridge boxes, Cannon one or two & Artillery Carriages, also three Contraband darkies." The slaves informed the troops of the location of the munitions and then followed them back to Lexington, where the soldiers turned them over to the mayor. The slaves were returned to their masters, who promptly shot them for informing the troops. Over the next several days, Love embarked on a mission to scour the countryside in search of more concealed "munitions of war." While stationed at Waverly, Love noted that these munitions "hid by rebels" were so copious "that all our companies were busy digging & searching houses & carrying home the contraband up till after dark," and he expected they would be preoccupied for several days. Love voiced some discomfort with his new responsibilities: "If people are polite & assist it makes you feel ashamed almost."²⁸

Despite soldiers' discomfort, the searches of homes and seizures of property continued unabated throughout the summer of 1861. Even avowed Unionists experienced federal intrusions. In late July, an article entitled "Outrages by Federal Troops" appeared in the *Columbia Missouri Statesman*, a rather conservative Unionist organ. The article reported federal troops had descended on the home of W.B. Yeates in a "pretended search for articles contraband of war," broke open Mrs. Yeates' trunk searching for jewelry, and ultimately, stole guns, horses,

²⁷ W.H. Woodson, *History of Clay County Missouri* (Topeka: Historical Publishing Company, 1920), 123-124. Many more munitions of war were stolen from the Liberty Arsenal in April 1861 and hidden among the population. After Fort Sumter in early April 1861, Missouri Governor Claiborne Fox Jackson began to make many preparations to hold and defend the state for the Confederacy. One of his initiatives involved seizing all of the federal arsenals in Missouri for the use of pro-secession state forces. Apparently unknown to the governor, a group of citizens from Jackson, Buchanan, and Clay Counties took it upon themselves to raid the nearby arsenal at Liberty, Missouri. During the raid, "Everything that could be used in the way of cannon, small arms of every description, powder, etc., was carried away and subsequently distributed and used by companies in the Missouri State Guard and in the Confederate army" but "Large amounts of the powder was hidden in various parts of the county, in hay stacks and hay lofts."

²⁸ *My Dear Molly*, 28, 31-32.

and a saddle. A letter written by W.B. Yeates seeking to clarify the account appeared in the newspaper's next issue. Yeates claimed the troops left his home in a bad condition but not much of value was taken or destroyed. But what perturbed Yeates the most was "to think that our once beloved government had got so low down as even to have to take horses from private citizens without compensation; and to think my house had been robbed in the name and by the authority of the U. States."²⁹

Unfortunately for "peaceable" citizens like Yeates, Union soldiers pursued searches, seizures, and confiscations, with little regard for loyalties; and this practice only became worse when General John C. Fremont, Union commander of Missouri, made the confiscation of rebel property a prime directive of federal counterinsurgency policy in the state in his infamous proclamation in August 1861. Fremont recognized the delicate nature of confiscating civilian property in a democracy, which he demonstrated by specifying that only the property of persons who "take up arms" or have "taken an active part" in the rebellion could be confiscated.³⁰ The proclamation essentially gave Union officers and soldiers on the ground free reign to confiscate or destroy property from anyone they personally deemed a traitor without proof of disloyalty.

Affluent Little Dixians, especially those who owned slaves, often attracted the attention of federal occupiers, who suspected all wealthy, white masters of being rebels, or at least rebel sympathizers.³¹ Rather than rely on the voluntary hospitality of local families, Union troops now

²⁹ "Outrages by Federal Troops," *Columbia Statesman*, July 26, 1861; "Letter to the Editor from W.B. Yeates," *Columbia Statesman*, August 2, 1861.

³⁰ *OR*, series I, vol. 3, p. 466-467. Before Fremont's proclamation, Congress passed the Confiscation Act of 1861, signed by Lincoln on August 6, 1861, proclaiming "any property of whatever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found." It is important to note, however, that a slave could not be confiscated just because the owner was deemed disloyal.

deliberately sought out prominent slaveholding families across Little Dixie, some of whom were also related to prominent Confederate officials or notorious guerrillas. The homesteads of the Jackson and Sappington families in Saline County received more attention than others from occupiers. In December 1861, troops in a scouting party from Sedalia under the command of Union Major G.C. Marshall of Company D, 2nd Missouri Cavalry deliberately sought out the residences of William T. Gilliam and Claiborne Fox Jackson, the pro-Confederate exiled governor of Missouri, as ideal locations to set up camp. At Jackson's home, Marshall reported Union soldiers had "raised the Stars and Stripes over the traitor's house."³²

The Sappington's lived close to Claiborne Jackson, their brother-in-law, in a two-story red brick Greek revival estate near Arrow Rock, named Prairie Park. William Breathitt Sappington was the son of John Sappington, a prominent physician who also lived in the area, famed for creating the quinine pill to treat malaria. Claiborne F. Jackson married three of William's sisters, Jane, Louisa, and Eliza, within the span of ten years; both Jane and Louisa died at a young age. William Sappington Jackson, one of Claiborne's sons, became a local Confederate guerrilla captain during the war. Union troops often assumed familial ties with prominent rebels indicated knowledge of their whereabouts, and they attempted to extract information from any guerrilla relatives in their district. Federal soldiers began dropping in on William Sappington and his wife, Mary, at Prairie Park, searching for information regarding William Jackson's whereabouts. After continual pleas from Sappington, who denied any knowledge of his nephew's whereabouts, the men then resorted to a useful technique commonly

³¹ Christopher Phillips, "A Question of Power Not One of Law" in *Bleeding Kansas, Bleeding Missouri*, 135. According to Phillips, "Federals evinced distrust, even disdain, for the mass of residents, and singled out slaveholders in particular."

³² *OR*, series I, vol. 8, p. 35.

used during the war for extracting information: they strung a rope around the nearest tree branch and hanged William by the neck. ³³

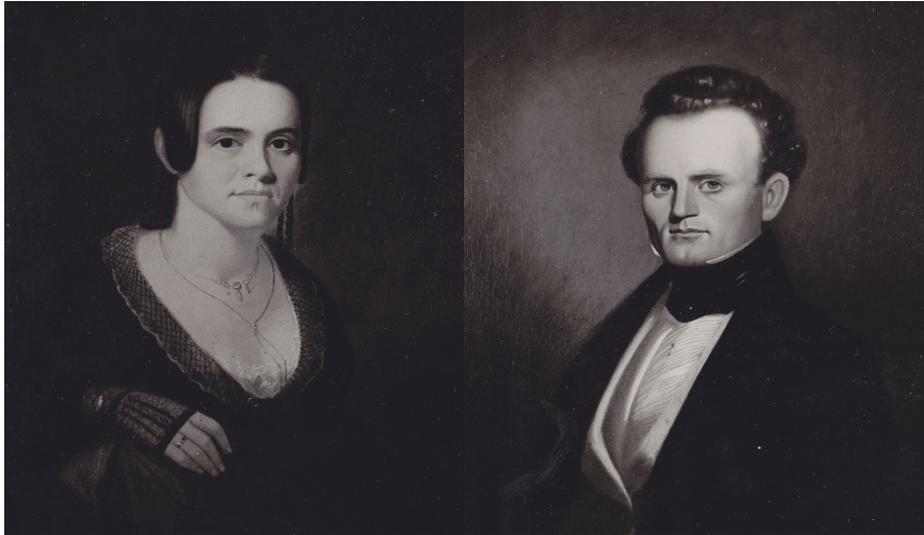


Fig. 16. Portraits of William Breathitt and Mary Mildred Breathitt Sappington. Image courtesy of Friends of Arrow Rock, Arrow Rock Historical Archive, accessed May 21, 2019.



Fig. 17. Prairie Park Estate, home of William and Mary Sappington in Arrow Rock, Missouri. This photo was obtained from The Village of Arrow Rock (website), accessed April 1, 2012 <http://www.arrowrock.org/drivingtour.php>.

³³ Weber, “‘It is for you that we fight’: Gender and the Civil War in Saline County, Missouri” (M.A. thesis, University of Missouri, 2000), 105; Michael Dickey, “Saline County, Missouri, and the Civil War” on Arrow Rock State Historic Site (website), accessed June 2017, <http://friendsofarrowrock.org/wp-content/uploads/2013/09/civilwarsarline.pdf>. Sappington Family history presented to the Friends of Arrow Rock, Inc.; William Sappington initially joined the Confederate army in 1861 but quickly resigned his commission in order to form his own unit of irregulars known as the Saline Jackson Guards.

William Sappington survived the hanging and subsequently fled Prairie Park in 1861, leaving his wife behind to maintain the homestead. Union soldiers continued to plague Mary in her husband's absence. In a letter to William, dated September 1864, she described an encounter in which sixty-five federals descended on their home, demanded dinner, and afterward, camped in a neighbor's yard.³⁴ William expressed his concerns for her safety living among both Union troops and guerrillas. During his absence, William expressed his hope that she had not been "disturbed or interfered with" by the Union army and that the troops had "behaved with prudence." On the other hand, he hoped the guerrillas had left the county so that "peace and quiet may be so restored" and "that all may soon be able to come home."³⁵

William worried about Mary, but he felt a relative degree of comfort leaving her behind knowing she would more than likely be spared physical harm. Indeed, women in Little Dixie very rarely experienced physical violence, since men on both sides wrestled constantly with dueling desires, struggling to cling tightly to their role as protectors and to the custom of sparing women from the ravages of war. Evidence demonstrates that the male reluctance to "war on women" meant that women were "tormented, arrested, and sent into exile" at the most, limitations that prevented the conflict from descending into total war.³⁶ Little Dixians rarely, if

³⁴ Letter from William B. Sappington to Mary Sappington, September 16, 1864, Sappington Family Papers, WUNP4954, Western Historical Manuscript Collection, State Historical Society of Missouri, Columbia.

³⁵ Clay Mountcastle, *Punitive War: Confederate Guerrillas and Union Reprisals* (University Press of Kansas, 2009), 27; Fellman, *Inside War*, 195; Letter dated October 29, 1864, Sappington Family Papers, Western Historical Manuscript Collection, State Historical Society of Missouri, Columbia.

³⁶ Fellman, *Inside War*, 201; Mark E. Neely, Jr., *The Civil War and the Limits of Destruction* (Harvard University Press, 2007), 219. Mark Neely linked the limits of the war's destructiveness to race, claiming, "The central restraining force on the destructive abilities of Civil War soldiers was their visceral perceptions of racial identity." Neely reaches this conclusion based on a comparison of Union soldier's treatment of Native American peoples and their treatment of whites in the South, arguing that soldier's treated Natives more brutally because of cultural beliefs about Native barbarity and this played a crucial role in shaping their approach to warfare in the West.

ever, mentioned occurrences of rape. However, recent historians have begun to challenge the prevailing conception of the Civil War as a “low-rape” conflict, insisting that a silence in the record does not mean rape was nonexistent. Rather, it more likely meant that the embarrassment and fear surrounding what they believed to be the most shameful violation of female honor caused many to forego reporting or discussing instances of rape.³⁷

Women who escaped physical harm sometimes endured symbolic attacks as enraged men destroyed their personal possessions, specifically objects associated with femininity and domesticity. An example of this occurred in Lafayette County in February of 1862 at the home of Willard Hall Mendenhall, a man who chose to remain neutral despite holding southern sympathies. After arriving home from a funeral with his wife, Mollie, Willard answered a pounding at his front door. Jayhawkers entered and demanded, “in a very boisterous manner,” all of Willard’s “guns and revolvers” and accused him of being a “secession capt.” and army recruiter. Willard denied the charges and insisted he did not possess any guns. Dissatisfied, the men searched the house. One soldier went upstairs and barged into Mollie’s room “while she was dressing” and “went straight to the bed threw the clothes down, then went to the wardrobe and drawers and threw the things about.”³⁸

³⁷ E. Susan Barber and Charles F. Ritter, “Physical Abuse . . . and Rough Handling” in *Occupied Women*, 50-51; Crystal N. Feimster, “General Benjamin Butler and The Threat of Sexual Violence during the American Civil War,” *Daedalus*, 138:2 (Spring 2009): 127. Early historians assumed the lack of evidence of rape corresponded to the absence of the act altogether. However, recent historians have begun to challenge this conception. In their essay, Barber and Ritter challenge the “low-rape” conception of the Civil War by arguing instead for the prevalence of accusations as well as prosecutions for rape. Historian Crystal Feimster argues that women’s shame in regard to experiencing rape caused these acts to go underreported, especially among elite white women who “considered sexual assault a fate worse than death.” In my research, I have not come across any accounts of rape in Little Dixie.

³⁸ Willard Hall Mendenhall and Margaret Mendenhall Frazier, *Missouri Ordeal, 1862-1864; Diaries of Willard Hall Mendenhall* (Newhall, California: C. Boyer, 1985), 24.

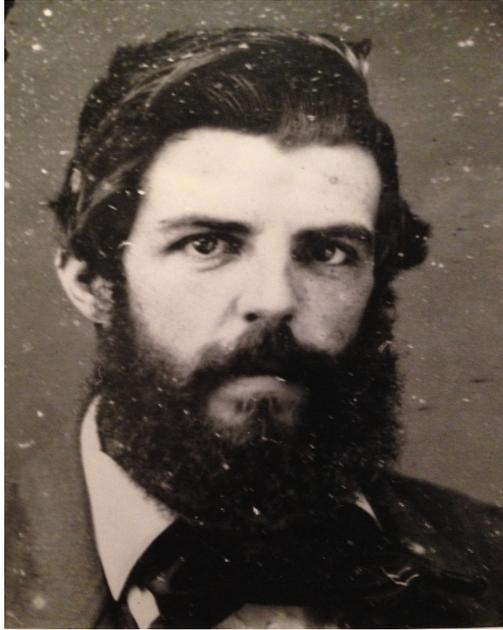


Fig. 18. Photograph of Willard Hall Mendenhall. Image courtesy of the Battle of Lexington State Historic Site.

By targeting objects that dominated women's lives and their domestic space, such as clothing, sheets, dishes, and most of all, the house itself, soldiers threatened women's security within the home as well as their established order and control over the domestic space. There are numerous examples from across Missouri of such incidences, including soldiers using insulting language, throwing food on the floor, and groping women's bodies, stopping just short of rape. One historian characterizes these actions as a form of "near rape or symbolic rape," claiming "the impulse to rape . . . was projected onto this woman's most intimate objects in place of her body."³⁹

Because males rarely attacked females directly, women found ways to use this to their advantage and covertly conceal vital materials in overtly feminine ways. In the same encounter between the Mendendhall family and Jennison's Jayhawkers, Mollie cleverly thought to hide her

³⁹ Fellman, *Inside War*, 207, 208.

husband's gun, the family's only means of protection against intruders. While the men ransacked the house looking for the cache of guns they so desperately believed Willard was hiding, Mollie hid the gun under a pillow, but upon realizing the precariousness of this hiding spot, she ultimately decided to hide it where no self-respecting man dare look: "she buckeled it under her dress."⁴⁰

Although harassed by Jayhawkers, Willard and his family escaped this encounter with property and home intact. Not all families were so lucky. Just a few weeks earlier, Willard reported hearing of the "horrible deeds" committed by Jennison's Jayhawkers in Jackson County. Miss Nancy Pitcher, a friend of the Mendenhall family, told Willard how her relations "had thare houses burned . . . thare negros, hoarses and everything they had taken from them." The Jayhawkers then went to the home of David Porter where "They stripped the clothes off the bed, stole what they wanted and set fire to the house," all while Porter's daughter lay sick in bed.⁴¹

Destroying the homes of rebels proved to be one of the surest counterinsurgency or retaliatory tactics federals could implement. Burning secessionist homes, or homes suspected of being vital to the guerrilla supply line, deprived Confederate irregulars of necessary resources. However, rogues and Jayhawkers acted on their own accord in the region, burning homes at will. Franklin S. Denny, a member of Company C, 1st Missouri Cavalry, scribbled in his diary while stationed in Independence: "thare has been two or three commands of the Kansas troops here since the troubles broke out, and they are all jayhawkers and house burners; their doings here has done more to injure the union cause than any thing else that has been done here."⁴² On a scout near Westport a few

⁴⁰ Mendenhall, *Missouri Ordeal*, 24.

⁴¹ Mendenhall, *Missouri Ordeal*, 20.

days later, Denny noted seeing a house that had been burned to the ground; only “the Chimney was still standing,” and someone had written on it in bold letters “Union Work.” It proved to be the work of Charles Jennison and his Jayhawkers.⁴³

By the fall of 1862, Union soldiers targeted the homes and property of those suspected of being disloyal more intensely than ever before. In September 1862, Thomas Winfrey wrote to a relative in Wisconsin about the “destresing war” taking place in his community in Carroll County. Winfrey reported an increase in Union foraging and subsistence off of the local “secesh” population to the extent that he believed it made “Rebbels wish they war [sic] union men.” He claimed, “Goverment men is feeding of ov [sic] sesesh” and “make them take the provisions to them I think they will soon eat the Sesesh out of them.”⁴⁴ Union officials encouraged soldiers to forage and confiscate what they needed anticipating their policy would do just what Winfrey suggested: deprive the southern-sympathizing population of all resources necessary to carry out and sustain a guerrilla war and reduce their will to fight.

⁴² Franklin Spilman Denny Papers, March 29, 1862 (R0548), The State Historical Society of Missouri Online.

⁴³ Denny Papers, April 8, 1862.

⁴⁴ Letter from Thomas G. Winfrey, September 1, 1862, Winfrey Family Papers (CA6111), The State Historical Society of Missouri Online.



Fig. 19. Oliver P. Anderson's house in Lexington, Missouri. Battle of Lexington State Historic Site. Image from personal collection of the author.



Fig. 20. Bullet holes in the walls of the Anderson house still remaining today from the Battle of Lexington. Battle of Lexington State Historic Site. Image from personal collection of the author.

Civilians endured impositions and confiscations of every kind but seizure of the home could prove extremely detrimental to a family. The Anderson family of Lexington underwent significant strain during the Civil War. Oliver Anderson's estate served as the very site on which the Battle of Lexington was fought. The house changed hands three times during the battle as soldiers engaged in hand-to-hand combat through the hallways and up and down the stairs,

leaving bullet holes in the walls that are still visible today.⁴⁵ By September of the following year, Oliver, a southern sympathizer, had been arrested for treason and banished, and the house had been confiscated and converted into a Union hospital. Thomas P. Akers, Oliver's son-in-law, wrote Provisional Governor Hamilton R. Gamble for help soon after the Union seized the family home. Akers left Lexington on business early in the war, but he also feared his pre-war involvement in politics made remaining in Missouri especially dangerous.⁴⁶ Akers wanted to remain neutral in the conflict and thought that if he remained in Missouri he would become "engaged on the one side or the other in the stirring drama." While away from his family and his pregnant wife, Kate, Thomas received news of his father-in-law's arrest and his wife's "expulsion from his house in the rain." The next telegraph Thomas received hit him "like a thunder-stroke": Mrs. William Russell, the neighbor who had taken in Kate and her sister, informed Thomas of his wife's miscarriage, which Russell believed had occurred as a direct result of the traumatic recent events. This was the last straw for Thomas, and he asked Gamble for a "permit" to "return to Lexington, to remain there during my wife's illness, to close up my business, and to leave the state."⁴⁷ Even though Thomas had professed neutrality and had even left Missouri temporarily to avoid conflict, the war still managed to devastate his family.

⁴⁵ The Anderson house still stands today and is accessible at the Battle of Lexington State Historic Site in Lexington, Missouri, <https://mostateparks.com/park/battle-lexington-state-historic-site>.

⁴⁶ Letter from Thomas P. Akers to Hamilton Gamble, September 12, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis. Akers notes that he was elected to represent the fourth congressional district in the 34th Congress over C.F. Jackson (pro-secession ex-Governor of Missouri), and he was also one of the electors in the last presidential campaign on the Bell-Everett tickets. Although he did not support Lincoln for president, Akers mentions a letter he wrote to the Evening News in which he said, "The election of Mr. Lincoln will furnish no just cause, nor any cause whatever, for the dissolution of the union," and he proclaimed to have been in favor of compromise.

⁴⁷ Letter from Thomas P. Akers to Hamilton Gamble, September 12, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

Many troops stationed in Little Dixie lacked military discipline and enforced their own personal notions of military policy in regard to the treatment of rebels and their property. In October of 1862, Sabrina Shroyer wrote to the provisional governor accusing Lieutenant Colonel W.A. Wilson of “destroying [her] place without leave or remuneration,” mostly by using her servants, horses, and stock pond.⁴⁸ Shroyer vehemently believed Colonel Wilson was targeting her specifically because he had been “unfriendly” toward her husband, Presley Shroyer, who had been killed by Union militiamen earlier in the war.

As Shroyer’s case indicates, citizens possessed some official means of recourse in circumstances of unlawful or relentless federal intrusions. Women who felt they had been unduly taken advantage of lobbied for aid, writing to Provost Marshals, federal commanders, and even the governor of Missouri to protest the actions of local troops. Sabrina’s first words to Gamble, “the privilege to complain is still ours,” allude to painful feelings of loss in regard to rights and freedoms and knowledge of recourses for acquiring justice.⁴⁹

Part of Shroyer’s letter included an appeal to Gamble’s sensibilities as a man and her need for male protection as a woman, especially as a widow. Sabrina pled with the governor as Wilson’s superior and as “a Gentleman,” beseeching him “to protect [her] from Wilsons tyranny and causeless and useless oppression” by “putting a stop to the Fiends.”⁵⁰ Appealing to any remnants of antebellum gender notions, such as the need for “dependent women to be protected,” could still prove useful for some women.⁵¹

⁴⁸ Letter from Sabrina Shroyer to Hamilton Gamble, October 5, 1862, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Fellman, *Inside War*, 202; William A. Blair, *With Malice Toward Some: Treason and Loyalty in the Civil War Era* (University of North Carolina Press, 2014), 151.

Shroyer's case becomes more complicated when the author of the letter was called into question. Colonel Wilson and several men from the Saline Battalion of Enrolled Militia responded to the accusations by denying the charges. These men went so far as to insist the letter was not written by Mrs. Shroyer but that "some malignant secessionist in this vicinity have used Mrs. Shroyer's name and position expressly to gratify their own personal spleen on Col. Wilson who by his consistent and determined stand for the Government has proven a thorn in their sides."⁵² Whether or not Sabrina wrote the letter, this exchange reveals an awareness of the workings of gender difference and its deployment as a tactic in the war on the home front. Furthermore, this case reveals the difficulty federal officials faced in determining fact from fiction, truth from lies. Either some lone secessionist was attempting to manipulate officials into removing officers on the ground or a commander was lying about his culpability and taking advantage of the local civilian population. How were authorities to know?

Along with munitions of war and personal property, soldiers, especially Kansas Jayhawkers, worked to entice slaves away from their masters. For slave owners, the loss of slave labor could result in a heavy burden. George Rodney Jacob lamented the sudden departure of his slaves for the added workload their absence caused him and his family: "here we are without any aid about the house—no clothes has been washed for five weeks—& up to the present time I have not been able to obtain any assistance."⁵³ Debora Silliman, a woman in her late seventies who suffered from paralysis of the entire left side of her body, complained when a young slave girl, whom the old woman relied on for her personal care, absconded. She appeared to place more blame on the Union soldiers, though, insisting they "never ceased importuning her to go to

⁵² Letter from several prominent Unionists to Brigadier General Ben Loan, no date, Hamilton R. Gamble Papers (A0549), Missouri Historical Society Archives, St. Louis.

⁵³ George R. Jacobs, Account Book, 1853-1877 (C2218), The State Historical Society of Missouri, Columbia.

Kansas.” Debora’s irritation manifested most when she complained about her neighborhood “swarming with runaway slaves,” which she believed was “a great evil,” but she insisted that slaves who attempted to return to their masters had been “refused.”⁵⁴

Liberating blacks may have constituted the epitome of “evil” for white masters, but breaking the chains of bondage equated to the greatest good for many abolitionist soldiers and for all newly freedpeople. Many of the soldiers who helped liberate slaves conceived of it as their Christian duty. On July 5, 1863, Jayhawker Sherman Bodwell of the 11th Kansas Cavalry returned home from a Campbellite Church service in Independence where he heard about the case of a free black woman who was desperately trying to rescue her twelve year old daughter, named Martha Miller, from being retained as a slave by the Buford family of Independence. At the end of his entry, Sherman wrote, “We have the best of opportunities for doing a good Christian work, among the colored people here.” The next morning, Sherman, the black woman, and several soldiers marched to the Buford home and demanded Martha. Members of the Buford family insisted Martha did not want to leave and that she was “as one of the family.” But, when an artilleryman grabbed Martha and passed her into her mother’s loving embrace, she was wearing only a simple cotton gown. Sherman found this odd considering the family’s assertions that she was “as one of the family,” and the rest of the family was “as well dressed as any [he] ever saw.”⁵⁵ Martha, reunited with her mother, walked out the door and into freedom.

While some slaves escaped bondage with the help of soldiers, others fled on their own accord, despite the desperate pleas of their masters. Henry Clay Bruce, a slave living in Harrisonville, described after the war how his owner fought desperately to convince him to stay

⁵⁴ Letter to My Dear Brother, no date, Silliman Family Letters, (C1831), The State Historical Society of Missouri, Columbia. U.S. census, 1860, ancestry.com. From the 1860 census, I found Mrs. Silliman’s first name to be Debora.

⁵⁵ Sherman Bodwell Diaries and Notebook, July 5-6, 1863 (MC283), Kansas Historical Society, Topeka.

on his farm as a laborer and “used every persuasive means possible” to stop him from joining the Union army, offering him a monthly wage, clothing, and room and board, if he stayed. Bruce remained until March 1864, at which point he decided to flee to Kansas with his fiancé, a slave woman living on a neighboring farm owned by Allen Farmer. On March 30, 1864, the couple made their escape, enduring a short, yet terrifying, one-day journey pursued by their previous owners. Bruce had already “determined to fight it out . . . as surrender meant death,” but fortunately, there was never any need. The two made it safely to Leavenworth, Kansas, arriving “without a change in clothing and with only five dollars in cash.” Nevertheless, Bruce proclaimed, “I then felt myself a free man.”⁵⁶

Women as Defenders and Protectors

Nancy Winfrey, Laura Winfrey, and Eliza Gagnebin described the war as “a destresin time on mothers an wifes because there people is gone” in a letter to Caroline Kirkpatrick.⁵⁷ Times were hard for these women because they not only missed their male kin but also they were left, like so many women, with the full responsibility of running the household, farm, and/or business, including managing labor, finances, and business relationships, all things they were not privy to before.

Harriet Audsley was left behind on the home front alone without her husband and forced to adapt to managing the family’s affairs while he was away. Francis Audsley, Harriet’s husband, joined the Union army becoming a member of Company F, 44th Missouri Volunteers,

⁵⁶ Henry Clay Bruce, “The New Man. Twenty-Nine Years a Slave. Twenty-Nine Years a Free Man” (University of North Carolina, 107-110), *Documenting the American South*, <https://docsouth.unc.edu/fpn/bruce/bruce.html>.

⁵⁷ Letter from Nancy Winfrey, Laura Winfrey, and Eliza Ann Gagnebin to Caroline Kirkpatrick, dated October, Winfrey Family Papers (SUNP6111) State Historical Society of Missouri, Columbia.

in August 1862, leaving her on their new homestead in Saline County with a two-year old daughter and another child on the way. In his letters home, Francis mostly recounted his experiences in the army but occasionally instructed Harriet in how to properly manage the farm. In August 1863, Francis wrote his wife suggesting she sell off some of their stock, cautioning Harriet that “If [she] should sell anything, [she] must get the cash right down for it.”⁵⁸ As Harriet and Francis demonstrate, many women turned business managers still relied heavily on instructions from their male companions in order to keep the farm afloat.

Women also became the main household representatives, greeting and interacting with the men who came to their door, which meant they were now the frontline of defense against intruders. Recording her recollections of the Civil War, Lucy Nickolson Lindsay recalled a new custom that emerged in the area when a stranger knocked at the door: “The ladies generally went to the door, for they [combatants] were in the habit of shooting down the men.”⁵⁹ Women became the temporary heads of household, greeting and negotiating with visiting men far more than they were previously accustomed.

When men stayed home and found themselves at the mercy of armed bands, women could sometimes provide a measure of protection. However, women defending men overturned the most basic gender dynamic: men as the protectors and women as the protected. Men who lost the ability to protect and defend their family and home felt stripped of their manhood. Charles Monroe Chase, an Illinois journalist living in Independence, commented on the reversal of this particular social custom: “In this country the old notion that men are the protectors of women has

⁵⁸ Letter from Francis F. Audsley to Harriet Elizabeth Audsley, August 16, 1863, Francis Fairbank Audsley and Harriet Elizabeth Audsley Papers (C2374), State Historical Society of Missouri, Columbia.

⁵⁹ Mrs. Tyler Floyd, “Reminiscences of Mrs. Lucy Nickolson Lindsay” in *Reminiscences*, 105-106.

exploded, the tables are turned, men are now the weaker vessels, and women the protectors.”⁶⁰

Females now protected and defended men, preventing them from being captured, arrested, or killed, using a variety of passive and covert means of resistance, including hiding men from Union soldiers, lying and refusing to cooperate, or adroitly negotiating for their lives.⁶¹

When Mary and William Sappington endured the most frightening experience of their lives early in the war, Mary proved to be a tremendously valuable helpmate. Soldiers come to their home and hanged William in an attempt to extract information from him about the whereabouts of his nephew, guerrilla William Jackson. Mary did not hesitate; she stepped into the confrontation demanding her husband’s release. She railed against the constant harassment she and her family had endured and went on to actually threaten the soldiers with retaliation from Jackson if they killed her husband. Rather than falling back on female helplessness and appealing to male kindness and protection, Mary stepped outside of the established boundaries of womanhood in order to protect and defend her husband. Her tactic worked: her husband’s life was spared.⁶²

Men who had served for any length of time, however short, in the Confederate army often needed extra protection. They became targets of Union soldiers who seriously doubted

⁶⁰ Fellman, *Inside War*, 207; “An Editor Looks at Early-Day Kansas: The Letters of Charles Monroe Chase” ed. Lela Barnes, *Kansas Historical Quarterly*, 26:2 (Summer 1960): 124.

⁶¹ Whites, *Gender Matters*, 51-53; Rebekah Weber, “The Changing Role of Protection on the Border: Gender and the Civil War in Saline County” in *Women in Missouri History*, 124. Whites examines white Unionist refugees from southeast Missouri and argues that the guerrillas who forced these men to leave the area “stripped” them of “the private and public face of their manhood” by undermining “loyal men’s ability to act as men to their households.” General Henry Halleck’s Order No. 24 calling for the assessment of southern-sympathizing homes to support these Union refugee families represented a retaliatory attempt to punish disloyal households and re-empower the men who lost the symbols of their manhood. Whites argument can be applied to Little Dixie men who lost their power and position as a result of federal attacks.

⁶² Weber, “‘It is for you that we fight’: Gender and the Civil War in Saline County, Missouri” (M.A. thesis, University of Missouri, 2000), 105; Michael Dickey, “Saline County, Missouri, and the Civil War” on Arrow Rock State Historic Site (website), accessed June 2017, <http://friendsofarrowrock.org/wp-content/uploads/2013/09/civilwarsarline.pdf>.

their loyalty and sought them out for retribution. Some of the men who initially joined the Confederate Army or a bushwhacker band questioned their choice and decided to return home with the hope of living peacefully. When former Confederate soldier John Reid Jones returned home to Grandview in the spring of 1862, the women in his family helped to insure he was not molested or killed by Jayhawkers. Together, they constructed an elaborate hiding place: “a large rectangular pit” near the family garden. Jones’ pit allowed for one man to stand comfortably and contained a chair, a table, and a bed as well as a few other precautionary necessities, including a gun and ammunition. As Jones anticipated, General James Lane and his Jayhawkers descended on the home looking for any men that might be concealed in the house. Jones hid in the pit while Mrs. Jones confronted Lane alone and denied the presence of any men in her home, inviting him to search the house, if he so desired. The armed men departed without a search, but as a precaution, Jones remained in the pit for several days, the women of the house bringing him his meals by night.⁶³

Without an adequate hiding place, men were often exposed when combatants ransacked civilian homes. In April 1862, soldiers from Company C, 1st Missouri Cavalry came to the Ford family home in Jackson County. Mrs. Ford refused when asked by soldiers to open the front door and “strike a light.” Breaking down the door and entering the home, the soldiers ordered Mrs. Ford to tell them the whereabouts of her husband. He was gone, she insisted. The soldiers searched the home, nonetheless. Spurred on by the discovery of a man’s boots, hat, sharps rifle, and pistol holder, they eventually found Mr. Ford hiding under the bed and took him as a guide to find the hideout of the notorious bushwhacker William Clarke Quantrill.⁶⁴ Mr. Ford rode off with the soldiers, his fate unknown.

⁶³ Eunice J. Smith, “An Escape from Union Soldiers” (C3165), The State Historical Society of Missouri, Columbia.

Firearms provided a man with the best means to protect himself and his family. But, citizens who possessed firearms after the summer of 1862 were in direct violation of Order No. 19 issued by Gen. John M. Schofield, which called for the confiscation of “all arms and ammunition . . . not in the hands of the loyal militia.”⁶⁵ Nevertheless, some families felt the advantage of concealing a gun for protection was worth the risk of not complying with the order. The Thompsons of Sedalia benefited from violating Schofield’s order. At midnight on May 7, 1863, three soldiers from Company I, 4th Cavalry M.S.M. descended on the Thompson home with bad intentions. When Mrs. Thompson answered the door, it was clear the soldiers had come to rob the family, at the very least. They demanded Mrs. Thompson give them all of her money. When she refused, the men began to force their way into the home, but just as the first man pushed through the door, her husband, Mentor Thompson, opened fire with a double-barreled shotgun loaded with bird shot, hitting the man, “tearing off the whole top of the head and killing him instantly.” Mentor also mortally wounded the second man on the left side of his body. After running outside to get more ammunition, Mentor was shot in the arm by the third man, who successfully made his escape.⁶⁶ Had Mentor complied with the military order to turn in his firearm, he might have lost his home, or his life.

Men and women remaining on the home front without a firearm for protection lived at the behest of the armed men prowling the region. Elvira Scott lived with her husband, John, and two daughters, Eva and Hebe, in Miami. She kept a diary in which her wartime experiences were meticulously recorded. In the summer of 1863, Scott documented several events that reveal the

⁶⁴ Denny Papers, April 16, 1861 (R0548), State Historical Society of Missouri, Columbia.

⁶⁵ *OR*, series I, vol. 13, p. 506.

⁶⁶ *Columbia Missouri Statesman*, May 15, 1862.

extent of the retaliatory back-and-forth nature of the conflict and of the trauma experienced by residents caught in the middle. If bushwhackers came to town, Union soldiers soon followed. For every violent act, reprisals ensued. The cycle seemed unending.



Fig. 21. Elvira Ascenith Weir Scott. Image courtesy of Rebekah Weber, "It is for you that we fight": Gender and the Civil War in Saline County, Missouri" (M.A. thesis, University of Missouri, 2000), 129.

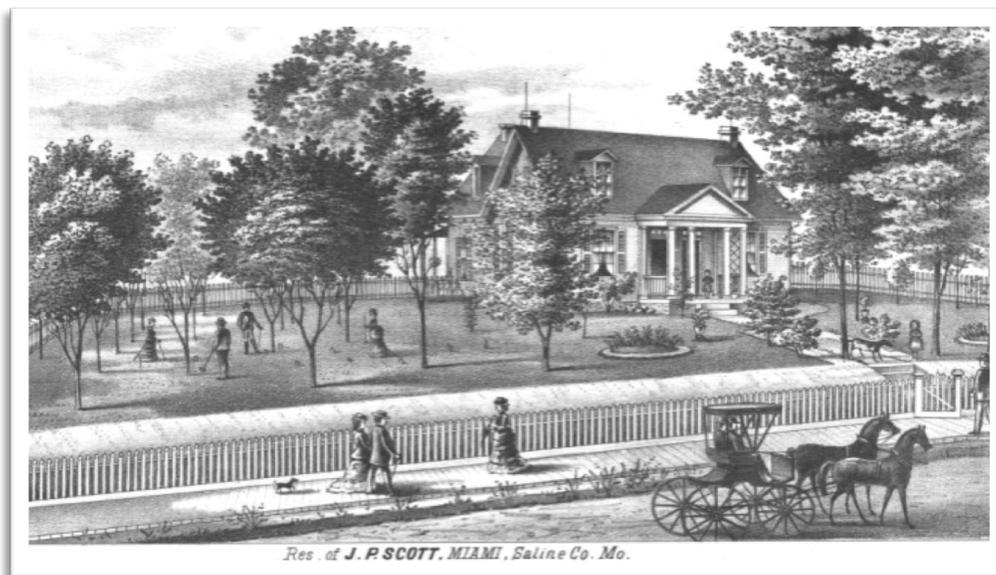


Fig. 22. John and Elvira Scott's home in Miami, Missouri. This photo was obtained from the *Illustrated Atlas Map of Saline County, MO, 1876* (St. Louis: Missouri Historical Company, 1876), 73.

The most terrifying encounter for the Scott family occurred when Kansas “Red Legs” of Company L, King’s Regiment descended on their home in June demanding food. Elvira claimed she knew them to be Red Legs because they had small bells in their spurs. She characterized these men as “the lowest, most desperate looking specimens of humanity.” Although “terribly frightened,” Elvira “did not dare to refuse them,” as the men appeared to be “ripe for mischief” and all they needed “was the least pretext.” Therefore, she quickly provided the men with “the best dinner.” She also attempted to “detain them from town as long as possible” because she knew the men would “get drunk and go to cutting up.” But, even before leaving Elvira’s home, the men began their mischief by pulling up most of her roses and strawberries and threatening to take the old family horse.⁶⁷ The situation escalated dramatically when a drunken soldier began shoving her husband around at gunpoint. Elvira recalls,

In an instant I was between them, holding both of them apart as well as I could. I was too much excited to know what I was doing, only acting from impulse. I kept between them until we got around to the dining room door, when the man thrust me out from between them. But I got back. As I did so, I felt the gun come against my back, but I maintained my position. He was swearing that he would shoot John every step he took, and was so enraged that he was frightful to look at.⁶⁸

Scott impulsively stepped into a life-and-death struggle between the two men, inserting her body in front of her husbands’ in an attempt to save his life. Scott continued to negotiate successfully with the Union soldiers. She claimed, “The emergency unloosed my tongue. If ever I was gifted with eloquence it was then brought out. I must have made an appeal, judging by the effects, for in a few minutes the man was softened, became obliging, even kind.” Even though she saved John from being killed, “the crowd of drunken soldiers” took her husband hostage along with several other prominent men, who Elvira described as “moderate consistent men with gray

⁶⁷ Diary of Elvira Ascenith Weir Scott (C1053), State Historical Society of Missouri, Columbia, 197.

⁶⁸ *Ibid.*, 199.

heads.” John and the others disappeared, their fates unsure. Surprisingly, they returned the next day unharmed. Their capture was retaliation for previous captures committed by guerrillas.⁶⁹ Incidences such as these, Elvira made clear, were typical of Union soldiers, who “generally make citizens suffer for what the other party does.”⁷⁰

Red Legs were not the only ones behaving badly, though; bushwhackers could prove equally boorish and dangerous. By August 1863, Elvira’s hostile encounters with the rough Red Legs left her praising the Confederate guerrillas, whom she believed were best able to counter the lawless Union forces in her midst. Elvira praised the guerrillas for never touching whiskey, bowing and tipping their hats to ladies, dressing clean and handsomely, and speaking politely. Elvira’s conception of the gentlemanly guerrilla soon faced a serious challenge, however, when a band of guerrillas stormed into Miami, raided the Scott’s store for supplies, and demanded a meal. A month earlier, the same band had helped Elvira by urging her to lock up her store because “they had bad men among them.” Despite their former kindness, Elvira refused them, arguing that if she helped them, the federals might burn down her house, at which one guerrilla replied, “[W]ell, Madam, if you don’t do it we will burn the house. You can take your choice.” Elvira, stunned by the statement, simply claimed, “I could say no more,” and she proceeded to feed the men. She made a pragmatic choice to comply with the men and save her home for the time being, but this meant she might possibly face the same fate at the hands of federal forces as retribution.⁷¹

⁶⁹ Elvira Scott, 197-201.

⁷⁰ *Ibid.*, 216.

⁷¹ *Ibid.*, 212-213.

Harriet Audsley faced an even more frightening outcome during her encounter with bushwhackers in 1864. With her husband still away serving in the U.S. Army, Harriet moved the family away from Saline County to a new home in neighboring Carroll County. It was not long before “Bloody Bill” Anderson paid a call at the Audsley’s newly established farmhouse. Harriet realized this was not a social call after the men demanded all her money. She denied having any, knowing full well twenty dollars lay hidden in the baby’s crib. But, apparently, a neighbor had revealed her secret because one of the guerrillas marched straight to the crib and stole the cash. Anderson then proceeded to climb into Harriet’s bed “boots and all” to take a nap, while the rest of the band began tormenting Harriet, seemingly out of boredom. They took turns riding by and snatching up the “very pregnant” Harriet, galloping to and fro with her dangling on the side of their horses. Before the “ruffians” departed, they determined to burn down the house, but the sound of horses galloping in their direction diverted them and they fled.⁷²

As Harriet’s harrowing encounter demonstrates, women sometimes experienced physical torment at the hands of combatants. Generally, however, women were not targeted and treated with such callous disregard, but if they found themselves at the wrong place at the wrong time, they could be seriously injured or killed. When a band of guerrillas under the leadership of Bill Anderson “stopped to get dinner” at the home of Stephen Mitchell in Carroll County, “a party of citizens,” most likely a volunteer posse assembled to defend the community from guerrillas, raided the home. A shootout ensued, and Mrs. Caroline Mitchell was shot through the shoulder blade while attempting to escape her own home after the two foes opened fire. Caroline eventually reached the safety of a neighbors’ and, ultimately, survived the encounter. She was

⁷² Letter from Francis F. Audsley to Harriet Elizabeth Audsley, “Biographical Information,” Francis Fairbank Audsley and Harriet Elizabeth Audsley Papers (C2374), State Historical Society of Missouri, Columbia; Weber, “It is for you that we fight,” 98; *OR*, series I, vol. 41, Part II, p. 76-77.

lucky considering at least two of the men involved were killed. One of them, John Kirker, was run down by guerrillas, scalped, and decapitated. The posse burned down Mitchell's home along with that of her neighbor John Nance.⁷³

Female Resistance

Female resistance to Union occupation began as early as the first federal troops appeared in Little Dixie in the summer of 1861. On July 9, 1861, James Love penned a letter to his wife recounting the exuberant reception of the troops in the city. Union men and women “were quite delirious with joy, & jumped (Ladies too) & danced & laughed & cryed with joy.” However, not all Lexington residents reacted to the federal presence with such enthusiasm. As the regiment marched up the hill toward the city center, Mrs. Susan A. McCausland ran out into her front yard waving “a large secession Flag.” Love claimed the soldiers watched “for over 10 minutes before [they] could believe their eyes.” The soldiers rushed to seize the flag, but simultaneously, Susan's husband, William G. McCausland, ran to her defense with a double-barreled rifle. Once the soldiers wrestled the gun from William, they had only “a womans tongue—sharper than a two edged sword—to contend with.” Susan followed her husband, now a prisoner, onto the federal steamer and petitioned for him, “trying with a smiling countenance & all a Womans Wiles to have her husband released.” While the soldiers arrested Susan's husband for threatening them, Susan escaped the encounter without punishment.⁷⁴

⁷³ *Columbia Missouri Statesman*, August 19, 1864.

⁷⁴ *My Dear Molly*, 30-31 [quotation]; *History of Lafayette County, Missouri, carefully written . . .* (St. Louis: Missouri Historical Company, 1881), 335.



Fig. 23. William and Susan McCausland home near Lexington, Missouri. Image courtesy of Missouri Historical Society, MHS Photographs and Prints Collection, accessed May 16, 2019 <https://mohistory.org/collections/item/resource:156325>.

Early in the war, Union soldiers and officials treated the few incidences of female resistance as little more than a nuisance, a behavior to be condemned or chastised, but not to be taken seriously. Often in cases involving female disloyalty early in the war, officials assumed, in line with the prominent dogma of the day, that women acted at the behest of their husbands, and thus, officials initially held men responsible for women's actions. Love and his fellow Yankees did not take Susan's actions seriously, and she avoided harsh punishment or even a mild reprimand. Finding herself free from any responsibility for her own actions and with her husband still in prison, Susan had one trick left up her sleeve; she attempted to use her "Womans Wiles" to help secure William's release. Susan's pleas fell on deaf ears, though, and her husband remained in prison for two weeks.⁷⁵

⁷⁵ Stephen V. Ash, *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (University of North Carolina Press, 1995), 43; *My Dear Molly*, 30-31; *History of Lafayette County, Missouri*, 335. According to the History of Lafayette County, Union authorities held Mr. McCausland for two weeks and released him on parole.

Originally, some Little Dixie women voiced or demonstrated their disdain for the federal presence in the most trivial and harmless ways. One man recorded examples of such behavior in his Civil War reminiscence of his Aunt Virginia “Jennie” McGuire. When Union militiamen called at the McGuire house late one night, the family rose and dressed to greet the men. Jennie’s mother told her to fix her messy hair, to which Jennie sharply replied, “I will not do it for I want to look as much like the devil as possible.” On one occasion, Jennie told a few visiting militiamen her canary birds sang Dixie, and on another occasion, a young girl in the house showed off her stocking embroidered with a Confederate flag.⁷⁶

Women took on a more aggressive stance toward Union soldiers when they threatened the lives of their loved ones. Margaret Bryant experienced a heated encounter with troops in the front yard of her home in 1862. When soldiers came to Bryant’s home, they took her husband, John Bryant, by force, demanding he take the Oath of Allegiance. Margaret asserted her husband “should not take such an Oath.” The fact that these men were German-American soldiers greatly offended her, and she drew a gun, threatening “to shoot if he was not released.” In response, one of the soldiers lifted his gun, pointed it directly at her, and made it clear that he would not hesitate to “shoot her.”⁷⁷ This encounter, where both participants, male and female, abandoned respectable behavior and threatened physical violence against the other, constitutes at least one case in which antebellum gender norms completely disintegrated.

Southern-sympathizing citizens in Little Dixie often drew correlations between Union violence against civilians and the presence of German soldiers in federal units. Germans were enthusiastic supporters of the Union cause once the war broke out, and they quickly became the

⁷⁶ Civil War Reminiscences, n.d. (C0760), State historical Society of Missouri, Columbia.

⁷⁷ Annie to Cousin Martha, March 3, 1862, Abiel Leonard Papers (C1013), The State Historical Society of Missouri, Columbia.

“most overrepresented” group in the Union army in Missouri.⁷⁸ Many Americans of Anglo Saxon heritage in the mid-nineteenth century viewed themselves as “native” Americans and held strong prejudices against recent immigrants from Germany and Ireland.⁷⁹ Southern sympathies coupled with ethnic prejudice led some Little Dixians to characterize the Union military occupation of the region as a foreign invasion. Elvira Scott described the war in her community as “a military despotism before which that of Russia pales,” a military despotism brutally enforced by “these Dutch hirelings.”⁸⁰ She later recorded hearing about the situation in Cooper County from an acquaintance who told her “that the militia are almost all Dutch” and that “[t]hey take any man who is known to be a Southern sympathizer out of his bed at night and shoot him,” a depiction mirroring that commonly used to describe Jayhawkers and Red Legs.⁸¹

Some Union soldiers also recognized a lack of restraint among German soldiers and what appeared to be a predilection for treating civilians, especially women, in a rough manner. Private James Love believed federal officials had to go above and beyond to enforce discipline among the troops under their command because of the unruly tendencies of German-American troops. Love claimed, “German Boors would wish nothing better than to war with women & children, & babes in the cradle.” When “Ladies” from the First Families of Virginia (F.F.V.) “stepped so far

⁷⁸ Walter D. Kamphoefner and Wolfgang Helbich, eds., *Germans in the Civil War: the letters they wrote home*, trans., Susan Carter Vogel (Chapel Hill: University of North Carolina Press, 2006), 7-8; Susannah J. Ural ed., *Civil War Citizens: Race, Ethnicity, and Identity in America's Bloodiest Conflict* (New York University Press, 2010), 16. Overall, Missouri Germans comprised eighteen Union military units, second only to New York in quantity of German troops. The motivations of Germans for supporting the Union cause stemmed from their unrelenting desire for democracy lingering from the European revolutions of the late-1840s. German Americans hoped they could gain entrance and acceptance into American society through their participation in the war.

⁷⁹ Fellman, *Inside War*, 39; Immanuel Ness, ed., “Conservative, Nativist, and Right-Wing Movements,” *Encyclopedia of American Social Movements*, vol. 4 (M.E. Sharpe Inc., 2004), 1414.

⁸⁰ Elvira Scott, 106, 107; Fellman, *Inside War*, 89-90.

⁸¹ Elvira Scott, 170.

from their place as to speak to us, taunt us, sing Dixie,” some soldiers could barely hold back their anger.

A perceived breach of the established gender order amplified their anger. Soldiers witnessing females deviating so drastically from the standard of submissive behavior expected from nineteenth-century ladies were shocked and appalled. Most male combatants viewed a woman’s refusal to aid them as exceptionally rude, unladylike behavior and a threat to physically assault them as the most extreme depravity.⁸² At an impasse, each party usually sought to regain some means of power through rhetoric. Both sides demonized the behavior of the other. While Yankee intruders frequently cast their uncooperative female foes as rebels and traitors, women, in turn, viewed men who strayed from traditional social etiquette as monsters or animals.⁸³

Men who witnessed women behaving in such a manner chastised them and denigrated their character, using derogatory terms like “she-rebel” or “she-devils.” James Love believed women vocalizing their opposition to the Union presence represented “a desecration of the womanly delicacy of the sex.”⁸⁴ Men began to see these women as lacking not only in female delicacies but also in femininity entirely, sometimes claiming these rebellious acts “unsexed” them. The most infamous example of this comes from the Union occupation of New Orleans. Local women demonstrated their hatred of the occupying Union army by using hostile language and committing acts meant to humiliate soldiers, such as spitting on them or dumping chamber pots onto the heads of unsuspecting soldiers as they walked passed. Union General Benjamin Butler confronted the problem of unruly southern women head on in 1863 when he issued Order

⁸² Fellman, *Inside War*, 210.

⁸³ Harrison, *The Rhetoric of Rebel Women*, 43-47.

⁸⁴ *My Dear Molly*, 38.

No. 28, which made it clear that such behavior was “unwomanly and undeserving of protection” and warranted treatment befitting a prostitute.⁸⁵

As male rhetoric divorced rebellious women from their sex, female rhetoric simultaneously worked to reaffirm it. Interactions in which women had to assert a masculine role often left women shaken and insecure about their femininity. Women who threatened soldiers physically usually sought to reassert their femininity in the aftermath. Martha Horne’s experience wielding an axe and threatening to “brain” a Union soldier in front of her barn, recounted in the introduction, left her shaken and insecure about her femininity. After the encounter, Martha returned to her home and cried, which, for Martha, reaffirmed her “womanlike” qualities.⁸⁶ Similarly, the chronicler of America Maddox’s encounter with soldiers made sure to reaffirm her “ladylike” nature after describing her refusal to permit soldiers into her home with “a dangerous axe” in hand.⁸⁷

Women screaming threats or brandishing axes certainly turned nineteenth-century gender norms on their head. Before the war, popular publications such as *Recollections of a Southern Matron* reinforced women’s conceptions of proper female conduct. In one issue of this publication, Mrs. Gilman described women as “the passive, submissive responders” to men and listed “the three golden threads with which domestic happiness is woven”: “to repress a harsh answer, to confess a fault, and to stop (right or wrong) in the midst of self-defense, in gentle submission.”⁸⁸ From Mrs. Gilman’s ideals, it is clear that society expected ladies to suppress

⁸⁵ McCurry, *Confederate Reckoning*, 110; Feimer, “The Threat of Sexual Violence during the American Civil War,” 129.

⁸⁶ Martha F. Horne, “War Experiences” in *Reminiscences*, 43-44.

⁸⁷ Mary Harrison Claggett, “Mrs. America Martha Maddox” in *Reminiscences*, 125.

⁸⁸ Welter, “The Cult of True Womanhood,” 158-161.

their own feelings and desires in order to submit to their male companions. While white middle-class and elite women in antebellum America celebrated these qualities as the height of womanliness, they did not necessarily adhere strictly to them at all times. In actuality, women broke with these norms quite often in their daily lives. Nevertheless, women understood the basic qualities that defined them as proper women, and they strove to uphold these norms and preserve their place in society.

Upholding proper decorum proved rather difficult in a guerrilla war. New practices challenged women's ability to preserve vestiges of the old system. In fact, the very presence of uninvited strange men in the home represented a serious transgression against women and their private domestic space. In their encounters with combatants, women sought to preserve their honor by clinging to tradition: they employed "a gendered rhetorical honor for self-protection" and strove for propriety in exchanges with soldiers. Historian Kimberly Harrison finds that it was of central importance to women in the South to speak with prudence and self-control. Harrison's study, although focused on women living in the Deep South, can be applied to Little Dixie, since many of the inhabitants in the region shared similar values and practices.⁸⁹ While Little Dixie women desired to preserve their honor in encounters with soldiers, at times, the nature of men's behavior drove them to extremes.

With the increased presence of combatants, women in Little Dixie found it increasingly difficult to prevent them from disrupting the sanctity of the domestic sphere. Even when soldier's demands seemed harmless and encounters ended peacefully, repeated impositions on

⁸⁹ Harrison, *The Rhetoric of Rebel Women*, 27, 30-33. Harrison describes how women constantly negotiated their behavior in interactions with armed men on the southern home front. By embracing "gendered rhetorical honor," Southern women tried to uphold their honor by clinging to community values and gender expectations. Women held themselves responsible for honorable conduct, believing their words and actions had an impact on themselves, their local community, and the South as a whole. Women were prudent in their attention to saying what was proper and holding back their anger.

women wore them down emotionally and compromised the very nature of the home. Elvira Scott reveals the emotional turmoil she suffered after repeated intrusions into her home.

By the summer of 1862, Elvira had grown extremely tired and frustrated by the constant stream of Union militiamen “calling at all hours.” She commented on the rudeness these men displayed by “going into people’s houses unasked,” yet despite this, Elvira claimed to have “never failed to treat them politely,” agreeing to play piano for them whenever asked.⁹⁰ Playing piano for these soldiers had become “a daily going on for weeks,” and Elvira now found it a “degradation to be intruded upon.” Although seemingly harmless, the constant intrusions and impositions of these men wore Elvira down. She clearly realized the broader implications of their actions in regard to pre-war notions of the domestic realm when she lamented, “Home was no longer a safe asylum, a sacred place.”⁹¹

Like Elvira, women more freely expressed their opinions of the war in their diaries. While grudgingly participating in a “public performance” of cooperation with combatants, women often engaged in a common practice of private resistance that scholar James Scott describes as the “hidden transcript.” Participants often turned to private dialogue as a safety valve for venting frustrations and avoiding chastisement rather than risk a confrontation, or worse, a punishment for voicing opposition in the face of an enemy.⁹²

Civil War women also voiced their grievances regarding Union occupation in private correspondence with family and friends. Kate Watkins of Kearney wrote a letter to her aunt and uncle in June of 1862 informing her relatives in Kentucky about the “outrages” occurring in

⁹⁰ Elvira Scott, 118.

⁹¹ *Ibid.*, 120.

⁹² James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 8-9, 186.

Missouri. Kate voiced her disdain for federal tactics: “All the western border counties have been almost ruined by the Kansas jayhawkers. The southerners have been the sufferers in almost every instance.” Kate described the murder of Mr. Davis and his son from Clinton County by “feds.” After accusing these men of participating in the murder of a local Union man and arresting them, federals shot Mr. Davis’ son allegedly for attempting to escape confinement and, later, shot Mr. Davis on the way to his son’s burial. Both were killed, Kate believed, not for any practical reason but instead to satisfy the fed’s “thirst for blood.” After recounting this tragic story, she claimed it was a perfect example “of the manner in which U.S. soldiers conduct themselves and protects its citizens.”⁹³



Fig. 24. Photograph of Catherine Jane “Kate” Watkins Atchison, age 26. Image courtesy of Watkins Woolen Mill State Historic Site, Lawson, Missouri.

However, letters like Kate’s could prove extremely dangerous if uncovered by Union occupiers. By the time Kate wrote this letter in June 1862, federals no longer hesitated to punish

⁹³ “Secesh” (Kate Watkins) to Uncle and Aunt, June 9, 1862, Watkins Woolen Mill Historic Site and Archives, Lawson, Missouri.

women who spoke out against the Union or in favor of the Confederacy. If letters containing sensitive political views wound up in Union hands, it could result in arrest and imprisonment. Aware of this, Kate made an effort to conceal her identity, signing her very politically charged letter to her aunt and uncle with the pseudonym “secesh.” She did this, as she explained, because “if this letter is opened and the writer found out it may not be so well.” Kate felt compelled to hide her identity, since the majority of her letter contained her negative views of federal procedures.⁹⁴

From 1862 onward, Union occupiers no longer viewed female resistance as trivial; Yankee assumptions of female innocence had faded away. Federal authorities increasingly viewed women demonstrating southern sympathies as dangerous to the Union cause and worthy of punishment. Union policies expanded the definition of treason from aiding and abetting the enemy to include uttering disloyal sentiments or demonstrating support for the Confederacy. Mostly, U.S. authorities viewed these demonstrations within the boundaries of antebellum gender dynamics, believing women spoke out in support of their husband’s cause, and in turn, their words worked to encourage men to rebel. They came to believe that disloyal behavior, even when practiced by a female, inflamed rebelliousness and undermined federal authority. Regardless of a change in official policy, individual soldiers continued to grapple with their dueling impulses to punish and protect women.⁹⁵

Despite their initial reservations, soldiers increasingly arrested women for disloyal language. During the time of Elvira Scott’s piano irritations, a soldier hand delivered a warrant for her arrest for treasonable language at the request of the local commander Lieutenant Adam

⁹⁴ Kate Watkins “Secesh” to Uncle and Aunt, June 9, 1862. Watkins Woolen Mill Historic Site and Archives

⁹⁵ Ash, *When the Yankees Came*, 61. Ash explains how Union soldiers were torn by conflicting impulses in regard to women: to punish them or protect them.

Bax of Company O, 7th Missouri Volunteer Cavalry. Bax issued the warrant for Elvira's arrest for disloyal language, declaring, "The time has past when treasonable language goes unpunished." Bax's warrant represents a desperate and futile attempt to regain a sense of control by reasserting a modicum of antebellum gender standards. His statement "A Ladies place is to fulfill her household duties, and not to spread treason and excite men to rebellion" reveals his disapproval of women challenging men and overstepping their proper boundaries. He ordered Elvira to report to the commanding officer at Marshall once a week until he was "convinced that [she] behave [herself] as a Lady Ought."⁹⁶

Upon inquiring around the neighborhood, Elvira realized she was not the only woman arrested at the time. The warrant also applied to Mary Pendleton, Betsy Bell, and Mrs. Lewis. The four women reported together at Marshall a few days later when Bax clarified the charges against them. Bax explained that Mrs. Lewis had been summoned because her children had called his men abolitionists. Bax similarly accused Mary Pendleton's children of speaking treasonably after also accusing her of talking treason in her garden. Pendleton responded by arguing, "As her boy was under six years old, & was often told by the soldiers to hurra for Jeff Davis & Lincoln both, he generally did as he was told, & was not capable of knowing what an insult meant."⁹⁷ Soldiers sometimes encouraged children to express more patriotic sentiment for the United States as a clever means of indirectly taunting their parents. In one instance, soldiers paid a small boy, Gentry Clark, a nickel to "Hurrah for Abe Lincoln," but seeing the disapproval on his mother's face, Clark quickly tried to make up for his mistake and "Hurrah for Jeff Davis."

⁹⁶ Elvira Scott, 119; Blair, *With Malice Toward Some*, 156-159.

⁹⁷ Elvira Scott, 128.

In his attempt to escape his mother's wrath, Clark had earned the disapproval of the soldiers, who spanked him for his disloyalty.⁹⁸

In Elvira Scott's opinion, Bax's actions also represented a threatening breach of antebellum gender norms. At the time of her arrest, Elvira exclaimed, "To say that I was indignant, outraged would express nothing of the tempest raging within." Her husband, John, agreed that it was "disrespectful" for a military officer to question a lady's attendance to her household duties. Even a few soldiers who called at her home that evening voiced their astonishment at the order, as one man turned to another and said, "Jim, don't that get you, arresting women? Lieut Bax must be a damned fool & will get himself into a scrape."⁹⁹

Elvira's anger influenced her "temerity" in the presence of Bax at his headquarters in Marshall a few days later. She responded to his breach of decorum with a breach of her own. She did not simply acquiesce to Bax's authority as a woman might have a few years earlier; rather, she challenged the accusations against her and the other women. Elvira went so far as to criticize federal policies and outline their inconsistencies, which immediately triggered a retort from Bax, who threatened, "Madam, you be talking treason now, blaming the government & speaking against it." Elvira stood her ground, insisting she was not afraid of him and "did not come from a cowardly race." Following her meeting with Lt. Bax, Elvira reflected in her diary on their conversation and celebrated the fact that the group of women had upheld their "womanly dignity," meaning they "would not condescend to be abusive" to the Lieutenant.¹⁰⁰ Elvira and her acquaintances upheld proper womanly behavior. However, in an environment in which

⁹⁸ North Todd Gentry Papers, 1837-1947 (C0049), State Historical Society of Missouri, Columbia.

⁹⁹ Elvira Scott, 120.

¹⁰⁰ *Ibid.*, 130.

womanhood was being redefined, Elvira now added “fearlessness” to the qualities she prided herself on as a woman.¹⁰¹

No matter how hard Little Dixie women tried to remain calm and obedient during encounters with combatants, repeated impositions or threats tested women’s patience, at times rousing them to anger and leading to hostile verbal confrontations. While a desire to protect the family and the home explains many of the women’s aggressive actions, other behavior, such as verbal attacks on Union soldiers, especially in the absence of men, demands another explanation. Women who accosted soldiers through insults engaged in a sort of verbal duel with these men; and for the same reason men engaged in duels, women fought to defend their honor with the only weapon they had at their disposal: their words. They mustered their courage and discharged their weapon when they felt the actions or threats of these men endangered the very foundations of their privileged, white womanhood.¹⁰²

The exchange between Susan “Sue” Bryant, a southern-sympathizing woman, and a group of Union soldiers in her home reveals the deeper gender, class, and racial anxieties inflamed by the war and emancipation. Susan “Sue” Bryant described an exchange between herself and a Union soldier one summer evening when a group of eighteen men came for “a quick dinner, as they were in a big hurry to catch a lot of d—n rebels.” When Bryant told the men that their dinner would take longer than they had hoped, one man commanded her to help cook. Bryant replied, “I have never cooked and won’t commence now.” The soldier retorted, “You have got to cook; we have set the ‘niggers’ free.” Unfazed, Bryant maintained her

¹⁰¹ Elvira Scott, 119-130.

¹⁰² Kimberly Harrison, *The Rhetoric of Rebel Women*, 27, 30-33; Jacqueline Campbell, *When Sherman Marched North from the Sea: Resistance on the Confederate Home Front* (Chapel Hill: University of North Carolina Press, 2003), 51.

composure, and when asked who would do the work, she sarcastically remarked, “O, I will send north and hire your wives, sweethearts and sisters, make slaves of them.”¹⁰³

This particular exchange reveals the deep-seated apprehensions of elite white women about what a society without black slave labor would mean for their status. The ownership of slaves not only determined status in southern society but also determined the nature of a white woman’s domesticity. The middle-class and elite white woman’s lifestyle under slavery was marked by privilege, luxury, and freedom from hard physical labor and common household chores, such as cooking. Few upper class white women, like Bryant, had experience with cooking before the war, and some of them remarked about the shock of having to learn in the aftermath of emancipation. Martha Horne stated, “I had never cooked a meal when the negro women left, and had a hard time learning.”¹⁰⁴

Climax: General Order No. 11

On August 13, a redbrick building functioning as a temporary women’s prison in Kansas City collapsed. Amidst the rubble and ruins lay the mangled bodies of eleven young women who had been arrested for aiding the enemy, many of them the direct female relatives of guerrillas. Josephine Anderson, sister of notorious Missouri guerrilla “Bloody Bill” Anderson, and Charity McCorkle Kerr, sister of guerrilla John McCorkle Kerr, were killed instantly. John McCorkle remembered the event in his memoir as “one of the most fiendish acts that ever disgraced a so-called civilized nation.”¹⁰⁵ To add insult to injury, a rumor quickly spread that Union officials deliberately undermined the building as retaliation against guerrillas.

¹⁰³ “Reminiscences of the war between the states” in *Reminiscences*, 275.

¹⁰⁴ Martha F. Horne, “War Experiences” in *Reminiscences*, 43.

On the morning of August 21, 1863, Quantrill and a force of 450 guerrillas, filled with rage and desperate for revenge, raided the town of Lawrence, Kansas, the abolitionist capital and center of Jayhawker control. The guerrillas held the town hostage for several hours while they looted businesses and burned homes. Through the crackling of the flames, the occasional pop of a gun, and the screams of women and children, Lawrence residents could hear distant cries of “Remember Osceola,” a direct reference to the destruction of the Missouri town in 1861 by Lane and his Jayhawkers.¹⁰⁶ The guerrillas killed between 150 and 200 men and boys and left the entire town in flames. A few days later, one Kansas resident reacted to the attack, calling the Lawrence Massacre “an act of barbarity but seldom if ever equaled by the most savage tribes.”¹⁰⁷ Kansans called for revenge and assembled in armed forces along the border ready to invade Missouri at a moment’s notice.

Despite Kansans’ desperate desires for vengeance against the people of Missouri, Union officials attempted to mete out justice in the most humane way possible. Immediately upon receiving news of the Lawrence Massacre, Brigadier General Odon Guitar wrote to Brigadier General Thomas Ewing, exclaiming, “By all means, let speedy vengeance be visited upon the guilty; but in the name of Heaven and humanity, let us protect the innocent and unoffending.”

¹⁰⁵ McCorkle, *Three Years With Quantrill*, 120 [quotation]; Tony O’Bryan, “Collapse of the Union Women’s Prison in Kansas City” on *Civil War on the Western Border: The Missouri-Kansas Border Conflict 1854-1865*, accessed April 19, 2019, <http://www.civilwaronthewesternborder.org/encyclopedia/collapse-union-women’s-prison-kansas-city>. According to O’Bryan, there is evidence that Union soldiers removed parts of the foundation in the cellar of the building and as a result undermined the structural integrity of the building.

¹⁰⁶ Richard S. Brownlee, *Gray Ghosts of the Confederacy: Guerrilla Warfare in the West, 1861-1865* (Baton Rouge: Louisiana State University Press, 1958), 18-19, 122-126; Daniel L. Gilmore, *Civil War on the Missouri-Kansas Border* (Pelican Publishing Company, 2005), 221; Dennis K. Boman, *Lincoln and Citizen’s Rights in Civil War Missouri: Balancing Freedom and Security* (Baton Rouge: Louisiana State University Press, 2011), 211-212; Christopher Phillips, *The Rivers Ran Backward: The Civil War and the Remaking of the American Middle Border* (Oxford University Press, 2016), 237-238.

¹⁰⁷ Samuel Ayers to Lyman Langdon, August 24, 1863, Misc. Samuel Ayers, *Kansas Memory* (website), Kansas Historical Society, kansasmemory.org.

Desperate to prevent a violent raid into Missouri, on August 25, Ewing issued General Order No. 11, commanding all citizens in Cass and Bates Counties, most of Jackson County, and the northern half of Vernon County to leave their homes within fifteen days unless they lived within a mile of a federal post and could prove their loyalty.



Fig. 25. Brigadier General Thomas Ewing, Jr. Image courtesy of Kansas State Archives, Topeka.

Forcing thousands of civilians to leave their homes along the Missouri border region seemed to be the only option left for Union officials. It was also a method that had worked well for U.S. forces in the past. As one historian pointed out, the removal of disloyal civilians closely resembled initiatives pursued against Native American communities.¹⁰⁸ The forced removal of thousands of white civilians from the Missouri border was controversial enough, but Ewing's reliance on Kansas Jayhawker units, such as the hated 5th Kansas Cavalry under the leadership of Charles R. "Doc" Jennison, to help enforce the order made this order infamous. Jennison's

¹⁰⁸ T.J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Random House, Inc., 2002), 93.

Jayhawkers set about removing families, confiscating property, and burning down homes, leaving behind a “Burnt District” where “only mournful stone chimneys could be seen for hundreds of miles,” forcing thousands of Missourians to become refugees.¹⁰⁹ Union Colonel Bazel Lazear described the scene in a letter to his wife: “A desolate country and men & women and children, some of them almost [sic] naked. Some on foot and some in old wagons. Oh God.”¹¹⁰

Conservative Unionist and provisional state treasurer George Caleb Bingham, also the owner of the redbrick building that collapsed in August, took particular issue with Ewing’s action. Before the war, Bingham lived in Arrow Rock, where he grew up in the shadow of some of the most prominent families in Missouri, including the Sappingtons, Marmadukes, and Jacksons, and began to dabble in painting. Today, Bingham is celebrated as “the Missouri artist” for his realistic renditions of nineteenth-century Missouri scenery; two of his most iconic pieces are *Fur Traders Descending the Missouri* and *The County Election, 1852*. Once the war broke out, Bingham declared himself an unconditional Union man and agreed with the government’s use of force in Missouri as a means to end guerrilla warfare and reassert federal authority. However, his views changed drastically after he witnessed the true nature of “predatory warfare” inflicted on Missouri’s population, which climaxed in August of 1863 with Ewing’s Order No. 11.¹¹¹ Bingham wrote a letter to Brig. Gen. Schofield in June 1863 in which he reported having heard “that fifty or sixty dwellings were immediately burned in Jackson County, and their

¹⁰⁹ Brownlee, *Gray Ghosts of the Confederacy*, 126.

¹¹⁰ “The Civil War Letters of Colonel Bazel Lazear,” ed. Vivian Kirkpatrick McLarty, *Missouri Historical Review*, 44, no. 4, (July 1950): 390; Stiles, *Jesse James*, 96.

¹¹¹ Phillips, *The Rivers Ran Backward*, 236-237. Known as “the Missouri Artist,” George Caleb Bingham found rich material in the landscape and society of the western Missouri River Valley. Bingham painted a diverse array of life along the “Mighty Missouri,” including fur traders, election-day crowds, and even portraits of many of Missouri’s most elite family members.

inmates, consisting of women and children chiefly, were left without shelter in the most inclement season of the year.” Horrified by this, Bingham exclaimed, “What could be better calculated to turn peaceable and quiet citizens into desperate guerrillas than such a policy?”¹¹²



Fig. 26. George Caleb Bingham self-portrait. Image courtesy of St. Louis Art Museum (website) accessed May 16, 2019, <https://www.slam.org/search/George+Caleb+Bingham+self-portrait/>.

On January 13, 1864, Lizzie Brannock, a refugee of General Ewing’s Order No. 11, sat in her father-in-law’s home in Lafayette County, methodically penning a ten-page letter to her brother Edwin. Brannock and her two children, Eva and John, were forced to flee their home after being attacked several times by Kansas Jayhawkers, who, on their most recent raid, had “burned 150 houses” leaving “helpless women and young children . . . standing in the snow” and Lizzie’s family “stripped . . . of nearly everything.” Lizzie lamented the manner in which the war was fought in Missouri:

¹¹² George Caleb Bingham to John Schofield, June 4, 1863, John McAllister Schofield Papers (MSS39107), Library of Congress, Washington D.C.

there are gross and fearful faults on both sides and I hate war, could not believe it possible we would come to arms - and if we did I thought in this enlightened 19 century war would be concluded upon honorable principles but it seems no age of barbarism can show us such scenes of cruelty and plunder - and God only knows where it will end . . . I do not look with any degree of allowance upon robbery, and drawing honest people from their homes, or bushwhacking in any shape if we have war but there be two armies and fight honorably but could we have peace I would be glad upon almost any terms.¹¹³

Just as guerrilla warfare had transformed once honorable soldiers into ruthless “savages,” it similarly had transformed a productive civilization back into an untamed, primitive wilderness. Lizzie Brannock mourned for the once lush and beautiful, now utterly devastated, countryside around her, describing central Missouri as “almost entirely a wilderness” with “farms . . . all burned up, fences gone, crops destroyed.” Everything comprising civilized society, it seemed, had been destroyed.

Lizzie’s anger at the barbaric nature of the guerrilla war caused her to then go on a political tirade. She proclaimed herself a “rebel”: “yes Brother we are what is called Rebels.” Shattering antebellum assumptions about women’s apolitical nature, she wrote “do not think that I become [sic] rebel because my husband was, for I was rebel at least 5 months before my husband.” Lizzie’s definition of a rebel, however, differed from that traditionally ascribed to Southerners in the Civil War. Instead of rebelling against the Union, Lizzie insisted, “I do rebel against anything dishonest and cruel . . . and we have suffered everything, from the most inhuman and barbarous set of men,” and “all I ask or wish is for the constitution to be held sacred.” Lizzie appears to despise the war altogether, stating, “but could we have peace I would be glad upon almost any terms.”¹¹⁴

¹¹³ Elizabeth “Lizzie” Brannock to Edwin, January 13, 1864, Lizzie E. Brannock Letter (C0224), State Historical Society of Missouri, Columbia.

¹¹⁴ Elizabeth “Lizzie” Brannock to Edwin, January 13, 1864, Lizzie E. Brannock Letter (C0224), State Historical Society of Missouri, Columbia.

Frances Twyman, reminiscing in the late nineteenth century on her experiences during the Civil War, sarcastically referred to the conflict as the “so-called Civil War,” a war she viewed as “a most cruel and unjust war” because “innocent women and children suffered most.”¹¹⁵ Women understood the uninvited presence of U.S. soldiers in their homes to be not only a violation of the republican military tradition but also a threat to their power and control over the domestic realm. But, one of the most distressing aspects of the war was how it disturbed the very nature of the domestic sphere and overturned the customary rules governing proper interactions between men and women. Antebellum rules of decorum faded away over the course of the war with each individual encounter. In an attempt to protect their families and preserve their antebellum status, women both clung to and overturned previous standards of proper womanly behavior. However, their actions drove Union officials to harsher policies and provoked the very radical changes women hoped to prevent. Little Dixie women did not go looking for war; war came barreling through their front doors. Their private spheres became public arenas, their domestic duties political acts. Simply by clinging to domesticity and custom in a time of war, women provoked their own recognition as public and political beings and the home functioned as the primary site of this political transformation.

¹¹⁵ Frances Frisloe Twyman, “Reminiscences of the War” in *Reminiscences*, 263.

CHAPTER FOUR

“Those who are not for us are against us”

Are we to suffer madmen & traitors to destroy this Government in which we have so deep an interest? The false step was taken in the first instance—Secession should have been denounced as treason and treated as such—not legal treason because that consists in “levying war”—and a man can't be tried and convicted as a traitor until he has committed the overt act—but I hold that any government has the right to suppress rebellion—to repress incipient treason as a matter of necessity and self preservation—prevention justice if you please—punish them first and try them afterwards—that is the way we treat a mob—you don't try a mob and then shoot into it with ball cartridges—this must be the rule when the life of the Government is in peril.¹

--James Broadhead to Abel Leonard, January 6, 1861

On August 29, 1864, Elizabeth Stone sat in the St. Louis Provost Marshal's office with the Assistant Examiner, who probed her on her recent whereabouts, her encounters with guerrillas, and her political loyalties. Colonel Bazel Lazear arrested Elizabeth and her younger sister, 18-year-old Mary Kincheloe, on August 4 while they attended a protracted religious meeting in Johnson County.² Unbeknownst to them, Elizabeth and Mary were apprehended under the charge of aiding bushwhackers, and if proven guilty, faced imprisonment for the duration of the war or banishment from their home state of Missouri.³

In this case, as in many others, the testimony of the prisoners and that of the arresting officer differ. Lazear believed these women were “aiding Guerrillas all in their power” based on two things: First, Elizabeth and Mary were the daughters of “Old man Kincheloe who was detected in feeding Guerrillas a night or two ago”; Second, Stone's husband was a private in the

¹ James Broadhead to Abel Leonard, January 6, 1861, James Overton Broadhead Papers, 1861-1899 (A118), Civil War Manuscripts Collection, Missouri Historical Society Archive, St. Louis.

² *Encyclopedia of Religion in the South*, 2nd ed., eds. Samuel S. Hill and Charles H. Lippy (Macon, Georgia: Mercer University Press, 2005), 640. Nineteenth-century Americans commonly used the term “protracted meeting” to describe major religious gatherings lasting from three to four days and involving a large group of people, eventually this term would be replaced by the term “religious revival.”

³ *Union Provost Marshals' File of Papers Relating to Individual Citizens* (Missouri State Archives, Jefferson City, Missouri), F1270 Elizabeth Stone, F1358 Mary Kincheloe [hereinafter cited *UPM*].

Confederate Army. Despite the lack of hard evidence against them, Lazear recommended the two women be banished to the South.⁴

Under interrogation, Elizabeth and Mary denied willingly aiding bushwhackers. Elizabeth insisted there was no choice, since “[t]hey [guerrillas] would just ride up to the house, and get what they wanted.” Mary added that she thought “guerrilla warfare dishonorable.” Elizabeth claimed she had advised her husband against joining the Confederate Army and that she had never even corresponded with him. She insisted that she had never given aid in any way to anyone in the Confederate Army. In response to the question “Do you think the South has a justifiable cause for making war?” Elizabeth answered, “I don’t know. I know nothing about politics.”⁵

After Elizabeth and Mary had languished in prison for nearly two months without even being sentenced, Elizabeth reached out to an acquaintance, Mr. U.L. Brice, for help. In the letter Elizabeth proclaimed innocence and insisted that she and her sister “were arrested & imprisoned through a malicious falsehood of another and not through any thing we ever did.” Declaring her unwavering support for the Union, she swore, “I shall ever have that dear old Union which our Fore Fathers faught bleed & died to establish and never would I as disgrace & demean myself as to do ought that would be in the slightest calculated to injure that glorious cause.”⁶

After nearly three months of incarceration, the two women were released due to lack of evidence by order of Brigadier General William Rosecrans. In his letter freeing the women, Rosecrans voiced his frustration, condemning the arrest of “persons on base rumor” and

⁴ *UPM F1270*, Elizabeth Stone; *UPM F1358*, Mary Kincheloe.

⁵ *UPM F1270*, Elizabeth Stone; *UPM F1358*, Mary Kincheloe.

⁶ *UPM F1270*, Elizabeth Stone; *UPM F1358* Mary Kincheloe.

suggesting “that some efficient measures should be taken to prevent the arrest and forwarding by District and subordinate officers of prisoners unaccompanied by documented evidence to establish their guilt prima facie.”⁷

The fact that, as women, Elizabeth and Mary were accused of committing the political crime of treason against the United States government would have been extremely unsettling. Only a few years earlier, women were considered apolitical and nonpartisan beings, incapable of holding their own political opinions or participating in war. During the war, however, Union occupiers deemed women capable of committing treason and arrested women on a scale unprecedented in American history, signaling a radical shift away from prewar cultural norms.

Union military authorities prosecuting women for treason was odd enough, but at the same time, they also began prosecuting offenses that lay beyond the strict definition of treason outlined in the Constitution. Treason as defined in the Constitution consists primarily of “levying war” against the United States and “adhering to their Enemies, giving them Aid and Comfort.” However, military officials began arresting citizens who spoke, wrote, or demonstrated disloyal sentiments, more closely resembling the prosecution of “constructive treason” commonly practiced by European monarchs.⁸ The Constitution also required at least two witnesses or a confession to convict accused traitors. But soldiers arrested and imprisoned civilians based solely on suspicion, rumor, or hearsay, with little to no evidence, holding them indefinitely without informing them of their crime. In this chapter, I argue that the expansion of treasonable offenses along with the high frequency of arrests without witnesses, evidence, or due process led to the

⁷ UPM F1270 Elizabeth Stone; UPM F1358 Mary Kincheloe.

⁸ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995), 38; William Blair, *With Malice Toward Some: Treason and Loyalty in the Civil War Era* (University of North Carolina Press, 2014), 2, 15.

subversion of American civil liberties and heightened deep-seated fears of military tyranny among Little Dixians.

Martial Law and Belligerent Traitors

Lincoln's declaration of martial law and suspension of the writ of habeas corpus made the mass arrest and imprisonment of suspected traitors possible. Instituting martial law allowed normal civil governance to be subsumed under military authority in hostile areas, thus, permitting military personnel to arrest and detain disloyal citizens who actively supported the rebellion or hindered federal initiatives. Martial law also permitted the suspension of certain civil liberties when necessary as a means of reinstating law and order. Suspending the privilege of the writ barred a prisoner from presenting in court to determine the legality of the arrest and, ultimately, led authorities to hold citizens in confinement without informing them of their offense.⁹

In April 1861, rioters in Maryland attempted to prevent soldiers on their way to protect Washington D.C. The subsequent attack led Lincoln to suspend the writ in the state and arrest several rioters, including John Merryman, whose subsequent court case challenged Lincoln's power to suspend the writ, arguing this authority rested with Congress. The U.S. Constitution explicitly allowed for the suspension of the writ "when in Cases of Rebellion or Invasion the public Safety may require it." Who was endowed with the power to suspend the writ, however, was a question the founders left unanswered. The Constitution granted the president special powers as Commander-in-Chief under extenuating circumstances but did not elaborate on these

⁹ Mark E. Neely, Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 32-40; John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Free Press, 2012), Appendix, 375-376; Jonathan W. White, *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman* (Baton Rouge: Louisiana State University Press, 2011), 4.

powers, leaving them to be interpreted broadly by Lincoln, who drew on the precedent established by international law to determine the best course of action for a president in the event of a civil war.¹⁰

In the context of civil war, Lincoln believed a strong centralized government with a powerful Commander-in-Chief was necessary to protect and preserve the union of the states. Lincoln justified his course of action yet also acknowledged the controversial nature of his seizing absolute executive power and instituting martial law. In a speech to Congress on July 4, 1861, he addressed the issue directly. He found it ridiculous to imagine a president not taking action against those in rebellion; he asked, “are all the laws, but one, to go unexecuted, and the government itself go to pieces, lest that one be violated?” In cases of an severe national threat, whether rebellion or invasion, Lincoln believed the founders could not have possibly intended for the president to wait patiently until Congress assembled to determine a course of action. “[W]e have a case of rebellion,” Lincoln declared, and “the public safety does require the qualified suspension of the privilege of the writ.”¹¹

Americans feared that placing too much power in the hands of the president or government officials would undermine the Bill of Rights, which guaranteed and protected American civil liberties, and that suspending the writ and declaring martial law could easily lead to “military despotism.” The editor of the *Liberty Tribune* voiced this concern early in the

¹⁰ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995), 29-30; White, *Abraham Lincoln and Treason in the Civil War*, 4, 31. Chief Justice Roger B. Taney ruled in *ex parte Merryman* that only Congress possessed the right to suspend habeas corpus, not the president. President Lincoln ignored the decision and continued to act with special powers under the authority of the President as Commander-in-Chief, as permitted in times of war and unrest.

¹¹ Abraham Lincoln, *Abraham Lincoln Papers: Series 1. General Correspondence. -1916: Abraham Lincoln, May-June 1861 Message to Congress, July 4, 1861, Second Printed Draft, with Changes in Lincoln's Hand*, May 1861, Library of Congress, Manuscript/Mixed Material, accessed September 12, 2018, <http://www.loc.gov/item/mal1057200>; White, *Abraham Lincoln and Treason in the Civil War*, 37-38.

conflict. In an article from July 1861, the editor took up the topic of martial law, defining it “vaguely” as “a suspension of all ordinary civil rights and process” that “approximates closely to military despotism.” The article ends with a warning: “Involving the highest exercise of sovereignty, it is, of course, capable of great abuse, and is to be justified in emergencies of the most imperative and perilous nature.”¹²

Missourians’ fears appeared justified when John C. Fremont, the Union commander of the Department of the West, declared martial law throughout the state. On August 14, Fremont declared martial law in St. Louis County only, but soon, on August 30, he followed with a proclamation declaring martial law in all areas where authorities could no longer administer civil law. Fremont insisted that the “normal tribunals of the country” were to continue functioning unabated “where the law will be administered by the civil officers in the normal manner.”¹³

Furthermore, Fremont established in his proclamation that rebellious civilians would be prosecuted not by civil courts, as custom dictated, but by court-martial or military commissions, previously reserved only for disorderly soldiers. During the Mexican-American War, Winfield Scott established the military commission, a system for punishing recalcitrant soldiers while outside of U.S. jurisdiction. These commissions prosecuted unruly soldiers who committed military offenses.¹⁴ Despite the fact that Lincoln revoked Fremont’s order, military officials

¹² *Liberty Tribune*, July 26, 1861.

¹³ *War of the Rebellion: Official Records of the Union and Confederate Armies* (70 vols. in 128; Washington, D.C.: Government Printing Office, 1880-1901), Series I, vol. 3, pg. 467 [hereinafter cited as *OR*; All references to Series I unless otherwise noted.]

¹⁴ Neely, *The Fate of Liberty*, 40; Colonel H.L. Scott, *Military Dictionary: comprising Technical Definitions: Information on Raising and Keeping Troops; Actual Service, including Makeshifts and Improved Material; and Law, Government, Regulation, and Administration Relating to Land Forces* (New York: D. Van Nostrand, 1861), 383. With the issuance of General Order No. 20, Winfield Scott called for the prosecution of soldiers by military commission for the following crimes: “assassination, murder, poisoning, rape, or the attempt to commit either; malicious stabbing or maiming; malicious assault and battery, robbery, theft; the wanton destruction of churches, cemeteries, and the destruction, except by order of a superior officer, of public or private property.”

continued prosecuting civilians by military commission throughout the war. According to historian Mark Neely, Jr., over 4,000 military commissions took place during the war, of which nearly fifty percent occurred in Missouri. It is important to note, however, that few cases ended in guilty verdicts and even fewer in death sentences.¹⁵ The practice was extremely controversial and received official condemnation in 1866 when the Supreme Court ruled that the military trials of civilians where civil courts still functioned was unconstitutional in *Ex parte Mulligan*.¹⁶

Officials also struggled with how best to classify the war and to treat captured rebels in arms against the United States. Was the war a rebellion or a civil war? Should enemy combatants be treated as traitors or prisoners of war? The answer ended up incorporating a little bit of both.

Congressmen debated these issues during the special session of the Thirty-Seventh Congress, beginning July 4, and looked to international law, specifically Emmerich de Vattel's *The Law of Nations*, for help. By classifying the war as a simple rebellion, rebels would be treated as traitors, which risked possible atrocities; however, by classifying it as a civil war, "a public war between nations," combatants would be held to the international rules regulating just wars. After much deliberation, Congress decided to classify the war as a rebellion that had grown into a civil war and to classify rebels as both enemy belligerents and traitors.¹⁷

¹⁵ Blair, *With Malice Toward Some*, 56-57; Mark E. Neely, Jr., *The Civil War and the Limits of Destruction* (Cambridge, Massachusetts: Harvard University Press, 2007), 10-11, 107.

¹⁶ Neely, *The Fate of Liberty*, 34-35, 38. Fremont first declared martial law in Missouri by proclamation on August 30, 1861 but Lincoln, disagreeing with many of the edicts contained in the proclamation, subsequently revoked it. General Henry W. Halleck, the new commander of the department, wanted to receive official permission from Lincoln before officially declaring martial law in St. Louis, which he received on December 2, 1861, and he reinstated martial law there on January 1, 1862 in General Order No. 1. Neely further claims that the decision to prosecute armed citizens by court-martial "would prove extremely damaging to Abraham Lincoln's reputation."

¹⁷ *The Constitution of the United States of America* (Byron Preiss Visual Publications, Inc., 1987; Barnes and Noble Books, 1995), 29-30; Blair, *With Malice Toward Some*, 67-69, 89

Officers began arresting civilians for the crime of treason immediately upon entering Little Dixie, but they lacked sufficient facilities to house the increasing number of prisoners.¹⁸ Before the war, local law enforcement authorities kept prisoners in the courthouse, sheriffs' office, or any structure designed to hold one or two inmates at a time.¹⁹ But, in the summer of 1861, out of necessity, Union occupiers began commandeering and converting courthouses, businesses, or residences into makeshift prisons. Even so, these facilities could not adequately accommodate the number of prisoners the war produced, and as a result, officials began sending prisoners to St. Louis. Authorities had converted McDowell Medical College and Lynch's Slave Pen into Gratiot Street Prison and Myrtle Street Prison respectively, with many prisoners also ending up in facilities available across the Mississippi River in Alton, Illinois.²⁰

¹⁸ In his work *Discipline and Punish*, Michel Foucault argues that the eighteenth century saw a transformation from the public spectacle of punishing the criminal's body to the private enterprise of reforming the criminal's mind. With this change, he contends, came the rise of the prison industrial complex. Along the same lines, many Civil War historians have described the prison practices during the war as a dramatic shift in U.S. imprisonment practices. Historian Angela Zombeck, however, argues that military officials in prisons during the war drew from antebellum civil and military practices of penitentiary management in order to cope with such a large scale of prisoners. Angela M. Zombeck, *Penitentiaries, Punishment, and Military Prisons: Familiar Responses to an Extraordinary Crisis during the American Civil War* (Kent, Ohio: Kent State University Press, 2018).

¹⁹ "Arrow Rock Jail" on Arrow Rock State Historic Site (website), accessed September 12, 2018 <https://mostateparks.com/location/55190/arrow-rock-jail>. A small stone structure made for this purpose can still be seen today at Arrow Rock State Historic Site in central Missouri.

²⁰ Dennis K. Boman, *Lincoln and Citizen's Rights in Civil War Missouri: Balancing Freedom and Security* (Baton Rouge: Louisiana State University Press, 2011), 78, 122.



Fig. 27. Arrow Rock Jail, also known as “the calaboose.” Image courtesy of Arrow Rock State Historic Site (website), accessed May 16, 2019, <https://mostateparks.com/location/55190/arrow-rock-jail>.



Fig. 28. McDowell Medical College in St. Louis became Gratiot Street Prison during the war. Image courtesy of “Story of a Border City During the Civil War” by Galusha Anderson (1908) on *Civil War St. Louis* (website), accessed May 16, 2019, <http://www.civilwarstlouis.com/Gratiot/Then&Now.htm>.

Military officials also needed a law enforcement agency to impose law and police disloyalty in local communities. U.S. administrators expanded the responsibilities traditionally relegated to the Provost Marshal, a position firmly engrained in the traditional military hierarchies of Europe and the U.S., originally used “to secure prisoners confined on charges of a

general nature” and “with authority to inflict summary punishment.”²¹ During the Civil War, Provost Marshals became responsible for upholding the law and preserving order in their district by granting passes for the movement of citizens; collecting and investigating citizen’s complaints; conducting searches and seizures; as well as arresting, detaining, transporting, and prosecuting traitors.²² Provost Marshals acted largely in a magisterial capacity, establishing a bureaucratic system that produced a plethora of documentation regarding civilian disloyalty, including depositions, witness testimony, prisoner transfer papers, bond and parole regulations, and signed oaths of allegiance. These papers also included civilian letters of complaint, petitions for release of prisoners, requests for permission to possess firearms, requests for travel permits, etc. This chapter relies heavily on the documents found in the Union Provost Marshal Files, a crucial source for adequately assessing the Union approach to civilian disloyalty.²³

Oath of Allegiance

In the early days of the war, Union officials used the Oath of Allegiance as a way to insure only loyal citizens held public positions of authority, but this policy quickly extended to all citizens suspected or accused of disloyalty. Making sure only loyal officials sat in public positions of power and influence in the state was a necessary component for reasserting federal authority over areas in rebellion. On October 16, 1861, the Missouri State Convention passed an ordinance that purported to test “the loyalty of Civil Officers in this State,” stipulating that all civil officers must take an oath pledging their loyalty to the Constitution of the United States and

²¹ Scott, *Military Dictionary*, 475; Blair, *With Malice Toward Some*, 102.

²² “Missouri’s Union Provost Marshal Papers, 1861-1865,” *Missouri Digital Heritage Online*, accessed June 5, 2018 <https://s1.sos.mo.gov/records/archives/archivesdb/provost/>.

²³ Blair, *With Malice Toward Some*, 100-127.

promising to never “take up arms against the Government of the United States, nor the Provisional Government of this State, nor give aid and comfort to the enemies of either.”²⁴

Pursuing such a moderate course with regard to rebels, requiring only an oath of loyalty, pleased many who initially believed the rebellion could effectively be quelled by conciliatory means. For those who honored their promises, and believed others would too, the oath seemed to be an effective tool for weeding out disloyalty. In February 1862, Union soldier James Love, writing from Camp Hunter in Fort Leavenworth, Kansas, mentioned reading of “the treatment of Secesh” in newspapers, exclaiming “Mercantile Library, Preachers, Lawyers, Doctors and Institutions of all & every kind got to come up & take the Oath & live up to it when taken or suffer,” which he viewed as “only right & simple justice.” Love went on, “Those who are not for us are against us in this life struggle of liberty or despotism & if they live & get protection, & make money, not to say fawn & lie & steal from our government, why they have a right to obey it in word & deed at least or bear the consequences.”²⁵

Once Henry Halleck became the military commander in the state, he passed several military orders requiring a broader swath of public officials take the oath. Halleck targeted educators, editors, and ministers, whom he also categorized as outspoken and influential public officials. On February 3, 1862, Halleck issued General Order No. 29 specifically requiring “the president, professors, curators, and other officers of the State University [today the University of Missouri] take the oath of allegiance.” This was required because the university was “endowed by the government.” Faculty members who refused to take the oath but continued to pursue their

²⁴ Abraham Lincoln, *Abraham Lincoln Papers: Series 1. General Correspondence. 1833 to 1916: Missouri Convention Ordinance*, 1861, Library of Congress, Manuscript/Mixed Material, <https://www.loc.gov/item/mal11249800/>.

²⁵ *My Dear Molly: The Civil War Letters of Captain James Love*, ed. M.E. Kodner (St. Louis: Missouri History Museum Press, 2015), 108-109.

professions now committed a military offense, making them subject to arrest and imprisonment. Benjamin B. Minor, President of the University, agreed to take the oath along with several professors, but others refused. When Dr. Walter T. Lenoir, treasurer, was asked if he had taken the oath, he responded with the brief statement: "In response I say, no." Edward F. Fristoe, professor of mathematics, also ignored the oath and resigned from his position in February 1862 to join Price's army. Provisional Governor Gamble filled these vacated university offices with men willing to take the oath, establishing a board of loyal officials. Notwithstanding the appointment of a loyal Board of Curators, the board decided to close the University in 1862. University historian Frank Stephens described this decision as "illogical, faint-hearted, and unwarranted" because it appeared to have been made only as a result of a failure to reach agreement as to what to do with Fristoe's vacant post. However, the University's financial struggles, the war's outbreak, and the federal soldier's occupation of Columbia most likely all played a role in the decision to close the University. In fact, soldiers had already transformed the University into temporary living quarters for troops by December 1861 and a permanent military headquarters by January 1862, making instruction extremely difficult.²⁶

Some citizens, although willing adherents to the oath, failed to comply with Union orders in a timely manner and, as a result, feared the legal consequences. John Sheridan Marshall, clerk of the Circuit Court in Marshall, absent from home and unable to file the oath in the time prescribed by order of General Halleck, wrote to Provisional Governor Hamilton Gamble in March informing him of his intention to take the oath. He hoped to take the oath as soon as

²⁶ *History of Boone County, Missouri. Written and comp. from the most authentic official and private sources; including a history of its townships, towns, and villages. Together with a condensed history of Missouri; the city of St. Louis...biographical sketches and portraits of prominent citizens...* (St. Louis: Western Historical Company, 1882), 291-292; "Minor Resolutions," Odon Guitar Collection, 1836-1906 (C1007), *Civil War Manuscript Collection Online*, State Historical Society of Missouri, Columbia; Frank Stephens, *A history of the University of Missouri* (Columbia: University of Missouri Press, 1962), 156.

possible in order to resume his business because the people of his county, Marshall maintained, “want their business attended to.” Failure to take the oath meant the immediate stay of business and, if ignored completely, resulted in the loss of a job, a loyal reputation, and possibly, one’s freedom.²⁷

Initially, more often than not, authorities pursued a rather lenient policy toward rebels, releasing prisoners upon taking the Oath of Allegiance. Those arrested for treason took the same oath as that required of civil officials. But freedom often came with a few other conditions, including the promise to pay bond, to name securities, to report on hostile movements, and to remain in the county unless receiving permission to travel.²⁸ Allowing civilians to take the Oath of Allegiance demonstrated the administrations’ willingness to forgive disloyalty in an effort to ease civilian fears of authoritarianism and also relieve growing pressure on the “limited bureaucratic machinery” that lacked the manpower and infrastructure to arrest and house traitors.²⁹

²⁷ Letter from John Sheridan Marshall to Hamilton Rowan Gamble, March 21, 1862, Missouri Digital Heritage, Missouri State Archives Online.

²⁸ *Union Provost Marshals’ File of Papers Relating to Individual Citizens* (Missouri state archives, Jefferson City; hereinafter cited *UPM*), F1391, Thomas Ridgway.

²⁹ Blair, *With Malice Toward Some*, 50, 51. The Lincoln administration originally designed the Oath of Allegiance as a means to determine friend from foe, especially within government institutions, in the early days of the war. The administration required all officials take an oath of loyalty, in which they primarily promised to uphold the Constitution. By August 1861, the oath included a stipulation in which oath takers also pledged allegiance to the Union.

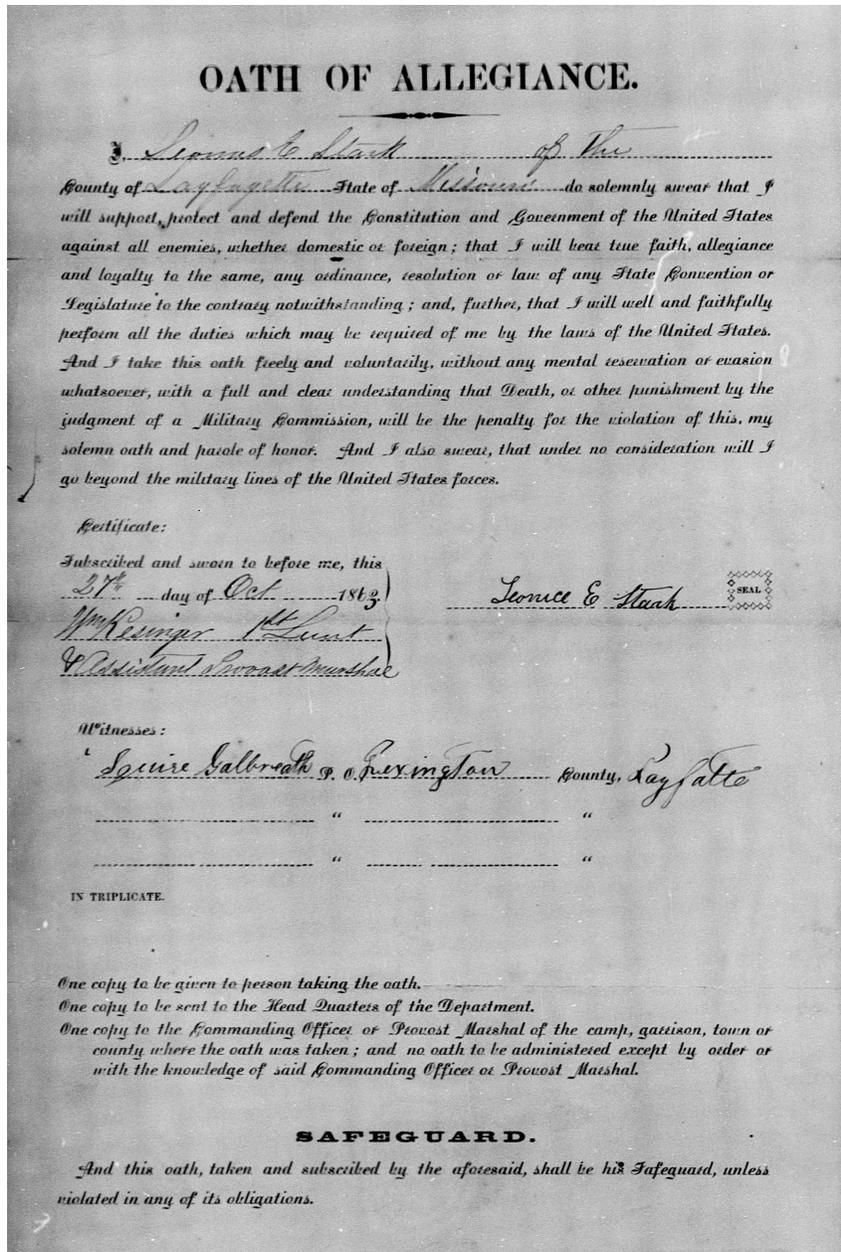


Fig. 29. Oath of Allegiance of Leonice Stark, October 27, 1863. Image from *Union Provost Marshals' File of Papers* on familysearch.org, accessed October 25, 2017.

Levying War

Levying war against the United States constituted the primary act of treason as defined by the Constitution. Citizens in Little Dixie who took up arms to guard against what they viewed as a federal invasion early in the war committed outright treason in the eyes of the United States

government. Upon their capture, these men were the first to face the charge of treason as prisoners of war. At first, Union officials also followed a lenient policy of forgiveness toward repentant rebel soldiers, but the rise of irregular fighters in the region hardened federal attitudes toward rebel combatants in Little Dixie fairly early in the war.

The earliest rebels in Missouri joined the self-defensive state militia units forming in their local communities in the spring of 1861. But, ultimately, many of these units flocked to Boonville to join up with the state forces under Sterling Price, going on to fight the battles of Boonville and Lexington. J.C. Cruzen, a young man from Miami, joined a local militia company under command of T.W.B. Crews called the “Saline Mounted Rifles,” a company that “was neatly uniformed in gray, and was the first and only uniformed company of Confederates to leave the county.”³⁰ The Saline Mounted Rifles along with a few other units from Saline County departed for Jefferson City to join the secessionist state forces on May 15, just days after the Camp Jackson Affair. According to J.C.’s brother, George Richardson Cruzen, J.C. joined the unit almost immediately following the Affair, driven to resist by what he viewed as the government’s unjustified and malicious actions against citizens. Sixteen-year-old George Cruzen decided against joining up at that time and stayed home attending to his work on the family farm. J.C. went on to serve with Price at the Battle of Lexington in September. Soon after the battle, family friend Thomas Winning came to George’s home insisting he join the militia to repel the federals advancing from Laclede and “taking all the bacon, flour and all the cattle fit for beef they can get.” George and Thomas joined a unit of between 100 and 150 men under the command of Logan T. Ballew in Carroll County. Ballew’s force ambushed a Union unit under Captain Wesley R. Love on Hurricane Creek in October, an event that George recorded as “the

³⁰ *History of Saline County, carefully written and compiled from the most authentic official and private sources...*, (St. Louis: Missouri Historical Company, 1881), 277.

first Bushwhack in the state.” Not long after this encounter, federals captured George near Dewitt and sent him to Laclede where he was held in “a boxed up wood house.” While in confinement, George received word from his father begging him to take the oath and return home, insisting it would be easy for him due to the fact that he had never really officially enlisted in the Confederate service. George heeded his father’s advice and was home before the month was out.³¹

George laid down his rifle in exchange for a plow and returned to Saline County. His brother Nat, however, set out to join the Confederate service under the leadership of Colonel Franklin S. Robertson, a lieutenant of the Mounted Rifles, who remained in Little Dixie in order to recruit more men for Price’s army. Robertson spent a few months in Saline, Cooper, Lafayette, Pettis, and Johnson counties, successfully recruiting a force of some 750 men that came to be known as “Robertson’s Recruits.” On December 16, the force set out to rejoin Price, gaining around a dozen more men along the way, including one rather high-profile Missourian, Ebenezer Magoffin, brother of the governor of Kentucky. Robertson’s men camped on the Blackwater creek at Milford near Warrensburg on the night of December 18. A Union force under the command of Brigadier General John Pope also settled near Milford and learned of the proximity of Robertson’s encampment. Pope planned and successfully executed an attack on the recruits the next morning, surrounding them and taking 684 men prisoners, Nat Cruzen among them. Pope marched the Confederate prisoners of war (hereafter, POWs) through the snow to Sedalia where they boarded a train for St. Louis and were ultimately confined in a makeshift

³¹ Reminiscences of George Richardson Cruzen titled *The Story of My Life*, ca. 1930, Missouri Digital Heritage Online, Missouri State Archives Online; *History of Carroll County, carefully written and compiled from the most authentic official and private sources...* (St. Louis: Missouri Historical Company, 1881), 311-312; *The History of Linn County, Missouri: An Encyclopedia of Useful Information, and a compendium of actual facts* (Kansas City, Missouri: Birdsall & Dean, 1882), 344-345.

prison at McDowell Medical College. Pope's overwhelming success on the Blackwater marked the largest Confederate POW apprehension in Missouri during the war and attracted the attention of east coast newspapers. That coverage made Pope into a celebrated Union general.³²

Prisoners of war traditionally faced four fates: imprisonment, exchange, parole, or execution. Many of the POWs captured on the Blackwater spent significant time in federal prisons; however, some successfully petitioned for release, promising to take the Oath of Allegiance and pay bond. Historical accounts from Little Dixie abound with stories of POWs taking the oath, returning home, and peacefully engaging in their profession. The petitions for release of a few of the soldiers captured on the Blackwater reveal their seeming aversion to joining the Confederate army in the first place. David Ball of Carroll County insisted he never enlisted or took part in any fighting; he hoped to take the oath, pay bond, and return home.³³ Another man captured on the Blackwater, Francis Meekin of Cooper County, actually claimed to have been pressed into Confederate service. Meekin alleged six men overtook him on the road and "compelled him to go with them." His story seemed believable to the official recording his statement because, as he noted, the prisoner possessed an "honest face" and appeared "earnest and truthful." Part of the prisoner's trustworthy character might have stemmed from the fact that he was an Irishman who claimed to have "no sympathy with the rebellion and would not fight for it."³⁴

³² Leslie Anders, "The Blackwater Incident," *Missouri Historical Review*, 88, no. 4 (July 1994): 420-425; Charles H. Lothrop, *A history of the First Regiment Iowa Cavalry Veteran Volunteers: from its organization in 1861 to its muster out of the United States service in 1866: also, a complete roster of the regiment* (Lyons, Iowa: Beers & Eaton, printer, 1890), 42-47.

³³ UPM F1222 David Ball.

³⁴ UPM F1372 Francis Meekin.

Forgiveness of repentant rebel soldiers was widespread throughout the region in the first several months of the war. While stationed in Liberty in early December, General Benjamin M. Prentiss promised federal protection to any Confederate soldier willing to take the oath and “sign an obligation to remain peaceable citizens and remain loyal to the U.S. Government.”³⁵ By February of the following year, Lincoln issued an executive order almost identical to Prentiss’ early policy, calling for the parole of prisoners willing to take the oath. Commander of the Department of Missouri, General Halleck, however, crafted his own version of Lincoln’s conciliatory order that more aptly applied to hostilities in Missouri. He allowed for the release of prisoners upon taking the oath but excluded violent offenders from this privilege and instituted a \$1,000 minimum bond requirement.³⁶

Nevertheless, federals simultaneously hardened their policies against non-commissioned combatants and their civilian aiders and abettors. “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,” General Halleck decreed in his General Order No. 13 in December 1861. Rather than treat guerrilla fighters as regular prisoners of war, Halleck insisted they be “hung as robbers and murderers.” It is important to note here that Halleck wrote about rebel civilians in a similar manner, claiming that anyone who provides guerrillas with resources should be held “liable to capital punishment,” according to “the laws of war, in every civilized country.”³⁷ All those accused of treason had to first be convicted of the

³⁵ UPM F1396 Henry S. Routt.

³⁶ Boman, *Lincoln and Citizen’s Rights*, 100—Executive Order No. 1, Relating to Political Prisoners, February 14, 1862; Halleck to J.W. Bell, March 31, 1862, *OR*, Series 2, Vol. 1, 125-126, 263-64, Vol. 2, 221-23, Vol. 3, 413.

³⁷ *OR*, Series I, Vol. 8, 405-07. Halleck’s order addressed individuals he called “rebels” and “spies” who aided the enemy and facilitated the robbery and destruction of loyal civilians’ property carried out by guerrillas. According to Halleck and the laws of war, civilians who aided the enemy in this fashion could be categorized as enemy combatants and subjected to the death penalty. Boman, *Lincoln and Citizens’ Rights in Civil War Missouri*, 71; *OR*,

crime at trial before the sentence could be carried out, and even then, officials needed the approval of the president. As a West Point educated officer and distinguished military theorist, Halleck understood this better than anyone.

Clearly distinguishing guerrilla fighters from regular Confederate soldiers became increasingly difficult for Union soldiers. Early in the conflict, neither guerrillas nor Confederate recruits wore distinctive uniforms. Some men initially joined the Confederate Army but returned home where they either attempted to stay out of the conflict or joined the ranks of guerrillas. All this confusion made it extremely difficult for occupiers to mete out the proper penalty. Occupying officers acted as judge and jury, condemning and executing suspected guerrillas within a matter of days or hours. Sometimes they made mistakes. After serving in the Confederate Army of Missouri in the first year of the war, George H. Fawks returned home only to be captured and turned over to Union General Lewis Merrill, who sentenced him to be shot at 10 a.m. the following day after Fawks refused to join the Union militia. Fawks was twenty-one years old.³⁸

Local citizens who took up arms against the government, acting on their own accord, separate from the regular army or guerrilla bands, also posed a major problem for occupiers. On April 20, 1861, Henry S. Routt led a successful rebel raid against the Liberty Arsenal, and by the following April he faced a host of treason charges, including “Exciting rebellion,” “Conspiring to levy war,” “Levying war,” and “making violent assaults upon men known to be Union men,” a specification of which included holding as prisoners Austin A. King and John Ryland, both

Series I, Vol. 8, 611-612; Robert Mackey, *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865* (Norman: University of Oklahoma Press, 2004), 14.

³⁸ *History of Howard and Chariton Counties, Missouri: written and compiled...* (St. Louis: National Historic Company, 1883), 538; Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County, State Historical Society of Missouri, Columbia. This document claims federals killed Fawks because he has been a Confederate soldier and he refused to take the Oath of Allegiance.

conservative Little Dixie political officials.³⁹ Several local men testified against Routt, affirming he made seditious speeches following the election encouraging armed resistance to the government; he terrorized Union men, calling them “Abolitionists” and “Black Republicans,” and threatened their lives with a bowie knife or noose; and with malice and forethought, he raised a rebel militia unit and executed a raid on the Liberty Arsenal, where he stole and secreted government arms and ammunition. Regardless of these charges, Routt benefitted directly from the administrations initial policy of clemency. On April 16, 1862, Abraham Lincoln wrote up an order of “Executive clemency” for Routt, excusing all of his crimes.⁴⁰

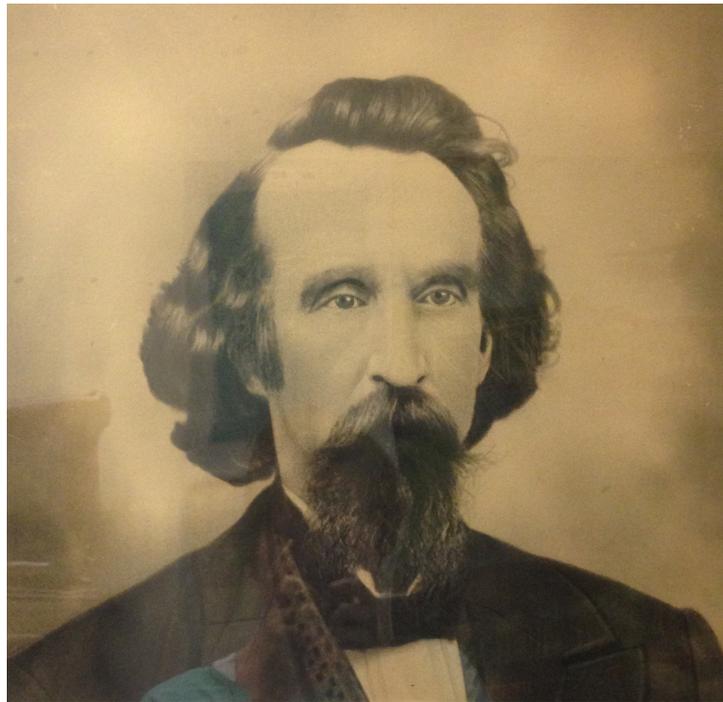


Fig. 30. Image of Henry S. Routt. Image courtesy of Clay County Historical Society and Museum, Liberty, Missouri.

³⁹ UPM F1396 Henry S. Routt.

⁴⁰ Lincoln’s presidential pardon of Routt is now in the possession of the Clay County Museum and Historical Society in Liberty, Missouri. April 16, 1862, Lincoln Pardon of Henry S. Routt, Clay County Museum and Historical Society. *Encyclopedia of the History of Missouri: A Compendium of History. . . ., Vol. 2*, ed. Howard Louis Conard (The Southern History Company, 1901), 22. Routt later took an active part in Unionist movements in Clay County along with fellow Liberty resident Judge J.T.V. Thompson.

Men who were openly hostile to the federal government at the outset of war but who decided to return to their home found it exceedingly difficult to live undisturbed. William Porter Tuttle joined Price's Army in the fervor of August 1861 and served with the army until after the Battle of Lexington when he resigned and returned home to Providence, Boone County, and his mercantile business. Nearly three months later, members of Colonel Abraham M. Hare's 11th Iowa Infantry detachment arrested Tuttle under suspicion of "being in arms" while out hunting. Tuttle, imprisoned in St. Louis, took the oath and returned to Boone County in February 1862. During that summer, federal officials at Jefferson City boarded the steamship *Hannah Ogden* and confiscated goods headed for merchants in Columbia, some of which belonged to Tuttle. Tuttle wrote to Provost Marshal General Bernard G. Farrar in September representing the seizure of his property as a personal assault, unjustified since he had taken and adhered to his Oath of Allegiance. "[P]lacing myself under your protection," Tuttle angrily wrote, "I ask you as such protector is it right or is it the intention of the government to thus oppress me and take from me my only means of making an honest living."⁴¹

Later in the conflict, ex-Confederate soldiers were sometimes even conscripted into Union militia units. In May 1863, George Richardson Cruzen took rifle in hand once again, only now he served in the Union militia. In his memoir, he recounts the day when three armed men approached him as he plowed his cornfield and informed him that they had orders to enroll him in the militia. Unwilling to go with the men, George protested "but soon saw it no use," and he eventually rode with the men to Arrow Rock where Captain Arch Burnside was actively working to raise a militia unit. George's father attempted to secure his son's release but failed after losing at least \$50 to a few enterprising Union men who promised to exchange George for a

⁴¹ UPM F1409 William Porter Tuttle.

fee. Determined to make the most of his time as a Union soldier, George secretly aided Quantrill and his men by supplying ammunition to local southern sympathizing families and keeping them abreast of army movements.⁴²

Conscription appeared to some officers as the best remedy for pacifying impetuous young southern sympathizers. General Odon Guitar offered one man a rather attractive deal: join the Missouri State Militia and have all charges dropped. The lucky prisoner was ex-Confederate private Perry Thrall. Thrall refused to be intimidated by Union soldiers he encountered after his return to the Little Dixie region following the Battle of Wilson's Creek on August 10, 1861. He reportedly stabbed a Union soldier attempting to take apples from his uncle's orchard. Hunted down, captured, and given a trial by federals, Perry ultimately escaped any punishment for his crime, which allowed him to go on to similarly stab two more soldiers. Once in front of General Guitar headquartered at Columbia, Thrall again experienced Union mercy, and he decided to join the militia and have the charges revoked.⁴³

Irregular soldiers were usually not so lucky. Proven and suspected guerrillas experienced little clemency from federals. However, in the event of a capture, bushwhackers were sometimes granted the benefit of a trial, although these could be rather crude affairs in which a guilty verdict and capital punishment were almost guaranteed. The U.S. cemented its policy toward irregulars in April 1863 with General Order No. 100, establishing that any man proven in military court to be a guerrilla was subject to the death penalty.⁴⁴ In August 1863, Union forces captured Dr. John W. Benson of Saline County on his way to turn himself over to authorities, or so he claimed.

⁴² George Richardson Cruzen, *The Story of My Life*, Missouri Digital Heritage, Missouri State Archives Online, pg. 18-23.

⁴³ F.194 North Todd Gentry Papers, 1837-1947 (C0049), State Historical Society of Missouri, Columbia.

⁴⁴ Mackey, *The Uncivil War*, 32, 60.

Local officials tried and convicted him of riding with Quantrill in the recent raid on Lawrence, Kansas. After his conviction, Union soldiers marched the doctor to the graveyard, sat him on top of his own coffin, and opened fire. Regardless of his irregular status, Dr. Benson's death reverberated through the county and incensed the citizenry, especially fellow guerrillas, who "[a]t that time . . . spared no Federal who fell into their hands."⁴⁵

Giving Aid and Comfort to the Enemy

Giving aid and comfort to the enemy is the second specification of the crime of treason as outlined in the Constitution. Once federals realized civilian resources sustained irregular fighters, soldiers began deliberately targeting civilians. Arrests of citizens, both men and women, for aiding bushwhackers became a common feature of the war in Little Dixie. And, as in the arrest of regular combatants, civilians were often released upon taking the oath and giving bond. Civilians, more often than irregular combatants, were granted the benefit of a trial, and if judged guilty, could, in the worst cases, end up receiving a sentence of prison time, hard labor, or expulsion from the state.

The first noncombatants arrested in Little Dixie sat accused of directly encouraging the rebellion. At the outset of the war, men over forty-five years of age could not enlist in either the Union or Confederate armies. Men deemed too old to join a military unit could only encourage others to participate or give aid to those in the service. In March 1862, fifty-six-year-old Reuben Simcoe of Callaway County was on trial for "Aiding in the Rebellion" by providing young men with supplies and encouraging them to enlist in the Confederate service. A handful of young men testified to his secessionist sentiments and insisted he encouraged them to join the rebellion,

⁴⁵ William B. Napton, [Jr.], *Past and Present of Saline County* (Indianapolis, Indiana: B.F. Bowen and Company, Publ., 1910), 198.

specifically Henry Willing's Company, claiming it was the best choice the young men could make. The young men also revealed that Simcoe offered them clothing and tents, concealed on his premises, if they joined the service.⁴⁶

Just as damning testimony could result in a speedy conviction, testimony attesting to innocence or good character could culminate in a prisoners' acquittal. Brothers Levi and Edward W. Fawks lived near each other in the Prairie Hill neighborhood of Chariton County not far from the family homestead their father, Levi Fawks, Sr., established in April 1825, as one of the earliest settlers in the county. Union authorities arrested the two men in October 1862 for aiding Confederate Colonel John A. Poindexter and imprisoned them in the military prison at Alton, Illinois. Friends, family, and neighbors refused to believe Levi or Edward aided Confederates willingly and wrote a petition asking for their release, along with the release of other patriarchs from the neighborhood: John H. Dameron, Samuel McGray, Robert Cottenham, and Pete M. Sears. The petition writers blamed the arrests on the drunken vendetta of Henry Conrad, who often accused southern men of wrongdoing but failed to differentiate between "those that ought really to be punished and those that are only second or third rate rebels." Levi and Edward's brother Alfred W. Fawks also provided the justice of the peace with a statement testifying to his brothers' innocence. Alfred lived with Levi and claimed to know for a fact that the horse, wagon, and harness Levi was said to have given willingly to Confederate Colonel John A. Poindexter was, in fact, taken forcibly. The testimony professing the brothers' innocence is suspect. Edward's son George H. Fawks served under Poindexter at the time of his father's arrest and was executed by General Merrill in 1861.⁴⁷ Union officials decided this case in favor of innocence; it

⁴⁶ UPM F1260 James Simcoe.

⁴⁷ UPM F1589 1064 2663; F1589 1292 2709; F1592 0442 3520 Fawks; *History of Howard and Chariton Counties, Missouri: written and compiled from the most official authentic and private sources, including a history of its*

was difficult to discount the almost identical statements of so many citizens testifying to the Fawks brother's political ideology and good character.

Sometimes, federals quickly came to regret their leniency. For some citizens, the Oath of Allegiance represented little more than a piece of paper, a minor obstacle on the road to regain their freedom. Many Little Dixians who violated their oath did so by continuing to aid their family members serving in the Confederate army or the guerrilla ranks. Faced with a choice between family and country, they chose the former. Guerrilla Captain Jim Rider relied on the resources produced by the households of his father James and his uncle George Rider. The Rider brothers settled near Miami in Saline County in the 1830s and attained prominence by amassing wealth and taking part in established social institutions. The Rider family combined resources through a support network comprised of family members and social relations before the war that they used to successfully aid local guerrillas during the war. Such family and community-based supply lines were virtually invisible to anyone unfamiliar with the area.⁴⁸

Despite the Rider's seemingly covert supply line, George Rider soon came under the suspicion of federal authorities in Miami. In 1862, Rider was arrested for aiding guerrillas but simply received a Union reprimand and took the oath. A local man saw Rider soon after his release "under the influence of Spirits" and "very much gratified at the way he got off." The man assumed Rider was released because "he complied with the necessary requirements of the law." Although Rider appeared to be complying with the law, behind the scenes, he continued to aid guerrillas. In 1863, several of his closest neighbors provided damning testimony that brought

townships, towns, and villages, together with a condensed history of Missouri... (St. Louis: National Historical Co., 1883), 34.

⁴⁸ Joseph M. Beilein, "The presence of these families is the cause of the presence there of the guerrillas': The Influence of Little Dixie Households on the Civil War in Missouri" (M.A. Thesis, University of Missouri, 2006), 13-41.

Rider to trial a second time. Union officials subsequently detained Rider and other prominent men in Miami in order to discourage guerrillas from coming into the area in search of aid.⁴⁹

However, Rider's incarceration did not halt guerrilla traffic in the area, because the supply line continued to function, mostly due to the efforts of the Rider women. In November, guerrillas received a shipment of clothing and shoes from two local civilians. But, by this time, the extent of the Rider's supply network was becoming apparent to Union authorities. Union Capt. E.J. Crandall noted that the real strength of Rider's force came from his "making headquarters with his father and other rebels in that locality." Even "the Rider girls," George Rider's daughters, Lucinda and Mary, were part of the supply line and faced trial in the spring of 1865 for their role in aiding these guerrillas. These women were such a threat to the Union that officials threatened to banish Jim Rider's wife from the area.⁵⁰

Similar to the Riders, the Jackman family of Howard County also came under Union suspicion for aiding guerrillas. Sixty-nine-year-old Porter Jackman of Moniteau township, uncle of notorious guerrilla captain Sidney D. Jackman, found himself on trial by military court martial in September 1863 for feeding Sidney and some of his fellow bushwhackers.⁵¹ Sidney originally joined the Confederate Army but returned to central Missouri for recruiting purposes, at which

⁴⁹ UPM F1391; *Union Provost Marshals' File of Papers Relating to Two or More Civilians* (Missouri State Archives, Jefferson City, Missouri), F1602-6593.

⁵⁰ *OR*, vol. 41, Pt. IV, p. 607; UPM F1490; UPM F1400 Robert Shannon. Mention of Jim Rider's wife staying at his house and his neighbor's house in the statement of Robert Shannon in February and March 1865. Shannon obviously helped Rider's wife and was arrested for harboring bushwhackers. Many testified in the case in his favor, claiming that they know him to be a southern sympathizer but have never known him to aid bushwhackers or even talk politics.

⁵¹ *History of Howard and Cooper Counties*, (St. Louis: National Historical Company, 1883), 551. Porter Jackman was one of the first settlers in Howard County, moving to the Moniteau area in 1816, where he became a successful farmer and developed a vested interest in the tanning business. He married his wife Polly, a union that produced eight children. Both Polly and Porter died in 1865, a few months apart. Sidney Jackman, *Behind Enemy Lines: the Memoirs and Writings of Brigadier General Sidney Drake Jackman*, ed. Richard L. Norton (Springfield, Missouri: Oak Hills Publishing, 1997), 158. Confederate Captain Sidney Jackman attributed his uncle's death a few months afterward to "broken energies and a broken heart."

time he formed “Jackman’s Missouri Cavalry,” which functioned more like a guerrilla band.⁵² Porter himself openly admitted to providing Sidney and four or five of his men with breakfast on April 1, 1863, and to holding southern sympathies, declaring he did not want to see the South put down in this war. Deponent R.G. Lyell, Captain and Quartermaster of the 1st Provisional Regiment E.M.M., claimed to have heard Jackman say “he would feed any person or persons of either party. Federals or Southern men, and that he would not report to either party, any one.”

During Porter’s trial it became clear his defenders wanted to emphasize both the good character of the old man and the difficulties associated with civilian’s resisting guerrillas. Other deponents in his case, all self-proclaimed loyal men, testified to Porter’s good standing in the community and the kindness he showed all of his neighbors. When asked if it was “prudent to deny food to the rebels,” deponent John W. Harris responded, “I do not think it to have been prudent during the absence of Federal troops.” Another deponent, Union General Thomas J. Bartholow answered the question similarly: “I would merely state that when a party came armed and demanded it, a citizen could not well help feeding them, for they would take what they wanted.” Bartholow’s statement aided in the defense of Porter, whose nephew Sidney had actually taken Bartholow hostage in April. However, it was probably during his captivity that he learned how difficult it was for civilians to resist armed assailants. In his deposition, Bartholow recounted the day Sidney called on a Mr. Brown, who initially refused to feed the men and only capitulated after talking to Bartholow and getting assurance from him, as a Union official, that he would not be punished for the aid.⁵³

⁵² Aragorn Storm Miller, “Jackman, Sidney Drake,” *Handbook of Texas Online*, accessed September 10, 2018 <https://tshaonline.org/handbook/online/articles/fjagk>.

⁵³ UPM F1477 Porter Jackman. Porter Jackman’s sentence is unknown, but by June and July 1865, General Odon Guitar was calling for his banishment outside of Union lines; *History of Howard and Chariton Counties*, 286-287.

Many older patriarchs who remained at home during the war often felt they had little choice when armed men came to their door looking for food. Similar to Jackman, James H. McGhee of Boone County aided the men who came to his door and wound up under arrest. Unlike Jackman, however, McGhee denied willingly helping bushwhackers or being a southern sympathizer. Instead, when asked if he was a southern sympathizer, McGhee retorted, "I cant say that I am. I have just as much sympathy for one side as for the other." He also denied willingly aiding bushwhackers or even knowing the identity of William M. Evans, the man Union scouts of the 9th Cavalry M.S.M saw escape from McGhee's house on May 30, 1863. McGhee insisted Evans was in his house, helping himself to food when McGhee got home. He immediately asked Evans to leave, but he remained until the scouts arrived, at which time he ran out of the house, mounted a horse and, according to Sergeant Thomas J. Hern, "pulled out his pistol and waved it over his head, and told us to go to hell." Union scouts arrested McGhee that night. Many of the soldiers who witnessed the events that day felt certain that McGhee had been aiding bushwhackers for the last year, especially since he admitted his son, a Confederate soldier, had recently visited his home.⁵⁴

McGhee openly admitted to aiding bushwhackers. He committed the crime. It was only his intent that was in question. Did these men willingly provide bushwhackers with supplies or did bushwhackers take them by force? By claiming to be ambivalent about aiding armed combatants or, in fact, unwilling, were these men employing a strategy to avoid prosecution from Union authorities or were they revealing their strategy for avoiding reprisals from bushwhackers? Most likely, it was a little bit of both.

⁵⁴ UPM F1199 James H. McGhee

In the case of William M. Curry of Callaway County, bushwhackers did not have to threaten violence to get what they needed, but the threat of violence was always present. According to Curry, “they [bushwhackers] set down and helpt [sic] themselves and feed there own horses.” He cooperated with the armed assailants; he had little choice in the matter. Major James C. Bay arrested Curry on August 1, 1863, and transported him to Columbia where he willingly took the oath. Curry later claimed in a statement that he was a loyal man. Twenty-six men from his neighborhood wrote to Provost Marshal James Broadhead asking for Curry’s release because he was old and infirm, noting that a stint in prison would likely compound his health problems. Curry, they insisted, was “a peacable citizen and law abiding man.” Another acquaintance, E.P. Ellis, claimed Curry was an innocent, “law and order man,” a common phrase used to describe someone who opposed the lawless methods utilized by both bushwhackers and Union soldiers. Although these men escaped the consequences awaiting them had they not cooperated with guerrillas, they found themselves facing the brunt of official scrutiny because of their ambivalence toward the war and their cooperation with the enemy.⁵⁵

Professed southern sympathies did not always translate into active or willing participation for these aged patriarchs. Many expressed a desire to stay home and mind their own business, but the war came to them, nonetheless. Lorton Cox, in giving his deposition, admitted openly to being a southern sympathizer like others before him. As “a Southern Raised Man,” Cox stated, “I . . . am for the union if it can be sustained—but in case of separation I am for the South—the way matters now stand my sympathies are with the South—and I prefer the success of the Rebel Army.” Despite these admissions, Cox denied ever taking part in the rebellion or aiding southern men. He recounted an encounter that occurred on May 6, 1863, when men claiming to be

⁵⁵ UPM F1247 William Curry.

southern men came to his home and asked him about the whereabouts and habits of a Union lieutenant, to which Cox claimed, "I did not know." Cox's daughter Mildred Lintz and his hired hand Felix Tevalt, both occupants in Cox's home, testified as witnesses that Cox's story was in fact true. Both insisted he was a peaceable and quiet man. Mildred specifically stated:

my father the Deft [defendant] express himself as opposed to Guerrillas and opposed to the rebellion that he always claimed to be a union man and wanted the union restored. I have been living with my father ever since the Rebellion and know that he has never harbored or fed any Guerrillas or Southern men he has always expressed a desire to remain at home and keep out of these difficulties.⁵⁶

To add to the complexity of the situation, civilians often did not really know for sure who was at their door. Combatants claiming to be southern men could very easily be disguised federal soldiers and vice versa. In June 1864, Fishing River township resident John McCorkle sat in prison in Liberty, Missouri for aiding bushwhackers. All that remains of his case is the testimony of his wife Elizabeth, who professed her husband's unwillingness to aid the men who came calling at their home that summer. She described two separate instances involving two different parties of men that came to her home seeking food. On the second occasion, Elizabeth was at home alone and refused the men breakfast, to which they replied, "there was no use in talking; that there was plenty there and they must have something to eat." Elizabeth believed these men were Union soldiers because, as she described, "some of them had on Federal uniform, and some were dressed in Citizen's clothing." However, her final observation that only some of the men had on federal uniforms calls the identities of these men into question and lends credence to the probability that they were more likely guerrillas disguised as Union soldiers.⁵⁷

⁵⁶ UPM F1242 Lorton Cox.

⁵⁷ UPM F1197 John McCorkle.

If citizens struggled to determine the identity of armed combatants, how were they supposed to know when to report them? Authorities expected civilians to report any guerrilla movements to the local Provost Marshal or military commander. However, this placed Little Dixians in a very precarious position between two extremely unattractive options: report guerrillas and face the prospect of future reprisals or face the prospect of arrest and possible imprisonment at the hands of Union authorities for aiding guerrillas. Often, citizens decided not to report guerrillas in order to avoid loss of property or life in the future; going to prison seemed a paltry penalty in comparison.

Angering Union soldiers by failing to comply with military policy could sometimes result in capital punishment as well. Guerrillas appeared to roam at will around the environs of Columbia in July 1864, and officials believed the civilian population, known collectively to authorities as the “Secesh,” facilitated their depredations. Assistant Adjutant General Frank D. Evans wrote to his superior that “the Boys” of Company A, 9th Cavalry M.S.M. stationed in Columbia decided to dress in “Butternut” and picket the town in order to better gage the loyalties of the civilian population. Local resident Gabriel Turner, who Evans called a “Bonded Patriot,” agreed to prepare dinner for them. According to Evans, Turner prepared “a most gorgeous and sumptuous display of edibles.” Although he prepared food for disguised federal soldiers, officers arrested Turner for aiding bushwhackers and held him in confinement in Mexico where he took the oath and promised a bond of \$3,000. On October 11, Isaac Garnett, First Lieutenant 7th Kansas Cavalry, wrote out orders for Sergeant James Gray to transport Turner to prison in St. Joseph. At the end of his order, Garnett ominously wrote, “should the prisoner attempt to escape shoot him on the spot.” Gray reported the death of Turner the following day. According to Gray,

Turner attempted to escape during his transport, so Gray “fired wounding him seriously and left him on the spot where he fell.”⁵⁸

Every option seemed to have only negative consequences for civilians. Hiram Wilkerson of Glasgow penned a desperate letter to Commanding General Clinton B. Fisk on October 1, 1864, lamenting, “it placies mee between to fires if I report on any bushwhacker or southern men.” Wilkerson continued, “they [guerrillas] will kill me,” since “they have swore vengeance against all reporters.” Wilkerson ended his letter with a desperate plea to be excused from the military order requiring civilians to report guerrillas as it was just “too dangerous a thing” at the time.⁵⁹

Out of fear, civilians often complied more readily with guerrilla threats than Union orders. The aid guerrillas received from the majority of the population living in the countryside led some neighborhoods to gain a reputation for being rebel strongholds. Union officials considered Lone Jack and Sni-A-Bar in Jackson County among the most notorious neighborhoods. Henry Tull testified on February 27, 1865, in Kansas City at the trial against J. Daniel, a Lone Jack resident arrested for aiding bushwhackers. Tull had previously resided in the neighborhood but insisted he “could not live there on account of my Union proclivity.” He further stated, “I do believe every man in that part of the country does feed & harbor Bushwhackers. I do not believe a man could live in that neighborhood without doing so [aiding bushwhackers].” Lydia Taylor gave a similar testimony confirming the necessity for civilians living in Lone Jack to aid bushwhackers, take a vow of silence, or leave their homes. Taylor accounted for her failure to report guerrillas as follows:

⁵⁸ UPM F1408 Gabriel Turner.

⁵⁹ UPM F1420 Hiram Wilkerson.

I have had little or no chance to tell it to the Federal Troops & was afraid to do so if I had a chance knowing that if I did give any information against those men [her neighbors] or the Bushwhackers to the troops I would be either killed & my house & property burned up & destroyed or driven from my home.

Taylor also provided officials with a list of neighbors she believed to be loyal and disloyal. She suspected many of her neighbors of being rebels who did all in their power to aid guerrillas. She did not seem to consider the possibility that her neighbors were in the same situation as her.⁶⁰

“Secesh Women”

By 1863, arresting women for aiding bushwhackers became the primary focus of many local Union commanders in Little Dixie as they came to realize, however reluctantly, that southern-sympathizing women facilitated the irregular war. In February 1863, a general military order appeared in the *Columbia Missouri Statesman* under the heading SECESH WOMEN. General Order No. 1, crafted by Colonel James A. Price of the 6th Regiment Enrolled Missouri Militia (E.M.M.) stationed at Weston, dripped with contempt as it made explicitly clear that “secesh women” would be held responsible for their, as well as their children’s, words and acts considered to be disloyal to the federal government. Price acknowledged the common belief at the time that “Ladies and children do not thus speak of their own free will” and were “prompted to it by their husbands and parents, who are too cowardly to speak it themselves,” but he insisted that “with traitors there is no distinction of sex—all must be treated alike” and ordered the arrest, with “sufficient proof,” of “all such” women in his district.⁶¹

Price’s order reveals the dilemma Union officials faced in prosecuting females for treason. Women acting in an overtly political manner challenged antebellum conceptions of

⁶⁰ UPM F1632 14921 Lydia Taylor.

⁶¹ *Columbia Statesman*, February 6, 1863.

women as nonpartisan and apolitical beings. With his order, Price contributed to one of the Civil War's most startling social transformations: women were now considered participants in war and liable to suffer punishment.⁶² For the first time in American history, women were arrested and prosecuted on a mass scale, especially in Missouri.⁶³

“Secesh” women felt compelled to aid guerrillas as an extension of familial love and obligation. Many of those arrested for aiding bushwhackers willingly fed them or provided them with supplies because they were related to them either by birth or by marriage. However, unlike many of the females mentioned in Chapter 3, who simply continued performing the domestic tasks they had performed before the war to help their loved ones in the brush, some extended their traditional services to include the more conventional acts of espionage commonly practiced by men in times of war.

One example occurred on March 28, 1863, when a small band of bushwhackers under the leadership of Bill Gregg attacked the steamship *Sam Gaty* on the Missouri River at Sibley landing in Jackson County, determined to stop the ship from carrying Missouri slaves into Kansas. The guerrillas shot and killed nine black men and two Union soldiers, leaving another badly wounded, and dumped 48 army wagons full of foodstuffs meant for Union soldiers into the Missouri River.⁶⁴ The irregulars involved in the attack dispersed soon afterward. A few of them,

⁶² McCurry claims that Civil War soldiers were reluctant to see women as parties to war and believed the prevailing assumption that women were nonpartisan and apolitical. During the war, McCurry states, “the deeply held assumptions about women’s nature and proper role collided with a historically contingent set of developments bearing on their political behavior in the war.” Men confronted women engaging in political acts contrary to prevailing assumptions of women’s apolitical nature. Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Harvard University Press, 2010), 85-86.

⁶³ Historian Mark Neely found that over 46% of the 4,000 military commissions to punish treason held during the war occurred in Missouri. Neely, *Fate of Liberty*, 44.

⁶⁴ Bruce Nichols, *Guerrilla Warfare in Civil War Missouri*, Volume II 1863 (Jefferson, North Carolina: McFarland & Company, Inc., Publishers, 2007), 109-110.

Daniel Vaughn, Richard Yeager, and Samuel Clifton, traveled to Chapel Hill in Lafayette County to rendezvous with family, paying a visit to Vaughn's sister and Clifton's wife, Margaret. Margaret traveled with the men back to Jackson County to the home of Mary Vaughn, mother of Daniel Vaughn, where Margaret's sister Martha prepared the men a meal. On April 23, Major Wyllis C. Ransom, 6th Kansas Cavalry, hell-bent on revenging the guerrilla attack on the *Gaty*, arrested Margaret and Martha. He charged Margaret with a variety of crimes, including feeding, harboring, traveling with, and spying for bushwhackers. Ransom even went so far as to charge Margaret with "being accessory to robbery and murder after the fact," one of the primary reasons being she accepted money stolen from a federal soldier killed on the steamer. Even though Margaret took no part in the actual attack, she went to prison for three months for helping her husband and accepting gifts from him.⁶⁵

Many of these cases boiled down to the intent of the defendant: did the prisoner willingly aid guerrillas or were they forced? In Lucrencia McCoy's case, she admitted to willingly feeding bushwhackers. However, McCoy insisted she "fed both parties." After her arrest in May 1863, in the presence of Clay County Provost Marshal J.W. Bassett, McCoy further explained her neutral approach: "No union man ever came to my house and asked for something to eat but what he got it. It made no difference whether they were union men or rebels I fed them. I never turned off any one who was hungry."⁶⁶

Although rare, a small number of women taking an active role as principal conspirators in the crimes of irregular fighters made their loyalties abundantly clear. In late November 1863, Anne Fickle and Ann Reid plotted with Captain Andrew Blunt, a guerrilla leader, and James

⁶⁵ UPM F1239 Margaret C. Clifton; Larry Wood, *Bushwhacker Belles: The Sisters, Wives, and Girlfriends of the Missouri Guerrillas* (Gretna: Pelican Publishing Company, 2016), 58-59.

⁶⁶ UPM F1197 Lucrencia McCoy.

Burns, a member of Co. I, 5th Provisional Regiment E.M.M. to help Otho Hinton, a captured guerrilla, escape from confinement in the makeshift prison at the local Masonic College in Lexington.⁶⁷ For her role in the failed plot that left several Union soldiers dead, the twenty-year-old Fickle was convicted of concealing guerrillas, conspiring to release a prisoner, bribing a U.S. soldier, and murder in the second-degree.⁶⁸ The commission sentenced her to ten years at the State Penitentiary in Jefferson City.⁶⁹

Anne Fickle's role in the conspiracy appears to have been undeniable. Captain Blunt gave Anne thirty dollars in gold and a metal-cutting file to pass on to the prisoner, Hinton, who would first use the gold to bribe the Union prison guard; but if bribery failed, he would then use the file to cut his chains and the guard's throat.⁷⁰ Meanwhile, Blunt had already convinced Union soldiers James Burns and William Sabins to aid in Hinton's escape. Unbeknownst to the conspirators, however, Sabins had betrayed them by reporting the conspiracy to his superior officer, who set up a ruse of his own. On the night of November 21, Lieutenant Kesinger had already stationed troops in the woods surrounding the jail. When Hinton attempted his escape, private Sabins shot and killed him before he could even open the door. Private Burns, shocked and perplexed, ran to join Blunt hiding in the woods nearby. A squad of Union soldiers sprung

⁶⁷ *Columbia Statesman*, March 11, 1864.

⁶⁹ "Gratiot Street Prison" on *Civil War St. Louis* (website), accessed May 10, 2017 <http://www.civilwarstlouis.com/Gratiot/prisonernotes.htm#AnnieFickle>. Anne was sent to the penitentiary at Jefferson City with a ten-year sentence but was pardoned by order of the President Jan. 30, 1865. An article in the *Columbia Statesman Newspaper* on July 22, 1864 stated Anne Fickle "had been tried by military commission and sentenced to three years imprisonment in the Alton military prison, and to be employed as cook for the prisoners."

⁷⁰ Thomas P. Lowry, *Confederate Heroines: 120 Southern Women Convicted by Union Military Justice* (Baton Rouge: University of Louisiana Press, 2006), 29.

the trap, shooting and killing Burns and wounding Blunt, who successfully made his escape from Lexington but not without first shooting down Union private William J. Asher.⁷¹

Fickle's arrest and trial caused an outpouring of emotion. The *Lexington Union's* coverage of the story in March 1864 strongly condemned Anne Fickle and Ann Reid, the two women implicated in the plot. After celebrating the fact that these two women were "on the swift road to justice," owner and editor Henry Davis exclaimed, "Such women! They would strangle their own children to carry any wicked purpose their wicked hearts might conceive."⁷² From a completely opposite perspective, William "Bloody Bill" Anderson, one of Missouri's most notorious guerrilla fighters, harshly condemned Fickle's arrest and imprisonment. The guerrilla captain harangued Union Brigadier General Egbert B. Brown for his treatment of civilians, especially the arrest of women "for the deeds of men." Anderson expressed his intentions of revenge in very vivid and explicit terms: if Brown did not release Miss Fickle and the other women under arrest in Lafayette County, he would "hold the Union ladies in the county as hostages . . . tie them by the neck in the brush and starve them until they are released."⁷³

Arresting women outraged guerrillas, but guerrillas themselves were responsible for putting women in the compromising positions that often placed them in Union crosshairs. Bushwhackers refused to acknowledge their culpability, preferring to hold on to antebellum views of women as lacking agency and to place blame on federals for the mistreatment of women. Union officials also hesitated to prosecute women to the fullest extent of the law,

⁷¹ UPM F1659-0837-21953 Anna Fickle; Bruce Nichols, *Guerrilla Warfare in Civil War Missouri, Vol. III* (North Carolina: McFarland and Company, Inc., Publishers, 2014): 54. Note: Most of the sources covering these events differ drastically. I chose to rely mostly on Nichols account, since his work is thorough and extremely reliable.

⁷² *Columbia Statesman*, March 11, 1864.

⁷³ *OR*, series I, vol. 41, Part II, p. 76-77; Wood, *Bushwhacker Belles*, 71-78; Richard S. Brownlee, *Gray Ghosts of the Confederacy: Guerrilla Warfare in the West, 1861-1865* (Baton Rouge: Louisiana State University Press, 1958), 199-203.

especially in some of the more indiscernable cases of female disloyalty. Eliza Haynie of Saline County went to trial by military commission on July 26, 1864, charged with harboring and feeding guerrillas, aiding and abetting the enemies of the U.S., and receiving stolen property. The commission found her guilty of aiding and abetting guerrillas but only on one count: hiding rebel mail. Soldiers of the 4th Cavalry M.S.M. on a scout through Saline County on June 13 rode up on the Haynie household where they found several women working tirelessly to remove clothing and other valuables from the house. This struck the soldiers as suspicious, thinking the women were bringing supplies to guerrillas in the brush. The women insisted they were removing valuables to save them from possible destruction in case the federals decided to burn down their home. Even more suspicious, the men found guerrilla tracks, two horses, a bag of mail, and traces of a guerrilla camp not far from the Haynie homestead. As a result, captain of the cavalry unit, W.L. Parker, decided to search the house, where the soldiers found more incriminating evidence, including rebel mail, dry goods, and men's boots. Parker later testified that Lydia Haynie, one of the younger daughters, claimed she had aided guerrillas and would do so again. The matriarch, Eliza, on the other hand, denied knowing anything about the mail, but she and her daughter Rachel both ended up in prison for their crimes, Eliza at Gratiot Street Female Prison and Rachel at Alton Prison. On December 8, commanding General William Rosecrans set their sentence at six months.⁷⁴

Union officials began to view nearly all women in their districts as southern sympathizers and, by extension, active and willing comforters and supporters of guerrillas. Particularly suspect were those women aiding bushwhackers and running a household alone in the absence of a male head, what historian Joseph Beilein termed "disorderly women." Union authorities deemed them

⁷⁴ UPM F1615 10001 Hayne Women; Wood, *Bushwhacker Belles*, 115-120; Lowry, *Confederate Heroines*, 20-21.

“out of order” because they not only lacked male supervision but also willingly aided guerrillas, men federals deemed to be ruthless criminals.⁷⁵ Soon, authorities were equating the wartime crime of women aiding the enemies of the U.S. with the prewar crime of prostitution. In fact, in a few instances, women accused of treason also sat accused of lewd behavior. Women entertaining strange men in the privacy of their home without the supervision of men led authorities to conclude these women must be running “a house of ill fame.”

The case of the Fox women of Chariton County perfectly demonstrates this point. In June 1864, special agent Harry Truman murdered Peter Fox. A little over six months later, in January 1865, Peter’s wife, Isabella, and daughter, Melissa, were accused of aiding bushwhackers and under examination by Union officials in St. Louis. Seventeen-year-old Melissa Fox unabashedly listed several instances in which bushwhackers visited her mother Isabella’s home. She also admitted that, on a few occasions, guerrilla captain Cliff Holtzclaw asked her to make articles of clothing for him, which she did willingly because, according to her statement, they “told her if she would make those willingly they would pay her for them but if they forced her [to] make them [they] would not.” Melissa insisted she was loyal and denied being a southern sympathizer. Clearly, in her mind, aiding bushwhackers in this manner did not make her a rebel. Other witnesses, however, attested to her rebel sympathies and her “reputation of being a lewd woman,” specifically because she had been seen in town sharing a horse with a bushwhacker, an extremely scandalous thing for a young single woman to do by nineteenth-century standards. Merchant D.B. Kellogg declared there was “no one in the county who has a worse reputation than they have,” and surveyor John Dewey insisted Isabella Fox had “the reputation of being a strong rebel, an aider abettor & harbinger of bushwhackers of keeping a house of ill fame of

⁷⁵ Beilein, “the presence of these families,” 54-55.

giving dances to bushwhackers & of being an inveterate hater of Union men.”⁷⁶ Testimony to one’s poor reputation was sometimes all it took to condemn someone for the political crime of treason.

Generally, women escaped with a minor reprimand and their reputation intact, especially those who insisted guerrillas forced their assistance. Susan Bass, widowed mother of eight, managed her sizeable 400 acre estate, located about eight miles outside of Fayette, Howard County, on her own. In November 1864, a Mrs. Watson came to Bass’s door asking for a place to stay. Bass acceded. As it turned out, Mrs. Watson’s husband, John S. Watson, was a bushwhacker, and he started visiting his wife at the Bass residence about twice a week. Not long after Watson’s arrival, two more women, introducing themselves with the surname Oldham, also asked Bass for lodging. Bushwhackers came frequently to visit these women, and after a few weeks, Bass realized the women she knew by the name of Oldham were actually named Anderson: Martha Jane “Mattie” and Mary Ellen “Mollie” Anderson, sisters of guerrilla captain “Bloody” Bill Anderson. The Anderson sisters, orphaned in the early days of the war, spent the duration of the conflict aimlessly moving from home to home, including a three-week stint at the home of Porter Jackman.⁷⁷ A few months prior to arriving at Susan Bass’ home, however, the Anderson sisters had spent some time in a women’s prison in Kansas City. On August 13, the prison had collapsed, leaving Mattie crippled and Mollie with minor injuries and killing their sister Josephine. A month after the collapse, Union forces killed their brother Bill.

⁷⁶ UPM F1322 Isabella Fox.

⁷⁷ UPM F1630 0262 14319 Polly Jackman. In a deposition given in January 1865, Polly Jackman, wife of Porter Jackman, admitted that guerrillas stayed at her home and that Mollie and Mattie Anderson also stayed with her for three weeks.

After learning the true identity of her houseguests, Bass asked the women to leave. When that approach failed, Bass decided to report them to authorities. Initially, Bass hesitated for fear of guerrilla reprisals but eventually decided to report them “indirectly” rather than “directly” in order to protect herself. She anonymously wrote down her report in pencil and had it delivered to U.S. Detective James A. Pickett. In her attempt to disguise her identity to avoid detection from guerrillas, Bass ended up under Union suspicion. Lieutenant Joseph Street, Company A, 9th Cavalry M.S.M., arrested Mrs. Susan Bass at the same time he arrested the Anderson women in January 1865. In her official statement to authorities, Bass emphasized her unwillingness to assist her rebel boarders and cited her anonymous report as proof. Lieut. Street subsequently provided a testimony in Bass’ favor. He stated:

Mrs. Bass was very much opposed to their being there, but owing to threats made by some of Andersons men who were still in the neighborhood that if she did report their whereabouts that they would harm her house, she was afraid to report, I have known Mrs. Bass for many years and have known her intimately since the commencement of the Rebellion and have never known of her harboring Bushwhackers or having them about her house except as above stated.

After her release from federal custody, Mrs. Bass received several letters from Mrs. Watson and her husband, John, asking her to return the valuables the rebel boarders left behind. When the Watson letters went unheeded, Mrs. Watson responded by threatening, “[B]ad times shore” would fall on Mrs. Bass, if she did not return the items.⁷⁸

Women who reported bushwhackers gained Union trust but faced the prospect of guerrilla retribution, but those who provided guerrillas with even the most minor assistance and remained silent faced the prospect of a severe penalty from Union officials. According to D.P.M. R.A. DeBolt, writing to Provost Marshal J.H. Baker about the prisoners recently transported to St. Louis, Maggie Brice, Sallie F. Fowler, and Bettie A. Fowler “simply made clothing for

⁷⁸ UPM F1658 0190 21449 Susan M. Bass; Wood, *Bushwhacker Belles*, 95-105.

Weldon's men." DeBolt appeared slightly miffed, almost embarrassed, about the nature of their crimes as he continued, "it may seem strange to you, that we would forward females that are guilty of so slight an offence." DeBolt sent the three women to the Provost Marshal in St. Louis on February 9, 1865, to be interrogated. All three of the young ladies admitted to making shirts for a man named Tye, whom they knew as a guerrilla in Weldon's band, a group of men Bettie described as "desperate characters." To the best of Bettie's recollection, Tye came to the Fowler home in Millville one day in September or October 1864 and "used no threats," but this did nothing to abate her fear that the guerrillas might burn her father's store if she refused. Each of the women admitted to knowing they should have reported the guerrillas to Union authorities but claimed they were too afraid to do so for fear of arrest or reprisals. Despite the trivial nature of their crimes, the women agreed to voluntarily leave the state.⁷⁹

In a detailed statement, Bettie Fowler provided officials with a list of other women who also made clothing for Confederate soldiers. Provost Marshals often received intelligence about disloyal behavior from the official reports and testimony of local community members, but sometimes, it was difficult to discern if the testimony was anything more than an attempt to settle old grudges. When defendant Leonice E. Stark of Lexington provided her statement in front of C.E. Rogers, Assistant Provost Marshal of the 4th Sub District Central District Missouri, on April 29, 1865, she insisted, "I know the persons who proffered the charges and testified against me & my Father & his family." Marion Starn, Leonice alleged, reported her and her father, Samuel Stark, to officials for aiding bushwhackers because Starn held a grudge against Samuel after he refused to allow Marion's brother William Starn to court Leonice. Indeed, Marion may have

⁷⁹ UPM F1631 0406 14667 Maggie Brice.

reported the family to settle an old grudge, but he did not lie. Leonice eventually admitted to aiding bushwhackers but only “because they compelled us to do so.”⁸⁰

Espionage

From the perspective of Union occupiers, civilians providing irregulars with aid and comfort naturally extended to providing irregulars with information. Federals suspected the guerrilla supply networks also functioned as intelligence networks in which civilians surely reported the movements of Union troops to bushwhackers. The existence of even one or two confirmed Confederate spies in a neighborhood heightened Union suspicions of all local inhabitants. As a result, some innocent citizens found themselves ensnared in the federal dragnet to root out pervasive disloyalty.

Youth and naïveté spelled misfortune for many a rebellious teen in war torn Little Dixie. The heated political rhetoric of the Civil War provided young people with plenty of fuel for an already rebellious disposition. However, in the context of war, repeating the political opinions of their elders under the wrong circumstances could easily land a young person in federal custody. In the summer of 1863, W.E. Rhea, Provost Marshal at Liberty, confiscated a letter Miss Cordelia Osborne wrote to a friend in the South, a letter Rhea deemed “a very violent” and “disloyal” document. Yet, after considering Cordelia’s age and circumstances, he recognized the harmlessness of the letter. Rhea endorsed a letter from J.R. Green, Major of the 4th Provisional Regiment E.M.M. testifying to Cordelia’s impressionable character: “She is quite young and has no mother but has been living with her aunt since the Rebellion began and her Aunt is a violent Rebel and all her family are.” On the other hand, Green insisted Mr. Osborne, Cordelia’s father, was “an unconditional Union man” who had the misfortune of having “Rebellious children.” It

⁸⁰ UPM F1267 Leonice E. Stark.

was for the sake of Mr. Osborne that Green wrote his impassioned letter pleading for the release of Cordelia.⁸¹

“Holding correspondence with the enemy” read the charge against Daniel W. Trigg in Union custody at Gratiot Street Prison in February 1863. Authorities in Ray County arrested Trigg for violating the 57th Article of War, or providing the enemy with information, a charge that carried the penalty of death. The primary piece of evidence in the case against Trigg was a letter he wrote on February 25, 1863, to his brother Stephen Trigg, a soldier in the Confederate army. Daniel voiced his frustrations with the military practice of imprisoning people “for merely speaking their sentiments” and determined to “never fight the southern boys.” He also informed Stephen about the fate of several acquaintances and provided a report, of sorts, about the progress of the war in Ray County, but nothing approximating the level of military intelligence.

Several of Daniel’s family members wrote to the Provost Marshal defending him, including his uncle William Trigg and his brother-in-law Joseph Black. Black, a lawyer and member of the E.M.M., personally testified that Daniel had consulted with him prior to sending the letter in order to make sure the content was acceptable. Black advised Trigg “there was no law in existence to his knowledge against such correspondence.” Nearly two hundred citizens signed a petition for Trigg’s release, insisting he “has been quiet, orderly and law abiding since the commencement of the troubles” and “if he has violated any law, order, or military usage it has been done through ignorance of the force, effect, or criminality of the act he was committing.”⁸²

Some cases of espionage were far more suspicious. Federal examiner George W. Shinn

⁸¹ *UPM F1252* Cordia Osborne.

⁸² *UPM F1407* Daniel W. Trigg.

interviewed Fannie Embree, alias Fannie Hunter, after her arrest in Macon City on July 27, 1864, and concluded definitively that she was a scout, or in his words, an “avant courirr” for guerrilla Thomas Hunter, a man he believed to be Fannie’s husband, an assertion she adamantly denied. At the time of the arrest, Union officials found in her possession a “Drop Letter”—a letter left at a post office to be picked up by the recipient—from J.B. Hunter. Authorities believed J.B. and Thomas were the same person, whereas Fannie insisted they were not. A photograph of a man believed to be Thomas was also found on her person. When asked whose picture it was, Fannie responded, “A Friends,” and when Shinn pushed further, probing Fannie on the name of said friend, she evasively retorted, “I don’t wish to tell.” Fannie insisted her arrest was the result of a case of mistaken identity, but Shinn all but labeled her a liar, noting her contradictory statements and reluctance to cooperate while under questioning. From extant records, it appears that Fannie faced a military commission for her alleged crimes but no evidence of the decision exists.⁸³

Authorities grew particularly wary of women who had strong connections to the South, especially those who spent time in the Confederacy during the war, believing them more capable of transporting supplies or information into Missouri. Lafayette County resident Miss Susan H. Trigg departed Missouri in October 1863, traveling with permission from P.M. James Broadhead to accompany her sister on her journey to join her husband in the Confederate Army and visit family in Texas. Upon Susan’s return to St. Louis nearly a year later, in August 1864, federal authorities held her in confinement under suspicion of being a Confederate spy. Evidence supporting this theory consisted of several letters in Miss Trigg’s possession. Authorities at Little Rock, Arkansas, approved five letters in her possession. Susan had received two additional letters while in Little Rock but denied any knowledge of their content and pleaded she did not

⁸³ UPM F1312 Fannie Embree.

know she needed approval for letters received within Union lines. The initial special order regarding her case required her to pay a \$3,000 bond and remain within the confines of the city of St. Louis, citing her violation as traveling north from the Confederacy without permission and “declaring under oath to be a Southern Sympathizer, wishing the Southern States to achieve their independence.” By the end of August, the Provost Marshal’s opinion of Trigg seemed to change drastically as another special order permitted her to return to Lexington. One explanation for this change of heart might have been a letter he received signed by a few prominent Union men, including a Union brigadier general, attesting to the “uniform integrity and purity of Miss Triggs character, and further to say that altho [sic] her whole family are what were termed southern people, no breath of suspicion has ever attached to them in connection with any thing dishonorable or unladylike.”⁸⁴

Freedom of Speech Compromised

Persons possessing public platforms and, thus, the power to sway local opinion in favor of secession and the Confederacy threatened Union control in local communities in Little Dixie more so than the clandestine correspondence of private citizens. Union officials clamped down on educators, ministers, and newspaper editors early in the conflict, requiring they take the oath or face arrest and imprisonment. Arrests of persons possessing public platforms for expressing southern sentiments or for refusing to take the Oath of Allegiance left many Little Dixians fearful of the complete loss of freedom of speech.

“Our Arrest” read the heading of an article in the *Liberty Tribune* of December 13, 1861. For a two days, Robert Hugh Miller, owner and editor of the *Tribune*, was in prison by order of

⁸⁴ UPM F1407 Sue H. Trigg.

Union General Benjamin M. Prentiss. Prentiss informed the editor that he thought the *Tribune* to be “extremely Southern in its character” and felt it was “his duty as an officer of the Federal Government” to arrest its members, take possession of the premises, and confiscate the printing material. Miller ultimately secured his freedom “with the declaration that our paper for the future must not be characterized by an extreme Southern tone, or in other words not to contain what he was pleased to term matter treasonable to the Federal Government and giving encouragement to the rebellion.”⁸⁵

Only a few months later, federals no longer appeared quite so generous. In March 1862, Union General Lewis Merrill presided over the military commission against Edmund J. Ellis, editor and proprietor of the *Boone County Standard* of Columbia. The commission produced a long list of charges and specifications against Ellis, including publishing letters of Confederate soldiers and officials. Federals viewed this as deliberately “designed to comfort the enemy, and incite persons to rebellion against the Government and laws of the United States.” The commission found Ellis guilty of all stated offenses and sentenced him “[t]o be placed and kept outside of the lines of the State of Missouri during the war, and that the press and types, furniture and material of the printing office of the *Boone County Standard* be confiscated and sold for the use of the United States.”⁸⁶

Columbia resident J.H. McBride took issue with the confiscation of the printing press. McBride wrote a letter to Merrill protesting the government seizure of the press on the grounds that the press did not belong to just Ellis but an entire committee of men, of which he was a member. McBride insisted the owners should have been notified so they could have acquired the

⁸⁵ *Liberty Tribune*, December 13, 1861.

⁸⁶ “Ellis Court Martial” *Columbia Statesman Newspaper*, April 18, 1862; *History of Boone County*, (St. Louis: Western Historical Company, 1882), 419; Boman, *Lincoln and Citizen’s Rights*, 96-97.

property through due process. He drew an analogy between the printing press and a hypothetical horse stolen by a rebel to join the Confederate Army. In McBride's view, the government should return the horse to its owner in the event of the rebel's capture. McBride was either ignorant of or chose to ignore the federal policy requiring the confiscation of all property used to aid the rebellion. His letter most definitely fell on deaf ears.⁸⁷

Already, at this early stage of the war, citizens were decrying the loss of civil liberties, but perhaps none so much as the loss of freedom of speech. In April 1862, William Wood wrote an impassioned letter to Provisional Governor Hamilton Gamble protesting the arrest of his brother-in-law Rev. Samuel S. Laws. Wood viewed the arrest of Laws, a reverend and instructor at Westminster College in Fulton, as a violation of every citizen's right to their opinion. Desperately seeking to secure his brother-in-law's release, Wood used the governor's own words against him, citing a proclamation from August 1861, in which Gamble stated, "Civil government in this state has no concern with mens' opinions, except to protect all in their undisturbed enjoyment. . . . It is the duty of the government to protect the people in this right." Wood alleged that the Provost Marshal at Fulton arrested Laws because "Mr Laws entertained opinions which he deemed objectionable." Laws, Wood insisted, had taken no part in the rebellion but had voiced his disapproval of the course taken by the present administration. He contended that disagreeing with the political party in power did not warrant a man's arrest. Making matters worse for Wood, Laws lacked any explanation for the cause of his arrest.⁸⁸ In fact, Laws remained in prison because he refused to take the Oath of Allegiance, appearing

⁸⁷ *UPM F1311* Edmund J.

⁸⁸ Letter from William Wood to Hamilton Gamble, April 21, 1862, Hamilton Rowan Gamble Papers (A0549), Missouri State Historical Society Archives, St. Louis.

suspect to Union officials. Laws defended his position on principle, claiming that while the oath might be necessary for public officials, it was not necessary for him as a private citizen.⁸⁹

For some men of God, like Laws, religious convictions were integral in their refusal to take the oath. Many religious leaders placed their allegiance to God above their allegiance to country. At the very least, they believed politics should not interfere with their work in the church, and the first amendment to the U.S. Constitution allowing for freedom of religion and freedom of speech helped secure this belief. Union authorities, on the other hand, viewed religious leaders as public figures, not that much unlike newspaper editors, who held the power of persuasion, a power that, if used to encourage rebellion, could seriously undermine Union authority. General Halleck required all ministers in Missouri to take the same oath required of state officials in order to continue performing their churchly duties.⁹⁰

Religious leaders who did not take the oath were arrested for simply failing to comply with the order. Such was the case for Little Dixie religious leaders Pastor William C. Boon of the Church of Christ in Fayette and Rev. F.R. Holeman of the Christ Episcopal Church in Boonville.⁹¹ In a letter to General Egbert B. Brown dated August 11, 1863, Holeman laid out his reasons for refusing the oath: he was a U.S. citizen lacking any charges against him; and as a man of God, he remained neutral, “entirely aloof from all parties” and should be allowed to perform the “high duties of [his] office” free from government interference in church affairs.⁹²

⁸⁹ Wood to Gamble, April 21, 1862.

⁹⁰ Boman, *Lincoln and Citizens' Rights in Civil War Missouri*, 102-103.

⁹¹ *History of Chariton and Howard Counties*, 343; “History: A Brief History of Christ Church Episcopal—Boonville, Missouri” on Christ Church Episcopal, Boonville (website), accessed August 15, 2018 http://mogenweb.org/cooper/Churches/Christ_Episcopal_Church.pdf.

⁹² UPM F1475 F.R. Holeman.

Holeman insisted he had always attempted “to refrain from any thing that would seem like taking a part in the deplorable discord of our country My mission here is the same to all, whether they are Union or Secession—to teach them to love one another & to unite them in harmony & peace.” Nevertheless, Holeman asked for permission to go to Europe for the remainder of the war rather than take the oath.⁹³

Most ministers aspired to maintain peace within their congregations and that generally meant avoiding political topics. Immediately after hearing that John Fuller had introduced political topics into some of his sermons, Rev. J.T. Williams wrote Fuller in May 1863 with some advice: “I never do . . . and as a consequence not one of my members on either side have been aggrieved. I hope you do not and would earnestly beseech every minister of the gospel to preach only Christ and him crucified.” But, a year later, in June 1864, Fuller expressed the challenges faced in managing his congregation’s expectations in a letter to his father. One Sunday, the choir leader, a man Fuller described as “a regular down east Yankee,” planned to end the service with the hymn “My Country ‘tis of thee, Sweet land of Liberty, Of thee I sing.” Should he allow the hymn to be sung? Fuller thought, “It was a delicate question. If the hymn was sung the Rebels and “softs” [conservatives] generally might regard it as an insult to their sensibilities and withdraw from the congregation if on the other hand I should suppress the piece the Radicals of the Methodist Church might get hold of it and use it against me.” He decided to suppress the hymn and believed himself fortunate to have caught the plan on Saturday before it could be executed on Sunday.⁹⁴

⁹³ *UPM F1475 F.R. Holeman.*

⁹⁴ Jonathan B. Fuller Papers, 1851-1873 (K0040) State Historical Society of Missouri, University of Missouri, Kansas City (UMKC).

Expressing Southern Sentiments

Expressing dissenting political opinions, either publicly or privately, considered the natural right of a democratic people, became a criminal offense during the war. Those overheard speaking out in favor of the Confederacy, secession, or guerrilla warfare or speaking out against the U.S. government, military occupation, or extralegal methods could very easily wind up under arrest.

Officials knew that, similar to public officials, prominent and influential men in local communities held the power to sway public opinion and their words often incited others to rebel. In all likelihood, this was the reason Colonel Daniel Huston arrested prominent seventy-year-old Lexington hemp farmer and War of 1812 veteran Oliver Anderson in July 1862. Several sources attest to Anderson's arrest for expressing southern opinion, although no official record of the charges against him survives. According to George Rockwell, captain of Co. E. 7th Cavalry Missouri Volunteers stationed in Lexington, "Col. Anderson's disloyalty is notorious here." Attesting to Rockwell's charge, prominent Union men Richard Vaughn and John Ryland claimed Anderson was "among the most dangerous and seditious men in the whole country." On the other hand, in a letter to Colonel Huston, Minerva Gratz, Anderson's daughter, noted the lack of official charges brought against her father and insisted that the charges against him, expressing southern opinion and influencing others to join the rebellion, were "without foundation."⁹⁵

Contrary to the protestations of his devoted family, Anderson was most likely guilty of uttering disloyal sentiments, at the very least. His political views and actions during the Bleeding Kansas conflict add credence to the charges against him. On at least one occasion in 1855, Anderson gave an inflamed speech in the city center of Lexington encouraging young men to go

⁹⁵ UPM F1217 Oliver Anderson; Miscellaneous Documents pertaining to Oliver Anderson, Battle of Lexington State Historic Site Archives, Lexington, Missouri.

to Kansas to fight to make the new territory a slave state. Anderson also demonstrated strong views in favor of slavery and against abolitionists in his correspondence. In a letter to his wife, Mary, Oliver defended slavery in religious terms by deeming it “a scriptural institution” and insisted “Abolitionists, as they exist here, are infidels.”⁹⁶ Officials initially placed Anderson in Gratiot Street Prison in St. Louis but eventually released him after he took the oath and paid a bond of \$5,000. He was also required to remain outside of the boundaries of the state of Missouri for the remainder of the war.

Men of influence were not the only ones subject to arrest; anyone overheard praising guerrillas or criticizing the U.S. was liable to be arrested. Union authorities held Robert D. Irvin of Callaway County in prison in St. Louis from August 11 to September 29, 1862, for reportedly saying, “Guerrilla warfare is right and the people have a right to engage in any kind of fighting they choose” and “the united states Government is a Tyrannical one and I would sooner live under a king.” These words earned Irvin the charge of stirring up rebellion by “talking too loud and much.”⁹⁷

Authorities’ attempts to suppress disloyal language became quite excessive over the course of the war, to the point that average citizens were being arrested for trivial comments spoken in gest or under the influence. Boone County Assistant Provost Marshal Jason A. Adams handled a few of the more inane cases of citizens arrested for “disloyal language” in his district. One particularly frivolous case occurred in March 1863 when Sergeant Linheus arrested a sixteen-year-old boy named Franklin Rice. The boy gave a statement in front of Adams insisting

⁹⁶ Erasmus Hix Diary, Battle of Lexington State Historic Site Archives, Lexington, Missouri; “Oliver Anderson Biography,” *Battle of Lexington State Historic Site* (website), accessed August 7, 2018 <https://mostateparks.com/page/55021/oliver-anderson-biography>.

⁹⁷ UPM F1346 Robert D. Irvin.

he was only taunting a young girl by telling her he was a rebel and stomping on the U.S. flag “just . . . to see what she would say.” With this explanation, Adams released Rice with a reprimand.⁹⁸ Another similarly trivial instance fell on Adams’ desk in June of the same year. On the streets of Columbia, Thomas Hatton purportedly shouted, “Hurrah for Jeff Davis” as the Provost Guard rode through town. When the captain of the guard, George W. Clardy, Sergeant of Company F, 5th M.S.M., commanded Hatton to halt, the man continued on until Clardy threatened, “they would shoot him.” Hatton was intoxicated at the time of the incident and later testified he was a Union man and did not remember hurrahing. A frustrated and annoyed Asst. P.M. Adams refused to believe Hatton’s paltry excuses, writing, “I have no use for any such men in this county.” Adams sent the prisoner on to his superior with the suggestion that Hatton “be disposed of as you think Best.”⁹⁹

Even a heated political conversation in a local community store put some citizens in the hot seat of Union interrogation for the crime of disloyalty. On November 10, 1863, a group of men gathered in Charles Lewis’ store in Glasgow, and a lively conversation erupted after William Brown insisted there were no secessionists remaining in the community. As recounted in witness testimony, James Sattonstall responded by pointing to his breast and announcing himself a secessionist. Brown cautioned Sattonstall against speaking so freely about his political views, insisting it “very imprudent to express them,” to which Alexander Aldridge replied, “the Constitution Guaranteed to every man the Freedom of speech.” When confronted with the fact that authorities had arrested citizens for their speech, Aldridge said, “that was done through Marshal law which is a thing that does not exist.” The conversation eventually progressed to a

⁹⁸ UPM F1391 Franklin Rice.

⁹⁹ UPM F1340 Thomas Hatton.

debate over the righteousness of the act of secession. Sattonstall insisted a state has the right to secede from an unjust government, but Brown claimed a revolution was only justified when a government oppressed the people. Revolution and secession were one and the same to Aldridge, who jested, “the difference between secession and Revolution was the difference between Tweedle Dum—and Tweedle Dee.” As a direct result of this conversation, authorities arrested Sattonstall and ordered the participants in and observers of the conversation to the Provost Marshal’s office one by one to collect their testimony.¹⁰⁰

When news of Lincoln’s assassination reached central Missouri by April 15 and 16, 1865, most citizens reacted with shock. However, Sarah Aldrich reacted to the news in a most unusual manner that, although harmless, resulted in serious consequences. With her husband away in Nevada, Aldrich made a living providing room and board to Union soldiers during the war. Alfred Smith, private Company A, 8th M.S.M., one of her tenants in early April, often engaged with her and the other women in her family in a light and jovial manner. On Sunday April 16, Smith came down to breakfast and announced, “Mr. Lincoln is dead.” Aldrich, thinking Smith was joking as usual, responded in jest, “Well I am glad of it.” Once Sarah realized he was serious, she apologized profusely and tried to take back her statement, lamenting, “I don’t wish to hear of any one being killed in that way.” Nonetheless, Smith considered her initial response sincere, and angered by her callousness, reported the conversation to Asst. P.M. G. Clemens. Clemens arrested Sarah the next day. Sarah’s case was helped by the fact that the statement given by her mother, Elizabeth Totten, also a witness to the conversation that morning, was nearly identical to hers and by the fact that at least four other acquaintances, including Isaac D. Snedecor, a former PM at Fulton, gave testimony to Sarah’s good character and Union loyalties,

¹⁰⁰ UPMF1604 0913/0919/0921/0923/0912 7149 James R. Sattonstall.

citing first and foremost her business of hosting and entertaining Union soldiers as proof. Clemens released Sarah ten days later after she took the Oath of Allegiance.¹⁰¹

During the Civil War, Union occupiers arrested American citizens for treason on a scale never seen before or since. Over the course of the conflict in Little Dixie, occupiers embraced an expanded definition of treason, one that extended far beyond the strict definition outlined in the U.S. Constitution. Punishing civilians for expressing southern sentiments, demonstrating southern sympathies, or even voicing distaste for the methods of occupiers more closely resembled the treasonous offenses punished by monarchical regimes. Union officials arrested suspected traitors based on hearsay or rumor, with few witnesses and little evidence proving their guilt, and detained accused traitors without notifying them of their crimes. Occupiers deemed women capable of committing the crime of treason and arrested, detained, prosecuted, and banished them on a mass scale for the first time in U.S. history. In the most extreme cases, soldiers dispensed with legal channels altogether, executing unarmed men based solely on suspicion of disloyalty, feeding the worst fears of military tyranny among local residents. For Little Dixians, these actions carried out by U.S. soldiers signaled the complete subversion of civil liberties, the rights that citizens of a republic hold most dear. Witnessing the disintegration of their civil liberties, they believed they were witnessing, first hand, the dismantling of the U.S. Constitution, the principles it preserved, and the nation it sustained.

¹⁰¹ *UPM F1216 Sarah Aldrich/Alridge.*

CHAPTER FIVE

“[M]an for man, indefinitely”

In such a contest as has occurred within this State feelings of revenge have arisen and have embittered the contest and this feeling has often expression in lawless acts of those who were in military service. The murderous warfare of the guerrilla and the bushwhacker has provoked to retaliation upon those who were supposed to countenance their atrocities and the exercise of this retaliatory vengeance has been left to the judgment or mere caprice of squads of soldiers, while the summary execution of men found in arms in these bands of miscreants is justified by the laws of war it becomes altogether a different question whether a man shall be shot down in his field and his house be burned upon the suspicion of a squad of soldiers that he is a secessionist or a rebel or that he favors the guerrillas. It is too easy to cover up a desire for vengeance or a love of plunder or a general thirst for blood by this off hand denunciation and execution. Besides, this license has the effect of utterly demoralizing the troops who indulge it.¹

--Hamilton R. Gamble, 1863 speech advocating emancipation

Allen McReynolds was buried on Christmas Day 1864. McReynolds' eldest daughter, Elizabeth, discovered her father's bruised and bullet-ridden body lying in the muddy road near their home on Christmas Eve. That day, McReynolds' wife, Martha, went to town with three of her eight children, leaving behind Elizabeth and Mr. McReynolds to watch the youngest four. Within an hour of Martha's departure, soldiers from Union Col. Benjamin H. Wilson's regiment came to the McReynolds' home near Grand Pass, Saline County, disguised as bushwhackers and demanded supplies. McReynolds refused them supplies, but fed the hungry men. Hours later, the group returned and took McReynolds to the edge of his property. Elizabeth was soon startled by the sound of pistols firing. Concerned for her father's safety, she ran toward the shots. As she made her way to the road, she met a Union soldier who informed her that "her father was lying down there dead." She found him "stretched across the road, in the deepest mud" with seven or eight bullet holes in his body and bruises on his face.²

¹ "Gentleman of the Convention," Hamilton Rowan Gamble Papers, (A0549) Missouri State Historical Society Archives, St. Louis.

² Martha McReynolds to Editor, January 27, 1863, Allen McReynolds Papers, (C3605) Western Historical Manuscripts Collection, State Historical Society of Missouri, Columbia. For more accounts of Allen McReynolds' death see the following documents: Bettie McReynolds to William McReynolds, December 26, 1864; L. McReynolds to William McReynolds, December 27, 1864; *War of the Rebellion: Official Records of the Union and Confederate Armies* (70 vols. in 128; Washington, D.C.: Government Printing Office, 1880-1901), Series I, vol. 48,

By feeding guerrillas, McReynolds committed treason. Rather than arrest the unarmed man and grant him his right to a trial, the soldiers killed him. As usual, the accounts of the family and the soldiers in this case differ drastically. According to the family, McReynolds was an unarmed noncombatant who helped the disguised men because he recognized them as federal soldiers. The official Union report, however, claimed the soldiers believed their ruse a success, proving McReynolds a willing guerrilla aider and abettor.

Following the event, Colonel John F. Philips released an official statement condemning the entire community of Grand Pass as “confirmed secessionists.” He believed that “in view of the terrible outrages so recently committed by guerrillas . . . it was deemed a necessity to teach this community and it’s like a warning lesson by executing summarily the chief among its citizens.”³ McReynolds’ murder exemplifies the dangers facing men who attempted to walk the thin line between two equally dangerous foes.

The killing of men described as “peaceable and inoffensive” resulted from soldier’s inability to effectively determine friend from foe and civilian from guerrilla. Guerrillas emerged from and blended back into the civilian population so effortlessly that authorities soon realized it would be impossible to ever draw a clear boundary between guerrillas and civilians. As a result, soldiers became suspicious of all civilians and began to shoot first and ask questions later.

U.S. soldiers executing unarmed civilians, whom they suspected of aiding or being guerrillas themselves, without evidence and without due process, was the most horrifying development of the Civil War for contemporary witnesses, especially in a war fought between foes related by race, religion, and national heritage. Most observers, helpless to take action

Pt. I, 643-644 [hereinafter cited as *OR*]; William B. Napton, [Jr.], *Past and Present of Saline County* (Indianapolis, Indiana: B.F. Bowen and Company, Publ., 1910), 202.

³ *OR*, vol. 48, Pt. I, 644.

against the injustices taking place all around them, often expressed their disapproval in their letters, diaries, and memoirs, employing terms like “outrageous,” “barbarous,” and “inhuman.”

Guerrilla warfare challenged soldier’s ability to fight within the established boundaries of war according to nineteenth-century military standards. Using the military law of retaliation, occupiers hoped they could correct guerrilla’s violations of the rules of war and redirect the conflict back to acceptable standards. However, as I argue in this chapter, federals’ abuse and reckless application of the military law of retaliation contributed to the chaos and drove the guerrilla war closer to internecine warfare.

An analysis of noncombatants killed during the war in Little Dixie exposes an alarming trend. Of the 81 civilian deaths credibly attributed to combatants I have recorded, 25 were killed by guerrillas and 56 were killed by Union soldiers. This is not a complete list, by any means. If the perpetrator could not be determined, I did not include the death in my analysis; but due to the difficulty distinguishing between civilians and combatants, some guerrillas or Union soldiers may have been included. Nonetheless, these numbers reflect a widespread proclivity to extralegal violence among soldiers.

Retaliation in War

Civil War soldiers hoped to preserve military standards, especially the standard of sparing noncombatants harm and unnecessary suffering, but when guerrillas or enemy combatants violated the laws of war, Union officers turned to the law of military retaliation in order to correct the offense. Nineteenth-century military men distinguished between revenge and retaliation: *revenge* referred to a personal, partial, and emotional response to an injustice; *retaliation* represented a legal and impartial response to deter further violence. Perpetrators

considered both just in an unjust system, but they preferred retaliation: the limits and restrictions on the use of retaliation within military law appealed to nineteenth-century sensibilities. Military authorities believed employing retaliation on a small, controlled scale would quell occurrences of revenge killings, summary executions, and massacres.⁴

Retaliation was an accepted military tactic during the Civil War, grounded in the laws of war. Union Brigadier General Henry Halleck, one-time commander of the Department of Missouri and, later, Lincoln's general-in-chief, wrote extensively on the subject of retaliation in war and deemed it "the sternest feature of war" that should "never be resorted to as a measure of mere revenge."⁵ Halleck cautioned, "[u]njust or inconsiderate retaliation removes the belligerents farther and farther from the mitigating rules of regular war, and by rapid steps leads them nearer to the internecine wars of savages."⁶

Retaliation became a vital tool for occupiers in Missouri as early as August 1861 with John C. Fremont's proclamation. Fremont declared, "All persons who shall be taken with arms in their hands within these lines shall be tried by courtmartial, and if found guilty will be shot."⁷

President Lincoln recognized the dangers of Fremont's edict: "Should you shoot a man,

⁴ Aaron Sheehan-Dean, *The Calculus of Violence: How Americans Fought the Civil War* (Cambridge, MA: Harvard University Press, 2018), 6-8. Recent historians have emphasized the limited and restrained nature of the violence of the Civil War, especially when compared to other conflicts occurring concurrently around the world. Most recently, scholar Aaron Sheehan-Dean has argued that when compared to China's Taiping Rebellion, 1850-1864, or Mexico's Caste War of the Yucatan, 1847-1872, the American Civil War appears exceptionally restrained. He insists "the laws of war helped produce meaningful boundaries" for combatants who "fashioned a wartime calculus through which they balanced the moral, strategic, and political dimensions of their actions."

⁵ Henry Wager Halleck, "Retaliation in War" *American Journal of International Law*, 6, no. 1 (January, 1912): 108; Aaron Sheehan-Dean, "Lex Talionis in the U.S. Civil War" in *The Civil War as Global Conflict: Transnational meanings of the American Civil War*, eds. David T. Gleeson and Simon Lewis (Columbia, South Carolina: The University of South Carolina Press, 2014), 175, 183; Mark Neely, "Retaliation: The Problem of Atrocity in the American Civil War" *Forty-First Annual Fortenbaugh Lecture* (Gettysburg, Pa.: Gettysburg College, 2002).

⁶ Sheehan-Dean, "Lex Talionis in the U.S. Civil War," 172; Neely, "Retaliation"; Halleck, "Retaliation in War," 108 [quotation]; John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Free Press, 2012), 235-236 [quotation], Appendix, p. 377, Section 1, Article 11; D.H. Dilbeck, *A More Civil War: How the Union Waged a Just War* (Chapel Hill: University of North Carolina, 2016), 89.

⁷ *OR*, Series I, vol. 8, Part III, p. 466-467.

according to the proclamation,” he asserted, “the Confederates would very certainly shoot our best man in their hands in retaliation; and so, man for man, indefinitely.”⁸ Lincoln revoked the order and removed Fremont from his position. It is important to note, however, that Fremont’s edict continued to guarantee every captive the right to a trial.

At first, Union authorities guaranteed captured irregular soldiers the right to the due process of law as prisoners of war or military criminals, mostly because in the first few months of the war little distinction existed between armed bushwhackers and armed state militiamen, but by the end of 1861, federals in Missouri categorized guerrillas as common criminals and sanctioned soldiers to “give no quarter” to irregulars; they were to be shot on sight.⁹

Failing to deal effectively with guerrillas, officials and soldiers focused more on punishing their civilian aiders and abettors. On December 4, 1861, in his General Order No. 13, General Halleck suggested guerrillas and their civilian aiders and abettors should receive the same treatment. “They do not themselves rob and plunder,” Halleck proclaimed, “but they abet and countenance these acts in others. Although less bold, they are equally guilty.”

Around the time Halleck issued his order, thousands of Union refugees from southwestern Missouri flooded St. Louis due to guerrilla depredations. He ordered that the financial burden of providing for these destitute Unionists fall on the “avowed secessionists.” Halleck sanctioned fiscal retaliation but simultaneously stressed the limits proscribed by the law of military retaliation: “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 of our Government, but

⁸ Roy P. Basler, ed., *Collected Works of Abraham Lincoln*, 9 vols. (New Brunswick, N.J.: Rutgers University Press, 1953-1955), 4:506.

⁹ *OR*, vol. 8, p. 463-464; Richard S. Brownlee, *Gray Ghosts of the Confederacy: Guerrilla Warfare in the West, 1861-1865* (Baton Rouge: Louisiana State University, 1958), 25; Bruce Nichols, *Guerrilla Warfare in Civil War Missouri, 1862* (McFarland & Company, 2004), 15; Dennis K. Boman, *Lincoln and Citizen’s Rights in Civil War Missouri: Balancing Freedom and Security* (Baton Rouge: Louisiana State University Press, 2011), 9.

we may enforce on them the severest penalties justified by the laws of war for the crimes of their fellow rebels.” For the common soldier, unfamiliar with the laws of war, what Halleck meant by “severest penalties” could easily be interpreted in a variety of ways.¹⁰

Assessments

Halleck began a retaliatory assessment policy, designed as a monetary penalty, on December 12, 1861, with General Order No. 24. In it, he assessed sixty-four prominent, southern-sympathizing St. Louis families \$10,000, the proceeds of which would be used to supply Unionist refugees from southwestern Missouri with “clothing, provisions, and quarters, or money in lieu thereof.” Halleck used three criteria for determining whom to assess: citizens in arms against the U.S., citizens who have aided the enemy, and citizens who have encouraged rebels in writing or speech. Halleck believed assessing, or taxing, local southern-sympathizing citizens for the damages done by guerrillas represented proper and effective military retaliation because it crippled aiders and abettors financially, punishing citizens for aiding guerrillas in the past and detouring them from aiding guerrillas in the future.¹¹

Subsequently, subordinate officers embraced the policy of assessment and applied it in suspected communities across Missouri. Union General Richard C. Vaughan implemented the policy in Saline County in October 1862 after guerrillas staged a surprise attack on his scouting company, killing one man and wounding four others. Immediately following this disaster, Vaughan proclaimed, “I shall not hereafter attempt to wage war against these men [guerrillas]; it

¹⁰ *OR*, vol. 8, p. 405-407.

¹¹ *OR*, vol. 8, p. 431-432; *St. Louis Missouri Democrat*, December 12, 1861; LeeAnn Whites, *Gender Matters: Civil War, Reconstruction, and the Making of the New South* (Palgrave Macmillan, 2005): 51; W. Wayne Smith, “An Experiment in Counterinsurgency: The Assessment of Confederate Sympathizers in Missouri” *The Journal of Southern History* 35, no. 3 (August 1969): 363-369.

is an idle sacrifice of men. Hereafter I shall direct operations exclusively against their wealthy sympathizers and abettors.” He levied \$15,000 on the “disloyal men of this county”; the money collected went to the families of the militiamen who were in “a state of deplorable destitution.”¹² Citizens unable to pay had their property confiscated.

How many men Vaughn assessed or how he identified them remains unclear. Most officers carrying out assessments on the local disloyal population most likely used the same criteria outlined by Halleck in his original assessment order. Definitively determining an individual’s disloyalty, however, appeared particularly difficult for many occupiers. The evidence suggests that some Union officers kept lists of individuals or families whom they suspected of being disloyal. Union General Thomas Ewing possessed one such list of disloyal citizens living around Independence, which also contained the names of guerrillas.¹³ However, Ewing does not indicate what prompted his suspicions about the loyalties of these specific residents.

A few sources also mention the existence of community enrollment books, containing lists of the names of local men and their political loyalties, created in 1862 when occupiers began recruitment efforts in Little Dixie. The military order of enlistment required that disloyal men not be permitted to enroll in the militia, so local men of military age had to come forward and openly identify themselves as either loyal or disloyal in the presence of federal officials. Those considered disloyal would not have to enroll, so it is likely that some men enrolled this way in

¹² *OR*, vol. 13, p. 316-317.

¹³ Thomas Ewing Family Papers, 1757-1941 (MSS20099), Library of Congress, Washington, D.C. A few papers in this collection consist solely of a list of names of disloyal citizens/families living around Independence, Jackson County as well as men suspected of being guerrillas in Quantrill’s gang. *Union Provost Marshals’ File of Papers Relating to Two or More Civilians* (Missouri State Archives, Jefferson City, Missouri), F1622-12010 Willis G. Evans [hereinafter cited as *UPM*]. This file includes another list of disloyal citizens in Moniteau Township, Howard County. There is no indication of who made this list.

order to avoid military service. Obviously, these men had not joined the Confederate Army either, choosing, instead, to stay home, hoping to avoid military service altogether. Ultimately, these lists most likely became useful to officers when deciding whom to assess and to soldiers deciding whom to target for retribution in the wake of a guerrilla raid.

Citizens could enroll as disloyal to avoid military service or enroll as loyal to possibly avoid assessments. In a letter to his superior officer Major George M. Houston, Assistant Adjutant General Thomas Ansell clearly laid out the challenges he faced in assessing the disloyal population in Callaway County in January 1863, a task required of him by General Order No. 2. First, Ansell determined that collecting the money would be nearly impossible due to the fact that “[t]here are no Federal troops in this County” to facilitate the collection; and second, he openly admitted the difficulty he faced in determining who was loyal and who was disloyal. Ansell mentioned an “Original Enrollment” list, what he described as an eighty-page book, that he was attempting to put in alphabetical order to make it easier to find individual citizens. Ansell thought he could use this book to determine whom to fine, but he noted that the list most likely did not reflect the true loyalties of the populace. Ansell estimated that the disloyal population of Callaway County numbered around two thousand men. He further surmised that of these two thousand, one thousand were truly disloyal but did not own enough property to be fined, and the other thousand were also disloyal but had enrolled loyal “to save their property from assessment.”¹⁴

Widespread disapproval of the assessment in Callaway further hindered Ansell in carrying out his superior’s orders. Ansell directly linked the disapproval of assessments in Callaway with citizens’ disloyalty; in fact, he saw nothing but deception in the community

¹⁴ *Manuscript Census Schedules*, 1860, Total White Male Population, Callaway County, Missouri. According to the 1860 census, 6,814 white males lived in Callaway County.

around him. The following statements reveal Ansell's growing disappointment with and distrust of the citizens of the so-called "Kingdom of Callaway"¹⁵:

If I am to take evidence of disloyal acts, and words against those who have enrolled Loyal, how is that to be done, as the County is almost entirely opposed to the assessment and it will be almost impossible to obtain testimony against them. If I should assess them without sufficient proof, they will come, and protest, that they have never been disloyal in act or word, in which they will be sustained, by the watery-jointed Union men of the County, whose only loyalty consists in the good offices they render to the Secesh and such a howl of oppression, and injustice, would be raised as would amaze the ignorant, and appall the weak. . . . I feel that the loyalty of Callaway County is a Myth or, at least, a tale that belongs to the past.¹⁶

Ansell continued to protest and complain to his superior about the nearly impossible job he had been tasked with: "I am left alone like a stag at Bay, amidst a Pack of Wolves without assistance, I might as well try to assess the inhabitants of some distant Planet. Disloyalty is the rule, loyalty the exception, indeed loyal men, are few and far between."¹⁷

The assessment that came in the wake of the "Buffington Affair" of August 1864 proved even more scandalous to the citizens of neighboring Boone County. On August 30, a small steamship from Jefferson City called *Buffington* ran aground near the big bluffs at the mouth of Moniteau creek, near the small village of Rocheport. According to an article in the *Columbia Statesman*, Rocheport citizens warned the captain of frequent guerrilla attacks on steamboats and

¹⁵ Ovid Bell, *Short History of Callaway County* (Fulton, Mo., Fulton Gazette Publishing Co., 1913), 28-29 in Roy D. Williams Papers, 1853-1972 (C3769), State Historical Society of Missouri, Columbia. Callaway County earned the nickname "Kingdom of Callaway" in October 1861 when Union General John B. Henderson negotiated a peace treaty with the Colonel of the local county militia, Jefferson F. Jones. Jones assembled around three or four hundred militiamen and began training them at Brown's Spring on Auxvasse Creek. However, once Union troops under Henderson entered the county on October 27, Jones, knowing his men were green and poorly armed, sent a messenger to Wellsville to meet with Henderson under a flag of truce. The two men negotiated a treaty whereby Henderson agreed not to invade Callaway, and Jones agreed to disband his force. From thence forward, Callaway County became known as the Kingdom of Callaway, a name the author of this particular account believed "probably will last through the ages."

¹⁶ Thomas Ansell to George M. Houston, January 6, 1863, *Union Provost Marshals' File of Papers Relating to Individual Citizens*, F1137 Thomas Ansell, familysearch.org; *Manuscript Census Schedules*, 1860, Total Population, Callaway County, Missouri.

¹⁷ Thomas Ansell to General Lewis Merrill, January 19, 1863, *UPM F1137 Thomas Ansell*.

advised him to move his ship.¹⁸ Their advice went unheeded. Bill Anderson and his gang assailed the ship with a shower of bullets that wounded the captain and killed the clerk, Thomas Waterman.¹⁹ Anderson then compelled the crew to take his men to the Cooper County side of the river, where “they robbed numerous farmers.”²⁰ Major General Rosecrans had a severe response to the Waterman murder. On September 1, he issued General Orders No. 159, demanding \$10,000 from the “disloyal citizens” of Rocheport who “have countenanced, tolerated, and fed, if not encouraged, gangs of bushwhackers and other outlaws, for the last six weeks.”²¹ The money was to come from the disloyal heads of household and would go directly to Waterman’s mother and two sisters, seeing as he was unwed.²² Robert G. Lyell, Adjutant and Quarter Master of the 61st E.M.M. and Rocheport resident, took immediate issue with placing the burden of the assessment completely on the small village of Rocheport. He wrote to General Clinton B. Fisk suggesting he extend the assessment to the disloyal citizens of Missouri Township in Boone County, which encompassed Rocheport, and those in Moniteau Township in Howard County, whom he considered “equally culpable.” Fisk heeded Lyell’s advice and extended the assessment

¹⁸ *Columbia Statesman*, December 23, 1864.

¹⁹ *Columbia Statesman*, December 30, 1864. There is confusion in the sources as to the position of Thomas Waterman. Some say he was the captain and others say he was the clerk. According to another article in the *Columbia Statesman* on December 30, “Mr. Waterman, the gentleman whom the bushwhackers killed in firing into the steamer “Buffington,” was not a soldier and as far as we are advised had never been in the military service of the United States. He was clerk on a steamboat, with neither wife nor children, but a widowed mother and an unmarried sister.”

²⁰ Judge North Todd Gentry, “Some Incidents of the Civil War in Columbia and Boone County,” *Missouri Digital Heritage* (website), Missouri State Archives Online.

²¹ “The War of the Rebellion: Official Records of the Civil War” on Ohio State University, Department of History, ehistory (website), *OR*, serial 85, pg. 8; *History of Boone County, Missouri. Written and comp. from the most authentic official and private sources; including a history of its townships, towns, and villages. Together with a condensed history of Missouri; the city of St. Louis...biographical sketches and portraits of prominent citizens...* (St. Louis: Western Historical Company, 1882), 1004.

²² *Manuscript Census Schedules*, Aggregate Population of Missouri, 1860. In 1860, the white male population of Rocheport stood at 735, but by the time of this order, that population had greatly diminished

to more citizens and reduced the total amount to \$5,000. Nevertheless, this failed to quell citizens' objections. A group of Unionists in Rocheport wrote to General Fisk protesting the assessment altogether, a sentiment echoed by the editor of the *Columbia Statesman*. The editor believed the assessment was "unjust" because it punished "people who are innocent" in the death of Waterman, "it taxes some of as true union men as live," and it "discriminates against the mothers, sisters, wives and children of thousands of our soldiers who during this cruel war have been foully murdered by rebel assassins, just as good and brave as the murdered Waterman," who, he added, was not even a soldier. Taxing the population for the death of a common citizen, who although loyal, was no soldier and no different from other Union men "brutally murdered by bushwhackers in cold blood" was "an exception . . . to the general rule," according to the editor.²³ In the end, Union officials collected a little over \$3,600 from citizens. J.W. Harris and A.M. Ellington proved their loyalty and received a refund of a few hundred dollars.²⁴

Union officials grew increasingly frustrated with the citizens of Rocheport for "permitting" bushwhackers to roam unrestricted through their community. Rocheport was such a guerrilla haven that "Bloody" Bill Anderson reportedly called it "our capital."²⁵ Authorities assumed all local citizens were willing guerrilla accomplices and held them responsible for the actions of bushwhackers. Rocheport citizen's correspondence during this time, rather than exposing vigorous support for guerrillas or the Confederacy, however, exposed the culture of silence engendered by the war. Prussian brothers Moses and Alexander Barth owned a dry goods

²³ *Columbia Statesman*, December 30, 1864.

²⁴ *History of Boone County, Missouri* (1882), 1004; UPM F1272 William F. Switzler; UPM F1634-0302-15472 J.W. Harris, A.M. Ellington; UPM F1393 Lewis Robinson; UPM F1622-12010; North Todd Gentry Papers (C0049), State Historical Society of Missouri, Columbia.

²⁵ Judge North Todd Gentry, "Some Incidents of the Civil War in Columbia and Boone County," *Missouri Digital Heritage*, Missouri State Archives Online.

store in Rocheport, but during the war, they fled for the safety of St. Louis, leaving behind William Crump to run their store. The brothers received a steady stream of correspondence from Crump and other acquaintances in the village during the fall of 1864. By September 7, William Crump wrote to the Barth brothers that he had lost all hope for the country and others had too, indicated by the flight of so many from the area. The only way he managed to remain there was by adhering to the following strategy: “I have endeavored to keep my mouth shut and not let even my right hand know what my left doeth and I have escaped so far very well but the Lord only knows how long I shall remain undisturbed.”²⁶ John N. Hartman, another Barth acquaintance, wrote the same day complaining of the relentless exploits of guerrillas in their “once quiet village,” so numerous and “so appalling to cause the stoutest heart to shudder . . . Every thing excepting death seems suspended and almost every business except the coffin maker has closed.”²⁷

Rocheport was no exception. Guerrillas and the inevitable assessments that followed plagued most Little Dixie communities. In September 1864, Brigadier General E.B. Brown ordered a \$10,000 assessment on the disloyal citizens of Cooper County for the murders of two German-Americans committed by George M. Todd’s band of guerrillas.²⁸ The widows Johanna Diehl and Mary Krohn were to receive the money as compensation for the cruel murder of their

²⁶ William Crump to M & A Barth, September 7, 1864, Barth Family Papers, 1852-1907 (C0997), State Historical Society of Missouri, Columbia. More biographical information on the Barth family included in *History of Boone County, Missouri* (1882), 837-838.

²⁷ John N Hartman to Moses Barth, September 7, 1864, Barth Family Papers, 1852-1907 (C0997), State Historical Society of Missouri, Columbia.

²⁸ William F. Johnson, *History of Cooper County*, Missouri (Topeka, Kansas: Historical Publishing Company, 1919), 203-204. The murders of Diehl and Krohn followed the capture of two other German citizens, Otto Zeller and Mitzell, while they attended Mount Vernon Church. Todd’s men murdered these German-American captives and a day or two later murdered a son-in-law of Mr. Hofflander. *Columbia Statesman*, September 9, 1864. According to the *Columbia Statesman*, Todd’s men “brutally cut off the nails of Hofflander’s son-in-law before hanging him.”

husbands. Like the Waterman assessment, both citizens and Union officials questioned the efficacy of assessing the “disloyal” population of Cooper County. John F. Phillips, commander of the district of central Missouri, believed “injustice has been done to many in the assessment that is in the manner of its levy,” and he called for a “Board of Competent Officers” or a committee of local men of “unquestioned loyalty and high character” to better determine who should be assessed. Widowed mother S.O. Magruder wrote to Phillips in December insisting an assessment of \$50 had been wrongfully laid against her. She wrote, “I am a Union woman & expect always to be one & a widow with a house full of little girls, I shall ever think hard if my property is taken to give to others, must I be held responsible for what a set of thieving cutthroats do [?]”²⁹

Calls for Vengeance

Retaliation was such a potent weapon during the war that sometimes just the mere threat of retribution detoured combatants from carrying out malicious deeds. More often than not, however, combatants used intimidation to stun the local populace into submission or inaction. These scare tactics became a useful strategy to limit the damage and casualties of the war.

Raiding a town garrisoned by Union troops was an extremely dangerous affair for guerrillas to undertake, so they only did so with a specific target in mind. On August 13, 1862, some 200 bushwhackers under Captain Young Purcell raided Columbia, the Boone County seat and home of the University of Missouri, intent on burning the *Columbia Statesman* newspaper office and hunting down the editor, Colonel William Switzler, a conservative Union official. The band flooded the downtown streets immediately picketing, or forming a small line of defense,

²⁹ UPM F1628-0102-13719, Johanah Diehl.

along Broadway and the main cross streets. Caught by surprise, Union soldiers under Colonel Lewis Merrill's command desperately made their way to defensive positions at the University. While under steady Union fire, the guerrillas drunkenly roamed the streets "swearing and hallooing at a terrible rate." One group of the men freed several prisoners held in the jail, one of which was reportedly a cousin of Captain Purcell, while another group set out to look for the main target of the raid, who, they quickly discovered, was out of town. "They then swore with a vengeance that they had come to demolish the office [the *Columbia Statesman* office]"; however, a contingent of southern citizens somehow detoured them in their designs.³⁰

In the wake of the raid, Colonel Merrill sought vengeance of his own, not against guerrillas but against the citizens of Columbia. Believing Columbia residents, chief among them Major William S. Cave, informed guerrillas about the lack of pickets in town, Merrill threatened to burn the town and the University to the ground in retaliation. He may very well have acted on his desires had it not been for Robert L. Todd, first cousin of Mary Todd Lincoln and resident of Columbia, whose admonitions apparently dissuaded the Colonel. Todd threatened, "Now, sir, if you set fire to and burn our town and our university, the friends of our town and of our university will kindle a fire under you, and I tremble for you at the result."³¹ The federals would eventually have their revenge for this raid a few years later by killing Major Cave.

From the perspective of contemporaries, the guerrilla war in Little Dixie hit its lowest point when combatants began to threaten retaliatory violence against women and children. War was to be the strict domain of men, so punishing women for the crimes of bushwhackers

³⁰ *History of Boone County, Missouri* (1882), 421-423. Purcell's raid into Columbia followed on the heels of Confederate Colonel J.A. Poindexter's raid into the area a few days prior. What began as a recruiting mission ended in dastardly defeat after Union Colonel Odon Guitar pursued and defeated Poindexter's force at Compton's Ferry, Utica, and Yellow Creek.

³¹ Gentry, "Some Incidents of the Civil War in Columbia and Boone County," *Missouri Digital Heritage* Online.

frequently evoked the most vengeful reactions from within guerrilla ranks, as demonstrated in previous chapters. Combatants rarely, if ever, resorted to deliberately harming or killing women and children, but threats of such violence abounded. Major Ransom's arrest of Margaret Clifton, Martha Lindsay, and Sallie Cobb for aiding and spying for bushwhackers in April 1863, following the guerrilla raid on the steamship *Sam Gaty*, recounted in Chapter 4, directly led to cries for revenge among guerrillas. In a letter to his superior, Ransom mentioned several letters he had received from guerrillas threatening to "murder union men women and children indiscriminately" if these women were not released. Ransom curtly responded, "in the event of such an outrage the prisoners should be immediately hung."³²

Prominent military and political figures in Missouri were not immune from the threats of vengeful guerrilla captors. Senator James S. Rollins, a well-known conservative Unionist politician from Columbia managed to survive several harrowing encounters with guerrillas; others were not so lucky. On July 1, 1863, a small band of guerrillas made up of Captain Drury Pulliam, William Hunter, Russell Palmer, and a young man only identified as Evans stormed Columbia. The guerrillas raided J.W. Lamme's store and took Rollins hostage. William Hunter held a particular grudge against Rollins, reportedly calling him a "d---d old Abolitionist and Lincolnite" and threatening to "kill and send him to h-ll." Hunter had been among the men who plundered Rollins farm several months earlier. Despite Hunter's determination, Rollins, with the help of a few local women, successfully cajoled Captain Pulliam to release him.³³

³² *UPMI* F1481 Martha Lindsay.

³³ *History of Boone County, Missouri* (1882), 430; "Historic Missourians," State Historical Society of Missouri (website), accessed December 6, 2018 <https://shsmo.org/historicmissourians/name/r/rollins/> Before the Civil War, James S. Rollins was a prominent Columbia lawyer and Whig politician: he opposed the extension of slavery into the newly acquired western territories. During the war, he served two terms in the United States Congress, where he, as a strong Unionist, advocated for railroad construction, land grants for agricultural colleges, and the abolition of slavery.

Guerrillas more often than not made good on their murderous threats while Union troops often failed to protect locals, causing many to be more fearful of reprisals from irregulars than from Union forces. As a result, some citizens developed relationships with guerrillas, which ultimately ensured them a degree of protection and possibly a modicum of power, but only if they could manage to avoid federal persecution. Some citizens became well known in their communities for being disloyal and exchanging information for protection with guerrillas. While this made them notoriously disloyal and more likely to be arrested, or worse, these men and women used these relationships to their own personal advantage, at times manipulating guerrillas to carry out their vengeful designs. The “conservative but unconditional union men of Saline County” believed E.L. Beeding did just that. In a petition asking for more troops from Union General E.B. Brown in August 1863, these men inserted a postscript that read as follows: “the House of E.L. Beeding &co was protected by the Bushwhackers. We have good reason to believe that he was instrumental in calling in those Bushwhackers to destroy the union men & their business so that he could have every thing his own way.” W.H. Porter and his fellow petitioners insisted that the guerrillas “have so intimidated the people by threats and recent murders that none dare to go forward and report for fear they may be killed before they get home.” If no troops were sent, the men feared “every union man at any distance from the two posts in the county will be utterly destroyed.”³⁴

Beginning in September 1863, Waverly resident Joseph O. Shelby, a hemp farmer, led a Confederate cavalry raid into Missouri from Arkansas. His goal was to destroy federal resources

³⁴ *UPM2*, F1601-0125-5932 W.H. Porter. According to the loyal citizens of Cambridge, during the initial stages of the war, Beeding aided the Confederate Army by helping them cross the Missouri River, assisting Conf. Gen. Sterling Price capture Lexington. However, in 1863, he took the oath of allegiance, paid a bond of \$5,000, provided the army with supplies, and enrolled in the Union militia. Nevertheless, Captain George Bingham held Beeding responsible for the damages of bushwhackers in Cambridge and, subsequently, raided his storehouse and destroyed his goods. *UPM* F1228 E.L. Beeding; *UPM* F1586-1824; Diary of Elvira Ascenith Weir Scott (C1053), Western Historical Manuscript Collection, State Historical Society of Missouri, Columbia, 143.

in order to cripple occupation in the state. As a partisan cavalry commander, serving the Confederate Army in an irregular, yet official capacity, Shelby understood the usefulness of Missouri guerrillas and by coordinating his efforts with the bushwhackers, intensified the impact of his raid.

Guerrillas perpetrated a rash of violent crimes across Little Dixie during the raid, leaving many calling for restitution. One Little Dixie man named John Bullock was taken captive by a band of guerrillas in early September near Fayette, and according to his brother Sanford, the guerrillas robbed John of his money, shot his body “all to pieces,” and threw him into the Missouri River. Sanford, a private in the 9th Cavalry M.S.M., recounted all of these details in a letter to his superiors and pled for permission to retaliate for this horrendous crime. Sanford requested permission to take a horse from the bushwhackers or the citizens aiding them, viewing this as a semblance of justice for all of the “horrible deeds of carnage that is continually being committed by these outlaws.” He implored the generals to contemplate how they would feel in his position and speculated they “would avenge the death of that Bro. with the blood of at least one hundred Rebels.” In Missouri’s Civil War, Sanford’s restrained call for vengeance for his brother’s death stands out as an exception to the rule.³⁵

In June 1864, at the insistence of Mary Ann Harlow, a local Lexington woman, Bill Anderson and his gang took three loyal men hostage and threatened to execute them if Union officials did not release a guerrilla by the name of Marion Erwin. He was imprisoned in Lexington awaiting execution, convicted of being a bushwhacker. General Egbert B. Brown did halt the execution and suspend the sentence of death after receiving a letter from Anderson threatening to “kill twenty times his number” if the guerrilla was executed. In retaliation, Brown

³⁵ Sanford Bullock to “Generals,” September 9, 1863, Odon Guitar Collection, 1836-1906 (C1007), State Historical Society of Missouri, Columbia.

arrested six southern-sympathizing citizens of Wellington to be held as hostages until Anderson released his captives. Officials eventually released Erwin after Anderson left the area, but Mary Ann Harlow was subsequently arrested and banished for her involvement.³⁶

A few plucky women used the position of relative safety afforded by their sex and their relationships with guerrillas to threaten Union men with reprisals. Mrs. Sallie Wayman was a woman nearing her fifties and residing with her husband and their seven children in the notoriously disloyal Sni-a-Bar neighborhood of Lafayette County, where her twenty-year-old son roamed the brush as a Confederate bushwhacker. Sallie's intimate connection with irregulars provided her with a significant degree of confidence in her safety, and during one encounter with Union soldiers in July 1864, Wayman reportedly declared that her son would target William Green and Lieutenant William Kessinger, two prominent Lexington Unionists, for reprisals should anything happen to her husband or his property. While Sallie's husband and property were spared, she was arrested and tried for making the threat and for harboring and feeding bushwhackers.³⁷

Inter arma enim silent leges

Inter arma enim silent leges, loosely translates as “in times of war the law falls silent,” adequately describes the situation in central Missouri during the war. Participants in war sometimes feel as if the law no longer stands and anything is permitted. Of all the atrocities committed by Union soldiers in Little Dixie during the war, the killing of local men without

³⁶ *UPMI* F1313 M.D. Erwin; *UPM* Mary Ann Harlow, familysearch.org (Image #1532); *UPM* F1625-12720 Mary Ann Harlow; Larry Wood, *Bushwhacker Belles: The Sisters, Wives, and Girlfriends of the Missouri Guerrillas* (Gretna: Pelican Publishing Company, 2016), 79; *OR*, vol. 34, Part 4, p. 564; *OR*, vol. 41, Part 2, p. 77.

³⁷ *UPM* F1412 Sallie Wayman, familysearch.org.; Bruce Nichols, *Guerrilla Warfare in Civil War Missouri*, Vol. III, January-August 1864 (McFarland & Company, Inc., Publishers, 2014), 293. Nichols identifies William Kessinger as the Union commander stationed at Lexington, First Lieutenant 1st Cavalry MSM.

considering the nature of their supposed crime or giving them a fair trial was considered by witnesses to be the most gruesome and blatant violations of the laws of war, a radical departure from the acceptable killing of enemy combatants on the field of battle. For many, it was murder.

One of the first civilian murders in Little Dixie was that of prominent Lexington resident James S. Lightner at the hands of a German-American private, which sparked an outcry across the region. When the first U.S. troops, the 5th Regiment, U.S. Reserve Corps Missouri Infantry, under the command of Colonel Charles G. Stifel, arrived in Lexington in July 1861, the soldiers hastily established headquarters at the Masonic College in town. They wasted no time in clamping down on disloyalty, arresting several “prominent avowed secessionists,” including James Ball, James Lightner, John McFadden, Alfred Jones, and Isaac McGirk, housing them in crude confines onboard their steamship *White Cloud*. Apparently, James Lightner attempted to escape the ship. According to Henry Hoefel, the German-American soldier on guard duty at the time, Lightner rushed him with a chair attempting to escape. Hoefel impulsively shot the prisoner, justifying his deed as an act of self-defense.

Nevertheless, the murder of such a successful man and well-respected community member provoked outrage.³⁸ The editor of the *Liberty Tribune* refused to believe Lightner provided the soldier with even the slightest provocation for such a cruel act, writing, “Mr. Lightner’s past high character forbids the thought that he furnished the soldiers any justifiable cause for the bloody deed.”³⁹ Letters flooded into the office of Governor Hamilton Gamble from distraught Lexington residents. One anonymous writer affirmed that over one hundred witnesses

³⁸ *History of Lafayette County, Missouri, carefully written and compiled from the most authentic official and private sources, including a history of its townships, cities, towns, and villages, together with a condensed history of Missouri; the Constitution of the United States, and state of Missouri; a military record of volunteers in either army of the great civil war...* (St. Louis: Missouri Historical Company, 1881), 335-336.

³⁹ *Liberty Tribune*, August 2, 1861.

could have testified to Lightner's innocence, alleged that the murder was "premeditated and designed," and asserted that "[t]he visit of Stifels regiment here has made a thousand secessionists."⁴⁰ L.W. Burris, another Lexington resident, echoed a similar sentiment on August 8: "I am of the opinion that the course pursued by some of the Federal Troops is making secessionist every day. The shooting of such men as Jas Lightner of Lexington . . . is causing a great deal of uneasiness in the minds of Loyal Citizens for they are annoyed in the same manner that the vilest secessionist in the State."⁴¹

Extralegal executions at the hands of federals did indeed drive many southern-sympathizing citizens to declare for the Confederacy. In writing their memoirs after the war, many ex-bushwhackers cited revenge for the murder of a loved one at the hands of Union soldiers as the primary reason for joining guerrilla ranks in the first place. By emphasizing Union violence, guerrilla narrators raised those murdered by soldiers to the status of martyrdom, ennobling their cause and fostering sympathy among their readers.⁴² Later in life, John McCorkle, a former member of Quantrill's band, recorded his experiences during the war in his memoir, *Three Years with Quantrill*. What initially prompted him to join was the murder of a neighbor named George House early in the conflict. However, the subsequent deaths of his sister, in 1863, and his uncle, in 1864, reinforced his drive to continue his resistance. Federal soldiers went to the home of McCorkle's uncle John Wigginton claiming they "had been sent from Sedalia to kill him, knowing that he had a son with Quantrill and had been feeding and harboring the bushwhackers." The soldiers "riddled him with bullets" in front of his wife and

⁴⁰ Anonymous to Hamilton Gamble, August 1861, Hamilton Rowan Gamble Papers (A0549), Missouri State Historical Society Archives, St. Louis.

⁴¹ L.W. Burris to Hamilton Gamble, August 8, 1861, Hamilton Rowan Gamble Papers (A0549), Missouri State Historical Society Archives, St. Louis.

⁴² Phillip Paludan, *Victims: A True Story of the Civil War* (Knoxville: University of Tennessee Press, 1981), 101.

daughter as they pleaded for his release. McCorkle simply stated, “This was another relative of mine I was called upon to revenge.”⁴³



Fig. 31. Image of John McCorkle Kerr. Image courtesy of *The Civil War on the Western Border* (website).

The murder of local men the community deemed “innocent” fostered anger toward and distrust of Union soldiers, at the very least. The historic account of the murder of a young man named John Leonard of Chariton County, found in the *History of Howard and Chariton Counties, Missouri*, stands out due to the outrage the murder evoked from the author, writing over two decades after the fact. The author condemned the murder as one of “the darkest deeds of human atrocity” and lamented, “the reckless, cold blooded, heartless, cruel manner, in which he was made to forfeit his young life, stamps the crime as among the blackest in all the annals of time, and his assassins as among the foulest and most inhuman wretches that ever imbrued their

⁴³ John McCorkle Kerr, *Three Years With Quantrill: A True Story Told by His Scout John McCorkle* (Norman: University of Oklahoma Press, 1992), 157.

hands in the blood of their fellow-beings.” Soldiers based in Brunswick captured and imprisoned seventeen-year-old Leonard, holding him under suspicion of acting as a guide for bushwhackers. In the dead of winter, the soldiers dragged Leonard from his confinement to the banks of the Grand River, a tributary of the Missouri River, where they drowned him in the icy waters for his alleged crimes. To highlight the ruthlessness of the crime, the author finalized his account with a quote allegedly made by one of the perpetrators after the deed: the soldier boasted, “the boy squealed like a pig.”⁴⁴

Many of the murders committed by soldiers appeared senseless and particularly brutal to contemporaries, causing witnesses to cry out for law and order. “[A]rrest him and let him be tried and if guilty punished” cried Dr. Samuel J. Lust in the presence of the Union soldiers who murdered James Smith in Boonville on December 24, 1863. Lust, one of several physicians called in to examine the body, made the above statement during an official inquest into Smith’s suspicious death. In their post mortem examinations, Lust and the other physicians found a gunshot wound in the back of the neck of the deceased, a wound that did not kill Smith instantly but paralyzed the victim and caused him to linger for several hours. A jury agreed he died as a result of the gunshot wound he received from “some unknown person believed to have belong to the Cavalry force then in this city under the command of Major Kelly.”⁴⁵ The reason for Smith’s murder remains a mystery, with the only recorded explanation for his death having something to do with his being intoxicated at the time.

⁴⁴ *History of Howard and Chariton Counties, Missouri: written and compiled . . .* (St. Louis: National Historic Company, 1883), 538-539; Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County (1), State Historical Society of Missouri, Columbia.

⁴⁵ *UPMI* F1262 James Smith.

No motive for Smith's murder exists in the records, but many killings committed by Union soldiers occurred as a result of the victim's suspected rebel activity, primarily aiding bushwhackers. Garrett Robinson died for allegedly assisting guerrillas in January 1864. Local Fayette resident Bessie Pritchett recounted the circumstances surrounding her neighbor's death in a letter to her husband. On January 12, Bessie heard from an acquaintance that federal soldiers hung Robinson from a nearby tree after catching him carrying "a basket of provisions" to the brush. Bessie believed Robinson carried food to female refugees, not bushwhackers, which would make his murder even more unwarranted. The event provoked a deep emotional response from Bessie: "I am so sorry to hear of such outrages. It will only make bad work for us if the bushwhackers range here again."⁴⁶

Soldiers shot men who attempted to evade capture or to escape captivity. In fact, Union soldiers used one suspects attempted escape to legitimize the killing, conveniently shifting the blame to the rebellious captive. It worked to justify and, in some instances, to conveniently cover up cold-blooded murder. Sometimes soldiers lacked any viable explanation for an arrest, let alone an execution, which was apparently the case in the attempted murder of James Pitt in January 1864. At six o'clock p.m. a stagecoach on the Santa Fe and Kansas City road came upon a young boy dressed in Union uniform lying on the side of the road with a gunshot wound to his left eye. Miraculously, the boy, identified as fifteen-year-old James Pitt, was still alive and able to provide an account of what happened. Pitt had been recruited into the 11th K.V.C. and followed the company to Humboldt, Kansas, where he was discharged due to his youth. Three soldiers belonging to Co. K, 15th K.V.C. stopped Pitt on his way home to Kansas City, arresting him on the pretext of being a horse thief. Pitt protested the charge, insisting he borrowed the

⁴⁶ Bessie Pritchett to Carr Waller Pritchett, January 13, 1864, Pritchett Family, Papers, 1753-1984 (C4013), State Historical Society of Missouri, Columbia.

horse from his cousin. The soldiers accused Pitt of stealing the horse and forced him to accompany them. According to Pitt's deposition, the Kansas soldiers said "they were going to kill him they told him that business of taking horses had played out." Forcing him into the brush, they made Pitt take off his coat and they shot him at close range through the left eye and the left side of the body. The soldiers told a very different story. They insisted Captain J.B. Swain ordered the apprehension of Pitt, who he believed to be a notorious horse thief, and they only shot Pitt because he attempted to escape.⁴⁷

In an effort to spare innocent civilians, Union officials began enlisting the services of detectives and assigning special forces to gather intelligence on rebel civilians to help them definitively identify traitors and criminals. In 1864, General Thomas Ewing recommended J.W. Terman, alias Harry Truman, to General Rosecrans as a viable candidate for rooting out rebels in northern Missouri. Under official orders, Truman called at the homes of suspected rebels across Randolph and Chariton counties over the summer of 1864.⁴⁸ On June 10, Truman's force visited John T. Doxey, a close neighbor of General Sterling Price, at his home near Brunswick, helping themselves to a shotgun, revolver, horse, and a slave. In a letter to Governor Gamble, Doxey recounted how he tried to protest but a soldier named Dick Young placed his hand on his pistol and threatened "if I spoke oe word to him he would blow my brains out," and when Doxey asked for a receipt for the stolen goods, another man retorted that "he gives no receipts for any thing he took from Damned Copperheads." Doxey objected to the accusation, declaring his loyalty to the Union and insisting on his neutrality in the conflict, determining early in the war "not to be officious on either side, but to remain quiet at home which I have done" due to being "a great

⁴⁷ *UPMI* F1384, James Pitts, familysearch.org.

⁴⁸ *UPM* F1407 Harry Truman, familysearch.org; See also Larry Wood, "Harry Truman: Federal Bushwhacker" *Missouri Historical Review* 98, no. 3 (April 2004): 201-222.

invalid,” having lost one of his legs in 1832. Because of his loyalty and pacifism, Doxey believed the treatment he received from Truman to be “cruel” and that he deserved “to be protected against bands of these rogues and bushwhackers and against all marauders and disturbers of the peace and order in the community.”⁴⁹

Doxey labeled Truman’s men “rogues” and “marauders” on par with guerrillas. At least Doxey was able to clearly identify these men as Union soldiers. Other citizens were caught in the web of deception spun by these special forces. Truman often resorted to undercover operations, what he called “trapping expeditions,” donning guerrilla apparel in an attempt to more accurately gauge civilian loyalties and gather vital information. Using this covert tactic, Truman gathered damning evidence on several Chariton and Randolph County patriarchs, including Gideon Haines, John L. Watts, John Elizabeth, Thomas Morris, Hiram Lewis, James Starks, and Judge Moses Hurt, and reported this information to his superior.⁵⁰

⁴⁹ UPM F1305 John T Doxey, familysearch.org; U.S. Census, 1860, ancestry.com.

⁵⁰ UPM F1407 Harry Truman, familysearch.org. Truman recorded the names of each of these men in his report, but the first name of Mr. Starks is illegible. From the 1860 census, I have determined that Truman was most likely referring to Mr. James Starks, born 1812 in Kentucky. He had a son by the same name, James Starks, born in 1846 in Missouri. Both lived in Prairie Township, Chariton County. U.S. Census, 1860, ancestry.com. Moses Hurt, most likely the same person listed here as Judge Hurt, is mentioned as being killed by federal militiamen along with Abner Finnell in the 1883 History of Howard and Chariton Counties. *History Howard and Chariton Counties...* (St. Louis: National Historical Co., 1883), 539; U.S. Census, 1860, ancestry.com.

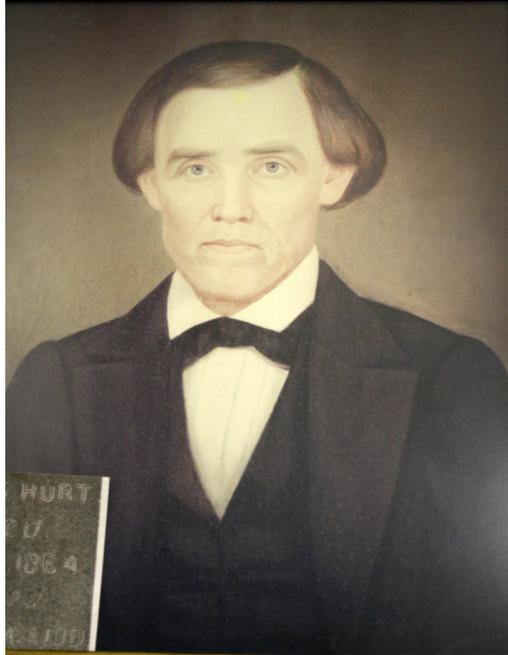


Fig. 32. Image of Judge Moses Hurt. Chariton County Historical Society Photographs, State Historical Society of Missouri, Columbia.

Truman did not limit himself to simply reporting disloyalty; he actively worked to eradicate rebels. Truman's case makes clear that Union officials sometimes placed their trust in the hands of the wrong men, men who embraced the most extreme measures to punish disloyalty, crossing the line of propriety. By the end of June, Truman, himself, had been arrested and was being confined in a St. Joseph jail.

Union soldiers' imprudent approach toward punishing civilians based only on the suspicion of disloyalty forced even the most loyal noncombatants to seek some kind of proof of their own loyalty in order to protect themselves against an unwarranted assault. In November 1864, four months after his encounter with Truman, John Doxey made a second attempt to receive compensation and sent another letter to Union officials, this time to commanding officer, Clinton B. Fisk. In his letter, Doxey, yet again, detailed his loss of both horses and slaves and voiced his desire to obtain "some Military Post" as a means of protection because he stated, "I am fearful I can not stay at home next sommer." Included with the letter was a statement of

Doxey's loyalty signed by four local military officials and a request for "a similar paper" from Fisk. Doxey, although a loyal, peaceable and quiet citizen, explained the need for such a document as follows:

such a paper would be but little trouble to you and would be of great value to me in these days of turmoil and confusion, many times shouldiers are wrongly informed and do things they would not do if correctly informed . . . and such a paper from you would help to Shield me from my enemys and might save my life, I do not know that I have an enemy; but when infuriated shouldiers are passing through the country, it some times requires but little for them to commit a rash act [sic].⁵¹

The veracity of Doxey's claims became all too clear that same month during the military trial of his old nemesis Harry Truman. Around the same time Doxey wrote his letter to Fisk, Harry Truman sat in front of a military commission accused of at least five counts of murder for hanging John Walker and George Veal and shooting Peter Fox, Henry Jennings, and James Starks "without just cause or provocation"; fifteen counts of larceny for stealing horses, saddles, and pistols; and one count of arson for burning the home of Absolom Johnson, all while "pretending and representing himself to be an officer in the service of the United States." The commission sentenced him to death by hanging for these crimes, but General Rosecrans commuted his sentence to imprisonment, and the Secretary of War Edwin Stanton ordered his release in March 1865.⁵²

⁵¹ UPM F1305 John T. Doxey.

⁵² UPM F1407 Harry Truman, familysearch.org. In this document, two of Truman's murder victims are only referred to as "one Jennings" and "one Starks." From the available sources, I determined Starks to be James Starks (17) of Prairie Township, Chariton County; his father was also named James Starks and is referred to in the previous paragraphs. A few other sources address the murders of Peter Fox, George Veal, (still no first name) Jennings, and James Starks and provide brief descriptions of their deaths, including the detail that Union militia killed them in 1864. Starks' age is listed in these sources as seventeen, and it is elaborated that the militia killed him because he refused to report the whereabouts of his father, also named James Starks. He was left hanging for three days. Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County (1), State Historical Society of Missouri, Columbia; *History Howard and Chariton Counties...* (St. Louis: National Historical Co., 1883), 539; U.S. Census, 1860, ancestry.com. A newspaper article from the time described the murders of Fox, Jennings, and Starks. Jennings is described as the son-in-law of Fox, and Starks death is described as follows: "A boy of seventeen was taken from his plough in the field Friday noon, and after being conveyed a short distance was hung to a tree, and threats made that any one that removed his body should be shot. This last hanging took place last

Truman's exoneration meant his reemergence in the underworld of covert operations in Little Dixie. Only now, he was actively working to secure the surrender of notorious guerrilla captains like Clifton Holtzclaw, Dave Poole, and William S. Jackson. Truman, however, had more sinister plans in mind for ending the careers of these leaders once and for all. "[I]f you will give me the privilege to grant them a pardon," Truman wrote to Provost Marshal James H. Baker, "I will get them all to surrender & then kill them all." General Grenville Dodge approved Truman's plan but advised him and his men "to confine themselves to the simple purpose of securing the surrender of the guerrillas." Dodge soon learned that Truman "was acting badly" again and "that [his] instructions were being disregarded." Dodge ordered the arrest of Truman a second time.⁵³

Federals often felt goaded to take rash actions due to the frequent, indiscriminate murder of civilians by guerrillas. On July 15, 1864, bushwhackers Bill Stewart and Jim Carter shot John Henry Boller "whilst peaceably traveling on the public highway" from the city of Boonville to his home in surrounding township.⁵⁴ Charles Christian Bell recorded some of the events surrounding the murder in his memoir. Bell described how that morning around 11 a.m., while harvesting oat on a farm belonging to the father of his friend, Walter Baron, a man rode up to them on a horse and notified them of the murder. Mr. Baron, a man beyond his sixty fifth year, rushed to a haystack nearby, pulled out a shotgun and a rifle he had concealed there for just such a time as this, and urged Bell to follow him in pursuit of the bushwhackers. The two homespun

evening, and the boy's body still hangs, none daring to remove it." *Columbia Statesman*, June 24, 1864. I was only able to identify Henry Jennings' first name after finding a more recent article published on the *Columbia Tribune* website, containing information regarding the Fox and Jennings' murders. Ann Christian, an ancestor of the Fox family performed the research for this article. *Columbia Tribune* (website), July 6, 2014, accessed December 10, 2018 <https://www.columbiatribune.com/00389929-f4d7-5ad8-8e75-25c3e7fda3c6.html>.

⁵³ UPM F1407 Harry Truman, familysearch.org.

⁵⁴ UPM F1657-21308 John H. Boller, Missouri Digital Heritage.

militiamen reached Boller still clinging to life and pleading for water; Bell fetched him some water. In the meantime, the federal soldiers who had been in pursuit of the murderous bushwhackers and who had succeeded in killing one of them emerged on the scene. Federal suspicions quickly fell on Baron and Bell because they had guns. The men were allowed to return home, but a few nights later, Bell awoke to bullets raining down on him in the middle of the night. Afterward, fearing for his life, Bell discussed his options with his father. Instead of deciding to flee to the brush, Bell insisted on joining the Union militia. As he explained, Bell “felt safer there than at home.” On August 2, Bell joined Captain Horace Shoemaker’s Provisional Company of Enrolled Missouri Militia forming at Boonville.

The same month that Bell enlisted, bushwhackers burned down the courthouse in Marshal, prompting a harsh response from one embittered Union officer. Colonel Bazel Lazear wrote to his wife in the wake of the conflagration: “this is the worst rebel county I was ever in nearly all are rebels of the worst kind. . . . I will make this county so hot fir Rebels that if they stay here it will burn their feet.”⁵⁵ Lazear proceeded to round up and arrest 18 citizens, according to one account. Among those arrested were Lucy Sheridan and Sue Bryant. Lazear arrested the two women after local slaves informed him they had demonstrated support for the guerrillas at the time of the attack by flying a rebel flag from Sheridan’s home. However, Bryant insisted the “flag” in question was, in actuality, a red and white skirt, part of a costume she had worn to Sheridan’s home in order to reenact a performance she had learned at seminary school in Boonville.⁵⁶ Nevertheless, the accusation was enough to prompt Lazear to order a search of

⁵⁵ Bazel F. Lazear to wife, August 11, 1864, Bazel F. Lazear Papers (C1014), State Historical Society of Missouri, Columbia.

⁵⁶ *History of Saline County, Missouri, carefully written and compiled from the most authentic official and private sources...* (St. Louis: Missouri Historical Company, 1881), 306; *Reminiscences of the Women of Missouri* by the United Daughters of the Confederacy, Missouri Division. (Jefferson City: Hughs Stephens Print, Co., 1913), 273 [hereinafter cited as *Reminiscences*].

Sheridan's home where they found several letters written in what they believed to be a pro-Confederate tone. Lazear labeled Sheridan "a notorious Rebel" and her home "a known Rebel headquarters." Sue Bryant went to prison in St. Louis where she stayed for a few months before paying bond and taking the Oath of Allegiance.⁵⁷

Arresting women suspected of being rebels was not the most extreme measure taken by Lazear during this particular episode. Arrow Rock resident Marshall Piper was among the prisoners arrested following the destruction of the courthouse. According to a county history, when Piper came into town to report in compliance with the requirements of his parole, he found Lazear giving "a speech full of reproach" to the townspeople. In the course of this speech, Lazear pointed directly at Piper, and declared, "As for that fellow, he will be shot to-day, at two o'clock." Piper, accused of aiding bushwhackers, received "some sort of court-martial," was bound with his own handkerchief, and was shot by a firing squad of ten men. Lazear reportedly stated, after the fact, that Piper's execution "had more good effect in giving the Union people of Saline peace and protection than any one act I had done during the war." After the war, Piper was characterized as an individual who "was universally regarded as a harmless and very excellent man, and one who had taken no part in the war whatever." Furthermore, in 1881, Piper's family still affirmed his innocence, and his acquaintances labeled "his execution simply an atrocity."⁵⁸

⁵⁷ Bazel Lazear to Captain, September 13, 1864, Bazel F. Lazear Papers, 1851-1904 (C1014) State Historical Society of Missouri, Columbia; *History of Saline County, Missouri*, (1881), 306-307; *Reminiscences*, 273; "The Civil War Letters of Colonel Bazel Lazear," ed. Vivian Kirkpatrick McLarty, *Missouri Historical Review*, 45, no. 1, Part III (October 1950): 51. According to Vivian Kirkpatrick McLarty, Lazear arrested Sue Bryant, Bennie Elliot, Jennie Flannery, Sallie Pearson, and Amanda and Missouri Jackson after the raid. Lazear arrested Bryant for waving the skirt of her dress, which was made of red and white muslin, in support of the guerrillas during the raid. He sent her to the female prison in St. Louis; she stayed for a few months until being released after filing a bond of \$3,000. A copy of Bryant's Oath of Allegiance is included with the description of her Civil War experiences recorded in *Reminiscences*, 275-276.

⁵⁸ *History of Saline County, Missouri* (1881), 307.

Reports of the execution of Piper and another local man and the extensive looting by soldiers under Lazear's command, while searching local civilian's homes in the wake of the raid, quickly reached his superiors, and as a result, Lazear found himself under investigation for misconduct the following month. In a letter to his superior on September 13, he answered to the allegations:

there is, or rather has been a reign of terror existing in Lafayette and Saline Counties, but this time hapily it exists among Bushwhackers their friends and Sympathizers and it was caused simply by they being made to understand that they were held responsible for the conduct of the Guerrillas toward Union men and that if Union Men could not stay in this country that Rebels could not.⁵⁹

Lazear emphasized the difficulties of identifying and punishing rogue soldiers. There are soldiers who commit "some petty depredations," which "Officers are unable to detect and redress," but "none of the Officers will countenance or permit anything of the kind to go unpunished," Lazear insisted. In the particular case of Lucy Sheridan, Lazear claimed soldiers searched her home for a rebel flag but did not steal from her; instead, he insisted, "the negroes . . . carried off most of her clothing and other things." To the accusation of "murdering of peaceable citizens," Lazear admitted that two men had been shot by his order but claimed he had been "carrying out verbal instruction from the Major Genl Commanding."⁶⁰

Many times Union soldiers believed they caught citizens in the act of rebellion when they stumbled upon them traveling alone in the brush carrying weapons. Even citizens traveling alone without weapons could heighten Union suspicions. While out on a scouting mission in the environs around their post at Fayette, Captain Rives Leonard, 9th Cavalry M.S.M., stumbled upon James Harrington, who, according to the federal account, took off running as soon as he

⁵⁹ "The Civil War Letters of Colonel Bazel Lazear," *Missouri Historical Review*, 45, no. 1 (October 1950): 52.

⁶⁰ "The Civil War Letters of Colonel Bazel Lazear," *Missouri Historical Review*, 45, no. 1 (October 1950): 52.

saw the unit and refused to halt. Leonard's men pursued Harrington and shot him several times as he ran, insisting later they believed him to be a member of the Confederate force they had been pursuing. "The truth was," read an account of the event, published many years later, "Mr. Harrington, although a strong Southern man, was not a Confederate. He was a very exemplary gentleman and a universally respected citizen." The account ended with the following: "Leonard's men committed serious outrages on this raid."⁶¹

Little Dixie heated up in the fall of 1864 as Confederate General Sterling Price invaded the region once again in a last-ditch effort to take the state for the Confederacy. On September 19, Price led his army north from Arkansas in a strategic invasion before the 1864 elections. Early on, Price's army faced setbacks, forcing him to change his plans and march north towards Kansas City, engaging Union forces at several Little Dixie locations, including Boonville, Glasgow, Sedalia, Lexington, Independence, and Westport. Union forces finally defeated Price in Kansas, and he retreated back to Arkansas, ending the Confederate's last hope of taking Missouri.

The abundance of Confederate soldiers, Union militiamen, and guerrillas in the region that fall caused an increase in outrageous acts of vengeance. Some Union troops took advantage of the tumult to settle old scores. In one instance, federal soldiers in Columbia sought revenge against prominent Boone County resident and Black Hawk War veteran Major William S. Cave for his suspected role in the August 1862 guerrilla raid on Columbia. According to post-war lawyer and amateur historian North Todd Gentry, Union authorities suspected Cave of tipping off the bushwhackers about the lack of pickets in town before the 1862 guerrilla raid and sought him out for retribution in September 1864.⁶² Local resident Mary Harrison Clagett told the story

⁶¹ *History of Boone County, Missouri* (1882), 623-624.

of Cave's murder in detail. When a company of federal soldiers rode up to the Cave household on Bear Creek September 6, the major, Clagett claimed, knew he was doomed. The federals allowed Cave time to settle his affairs, say his goodbyes, and pray with his family before taking him about two hundred yards from the home, slightly out of sight from his loved ones, and opening fire on the major.⁶³ Another account claimed the soldier's killed Cave after a Union picket stationed in the courthouse cupola saw several guerrillas flee from his home.⁶⁴ Regardless of the details, Cave was summarily executed under suspicion of aiding guerrillas. Union soldiers also killed Martin E. Oldham, Gabriel Turner, William Rummons, and Joseph Graves the same day.⁶⁵

The presence of Confederate forces in the area that fall emboldened "Bloody Bill" Anderson to acts of barbarity that violated the military code of honor embraced by General Joe Shelby. Union private Charles Bell was in active service with Shoemaker's company when the advance guard of Price's army under command of General Joe Shelby entered Boonville in October 1864, and Bell personally played a prominent role in negotiating the surrender of Shoemaker's force, which resulted in his and his comrades' imprisonment in the courthouse for a short time. Bell survived the war to tell of his wartime experiences; the same cannot be said for Shoemaker, who at some point after the company's surrender fell into bushwhacker hands and

⁶² North Todd Gentry (C0049), State Historical Society of Missouri, Columbia.

⁶³ *Reminiscences*, 127.

⁶⁴ Bruce Nichols, *Guerrilla Warfare in Civil War Missouri, September 1864-June 1865, Vol. IV* (Jefferson, North Carolina: McFarland & Company, Inc., Publishers, 2014), 85-86. Nichols posits that members of Captain George W. Carey's company of 3rd Cavalry MSM or the 61st EMM mostly likely killed Cave. Nichols also recounts the story of the murder of a man named "Drake" who was killed a few days after Cave, supposedly, to avenge Cave's death; *Columbia Statesman*, September 9, 1864.

⁶⁵ Gentry, "Some Incidents of the Civil War in Columbia and Boone County," Missouri Digital Heritage.

was never heard from again.⁶⁶ According to one account, Bill Anderson's men captured Shoemaker while out on parole, killed him at the fairgrounds, and threw his body into the Missouri River.⁶⁷ In his memoir, Charles Bell noted that the murder of Captain Shoemaker plagued Shelby with regret long after the war. In an interview Shelby gave after the war while serving as U.S. Marshal of the Western District of Missouri, he stated, "Of all my unpleasant experiences I had during the war, the most regrettable was the way Captain Shoemaker came to his death after he had surrendered to me and I promised protection and ordered guards to his home."⁶⁸

Anderson's rampage continued throughout the fall of 1864. On September 27, Anderson, along with 80 of his men, stopped in the town of Centralia on their way to meet up with Price's army. James Rollins was also traveling through Centralia by stagecoach with several other prominent Boone County men, including the Sheriff and ex-Sheriff of Boone County, on their way to a Democratic Congressional Convention in Mexico, Missouri. When Anderson's guerrillas stopped the stagecoach and questioned the men about their identities, all of the men lied; Rollins himself claimed to be a southern Methodist Minister. As the guerrillas were about to discover the men's true identities from the content of their personal belongings, a train came dashing down the tracks toward the Centralia depot. The pack of guerrillas rushed to stop the train and rob the passengers, providing Rollins and the stagecoach passengers an opportunity to conceal themselves in town. Onboard the train, the guerrillas discovered 23 unarmed, furloughed Union soldiers, forced them to remove their uniforms, and form into a line, shoulder to shoulder.

⁶⁶ Bell Family Papers, 1875-1969 (C3045) State Historical Society of Missouri, Columbia.

⁶⁷ William Foreman Johnson, *History of Cooper County, Missouri* (Topeka: Historical Publishing Company, 1919), 200, 213.

⁶⁸ Bell Family Papers, 1875-1969 (C3045) State Historical Society of Missouri, Columbia.

Anderson then asked for one volunteer; Sergeant Thomas Goodman stepped forward, believing Anderson would shoot him and let the others go free. Much to Goodman's horror, the guerrillas spared him and executed the 22 other soldiers in cold blood, taking Goodman hostage. Rollins avoided a similar fate by concealing himself in the Phoenix Hotel, sometimes called "Sneed's Hotel," the vantage point from which he witnessed the entire horrifying event.⁶⁹

After the massacre, over 150 Union militiamen under the command of Major A.V.E. Johnston hunted down Anderson's men and confronted them in an open field near town. Anderson's guerrilla force completely slaughtered Johnston and his inexperienced troops. Goodman, having witnessed the carnage firsthand as a guerrilla captive, recounted his experiences, proclaiming the deaths of his comrades was the "most monstrous and inhuman atrocities ever perpetrated by beings wearing the form of man."⁷⁰

Correspondence from the months of October and November 1864 captures the unrest caused by the elevated presence of Confederate and Union forces in central Missouri and stand witness to the continued exploits of "Bloody Bill Anderson. Fayette resident Bessie Pritchett wrote her husband, Carr W. Pritchett, a steady stream of correspondence over those tumultuous fall months while he was away in Washington D.C. serving at the U.S. Naval Observatory. Her letters reveal the heightened lawlessness engendered by combatants on both sides in her neighborhood. When Price came to town in October, his men robbed the bank and several

⁶⁹ Daniel M. Grissom, "Personal Recollections of Distinguished Missourians—James S. Rollins," *Missouri Historical Review*, 8, Issue 4 (July 1924): 550; North Todd Gentry Papers, 1837-1947 (C0049), State Historical Society of Missouri, Columbia; Claire Wolnisty, "Centralia Massacre" on *The Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865* (website), The Kansas City Public Library, accessed March 18, 2018 www.civilwaronthewesternborder.org. *History of Boone County, Missouri* (1882), 443-450; The other prominent individuals on the stagecoach with Rollins included James H. Waugh, Sheriff of Boone Co., John M. Samuels, ex-Sheriff, Henry Keene, Boyle Gordon, Lewis Sharp, Columbus Hickman, and Lafayette Hume.

⁷⁰ Claire Wolnisty, "Centralia Massacre" on *The Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865* (website), The Kansas City Public Library, accessed March 18, 2018 www.civilwaronthewesternborder.org.

prominent citizens. According to Bessie, even the “secesh women” partook in the looting, or what had become commonly known as “trucking.” Bill Anderson’s guerrillas followed on the heels of Price’s troops determined to burn the Central Methodist College in town, but the secessionist women successfully detoured them. Secessionist citizens also prevented the guerrillas from killing Lieutenant McFarland, Frank Ross, and Ben Lewis on this occasion; however, James H. Robinson was not so lucky: he was taken from his bed and killed by Anderson’s men. A few days later, Bessie mentions the arrival of Sanford Coppage and John Robinson in town. Clearly, these men were guerrillas as is evident from Bessie’s comment: “[t]hey are dressed in Federal uniform & boast of having gone into Iowa with 13 men capturing & killing two officers, a citizen & four negroes.” In her next letter dated November 2, Bessie reported Coppage’s capture and execution by federal troops. Bessie began to contemplate leaving home, sensing the danger facing citizens who did not live in close proximity to a Union military post: “This will not be a Post and we will be at the mercy of every marauder.” After a visit from Union troops during which the men “helped themselves to turkeys chickens & cabbage . . . also too a quantity of hay and corn,” Bessie lamented, “Mo is gone, there will be no living here for any one I think.”⁷¹

By the end of October, Union forces got their revenge against the man who had plagued Missouri civilians and soldiers alike for the last four years. On October 26, 1864, Union troops under Lieutenant Colonel Samuel P. Cox shot “Bloody Bill” Anderson dead and paraded his

⁷¹ Bessie Pritchett to Carr Waller Pritchett, October 22, 1864; October 27, 1864; November 2, 1864; November 7, 1864; November 9, 1864, Pritchett Family Papers, 1753-1984 (C4013), State Historical Society of Missouri, Columbia. According to the biographical record provided by the SHSM, Carr Waller Pritchett lived in Washington D.C. during the war where he served with the U.S. Naval Observatory. Pritchett earned his degree in Astronomy at Harvard before he moved to Pleasant Hill, Missouri in 1836 and founded the Pritchett School Institute in Glasgow, Missouri. The Missouri History Museum and Archives in St. Louis possess more Carr Waller Pritchett memorabilia: “Memorabilia of Carr Waller Pritchett, 1904, Condensed Somewhat by Betty Huston Pritchett, With Remembrances of her Grandfather, Manuscript, Chattanooga, Tennessee, 1952 (A1255).

body through the streets of Richmond, Missouri. Unionists also photographed Anderson's bullet ridden body and displayed it as proof that the fiend had indeed been killed.



Fig. 33. Tintype of William "Bloody Bill" Anderson after his death, take by Richard Kice in Richmond, Missouri. Photo courtesy of Wilson's Creek National Battlefield and the Trans-Mississippi Photo Archive, accessed May 16, 2019, <http://ozarkscivilwar.org/photographs/anderson-william/>.

Price's army having departed the region and Anderson dead, Bessie Pritchett continued to detail how guerrillas and Union soldiers plagued the Fayette community. In a letter written to her husband, dated November 16, Bessie detailed a series of murders in the neighborhood: guerrillas killed Union soldier George Patterson while he visited "his lady love," Union scouts burned a house and killed Evans for the "alleged offence" of harboring bushwhackers, and a drover shot Anderson's Lieutenant Stewart over a personal conflict. There was also the news about Edwin Robinson, captured by federal troops while traveling on horseback and "deliberately shot" near Glasgow. According to Bessie, "the Bushwhackers has threatened to kill four Union men in retaliation for Mr. Robinsons death." But, murder was not the only thing making news and inspiring retaliation in this overheated environment. "I am so sorry the troops will burn houses,"

Bessie ended her missive, “there are plenty of rebels to retaliate and there is no telling whose house will go next.”⁷²

Cycles of Revenge

The murder of one man often sparked desires for revenge in another, threatening a never-ending cycle of revenge. Whether the perpetrators were Union or guerrilla, civilian murders generated outrage and inspired calls for justice. Revenge killings created an environment in Little Dixie akin to what scholar James Scott calls “a frontier of intimidation,” in which acts of violence became quotidian and revenge killings became the primary tool to shift the tide of war.⁷³

Sometime in 1863, a federal force under the command of Captain White, scouting through the Burlington neighborhood of Boone County, visited the home of William T. Nevins. The soldiers took Nevins from his home and shot him. Captain White and his men believed Nevins, a returned Confederate soldier, was “a notorious bushwhacker, and that his house was a rendezvous for bushwhackers, guerrillas, thieves, and robbers.” For this reason, White felt justified shooting him in his front yard. Around the same time Nevins was killed, Union forces took his father prisoner and burned down his house. Soldiers also killed two other local men, Ellington Ford and John C. McCall, in a similar fashion to Nevins. As a result of the murder of these southern sympathizers, guerrillas retaliated by murdering Tillman Vaughn and Franklin Harris, two local men of presumed Union loyalties.⁷⁴

⁷² Bessie Pritchett to Carr Waller Pritchett, November 16, 1864; November 30, 1864, Pritchett Family, Papers, 1753-1984 (C4013), State Historical Society of Missouri, Columbia.

⁷³ James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 192.

⁷⁴ *History of Boone County, Missouri* (1882), 624-625; Gentry, “Some Incidents of the Civil War in Columbia and Boone County,” Missouri Digital Heritage.

In October of that year, Union forces responded to the increased presence of Confederate partisans and guerrillas under Confederate General Shelby's command with increased counterinsurgency efforts, hunting armed bands across the countryside. In his diary, Union Jayhawker Sherman Bodwell, private in the 11th Kansas Cavalry, described pursuing Shelby and guerrillas over the course of September and October, estimating his travel on horseback at 1,000 miles. Bodwell's diary evidenced a ruthless and retaliatory conflict. On October 4, the company stumbled upon an abandoned guerrilla camp near the Sni-A-Bar Creek, which Bodwell described with eerie poetic flare:

There seems to be something of the deathlike brooding over these camps. Always hidden where hardly more than a horse track points the road, in heavy timber & creek bottoms, offal lying about, cooking utensils, cast off clothing, when we steal in upon them carefully watching lest a crackling stick alarm the expected occupants, the very air seems thick with the clime with which so lately they seethed. A womans shoe here; a childs cradle used as a feed box there; how strangely out of place.⁷⁵

A barking dog led the soldiers away from the camp and directly to the feet of a man hanging from "a small sapling." A piece of paper pinned to his back contained an ominous message: "This man was hung last evening in revenge for the death of Ab Haller. He says his name is Thomas, and that he belongs to the Kansas 9th." The Jayhawkers buried Thomas in a nearby ravine.⁷⁶

Abraham Lincoln appeared to understand the situation in Missouri better than the local citizenry and soldiery in Little Dixie. In the fall of 1863, he wrote a letter to the radical Republican representatives of Missouri in which he accurately described the culture of fear, suspicion, and vengeance engendered by guerrilla war.

⁷⁵ Sherman Bodwell Diaries and Notebook, October 4, 1863 (MC283), Kansas Historical Society, Topeka.

⁷⁶ Ibid.

At once sincerity is questioned and motives are assailed; actual war coming, blood grows hot and blood is spilled. Thought is forced from old channels into confusion; deception breeds and thrives; confidence dies, and universal suspicion reigns. Each man feels an impulse to kill his neighbor, lest he be first killed by him. Revenge and retaliation follow, and all this, as before said, may be among honest men only. But this is not all. Every foul bird comes abroad, and every dirty reptile rises up. These add crime to confusion. Strong measures deemed indispensable, but harsh at best, such men make worse by maladministration. Murders for old grudges and murders for pelf proceed under any cloak that will best cover for the occasion.⁷⁷

As Lincoln surmised, murders for old grudges occurred frequently in Little Dixie during the war. One sector of society where feelings of revenge and resentment seethed most fervently was between the black and white elements. By 1864, pivotal federal legislation legalizing the emancipation and mobilization of ex-slaves caused tensions between black and white Missourians to reach a critical boiling point. For some ex-slaves, now armed with their freedom and a firearm, the temptation to settle old scores became too hard to resist. Ex-slaves sought vengeance in a variety of ways, such as helping themselves to all the household goods they could carry, liberating their loved ones from enslavement, and in the most extreme cases, murdering their former master. In January 1864, an article in a Little Dixie newspaper reported “[a] most outrageous affair” in which a black man killed his former master. The slave, who remained nameless in the article, formerly belonged to John Moore of Keytesville and had enlisted in the Union militia with the permission of his owner under the condition that he “abstain from visiting his place.” The ex-slave returned, however, and a conflict ensued between the two men; the black man drew his pistol, shot, and killed Moore. The event “caused a great deal of excitement” in the community and widespread searches ensued. The man was captured but escaped his captivity, and the local military official offered a \$500 bounty for his apprehension.⁷⁸

⁷⁷ Abraham Lincoln to Hon. Charles D. Drake and Others, October 5, 1863 in General John Schofield, *Forty-six years in the Army* (New York: The Century Co., 1897), 94-95.

⁷⁸ *Columbia Statesman*, January 15, 1864; UPM F1606-7746 F.W. Diggs.

Avengers sometimes missed their intended target, resulting in the death of the wrong person. Charles Bowring lived outside of Wellington and kept a daily diary recording events occurring in his neighborhood over the course of the war. His entries are brief, containing only names and concise descriptions of major events such as deaths and troop movements. Bowring, however, provided a bit more detail in his entry for April 2. On that day, Bowring recorded the murder of James Waller, whom he described as a Confederate soldier, out on the prairie southwest of town. Close friends of Waller believed John Coats, private in Co. F, Colonel James McFerran's 1st Cavalry M.S.M., severely mistreated Waller during the attack and determined to avenge their friend's cruel murder. On May 25, 1864, Bowring recorded the death of William Burgher, also a member of Company F, who had been killed by mistake; his assassins believed he was Coats "both being light haired and of similar build physically." Over the next two days, Burgher's comrades in Company F buried him in Mount Olivet Cemetery with military honors and departed Wellington. Among the departing troops was John Coats, the intended target of the vengeful assassins, who, Bowring wrote, "escaped the death awaiting him at the hands of the Friends of James Waller."⁷⁹

Murders deeply embittered both parties and sometimes led to desperate rivalries forming between local federal officers and derisive guerrilla commanders. Animosity between Union Captain William B. Kemper, commanding the 9th Cavalry M.S.M., stationed in Liberty, and guerrilla Captain Fletch Taylor reached a climax in the summer of 1864. In June, a "Peace Committee" formed in Liberty to negotiate a truce between the two men; the solution was for both the guerrillas and the militia to depart the county. However, in or around June 24 or 25, a squad of the 89th E.M.M hunted down a guerrilla named David Coffman, who had been

⁷⁹ Charles M. Bowring Papers, 1819-1922 (C3547), State Historical Society of Missouri, Columbia.

plundering farms in Clinton County, and killed him on sight. Vexed beyond belief that federals remained in the area, despite the truce, and that they had ambushed one of his men, guerrilla captain Fletch Taylor, in retaliation, murdered three Union men: Bishop A. Bailey, S.G. Bigelow, and John Bigelow. On July 4, 1864, Taylor and Kemper finally met face-to-face in the brush. Taylor, seething with contempt, ambushed Kemper and some of his men while they watered their horses at a creek near Centerville, wounding Captain Kemper. Another skirmish involving Taylor's band, and occurring around the same time, resulted in the death of Captain Patton Colly, Company E, 51st Regiment E.M.M.⁸⁰

Reaching an impasse, Taylor wrote a letter to Kemper in which he openly admitted killing the two Bigelow brothers “to avenge [Coffman’s] death” and railed at Kemper for not keeping up his end of the bargain to leave the county. “Sir, if you wish the peace of Clay County, you will use all your influences in keeping the Radicals out of here,” Taylor advised Kemper. For Taylor, the federals’ harassment of civilians was the crux of the problem. Disturbing, imprisoning, and banishing citizens, Taylor insisted, would “ruin this country, more than any thing else,” and if it continued, he would “make the union party suffer as much” as civilians suffered. As a solution, Taylor suggested they shift the war back to the battlefield to be fought only between combatants: “if you and I would let [civilians] alone, we could fight one another, and we will be fighting men who have put themselves out for that purpose, and not fight the unsuspected citizen, who is not in arms.” Taylor avowed, “I want peace, if it can be gained by honorable terms” and promised to end the cycle if Kemper and his men stopped warring on

⁸⁰ Chas Fletcher Taylor to William B. Kemper, [no date], Clay County Historical Society, Liberty; *Liberty Tribune*, July 8, 1864; Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri during the Civil War* (Oxford University Press, 1989), 138; Bruce Nichols, *Guerrilla Warfare in Civil War Missouri, January-August 1864, Vol. III* (Jefferson, North Carolina: McFarland & Company, Inc., Publishers, 2014), 275-277; *OR*, Series I, vol. 41 Part II, p. 44-45; *Encyclopedia of the History of Missouri: A Compendium of History. . . .*, Vol. 2, ed. Howard Louis Conard (The Southern History Company, 1901), 22.

civilians and left the county: “If I find that you are warring on the citizens, so be it, I will retaliate. If you fight me alone, I will return the compliment.” The choice was Kemper’s.⁸¹

Union officials failed to heed Taylor’s warning. In the wake of the events recounted above, federals arrested two local men, John McCorkle and Henry Corwin, under suspicions that they provided bushwhackers with information about the movements of Colly’s forces that resulted in his death. Union Colonel Edwin C. Catherwood, 13th Mo. Cav. Vol., wrote the Provost Marshal General of Missouri in November that he was sending McCorkle and Corwin along with their families to St. Louis as prisoners, believing they were “Enemies of the Govt.” from the outset of the war and “were the cause of the murder of Capt. Colly & his men by Bill Anderson.” The community seemed to place all of their pent-up anger for recent events on these prisoners, putting their lives in serious danger and making the job of successfully transporting them to St. Louis alive extremely difficult. Catherwood wrote, “so strong was the feeling against these men, by the loyal citizens & soldiers that—I was compelled to furnish them a guard out of Liberty to save them from execution.”⁸²

One Little Dixian, writing his memoir with the hindsight of some sixty years, looked back on the summer of 1864 and isolated this time as memorable for its “revengeful spirit.” James Lewis Lynch was a young boy living in Saline County during the war and his memoirs are full of lively stories of his exploits in the area. Lynch, however, made a brief refrain from storytelling in the middle of his account to reflect on the disparaging nature of the summer of ’64, a time he labeled “the high water mark in the flood of the Civil War.” Lynch described the

⁸¹ Chas Fletcher Taylor to William B. Kemper, [no date], Clay County Historical Society, Liberty; *Liberty Tribune*, July 8, 1864; Fellman, *Inside War*, 138; *OR*, series I, vol. 41 Part II, p. 44-45. B.A. Bailey, S.G. Bigelow, and John Bigelow were killed by guerrillas; two were killed at their homes and one while walking home from town. They were killed right before Captain Kemper was wounded and captured.

⁸² *UPM F1619-11244*; *UPM F1626-13173*.

time as follows:

Spies were numerous, daring and desperate. The slightest and most innocent actions of men, women and children were watched with the keenest eye of suspicion—you dare not crook your finger without being in danger of arrest and punishment for it, Though you may never have thought of doing anything out of the way. . . . If you chanced to meet footmen or horsemen who took fancy to your horse, bridle, saddle or pocketbook, it was a mark of good sense on your part to give it up to him whatever he asked of you and go your way rejoicing that you still had your pulse though it was a little high.⁸³

The “vengeful spirit” cultivated during the war bled over into the post-war period. The murder of two neighbors living in Fishing River Township in Clay County in September 1864, committed by members of Colonel E.C. Catherwood’s cavalry, inspired an act of revenge two years later in September 1866. Local farmers David L. Ferrill and John Norris amassed significant estates and were prosperous, upstanding members of their community. Both men evidently held Confederate sympathies. Ferrill’s sons served in the Confederate army and one of his grandsons, Red Munker, fought as a guerrilla. Norris himself served six months under Price. In the fall of 1864, Ferrill and Norris showed up on the radar of the local militia. Soldiers under the command of Lieutenant James N. Stoffel, Company A, 6th Cavalry M.S.M., took Ferrill, an old man approaching seventy years of age, from his home and hanged him from a tree. Not long after this incident, Norris, who, although a one-time Confederate soldier, was now “living peaceably at home,” was taken from his home and shot by members of the same regiment. In the fall of 1866, an anonymous avenger identified Richard Sloan as the main culprit of Ferrill’s murder and took particular pains to hunt down Sloan and shoot him in the street.⁸⁴

Vocal southern sympathizers put a target on their own back for federal retaliators.

William Henry Schrader, a young German-American resident of Brunswick Township and

⁸³ James Lewis Lynch Memoirs, 1923 (C0132), State Historical Society of Missouri, Columbia.

⁸⁴ W.H. Woodson, *History of Clay County, Missouri* (Topeka: Historical Publishing Company, 1920), 202; U.S. census, 1860, David Farrell, John W. Norris, ancestry.com.

orderly for General Odon Guitar, 9th Missouri Cavalry, during the war, recounted an encounter with Judge John J. Flood in his reminiscences of the Civil War. Flood, whom Schrader labeled a “loud-mouthed secessionist” and described as “a very large man, weighing probably 225 to 250 pounds, and always carried a heavy hickory cane,” approached Schrader on the street with a taunt: “Well, here is our little Dutchman, and for what side are you?” Anxious to avert a conflict, Schrader hoped to ignore Flood but, after much goading, responded, “I am for the Union,” to which Flood barked, “You d . . . d Dutch puppy, I have a mind to strike you down.” A local storeowner stepped in to prevent the episode from escalating, but a few days later, a group of young “secessionist boys” learned of the encounter with Flood and accosted Schrader by throwing stones at him. Schrader immediately relayed the details of his experience to his father, who, while home on furlough, ran into Flood on the street and threatened, “Judge Flood I have a ten day's furlough, which I shall spend in this town and if at any time I meet you on the street I shall march you home at the point of my sword. Now git.”⁸⁵ After this, and until he joined the militia, Schrader carried a butcher knife with him for protection.

Schrader was not the one whose life was in immediate danger. Judge Flood fell on the radar of vengeful federals. Union soldiers, who Schrader described as “so-called Union men” and “Union ‘bushwhackers’” because “they were as lawless as rebel bushwhackers, though they wore a Union uniform,” shot Flood in his home in November 1864. However, Schrader, although a personal enemy of Flood himself, still categorized the Judge’s murder as one of the many “outrages” committed during the war. Around the same time, some unnamed assassins, possibly the same men who killed Flood, took John T. McAshan, also of Brunswick, to the banks of a

⁸⁵ William Henry Schrader Reminiscences, n.d., (C1519), State Historical Society of Missouri, Columbia.

nearby river, shot him, and threw his body into the water. Available sources make no reference to his loyalties or the motive for the murder.

Following Flood's murder, Schrader maintained, "so great was the fear of his friends for vengeance by the fellows who killed him, that not one dared do anything toward preparing the body for burial." Fear of reprisals stunned many citizens into inaction, but not Schrader's father, who showed tremendous courage, integrity, and maybe even a small degree of forgiveness in the wake of the murder. Despite having threatened Flood just a few days earlier in the streets of Brunswick, Schrader's father stepped up to prepare the Judge's body for burial, the only person willing to do so. Schrader made sure to include his father's reasoning for this in his memoirs: "though he had felt bitter against the Judge for his behavior toward me, and for his violent language against Union men, the Germans in particular, he considered the killing most brutal and cowardly."⁸⁶

"[D]eath often ends old animosities," Schrader noted in regard to the feud between his father and Judge Flood, but more often in Little Dixie, death sparked new animosities. In fact, retributive murders threatened to perpetuate the conflict indefinitely. One of the most complex stories of a string of connected murders comes from Jackson County in early 1865. Guerrillas William Reynolds and Cyrus Porter took a wounded federal soldier out of the Ingram Hicklin household, shot him, and left him for dead. No motive for this act survives in the sources. The local authorities, including J.M. Holmes, the Deputy Sheriff, and James Copeland, his assistant, captured Reynolds, but a struggle ensued. Reynolds resisted arrest and was wounded in the

⁸⁶ Schrader Reminiscences (C1519) State Historical Society of Missouri, Columbia; *History of Howard and Chariton Counties, Missouri: written and compiled...* (1883), 539; B. Pritchett to C.W. Pritchett, November 30, 1864, Pritchett Family Papers, 1753-1984 (C4013), State Historical Society of Missouri, Columbia; Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County (1), State Historical Society of Missouri, Columbia. This source claims Flood was shot at his front door and McAshan was shot on the banks of a stream, no reference to the perpetrators of these brazen deeds is made.

scuffle, but eventually he succeeded in killing his would-be captors, Holmes and Copeland, and made his escape. Officials soon recaptured Reynolds, but while he was being transported to jail in Pleasant Hill, Allen Copeland, the brother of James Copeland, shot Reynolds twice in the head as revenge for the murder of his brother James. William Reynolds had originally joined a guerrilla band in order to avenge the death of his father at the hands of “Redlegs.”⁸⁷

Peaceable and Quiet Men

Many Little Dixie men, although southern sympathizers of varying degrees, avoided participating in the war and cooperated with whomever came to their door. The ruthless guerrilla war permitted no neutrality and no cooperation with combatants on either side, since aiding one side brought reprisals from the other. However, residents were often forced at gunpoint to aid armed combatants on both sides. These men found themselves in an impossible situation, stuck between two terrifying extremes. Some paid the ultimate price for their failure to take a side.

Citizens frequently mentioned the “murder” of neighbors and acquaintances in their letters to family and friends. New Hampshire native Debora Silliman wrote letters to her family in August 1862 reporting the challenges she faced as a result of the war. Debora lived with her son Oscar, a lawyer in Warrensburg, and his family. Although a young man in his thirties, Oscar remained at home due to an internal injury that exempted him from the draft, but he struggled to support his family because the county courts had closed. In her letters, Debora characterized Oscar’s nature as “peaceable & ready to help any one who are in trouble—of either party or side”—and she recounted a few separate occasions on which federals and bushwhackers visited

⁸⁷ *The History of Jackson county, Missouri, containing a history of the county* (Kansas City, Mo.: Union Historical Company, 1881), 965; “Roster of Known Members of William C. Quantrill, William T. Anderson, George M. Todd, and John Thraikill,” *Missouri Valley Special Collections*, accessed December 15, 2014 <http://www.rulen.com/partisan/roster.htm>; ancestry.com

their property. Rather than condemn one side or the other, however, Debora lamented and denounced the brutal way in which the war was being fought: “You have all read of ‘wars’ and horrors of wars among Christianized, civilized, and savages, but I cannot convey to you the horrors of this one. Neither could you imagine it.” Combatants’ treatment of civilians perturbed her most of all: “Citizen after citizen of the most peaceable quiet character, have been shot down in the street, & even in bed with their families, without a moments notice. They have been arrested without one charge against them & dragged off to the fortress at St. Louis & leave for months & many have not returned, but left them without a protector & unprovided [sic].”⁸⁸

Ed Brown of Miami, a “peaceable quiet” man, met such a fate the day after the Fourth of July, 1863, at the hands of men dressed in federal uniforms. Early in the war, Brown had served as a captain in the Confederate army, but after his company disbanded, he took the Oath of Allegiance and remained a noncombatant until his death. Neighbor Elvira Scott recounted the event of his horrific murder in her diary:

Between 2 and 3 o’clock in the afternoon two men in Federal uniform called at his house. They asked him to walk a piece with them, requesting him to show them the way to Lone Jack. They represented themselves to be bushwhackers. He told them that he could not show them the way, but started to go a little way down the road as they had ordered him to do. His wife, feeling alarmed, followed. When a little way from the house they ordered him to run before them. He refused, saying, ‘For God’s sake, gentlemen, I hope you won’t shoot me,’ as he saw their hands on their pistols. Both of them fired at once, inflicting four wounds, two of them slight, two mortal. One took effect in the forehead, between the eyes ranging down, the other in the bowels.⁸⁹

⁸⁸ Debora Silliman to my dear Elizabeth, August 24, 1862, Silliman Family Letters, 1862-1865 (C1831), State Historical Society of Missouri, Columbia.

⁸⁹ Diary of Elvira Scott, WHMC, State Historical Society of Missouri, Columbia, 160.

After being shot, Brown lingered on for four agonizing hours, during which time he told his brother that he recognized the two men as federal soldiers from Marshall who had stayed in his home before. Elvira Scott described Brown as “a peaceable, quiet man, faithful to his oath.”⁹⁰

Although seemingly unprovoked, Brown’s death may have stemmed from his prior Confederate service but determining motives often proved difficult. The account of the murder of Charles B. Douglass in the *History of Lafayette county, Missouri* classified Douglass as “a constitutional Union man” and noted that he “took no active part in the war.” The same account mentioned he had three sons in the Confederate service. On September 1, 1863, anonymous members of the 7th Missouri Cavalry and the 11th Kansas Cavalry led Douglass away from his home toward Davis’ Creek where they shot him along with another man named Dr. William Dobson. The Union cavalymen left the bodies of the deceased lying on the bank of the creek, hidden by tall grass. A search party of some forty men led by the relatives of Douglass and Dobson located the bodies of the missing men and gave them a proper burial in Oak Grove cemetery.⁹¹

Contemporary witnesses were often especially shocked when soldiers killed men whose age fell below or exceeded the age of military service. By 1864, Horatio Philpott of Buffalo Lick, Chariton County was nearing seventy years of age, and although a southern sympathizer, he was known as “a quiet and inoffensive man, never thrusting his opinions upon others who differed with him . . . but never concealing his views, when called upon to express them.” In 1837, Philpott traveled alone on horseback from Kentucky to Missouri, settling near Buffalo Lick. Subsequently, his wife Dolly and their slaves joined him in Missouri, and the couple

⁹⁰ Elvira Scott, 207-208.

⁹¹ *History of Lafayette county, Mo., carefully written and compiled . . .* (St. Louis: Missouri Historical Co., 1881), 600.

established a farm, purchased a mill, and raised a large family of twelve children. By May of 1864, the war raged in Chariton, and according to the sheriff of Chariton County, Robert Carmon, it was unsafe for men to remain in the county “without military protection,” a supposition that bore out in Philpott’s case.⁹² One morning in October 1864, “four men dressed in Federal uniform,” supposed to be soldiers under the command of Colonel Edward A. Kutzner, 29th Regiment E.M.M. rode up to Philpott’s porch, where he was “sitting quietly with his family.” The men joined the family in enjoying some of the apples recently gathered from their orchard. The soldiers departed without incident but returned within an hour and asked Philpott to come with them. They walked to the fence surrounding Philpott’s property, with his daughter Isabella “Belle” following close behind. Once the group reached the fence, one of the soldiers ordered Belle to return to the house. She left them with the parting words: “I will trust father in your hands.” When Belle was out of sight, the soldiers stabbed Philpott twice with a bayonet and shot him five times, leaving his body where it fell. Philpott’s murder continued to shock those who encountered his story years after the war. The story of Philpott’s murder is recounted in a county history and concludes with these words: “These men, after having been treated kindly at the house, and after partaking of the old man’s hospitality, had the meanness, brutality, and cowardice to murder him in cold blood; an old man, whose sands of life had nearly run.” Dr. James Brummall, Jesse Rodgers, and Theophilus Edwards met similar fates at the hands of “this remorseless and brutal horde of soldiers.”⁹³

⁹² *UPM F1292* Robert Carmon, familysearch.org; Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County, State Historical Society of Missouri, Columbia. Bushwhackers killed Sheriff Robert Carmon at the courthouse during the Battle of Keytesville on September 22, 1864.

⁹³ *Howard and Chariton County History*, 534-535; Chariton County Historical Society Photographs, List of Bloody Deeds in Chariton County, State Historical Society of Missouri, Columbia. This list states that federal militiamen killed Philpott, Brummall, Rodgers, and Edwards because they were southern sympathizers.

The cases recounted in this chapter evidence the depths to which Missouri's guerrilla war descended into internecine warfare. The near absence of law and order and, thus, the absence of established modes for acquiring justice contributed to the rise of retaliation and revenge killings as the only means to achieve a modicum of justice. From the perspective of Union soldiers, guerrillas fought a savage and barbaric war, marked by extreme brutality, and the only way to possibly correct their breaches was to retaliate against them or their civilian aiders and abettors. However, soldiers grew frustrated with their inability to capture or kill the enemy and struggled to distinguish guerrillas from noncombatants, resulting in the murder of many local men. By carrying out summary executions and cold-blooded murders, soldiers dispensed with law, contributing to the chaos and amplifying the violence wrought by combatants in the region and extending the conflict into the post-war period. For Little Dixie citizens, soldiers killing noncombatants equated to murder, the most shocking development of the guerrilla war, as it crossed the boundaries of acceptable nineteenth-century warfare and significantly challenged American conceptions of the exigencies of war, particularly the proper treatment of civilians in wartime.

CONCLUSION

“[O]ut of the ashes of desolation”

For many years after the close of the war the whole South, our dear old state, Missouri, included, was intent upon rehabilitating itself as it were; upon accepting the new order of things, and trying to bring a new life out of the ashes of desolation; a desolation appreciated only by the brave who had cast their all in a righteous cause and lost.

--Mrs. Blake L. Woodson, *First Chairman of the UDC Reminiscence Committee, 1913*¹

Throughout the month of April and into early May 1865, Richard C. Vaughan, now acting circuit clerk of Lafayette County, sat in Lexington recording and signing affidavits made by local citizens complaining of the abuses they recently suffered at the hands of U.S. troops. William Dickson, a sixty-seven-year-old Presbyterian Minister, described two different occasions on which soldiers forcefully entered his home in search of arms. Following the most recent search on April 22, Dickson noticed he was missing several valuable items, including a gold watch, a coat, boots, and a gold breast pin with the hair of a deceased relative locked inside. On the advice of a friend, Dickson decided against reporting the theft to Assistant Provost Marshal Captain C.E. Rogers because soldiers might hear about it and, as he feared, “either kill me or burn my house.” Vaughan informed Dickson he was better off writing to the Commanding General Grenville M. Dodge, who was known to “attend to such complaints of citizens.”²

Dickson was wise to avoid Captain Rogers. Vaughan had recently heard several complaints about the Asst. P.M. and other federal officers in the vicinity of Lexington. When Philip W. Shoemaker informed Rogers that members of Captain Bernards’ Company had stolen his horse, Rogers, instead of arresting the guilt party, immediately placed Shoemaker in jail, unjustly holding him for two and a half days before releasing him, without his horse. Rogers also

¹ *Reminiscences of the Women of Missouri* by the United Daughters of the Confederacy, Missouri Division. (Jefferson City: Hughs Stephens Print, Co., 1913), 2 [hereinafter cited as *Reminiscences*].

² UPM F1638 William Dixon.

imprisoned Oliver C. Gann and his wife and daughter for allegedly aiding bushwhackers without ever presenting any witnesses to testify against them. During Gann's confinement, a man under the employ of Rogers approached Gann in his cell promising to release him if he paid \$75. Gann paid the man and secured his immediate release. Gann also paid another man, who claimed to be a lawyer, \$72.50 to help him build a case against Rogers, but the man turned out to be a fraud. On May 17, 1865, Rogers was arrested; the charges against him unspecified.³

Even with Rogers apprehended, Vaughan still had more troubles ahead of him. The radical Republican dominated Missouri state legislature adopted a new constitution, known as "The Drake Constitution," on April 8, which required the removal of all current judges, lawyers, and sheriffs from their offices. They would be replaced with men hand selected by the newly elected radical Republican Governor Thomas Fletcher. At the end of May, a force of federal soldiers described as a "negro militia" arrived in Lexington to help the new appointees take their offices: Thomas Adamson, sheriff; William H. Bowen, county clerk; and S.F. Currie, circuit clerk. When the black troops attempted to arrest the current judges for impeding the turnover, Vaughan and James A. Price, the current sheriff, confronted the soldiers. Vaughan's struggle against radical troops and corrupt Union officials came to a head in this moment; it would be the final straw. Vaughan became a member of the Democratic Party, a party that he had determined to overthrow in 1860 and had fought to defeat for the last five years.⁴

A coterie of former Whig politicians from central Missouri joined Vaughan in his defection, including Abiel Leonard, William Switzler, and James Rollins. These men had

³ UPM F1638 William Dixon.

⁴ *History of Lafayette county, Mo., carefully written and compiled . . .* (St. Louis: Missouri Historical Co., 1881), 294; Aaron Astor, *Rebels on the Border: Civil War, Emancipation, and the Reconstruction of Kentucky and Missouri* (Louisiana State University Press, 2012), 170-171.

remained devoted Unionists during the war, serving as either military or political officials, but their conservative political views regularly placed them in opposition to radical Republicanism throughout the entire war and drove them to join hands with ex-Confederates as Democrats in the war's aftermath. Conservative Unionists became what historian Aaron Astor terms "belated Confederates" and joined the Democratic Party in coalition with ex-Confederates to form "a solid white Democratic political order" in Little Dixie.⁵

Opposition to radical Republican excesses and unlawful practices as well as the unwelcome prospect of African American "social equality" powered the Democratic Party engine in Little Dixie. Many conservative Unionists had been slave owners who staked their allegiance to the federal government on Lincoln's promise to not interfere with the institution of slavery. So, when the Drake Constitution officially abolished slavery in Missouri, they felt betrayed. These disaffected Unionists feared the impact black freedom would have on society, threatening the racial hierarchy that privileged white rights and white power.⁶ Similarly, over the course of the war, conservatives had disagreed with the extreme military tactics pursued by Union officials, so by the end of the war, they joined embittered ex-Confederates in opposition to the radical Republican dominated state government, demanding an end to lawlessness and an adherence to the U.S. Constitution.⁷

⁵ Aaron Astor, *Rebels on the Border: Civil War, Emancipation, and the Reconstruction of Kentucky and Missouri* (Louisiana State University Press, 2012), 170-172.

⁶ Astor, *Rebels on the Border*, 176; William C. Harris, *Lincoln and the Border States: Preserving the Union* (University of Kansas Press, 2011), 220, 321-329, 345, 348; Kristen Layne Anderson, *Abolitionizing Missouri: German Immigrants and Racial Ideology in Nineteenth-Century America* (Baton Rouge: Louisiana State University, 2016), 113. On January 11, 1865, convention delegates passed "An Ordinance Abolishing Slavery in Missouri." Between April and June, delegates to a constitutional convention worked to create a new state constitution. On July 4, 1865, Missouri ratified what became known as "The Drake Constitution," which officially abolished slavery in the state. Congress would not abolish slavery nationwide until December with the ratification of the Thirteenth Amendment.

⁷ Astor, *Rebels on the Border*, 180-185.

One of the most surprising elements of postwar party realignment in Little Dixie was the flood of German Americans joining Democratic Party ranks. Although diehard Unionists and opponents of slavery during the Civil War, in the postwar period, many conservative-minded German Americans realigned themselves with conservative Unionists and ex-Confederates in staunch opposition to African American citizenship, suffrage, and equality. Historian Kristen Anderson attributes this realignment to white racial solidarity in the face of the perceived African American threat.⁸

A fundamental belief in white superiority undergirded the racist political ideology of Democrats. Their understanding of Christianity, American democracy, and nature informed their conviction that black subjugation was the “natural” way. Many believed granting African Americans political rights was a violation of the principles of American democracy because suffrage, they argued, was a privilege traditionally restricted to white males; thus, any attempt to extend this right to African American men violated “the American democratic tradition.” White Americans also held deep-rooted fears of a perceived “natural,” virile black male sexuality and propensity for violence. Astor rather succinctly summed up the racially based political ideology of white Little Dixie Democrats as follows: “Political equality would inevitably lead to social equality, which would endanger the white race and white civilization through miscegenation.”⁹ For Democrats, African American equality endangered the very existence of the white race; the most frightening outcome of Reconstruction white Americans could imagine.

⁸ Anderson, *Abolitionizing Missouri*, 1-2, 110-111. Anderson claims German Americans in St. Louis divided into conservative and radical factions in 1863 over the issue of emancipation. Many conservative Germans, similar to other white Missourians, deemed free blacks a threat to their own position in American society. Nevertheless, the Radical Republican faction of the German-American community pushed for immediate, uncompensated emancipation, taking an unpopular stance compared to most white Missourians.

⁹ Caroline Janney, *Remembering the Civil War: Reunion and the Limits of Reconciliation* (Chapel Hill: The University of North Carolina Press, 2013), 150; Astor, *Rebels on the Border*, 180, 184-185.

The Drake Constitution fueled the fears of Little Dixie Democrats. Clay County resident W.H. Woodson described the constitution as “[t]he most drastic, undemocratic and objectionable document ever promulgated as a Constitution of a state.” He provided a table of voter returns indicating the majority of Clay County men voted against the new document.¹⁰ The most offensive parts of the new constitution for most Little Dixians were the “draconian” measures it instituted against white male citizens, namely the requirements that all loyal male citizens take an “Iron-Clad Test Oath” and that all those who committed disloyal acts during the war be barred from voting.¹¹ Fueling the flames of resentment among former Confederates, the constitution granted African Americans more rights and freedoms by officially abolishing slavery and codifying some black privileges in a Declaration of Rights.

Because Missouri never seceded, Missourians were able, like citizens in the northern states, to determine for themselves the ambit of black freedom. The new constitution remained silent on the equal access of freedpeople to education, public accommodations, and suffrage. Ironically, this meant that the only place where black men had the right to vote was in the former Confederates states. In April 1866, Congress attempted to define the parameters of black citizenship in the Civil Rights Act, which declared all persons born in the U.S. had the right to enter contracts, sue and testify, inherit and exchange property, and enjoy “full and equal benefit of all laws and proceedings for the security of person and property.” This definition of citizenship excluded any mention of political rights, most importantly suffrage; but this changed in 1867, with the passage of the Reconstruction Acts, which made suffrage a primary feature of

¹⁰ W.H. Woodson, *History Clay County, Missouri* (Topeka: Historical Publishing Company, 1920), 138.

¹¹ Astor, *Rebels on the Border*, 168-181, 183-186; Harris, *Lincoln and the Border States*, 348; Richard Orr Curry, *Radicalism, Racism, and Party Realignment: The Border States during Reconstruction* (Baltimore: Johns Hopkins Press, 1969), 7. The Supreme Court nullified the “Ironclad Oath” in 1867.

American citizenship for the first time—sanctioned nationwide with the ratification of the Fourteenth Amendment in 1868. The Acts established military occupation across the former Confederate states and mandated state governments across the South create new constitutions granting all male citizens the right to vote as a requirement for readmission to the Union. White southerners responded to the expansion of African American political rights by creating oppressive black codes, which forced African Americans back into a state of quasi-slavery. Like other loyal border states, the Reconstruction Acts did not apply to Missouri as a loyal state and African Americans in the state did not gain suffrage, easing the fears of whites and reducing the need for black codes. Nevertheless, Missourians watched and waited, wondering if the radical changes taking place in the South heralded a future of black political rights throughout the nation.¹²

Free, yet disenfranchised, African Americans still represented a serious threat to white power and privilege in the eyes of former Little Dixie Confederates, most of whom were financially devastated and politically disenfranchised after the war, some turned to terrorism in a desperate attempt to enforce the racial hierarchy. By late 1865, local white men had organized themselves into small posses, known as “Regulators,” that targeted black families in ruthless raids of terror and destruction. These posses closely resembled the antebellum slave patrols, only now, instead of hunting down runaway slaves, they targeted active and visible proponents of black racial improvement, such as social activists, political reformers, school teachers, business owners, and nonconformists who ignored or violated strict social codes.¹³

¹² Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Postemancipation South* (University of North Carolina Press, 2009), 13-14; Astor, *Rebels on the Border*, 140-141, 178, 184; Janney, *Remembering the Civil War*, 148, 200; Anderson, *Abolitionizing Missouri*, 146. For another book on black political rights in Missouri see Sharon Romeo, *Gender and the Jubilee: Black Freedom and the Reconstruction of Citizenship in Civil War Missouri* (University of Georgia Press, 2016).

¹³ Astor, *Rebels on the Border*, 128-130, 134-135, 138-139.

Frequent cases of white on black violence in Little Dixie, and throughout Missouri, necessitated some degree of federal intervention. According to historian Matthew Hulbert, in all likelihood, Missouri's exclusion from the regulations of the Reconstruction Acts allowed for the intensification of racially motivated terrorism. Frequent occurrences of violence instigated by former slaveowners against ex-slaves warranted the presence of the U.S. Bureau of Refugees, Freedmen, and Abandoned Lands, more commonly known as the Freedmen's Bureau, in the state. The Freedmen's Bureau functioned alongside military occupation across the South, and agents labored to aid former slaves and to prevent them from being mistreated by whites during the period of transition from slavery to freedom. Missouri was one of only two union states to have the Bureau.¹⁴

In 1870, a Democratic resurgence was on the political horizon in Missouri. That year, Republicans in the state divided into a radical and a liberal faction over the issue of restoring voting rights to former Confederates. Divisions within the Republican Party gave Democrats more leverage in state politics to propose a constitutional amendment to re-enfranchise ex-Confederates, a large constituency of voters they hoped would swing the political pendulum back in the Democrats favor. The amendment passed, but around the same time, African Americans also earned the right to vote nationwide with the ratification of the Fifteenth Amendment in February 1870. Democrats knew African Americans would overwhelmingly support the Republican Party and feared the new black voting block would keep Republicans in power. The re-enfranchisement of ex-rebels tipped the scales in favor of the Democrats statewide, and in 1872, Missourians elected their first Democratic governor since Claiborne Jackson in 1860.

¹⁴ Matthew C. Hulbert, *The Ghosts of Guerrilla Memory: How Civil War Bushwhackers became Gunslingers in the American West* (Athens: The University of Georgia Press, 2016), 57-59.

Between 1872 and 1877, Missouri Democrats dominated state politics and actively worked to maintain the political reigns and to impose “the ‘southern-ization’ of Missouri politics.”¹⁵

During this period of Democratic supremacy, Missouri imposed the segregation of blacks and whites in public spaces in a manner similar to that enforced in the South. While Missouri never passed laws enacting literacy tests or poll taxes, known as “Jim Crow laws,” which effectively disenfranchised African Americans in the South, Democrats, known as “Redeemers,” worked to pass legislation that would effectively separate the black and white races in society. The resulting laws effectively enforced racial segregation in public facilities, such as schools and railroad cars. The 1865 Drake Constitution established segregated education by requiring black and white children attend separate schools; and by 1866, Missouri state officials passed a miscegenation statute, prohibiting marriages between whites and blacks. The penalty for the crime of miscegenation was further outlined in a statute passed in 1879, which prohibited marriage between a person with one-eighth or more African-American blood and a white person and established a penalty of jail time, a fine, or both against the African American party only.¹⁶

With the resurgence of white Democratic control over the political and social realms in Missouri and across the South, former Confederates geared up for a new war, fought for control

¹⁵ Astor, *Rebels on the Border*, 183; Hulbert, *The Ghosts of Guerrilla Memory*, 62; Anderson, *Abolitionizing Missouri*, 187-192. Anderson demonstrates that around 1872, after African Americans gained the right to vote and cleavages between German American and African American political interests became clearer, many Liberal Republican German-American voters shifted to support Democratic candidates.

¹⁶ John W. McKerley “The Other Tom’s Town: Thomas T. Crittenden Jr., Black Disenfranchisement, and the Limits of Liberalism in Kansas City” in *Wide-Open Town: Kansas City in the Pendergast Era*, edited by Diane Mutti Burke, Jason Roe, and John Herron (Lawrence, Kansas: University Press of Kansas, 2018), 26-27; “Jim Crow Laws: Missouri” on Missouri Jim Crow, accessed March 18, 2019 <http://www.sourcesfinding.com/sitebuildercontent/sitebuilderfiles/jimcrowlawsmissouri.pdf>; Janney, *Remembering the Civil War*, 199. In 1883, the Supreme Court declared Congress’ civil rights law against racial segregation in transportation and public accommodations unconstitutional. In response, southern states began enacting segregation by race, and by 1895, every former Confederate state except Virginia and North Carolina required segregation by race in railroad cars. In 1896, the U.S. Supreme Court decision in *Plessy v. Ferguson* in 1896 officially permitted state-sanctioned segregations of all public facilities and transportation. Southern whites resorted to terrorism and the extra-legal practice of lynching against blacks who refused to comply.

over Civil War memory. Former rebels worked tirelessly to justify the Confederate cause and to celebrate the honor, valor, and sacrifice of southern soldiers, crafting a narrative that became known as “the Lost Cause.” Ex-Confederates admitted defeat but insisted it was only due to the superiority of Yankee numbers and resources, allowing them to continue to celebrate and honor the Confederate cause and the successes of the Army of Virginia, particularly the generalship of Robert E. Lee, whom they regarded as the best Civil War general. Southern advocates of the Lost Cause generally denied Confederates had fought to preserve slavery, arguing, instead, for the centrality of state’s rights as the primary cause of the conflict. Secession was legal, they insisted, and Confederate soldiers fought for self-determination and independence, as in the American Revolution, a defensive war to protect their communities, families, and homes from federal invasion and tyrannical practices.¹⁷

The southern Lost Cause appealed to former and “belated Confederates” in Missouri, yet the mainstream narratives’ emphasis on the regular war and the eastern theater failed to adequately reflect Missourians’ irregular Civil War experiences. Whereas the South experienced the punitive federal initiatives in 1864, Missourians endured these initiatives beginning in 1861. Some residents along the border had experienced depredations meted out by Jayhawkers since the late 1850s during the Bleeding Kansas conflict. The extended, intimate, and brutal nature of the irregular war, what historian Matthew Hulbert describes as “a savage and abnormally domestic variety of violence,” left firsthand participants deeply scarred and angry. As a result, Civil War memoirs produced by Missourians prioritized the firsthand accounts of individuals over the creation of an overarching, collective narrative and emphasized the war’s brutality, with

¹⁷ Janney, *Remembering the Civil War*, 43, 86-87, 134, 136-137, 143-147.

particular emphasis on the misdeeds of federal troops, as opposed to censoring and romanticizing the war.¹⁸

Union General Thomas Ewing's General Order No. 11 has proven to be the most notorious "hard war" measure enacted in Little Dixie during the war, evoking enmity throughout the postwar period and continuing today. Issued in September 1863, Ewing's order called for the removal of all disloyal citizens from a three-county region along the Kansas-Missouri border. The order devastated thousands of families and angered many conservative Unionists in Missouri, chief among them, George Caleb Bingham, Missouri State Treasurer. Bingham carried his animosity toward Ewing into the postwar period; and in the late 1870s, he embarked on what one historian calls a political campaign of "revenge" against Ewing, who sought a seat in Congress as a Democratic representative from Ohio. Bingham painted "Order No. 11," also known by the full title: "Civil War: as realized in the Desolation of Border Counties of Missouri during the operation of 'General Order No. 11,' issued by Brigadier General Ewing, from his Head Quarters, Kansas City, August 25, 1863," demonstrating his belief that the "tendencies of military power are anti-republican and despotic." Bingham distributed copies of the painting and wrote anti-Ewing articles to denigrate his reputation and stymie his political efforts. Despite Bingham's efforts, Ewing was elected to Congress as a representative from Ohio in 1877, but he lost a subsequent campaign for Ohio governor.¹⁹

¹⁸ Hulbert, *The Ghosts of Guerrilla Memory*, 40-41, 58; Janney, *Remembering the Civil War*, 27.

¹⁹ Astor, *Rebels on the Border*, 197-198; Nicole Etcheson, "An Artist's Revenge" *New York Times*, September 6, 2013, accessed February 23, 2019, <https://opinionator.blogs.nytimes.com/2013/09/06/an-artists-revenge/>. Ewing's order is second in notoriety only to the destruction wrought in Georgia by Ewing's brother-in-law, General William Sherman, in 1864. Ewing issued the order as retaliation for the August raid on Lawrence perpetrated by Missouri guerrillas the previous month and in an attempt to prevent enraged Kansas soldiers from crossing over into Missouri to avenge the 200 men and boys murdered in Lawrence during the raid.



Fig. 34. “Civil War: as realized in the Desolation of Border Counties of Missouri during the operation of ‘General Order No. 11,’ issued by Brigadier General Ewing, from his Head Quarters, Kansas City, August 25, 1863” by George Caleb Bingham, 1870. Image courtesy of *The Civil War on the Western Border*, accessed May 20, 2019.

Efforts to demonize Union soldiers and military policies in the postwar period occurred contemporaneously with efforts to mythologize and immortalize Missouri guerrillas. One of the most notorious proponents of guerrilla honor and heroism was John Newman Edwards. He served as adjutant to Confederate General Joseph O. Shelby during the war and went on to become a well-known journalist and writer after the war. In 1868, Edwards founded the *Kansas City Times* with partner John C. Moore. A staunch Democrat, Edwards used the paper to condemn the Reconstruction policies imposed by radical Republicans in the state. Edwards shared his anti-Republican sentiments with several former guerrillas, who in the postwar period continued their exploits as bandits, robbing banks and trains and generally harassing Republican authorities. Edwards took a particular interest in the career of Jesse James, publishing a few letters written by the outlaw in his newspaper in 1870. Then, in 1872, Edwards wrote several articles celebrating the wartime exploits of guerrilla captain William Quantrill and the postwar

outlawry of Frank and Jesse James. He cast the James brothers as Robin Hood figures and as “outraged southern patriots” fighting against an oppressive government. Edwards even went so far as to publish a letter he ghost wrote, posing as Jesse James, legitimizing his crimes as just in an unjust system.²⁰ Edwards helped publicize Jesse’s robberies, but as historian T.J. Stiles argues, Jesse’s deliberate attempts to cripple sources of Republican power, primarily banks and railroads, gave his actions a political dimension and appealed to embittered former Confederates. Through his postwar outlawry, Jesse carried on the war and became a cultural hero, helping to solidify Missouri’s southern identity.²¹

Edwards’ book *Noted Guerrillas, or the Warfare of the Border*, published in 1877, contributed most to Missouri’s “irregular Lost Cause” and stands as the only collective narrative of Missouri’s guerrilla war.²² Edwards’ work reflects his determination to challenge guerrillas’ bad reputation and clear their name:

Much obloquy has been cast upon the Guerrilla organization because in its name bad men plundered the helpless, pillaged friend and foe alike, assaulted non-combatants and murdered the unresisting and the innocent. Such devil’s work was not Guerrilla work. It fitted all too well the hands of those cowards crouching in the rear of either army and courageous only where women defended what remained to themselves and their children. . . . To justify one crime on the part of a Federal soldier, five crimes more cruel still were laid at the door of the Guerrilla.²³

²⁰ T.J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York: Random House, Inc., 2002), 209-211; Hulbert, *The Ghosts of Guerrilla Memory*, 59-60; John Newman Edwards, “The Chivalry of Crime,” *Kansas City Times*, September 29, 1872; Edwards, “Robin Hood Letter,” *Kansas City Times*, October 15, 1872; *Dictionary of Missouri Biography*, Lawrence O. Christensen, William E. Foley, Gary Kremer, and Kenneth H. Winn, eds. (Columbia: University of Missouri Press, 1999), 276-277.

²¹ Stiles, *Jesse James*, 5-6.

²² Hulbert, *The Ghosts of Guerrilla Memory*, 43.

²³ John N. Edwards, *Noted Guerrillas, or The Warfare of the Border. Being a History of the Lives and Adventures of Quantrell, Bill Anderson, George Todd, Dave Poole, Fletcher Taylor, Peyton Long, Oll Shepherd, Arch Clements, Wm. Gregg, Thomas Maupin, The James Brothers, the Younger Brothers, Arthur McCoy, and Numerous other well known Guerrillas of the West*. (St. Louis: Bryan, Brand & Co.; Chicago, Thompson & Wakefield, 1877), 20

Edwards went on to celebrate guerrillas as honorable warriors for defending their communities, homes, and families from federal tyranny. He identified revenge as the central factor motivating Missouri guerrillas. Many of the men in Quantrill's command, Edwards noted, "had over them the shadow of some terrible crime. This one recalled a father murdered, this one a brother waylaid and shot, this one a house pillaged and burnt, this one a relative assassination, this one a grievous insult while at peace at home, this one a robbery of all his earthly possessions."²⁴ He reasoned guerrillas were the bravest of all combatants for deciding to become irregular warriors because they voluntarily forfeited their rights under the rules of war and, therefore, faced more danger. Guerrilla's savage tactics were simply their attempt to use any means necessary in their desperate struggle to secure Confederate independence. These factors made Missouri guerrillas the most devoted of all Confederate soldiers in Edwards' estimation.²⁵

Edwards' *Noted Guerrillas* left a lasting impact on Civil War memory and Democratic Party politics in Missouri as it aided the efforts of guerrillas and southern sympathizers in "becoming southern by way of retroactively joining the Confederate States of America." In 1887, Edwards believed he had finally witnessed the fruits of his labors and declared the victory of the southern cause, a victory he associated directly with the success of the Democratic Party in both state and national elections.²⁶

Around the same time, others attempted to compile county-level collective narratives of the Civil War. In publishing these histories, Little Dixians participated in a trend embraced by Americans across the nation between 1880 and 1920. Little Dixie county histories each contain

²⁴ Edwards, *Noted Guerrillas*, 21.

²⁵ Hulbert, *The Ghosts of Guerrilla Memory*, 45-53.

²⁶ Hulbert, *The Ghosts of Guerrilla Memory*, 58-61.

at least one chapter focusing exclusively on the Civil War, which largely present evenhanded accounts of the major events, battles, and skirmishes particular to each county. These histories have become extremely valuable for both historical and genealogical details.

Generally, the treatment of the Civil War in these histories exemplifies the spirit of reconciliation widely embraced by veterans of both the Union and Confederate armies in the East. The words *reunion* and *reconciliation* appear frequently in discussions of Civil War memory. Many have often conflated the two terms, but historian Caroline Janney distinguishes between them, defining *reunion* as “the political reunification of the nation,” which took place during Reconstruction, and *reconciliation* as “a memory of the war that emphasized the shared American values of valor and devotion to one’s cause,” a stage in postwar memory that “implied forgiveness.”²⁷ While mainstream reconciliationists celebrated the honor and heroism of all American soldiers irrespective of cause by the 1880s, reconciliation in Little Dixie took on a completely different tint. Instead of honoring soldiers on both sides, many lambasted both guerrilla and Union “villains” for practicing irregular warfare and enacting terror on civilians.²⁸ The author of the *History of Saline County, Missouri*, published in 1881, had the following to say in this regard:

The guerrilla, or the bushwhacker, as well as the militiamen, who took advantage of a fellow man to slay him in a cowardly manner, and in cold blood, was a villain in war times, and is a villain still, and as such should forever receive the execration of all good citizens and brave men. The men who murdered and killed without cause during the war did not do so because they were Federals, or because they were Confederates, but because they were black-hearted scoundrels by nature and inclination. They are alike despised by the good soldiers who fought bravely and honorably on both sides, and by the good citizens who suffered so much as their hands.²⁹

²⁷ Janney, *Remembering the Civil War*, 5-6.

²⁸ Janney, *Remembering the Civil War*, 171.

²⁹ *History of Saline County, Missouri, carefully written and compiled from the most authentic official and private sources, including a history of its Townships, Cities, Towns and Villages, Together with a condensed history of Missouri; the state constitution; a military record of its volunteers in either army of the Great Civil War; general*

This quote prefaced a section within the Civil War chapter specifically focusing on the deaths, murders, and executions that took place in the county during the war. Every Little Dixie county history contains sections identical to this one, which detail wartime murders committed by both guerrillas and federals. The format of these accounts closely resembles that of the *Actes and Monuments*, more popularly known as *Foxe's Book of Martyrs*, an annotated list of the violent deaths of Christians throughout history, with specific emphasis on the murders of Protestants at the hands of Catholics, published in England in 1563. The purpose of the *Book of Martyrs* was twofold: to honor Protestant devotion and sacrifice and condemn Catholic brutality. In a similar manner, these county-level accounts memorialize the lives of each civilian who was murdered, while condemning the ruthlessness of irregulars, Union and guerrilla.³⁰

Despite an overarching reconciliationist tone, a deep-seated detestation of federals lingers in these histories, hidden between the lines, submerged in sarcasm, or cloaked in subtle suggestion. One of the harshest, yet most successfully veiled condemnations of Union occupation appeared in the 1883 *History of Howard and Chariton Counties, Missouri*. The author compares the irregular war to “the bloody assizes in English history” and the actions of combatants to those “inaugurated by Jeffreys after the defeat and capture of Monmouth and Argyle.” In 1685, Lord Chief Justice George Jeffreys presided over the trials of over 1,000 English rebels, some of whom were subsequently hanged, drawn and quartered, or transported to

and local statistics; miscellany; reminiscences, grave, tragic and humorous; biographical sketches of prominent men and citizens identified with the interests of the county (St. Louis: Missouri Historical Company, 1881), 317.

³⁰ Rev. John Fox, M.A., additions by Rev. Charles A. Goodrich, *Book of Martyrs; or, A History of the Lives, Sufferings, and Triumphant Deaths, of the Primitive as well as Protestant Martyrs: From the Commencement of Christianity, to the Latest Periods of Pagan and Popish Persecution. To Which is Added, An account of the Inquisition, the Bartholomew Massacre, in France, the General Persecution under Louis XIV, the Massacre of the Irish Rebellion, in the Year 1641, and the Recent Persecutions of the Protestants in the South of France* (Hartford: Published by Eli Hall, 1833).

the West Indies as laborers. “These American Jeffreys, like their infamous prototype across the sea, left some of their victims dangling in mid-air, where they hung until their bodies were devoured by the beasts and birds of prey—no one daring to give them even the semblance of a decent burial,” the author deplored. The key difference between the bloody assizes and the Civil War for the author was the complete disregard for due process: “The difference, if any, between the English tyrant and the American butchers seems to have been in favor of the former, as he went through the farce of a trial before taking the blood of his victims, while the latter shot them down like dogs wherever they could be found, without trial, judge or jury.”³¹ The author omits descriptive nouns, such as federals or Union; but his emphasis on due process, responsibilities associated with government authorities, makes it abundantly clear whom he was chastising.

By the first decade of the twentieth century, ex-guerrillas began writing and publishing their personal memoirs of the Civil War. Samuel Hildebrand published his memoir first in 1870 and made little attempt to hide or censor his bloody deeds as a Missouri guerrilla. Cole Younger (1903), William H. Gregg (1906), Andrew Walker (1910), Hampton Watts (1913), John McCorkle (1914), Kit Dalton (1914), Joseph Bailey (1920), Harrison Trow (1923), and George Cruzen (1930) followed suit.³²

Some memorialists used the opportunity to deflect blame away from themselves, laying it squarely at the feet of federals. In *Three Years With Quantrill*, John McCorkle, former member of Quantrill’s band, claimed constant torment meted out by U.S. soldiers drove him into guerrilla

³¹ *History of Howard and Chariton Counties, Missouri: written and compiled from the most official authentic and private sources, including a history of its townships, towns, and villages, together with a condensed history of Missouri . . .* (St. Louis: National Historical Company, 1883), 540.

³² Hulbert, *The Ghosts of Guerrilla Memory*, 40-41, 63-65; *Autobiography of Samuel S. Hildebrand: the renowned Missouri “Bushwhacker,” and unconquerable Rob Roy of America; being his complete confession recently made to the writers and carefully compiled . . . with all the facts connected with his early history* (Jefferson City, Mo.: State Times Publishing House, 1870) Missouri Digital Heritage.

ranks. John and his brother joined the pro-secessionist Missouri State Militia in the first months of the war and served until they were taken prisoner by federal forces. After taking the Oath of Allegiance, McCorkle returned to Jackson County where he “tried to live peacefully.” McCorkle soon realized the futility of this determination, claiming that “before the ink was hardly dry on that passport, I had been robbed of all I had, and that by men who claimed to be in the service of the United States government.” Reaching the end of his rope when Union forces threatened to imprison his cousin Mollie Wigginton if he did not join the militia, McCorkle, instead, picked up his long-range rifle and joined Quantrill and his band.³³

Notwithstanding frequent denunciations against Union soldiers and the government, most former guerrillas writing Civil War narratives around the turn of the century strove to promote forgiveness and reconciliation. Even McCorkle vowed that his remembrances had been written “in the spirit expressed in the language of Abraham Lincoln, ‘with malice toward none and with charity to all.’” Evidently, the spirit of reconciliation influenced McCorkle to add a layer of restraint to the Civil War guerrilla largely absent during the war. “[W]e only kill the men who kill us and our friends,” McCorkle insisted, “we do not burn houses and we do not rob Union citizens, for if we did, our Colonel would have us shot.”³⁴

³³ John McCorkle Kerr, *Three Years With Quantrill: A True Story Told by His Scout John McCorkle* (Norman: University of Oklahoma Press, 1992), 12-13; Federal’s violence against his family later in 1864 encouraged John McCorkle to continue fighting as a guerrilla. Federals came to the home of his uncle John Wigginton “calling him out, told him they had been sent from Sedalia to kill him, knowing that he had a son with Quantrill and had been feeding and harboring the bushwhackers. They seized him and started out of the house. His aged wife and his daughter clung to him until they had reached the yard when the soldiers roughly jerked them back and riddled him with bullets, utterly ignoring the cries and pleas of the two women. This was another relative of mine whose foul murder I was called upon to revenge.” McCorkle, *Three Years With Quantrill*, 157.

³⁴ Kerr, *Three Years With Quantrill*, 97, 188; Janney, *Remembering the Civil War*, 172, 180. According to Caroline Janney, the 1890s witnessed the peak of reconciliation sentiment across the North and South. Many veterans agreed not to discuss the causes of the war, but to celebrate the American valor of both sides, while also focusing on the nation’s future, especially economic and commercial developments. At the same time, however, this decade witnessed the highwater mark of Confederate commemoration. Former Confederates advocated for the end of sectional hostilities while simultaneously celebrating the Confederacy and Confederate veterans and their contributions to the war more than ever before.

By writing memoirs celebrating the guerrilla's honorable qualities, ex-guerrillas continued their fight for recognition as legitimate soldiers. Their quest for recognition also drove ex-guerrillas to form the Quantrill Men Survivor's Association and to organize guerrilla veteran reunions structured in the same format as the reunions of regular Confederate soldiers in the East. In 1898, the Association hosted the first reunion of Quantrill's men, an event that became an annual affair every summer from 1898 to 1929. The second annual reunion took place at Lee's Summit, where thousands of people attended and partook in carnival-like activities. Even though the reunions rotated each year to different locations, including Oak Grove, Sni-A-Bar, Wallace Grove, Independence, and Blue Springs, many of which happened to be notoriously rebellious neighborhoods during the war, the majority were held on the Wallace family property at Wallace Grove. Regular Confederate vets often attended guerrilla reunions and guerrillas attended regular Confederate reunions. This interchange and public association between Confederate regular and irregular veterans assisted guerrillas most in their quests for acceptance as legitimate soldiers.³⁵

Little Dixie guerrilla's quest for legitimacy paralleled that of ex-Confederates and belated Confederates, or disillusioned Unionists, in Little Dixie, who were determined to place Missouri's Confederate war effort on equal footing with that of the Confederacy. Little Dixie women, like their counterparts in the South, took a leading role in perpetuating the Lost Cause ideology and organizing public Confederate commemoration efforts, a natural extension of their active roles on the home front during the war. Southern women defended the Lost Cause more adamantly than anyone else, resisting reconstruction and reconciliation more so than even Confederate veterans. They also actively participated in memorial associations more than their

³⁵ Hulbert, *The Ghosts of Guerrilla Memory*, 87-104.

female counterparts in the North. Women's memorial organizations such as the Ladies Memorial Association and United Daughters of the Confederacy (hereafter, UDC) planned memorial day ceremonies, hosted veteran reunions, supported the publication of memoirs and histories, educated future generations in Confederate history, aided veterans, and hosted fundraisers for monuments. The most widely known of these organizations, the United Daughters of the Confederacy, was founded in Nashville, Tennessee in 1894, and quickly spread throughout the South and into the border states. Interestingly, the first branch of the UDC established outside of Nashville was in Missouri.³⁶

One of the most visible and lasting ways women memorialized Confederate sacrifices was by organizing public commemorations and monument placement celebrations. A rather noteworthy public Confederate commemorative celebration took place in Lone Jack, Missouri, in August 1880. On the 16th of that month, Jackson County residents gathered in the thousands on the site where Civil War soldiers engaged one another at the Battle of Lone Jack on the same day in 1862. The crowd attended the "Grand Celebration" to commemorate the battle, which had occurred "during the late unpleasantness," and resulted in a Confederate victory. For years "[a] jack oak tree," from which the town itself got its name, had marked the location of the battle, its roots entangling the bones of the dead soldiers buried beneath. The death of this tree inspired calls for a monument, a call answered that day when the crowd got the first glimpse of a whitewashed limestone obelisk monument dedicated "In Memory of the Confederates who fell in the Lone Jack Battle August 16, 1862."

The Lone Jack Confederate monument, although erected in a public place in 1880, had been enclosed in a soldier's cemetery by 1907. That year, William L. Rodney, Union veteran of

³⁶ Janney, *Remembering the Civil War*, 156, 232-242; Hulbert, *The Ghosts of Guerrilla Memory*, 72. See also Caroline Janney, *Burying the Dead but Not the Past* and David W. Blight, *Race and Reunion*

the 8th Cavalry M.S.M. and participant in the battle, visited the site and reacted with shock to the offensive presence of this “monument to the rebel dead” amplified by the glaring absence of a Union monument. In that moment, Rodney resolved to erect a Union monument by the next anniversary of the battle. Rodney purchased a pillar of cement blocks with his own funds and placed it only a few feet away from the Confederate monument.³⁷



Fig. 35. Photograph of the Union and Confederate monuments in Lone Jack Cemetery. Image courtesy of Lone Jack Battlefield Museum and Soldier’s Cemetery.

Today, the two monuments still stand, enclosed in the Lone Jack Soldier’s Cemetery flanked by four flat grave stones, marking the burial sites of two Confederate soldiers and two Union soldiers. Over the years, these monuments have come to symbolize reconciliation more than partisan rivalry. The conciliatory spirit of this site is boosted by a poem written by Frank Trew entitled “The Battle of Lone Jack” and featured on the home page of the Lone Jack

³⁷ *Kansas City Times*, August 17, 1880; “Lone Jack’s Glory” on Lone Jack Historical Society (website), accessed February 27, 2019 <http://www.historiclonejack.org/1880.html>; William L. Rodney to Governor H.S. Hadley, November 16, 1909, *Missouri Sons of Union Veterans* (website), accessed February 22, 2019 <http://www.suvcwmo.org/missouri-monuments.html>.

Battlefield Museum and Soldier's Cemetery website, which celebrates the valiant efforts of soldiers on both sides:

“Across the years that intervene,
The thoughts come rushing back
Of those who perished on the green
At the Battle of Lone Jack
The wearers of the honored Blue
And those who wore the Grey
Each fought for his own best loved cause
On that eventful day.

Patriots all, and tried and true,
The braver who can say,
Whether they wore the Blue,
Or those who wore the Grey.

And side by side they're lying there,
The heroes, 'neath the sod,
All equal in the common dust,
All children of one God.
And new decades have heard the tale,
Nor honor shall they lack
Who wore the Blue or wore the Grey
At the Battle of Lone Jack.”³⁸

Generally, Little Dixians adhered closely to southern precedents of commemoration but diverged slightly in their temporal and spatial patterns. Between the 1860s and 1880s, the location of Confederate monuments in the South shifted from cemeteries to public places, as Lost Cause memorialization reached its zenith.³⁹ Little Dixie chapters of the UDC, on the other hand, erected monuments almost exclusively in cemeteries across the region from the 1880s through the 1920s, with the majority erected in the first two decades of the twentieth century, as opposed to the 1880s. Yet, similar to the South, women, the UDC in particular, took a leading

³⁸ Frank Trew, “The Battle of Lone Jack” on *Lone Jack Battlefield Museum and Soldier's Cemetery* (website), accessed February 22, 2019 <http://www.historiclonejack.org/museum.html>.

³⁹ Janney, *Remembering the Civil War*, 156.

role in funding and erecting these monuments in Little Dixie. UDC funded monuments to Confederate dead appeared in Ridge Park Cemetery in Marshall in 1901, Forest Hill Cemetery in Kansas City in 1902, in Fairview Cemetery in Liberty in 1904, in Higginsville Confederate Veteran's Cemetery in 1906, and in Union Cemetery in Kansas City in 1911.⁴⁰ A statue of Confederate General Sterling Price in Keytesville, also funded by the UDC, was erected on June 17, 1915, and re-dedicated in 1990, commemorating both his generalship and his political career. The region experienced another boom in Confederate commemoration in the 1930s, and it was during this time that Confederate monuments first appeared in more public places. In 1934, the Kansas City chapter of the UDC erected a monument "In Loving Memory of the Loyal Women of the Old South" in front of the Country Club Plaza; and in 1935, the John S. Marmaduke chapter of the UDC placed a boulder, commonly known as "Confederate Rock," a five and a half ton granite rock commemorating the sacrifices of the Confederate soldiers of Boone County, on the University of Missouri campus in Columbia. The UDC dedicated the rock on June 3, a date chosen because it was Jefferson Davis' birthday.⁴¹

⁴⁰ "Missouri Monuments" on *The University of Mississippi Center for Civil War Research* (website), accessed March 6, 2019, <http://civilwarcenter.olemiss.edu/monuments%20mo.html>; "Listing of Missouri's Confederate Monuments" on the *Missouri Division of the Sons of Confederate Veterans* (website), accessed March 6, 2019 <http://www.missouridivision-scv.org/monument%20list.htm>; Union Confederate Monument Site Kansas City, Missouri on the *National Park Service* (website), accessed March 6, 2019 https://www.nps.gov/nr/travel/national_cemeteries/missouri/Union_Confederate_Monument_Site.html.

⁴¹ LeeAnn White, "You Can't Change History by Moving a Rock: Gender, Race, and the Cultural Politics of Confederate Memorialization" in *The Memory of the Civil War in American Culture*, eds Alice Fahs and Joan Waugh (Chapel Hill: University of North Carolina Press, 2004); "Missouri Monuments" on *The University of Mississippi Center for Civil War Research*, accessed March 6, 2019, <http://civilwarcenter.olemiss.edu/monuments%20mo.html>; Lynn Horsley, "Area resident calls on KC to remove Daughters of the Confederacy memorial" on *Kansas City Star* (website), accessed February 27, 2019, <https://www.kansascity.com/news/local/article167604417.html>; Rick Montgomery, "Few firing complaints at Missouri's Confederate monuments: 'Just some guy on a horse'" on *Kansas City Star* (website), accessed February 27, 2019 <https://www.kansascity.com/news/local/article168016742.html>; "Rock represents slavery, bravery," *The Missourian*, February 27, 1975 on *University of Missouri Archives Online* (website), accessed March 4, 2019, muarchives.missouri.edu; "Five-and-Half Ton Stone on Memorial," *Columbia Missourian*, May 30, 1935, *University of Missouri Archives Online* (website), accessed March 4, 2019 muarchives.missouri.edu; "Confederate memorial rock may get new home soon," *The Columbia Daily Tribune*, October 15 1974, *University of Missouri Archives Online* (website), accessed March 4, 2019, muarchives.missouri.edu. In 1950, MU authorized the



Fig. 36. Photograph of the dedication of Confederate Rock at the University of Missouri, June 3, 1935. Image courtesy of University of Missouri Online Archives and Western Historical Manuscripts.

Throughout the first few decades of the twentieth century, members of the United Daughters of the Confederacy not only became actively and publicly engaged in memorializing the Confederate dead but also in memorializing their own wartime experiences. Missouri women wrote and published their own memoirs, most likely finding their inspiration from the memoirs of ex-guerrillas, who increasingly paid tribute to women as “the gatekeepers and guardians of southern memory.” In 1913, the Missouri Division of the UDC published *Reminiscences of the Women of Missouri during the Sixties*, a collection of essays written by Missouri women describing their personal wartime experiences. In the preface, Mrs. Blake L. Woodson, First Chairman of the Reminiscence Committee, defines the project as “a labor of love” and

admission of African American students for the first time, and by 1974, a student organization known as the Legion of Black Collegians at MU deemed “Confederate Rock,” a memorial erected in 1935 to the Confederate soldiers of Boone County, a racist symbol and petitioned for its removal from campus. County administrators removed the monument, only to place it in a more public location in front of the county courthouse.

adamantly contends that in publishing this volume the UDC's intention is not "to keep alive sectional bitterness or revive memories which have lain dormant for half a century." Instead, the Missouri Division of the UDC created *Reminiscences* as a memorial to the sacrifices of women in the absence of any monuments to "the heroism and grandeur of the women of the South." Finally, Woodson connected the mission of this volume with one of the primary goals of the UDC: to educate future generations and perpetuate the memory of the Lost Cause. In 1988, the Missouri Division of the UDC authorized the reprinting of *Reminiscences*. The new version contained a short note by Elizabeth Hunter Hawkins, President of the Winnie Davis Chapter in Jefferson City, in which she asserted that the preface to the original publication continued to represent the current views of the members of the UDC.⁴²

Reminiscences is the only notable publication commemorating female wartime contributions and experiences authored by Missouri women. The women whose stories appear in this volume experienced the war firsthand, either as active participants or as victims of combatants' brutality. Their stories highlight female strength and courage in wartime, which presented a disturbing challenge to mainstream, male-centric remembrances of the war. Women writing about the heroic deeds they performed while their menfolk were away fighting also posed a threat to the Victorian cultural norm that cast women as helpless victims in need of male protection. Nonetheless, the distinctively domestic nature of the irregular war in Missouri infused this particular memorialization effort with a measure of acceptability. Despite the fact that these narratives were largely excluded from collective histories of the irregular war in Missouri until recently, *Reminiscences* ultimately represents a significant commemorative effort that served to successfully preserve women's wartime experiences for posterity.⁴³

⁴² Hulbert, *The Ghosts of Guerrilla Memory*, 105; *Reminiscences*, 3-4.

Similar to Missouri women, Little Dixie guerrillas never gained the acceptance and recognition that they believed they deserved. By the 1930s, most of the members of Quantrill's band had passed away, leaving behind very few artifacts of their larger than life exploits. Few monuments stand in honor of their contributions or sacrifices, only memories, memoirs, and history remain to commemorate their bushwhacking careers.⁴⁴ Some guerrilla veterans, like Frank James, lay buried beneath modest headstones without any reference to their Civil War careers, while others proudly display their military service. For instance, Missouri guerrilla Archie Clements headstone includes the title "1st Lieutenant Capt. Anderson's MO. Partisan Rangers Confederate States Army," a fabricated title and a blatant attempt to posthumously legitimize his time as a guerrilla.⁴⁵

By the dawn of the 1940s, on the eve of U.S. involvement in W.W.II, "Little Dixie" had become a widely used name for the fertile region along the Missouri River, yet no one seemed to know the exact origin or meaning of the term. On December 5, 1941, two days before Pearl Harbor, an article titled "Missouri's Little Dixie is Real Although It Appears on No Maps" written by Paul I. Wellman appeared in the *Kansas City Times*. Wellman consulted many people for his article, asking them to define, in their personal opinion, the geographic and historical parameters of the region. Everyone seemed to have slightly different views. Nonetheless, Wellman used the data gathered from his research to narrow down Little Dixie to fourteen counties: Audrain, Boone, Callaway, Carroll, Chariton, Clay, Cooper, Howard, Jackson, Lafayette, Platte, Randolph, Ray, and Saline. The "Romantic Name," Wellman suggests, most

⁴³ Hulbert, *The Ghosts of Guerrilla Memory* 105, 119-136.

⁴⁴ Hulbert, *The Ghosts of Guerrilla Memory*, 256.

⁴⁵ Hulbert, *The Ghosts of Guerrilla Memory*, 249-253.

likely dated back to the Civil War and emerged as a result of shared “history, traditions, politics, and people.” In Wellman’s opinion, several factors coalesced to create the regional identity. He had the following to say about the shared culture of Little Dixie counties:

They were settled by the early influx of people from Virginia, Kentucky, and Tennessee. They grew corn, hemp and tobacco. Their customs and ideas were Southern. They were slaveholders. They drank bourbon whisky and liked horse racing and cock fighting. They were virile, independent, romantic, and cultivated a polished address. They built their homes on the Southern colonial style. Hundreds of those old homes still constitute one of the beauties of the Little Dixie country, and are a reminder of the ante-bellum days. They had strong loyalties and strong prejudices, among the latter being a deep-rooted dislike for all Yankees. They were all superb horsemen, skilled from childhood in firearms, and inclined to be dangerous. They believed in the code duello and in an exaggerated chivalry toward women.⁴⁶

Wellman contended that Little Dixie’s regional identity arose from a shared southern culture that had developed over decades. However, historical events and political ideology also contributed to its development. He continues:

It was Little Dixie that figured most prominently in the border war of Kansas. . . . When the war between the states came, Little Dixie was predominately Confederate, in sympathy at least. In its territory were fought some of the fiercest battles of the West. . . . The country is all similar in beauty and fertility. It is all close to the Missouri river, which connected it by steamboat with the Southern wellsprings of its population. And it is, or has been until recently, a Democratic stronghold.⁴⁷

Even though the Civil War figures into Wellman’s conception of Little Dixie, he does not stress the impact of the war. For Wellman, the regional identity of Little Dixie took shape for a variety of reasons over the entirety of Anglo-American history in the region.⁴⁸

One of the factors included in Wellman’s conception of Little Dixie, the region’s characterization as a Democratic Party “stronghold,” played a larger role in a subsequent study

⁴⁶ Paul I. Wellman, “Missouri’s Little Dixie is Real Although it Appears on No Maps,” *Kansas City Times*, December 5, 1941.

⁴⁷ Ibid.

⁴⁸ Ibid.

of Little Dixie's regional identity by Robert M. Crisler. In his article published in the *Missouri Historical Review* in 1948, Crisler argues that the name Little Dixie was most associated with a "political regionalism" characterized by Democratic majorities in presidential elections from 1872 to 1944. Crisler relies on both election returns and popular opinion, or more specifically the opinions of seventeen prominent white men, to delimit Little Dixie, which he defines as Audrain, Boone, Callaway, Howard, Monroe, Pike, Ralls, and Randolph. Like Wellman, Crisler surmised about the origins of Little Dixie as follows: "The term 'Dixie' was widely popularized as referring to the states south of the Mason and Dixon Line during the Civil War and thereafter." He continued:

Hence it is only natural that this outlier of the South in Missouri would be nicknamed 'Little Dixie' either around 1872 or shortly thereafter when the right to vote had been restored to Confederate sympathizers and the area was establishing itself as a solid Democratic party stronghold similar to the South, or possibly during the Civil War itself when the majority of the inhabitants of this region were Confederate sympathizers.⁴⁹

Crisler's assumptions come the closest to approximating a more precise and accurate explanation for the emergence of Little Dixie's southern regional identity; however, he fails to adequately explain the historical connection between Little Dixians' Confederate sympathies and the rise of Democratic Party majorities in the postwar period. His focus on voting returns and the popular opinions held by Missourians in the 1940s prevented him from fully grasping the impact the Civil War and Reconstruction had on shaping politics and culture in this region.

Another author, writing nearly ten years later, appeared to better understand the connection between Confederate resistance, Lost Cause memory, and Democratic Party majorities in Little Dixie. In 1955, Albert Edmund Trombly published a short book of poetry titled *Little Dixie*. In the foreword to the book, he provided his own definition of the region:

⁴⁹ Robert M. Crisler, "Missouri's Little Dixie" *Missouri Historical Review*, 42 (January 1948): 133-138 [quotation].

Little Dixie is of the very essence of the Old South—‘more Dixie than Dixie.’ Throughout the war between the states its sympathies and more were with the Confederacy; and to this day it remains spiritually ‘unreconstructed.’ Its speech, its customs, its leisurely gait are southern; and its votes solidly Democratic.⁵⁰

Like Missourians before him, Trombly defined Little Dixie based on the region’s southern culture, Confederate sympathies, and Democratic Party majorities. However, with his claim that Little Dixie “remains spiritually ‘unreconstructed,’” Trombly alludes to the enduring resentments born during the Civil War and Reconstruction and perpetuated through adherence to the Lost Cause mythology, which augmented Confederate nationalist sentiment and southern cultural identity in the region. Trombly recognized that through the creation of the Lost Cause and Little Dixie, Missourians living in central Missouri belatedly joined the C.S.A. and actively demonstrated their loyalty to the cause through their overwhelming support for Democratic Party politics.

Despite the longstanding debate over the origins of the name Little Dixie, most agree that the Civil War played a crucial role in solidifying the region’s southern identity, yet few have examined the war in this region thoroughly enough to accurately identify why this happened. Rather than a straightforward story of unified Confederate resistance, the Civil War in Little Dixie was messy, complex, and extremely brutal. As the war dawned, residents rejected the fanaticism of both sections, desiring the preservation of the Union, the Constitution, and slavery, and advocating political compromise on the slavery issue. They overwhelmingly rejected secession, opposed the war, and hoped to remain neutral. Diehard Confederate guerrillas emerged in the region, however, threatening the security of the state and necessitating the presence of the U.S. military. Together, guerrillas and soldiers brought the war to nearly every door and embroiled almost the entire civilian population in the conflict.

⁵⁰ Albert Edmund Trombly, *Little Dixie* (University of Missouri Studies: Columbia, Missouri, 1955), ix.

Combatants warring on civilians upset locals more than any other wartime evolution. Most residents despised irregular warfare, the use of unconventional methods contemporaries deemed improper and uncivilized. They understood that guerrillas initiated the shift to a civilian-centered conflict. However, residents also voiced their disapproval for United States soldiers engaging in irregular warfare, confiscating and destroying property, tormenting and arresting women, and murdering unarmed men. Many citizens appeared better able to dismiss these actions as the desperate deeds of ruthless criminals when undertaken by guerrillas than when performed by American citizen-soldiers. They held federals to a higher standard, expecting them to protect local citizens and reinstitute law and order.

Little Dixians considered the lawless practices and punitive policies pursued by soldiers not only as a threat to their safety but also as a major threat to the foundations of American democracy and republican government. U.S. soldiers using “coercive force” against American citizens, occupying a loyal state, attempting to force rebellious citizens to remain in the Union against their will, contradicted republican principles. The oppressive tactics of federals undermined civil liberties and approximated military tyranny, stoking one of the deepest fears held by all citizens of a republic. Union occupiers actively undermined the very principles they were fighting to preserve.

Disillusioned by the active role soldiers played in the desolation of their communities and in the destruction of the institution of slavery during the war, many white Little Dixians, conservative Unionists and diehard rebels alike, lost faith in the United States government. But these “belated Confederates” did not give up the fight entirely. They fought a new war over control of Civil War memory. Out of the ashes of disillusionment and desolation they constructed the most enduring monument to the Lost Cause in central Missouri: Little Dixie.

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Territorial Kansas Online
The Civil War on the Western Border: The Missouri-Kansas Conflict, 1854-1865
The Civil War Project
The Columbia Encyclopedia
The University of Mississippi Center for Civil War Research
The University of Missouri Digital Library (muarchives.missouri.edu)
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