

ABSTRACT

COFFMAN, PETER. "He Has Earned the Right of Citizenship": The Black Soldiers of North Carolina in the Civil War, A Comment on Historiography, Treatment, and Pensions. (Under the Direction of Donald Parkerson) Department of History, April 2015.

The Frederick C. Douglass Papers, held at the Joyner Library of East Carolina University are an important source of information concerning the black soldiers of North Carolina. Many historians have written about the various regiments of the United States Colored Troops (USCT). However, what is there to know about the experiences of black soldiers who enlisted, served, and sacrificed in North Carolina? What is there to know about the veterans who sought financial recompense for their sacrifices from the United States Military Pension System? What can we learn about the struggles of the black soldier's family or survivors who sought financial relief for that soldier's death or post-war infirmities?

This thesis acknowledges the honor, courage, and sacrifice of the black soldiers of the United States Colored Troops, specifically, the regiments of North Carolina. The pension agent Frederick C. Douglass assisted the veterans and their families in New Bern, NC, and the surrounding areas of eastern North Carolina with filing the necessary documents with the Pension Bureau. Sadly, many today are familiar with the scandals of the contemporary United States Veteran's Administration but know little of the legislation that prompted the earliest days of that bureaucratic giant. The history of the Pension System and the inauguration of the USCT are nearly simultaneous. The same general wartime necessity prompted the genesis of this historical phenomenon.

Using various primary and secondary sources, this thesis will reveal how black soldiers of North Carolina regiments struggled to serve the United States in the Civil War. It will further reveal how those soldiers and their families struggled for recognition in a pension system that was unable to comprehend the cultural differences and needs of ex-slaves.

“He Has Earned the Right of Citizenship”: The Black Soldiers of North Carolina in the Civil War; A Comment on Historiography, Treatment, and Pensions.

A Thesis

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By

Peter W. Coffman

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by

Peter W. Coffman

APPROVED BY:

DIRECTOR OF
THESIS: _____

Dr. Donald Parkerson, PhD

COMMITTEE MEMBER: _____

Dr. David Dennard, PhD

COMMITTEE MEMBER: _____

Dr. Jo Ann Parkerson, PhD

COMMITTEE MEMBER: _____

Dr. Kenneth Wilburn, PhD

CHAIR OF THE DEPARTMENT
OF HISTORY: _____

Dr. Gerald Prokopowicz, PhD

DEAN OF THE
GRADUATE SCHOOL: _____

Paul J. Gemperline, PhD

DEDICATION

This thesis is dedicated to all past and present comrades who have served this great nation. The sacrifices of so many who have served our nation have sadly gone unmentioned in the annals of history. This thesis is an attempt to bring out of the dusty shadows the honorable and heroic sacrifices of a very important group of men and their families who gave so much and received in proportion so very little for their sacrifices. The men of the United States Colored Troops deserve their place of honor next to their fellow comrades in arms of every generation. To these men I give a salute. Lest we forget.

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Chapter One

A Divine Ascension: The Historiography of Black Civil War Soldiers

Blacks during the Civil War surely prayed for the hand of God to lift them from the bonds of slavery. Slaves knew well, through countless sermons, the ascension stories of Moses, who led the Hebrews from Egypt, and Jesus who through resurrection, God raised and conquered death. Faith in these stories inspired action. As opportunity showed itself to slave men, they often fled their bondage and sought service in the Union Army. This historical phenomenon deserves proper analysis, and over many years, the various arguments of meaning, relevance, and lasting importance have changed. Just like the ascension of slaves from Egypt to a land of milk and honey and a higher divine purpose, the American blacks also rose from slavery to what they believed were divinely inspired purposes of military service, emancipation, and citizenship. What follows is a historiographical exploration of writers who started with general histories to justify Black Soldiers' service followed by the pro-South Dunning school. Marxist historians offer a class struggle explanation and then a new group builds upon the Abolitionists' argument. Starting in the 1990's Neo-Justifiers and then Revisionists dominate the historiography until supplanted with the current school of Neo-Revisionists.

History literature of Black Civil War soldiers in the late 1900s reflected predominantly the work of novice historians filling the literary void with poor, albeit admirable efforts. The first group of writers in the historiography of Civil War Black Soldiers was the Justifiers. These men sought to reveal the heroism of the black soldiers in order to dispel common racist attitudes, refute the anti-abolitionists arguments, and justify the emancipation of four million slaves. William Wells Brown, in 1867, wrote *The Negro in the American Rebellion*, to prove the efficacy of blacks in the Union Army. A runaway slave who became an abolitionist rival to

Frederick Douglass, Brown was a noted writer during and after the war. This first example of the Justifier school is a well-written book, but like other Justifier works; the research is sub-par when compared to contemporary works of history. Wells demonstrated the capability of black soldiers while presenting the argument that Nineteenth century black identity suffered from its relation with and to slavery.¹

Immediately following Brown's effort, Thomas Wentworth Higginson presented *Army Life in a Black Regiment* (1870). Higginson's goal was to prove that blacks fought hard and well and in some cases better than whites did. Considered a classic, this personal account of Higginson's exploits, argued that black soldiers fought to achieve social equality through service in the Union Army.² Higginson presented a second work in *Black Soldiers, Blue Uniforms* (1870), which presented a very narrow unit history to underscore his previous argument thus proving blacks were effective soldiers.³ Both works, *Army Life* and *Black Soldiers*, possessed the inference of Higginson's paternalism. Higginson's literary attitude served as evidence of the commander's Nineteenth century racist perception of white Union commanders who believed blacks possessed child-like qualities.

In 1888, Joseph T. Wilson altered the paternalistic tone visible in Higginson's works, and wrote *Black Phalanx*, which argued that black soldiers possessed agency and used the Union

¹ William Wells Brown, *The Negro in the American Rebellion: His Heroism and His Fidelity* (Athens, Oh: Ohio University Press, 2003). This is a reissue of the work originally published in 1867 through Lee and Sheppard Publishers in Boston, MA. The 2003 edition includes Introduction, Foreword, and Annotations by John David Smith.

² Thomas Wentworth Higginson, *Army Life in a Black Regiment and Other Writings* (New York, NY: Penguin Publishing Company, 2004). This book was first published in 1870. The current on-line edition includes an Introduction and Notes by R. D. Madison, but does not stipulate when these additions were included.

³ Thomas Wentworth Higginson, *Black Soldiers, Blue Uniforms: The Story of the First South Carolina Volunteers* (Tuscon, AZ: Fireship Press, 2009). This book was originally published in 1870 by Fields, Osgood, & Co, in Boston, MA.

Army to achieve freedom, equality, pride, and eventually citizenship.⁴ Like Brown and Higginson, Wilson used personal accounts as his source for a common-man's approach to the black experience and compared the black soldier's pride to that of Greek and Roman legionnaires. Another untrained writer, George Washington Williams presented a new approach, however, in *A History of the Negro Troops in the War of the Rebellion, 1861-1865*. Williams made use of unit histories, manuscripts, and pamphlets of the day to construct a flawed book that offered a personal account of the achievements of black during the Civil War.⁵ The core argument offered by Williams is that Black history not just in America but also throughout the world is replete with examples of military excellence. One of the final Justifiers was Benjamin Brawley whose flawed historical method failed to provide what Brawley intended, the full story of blacks in America. Brawley's *A Social History of the American Negro* (1921) utilized a predominance of secondary sources in an effort to synthesize the black experience in America while arguing that blacks are important contributors to American History. His treatment of Black Civil War soldiers did not include many micro accounts of individual accomplishments and focused simply on the macro level of Black accomplishments of Black units. The work, intended as a refutation to the theories of William Archibald Dunning, included accounts of black experiences in the American military, whereby Brawley argued that black soldiers were not accomplices to the Union's corruption and degradation of Southerners.⁶

All the writers of the Justifier school worked diligently from their own perspectives to weave a story of why arming the slaves was not only just but also militarily wise. The collective

⁴ Joseph T. Wilson, *The Black Phalanx: African American Soldiers In The War Of Independence, The War Of 1812, And The Civil War* (New York, NY: De Capo Press, 1994). The book originally published in 1890. The 1994 edition included the Foreword, by Dudley Taylor Cornish.

⁵ George Washington Williams, *A History of the Negro Troops in the War of the Rebellion* (New York, NY: Fordham University Press, 2012). This book was originally published in 1887 through Harper Brothers of New York, NY. This edition includes a new Introduction by John David Smith.

⁶ Benjamin Brawley, *A Social History of the American Negro* (Toronto, Ontario: General Publishing Company, 2001). This book was originally published in 1921 through MacMillan in New York, NY.

whole of their works produced a proper counter-balance to those who professed emancipation and abolition of slavery incorrect. Through the Justifiers' evidence, it was now a steep climb to overturn the concept of a brave, heroic, and committed black soldier; unfortunately, this did not prevent future efforts.

As the evidence mounted to challenge the blind racist views of black soldiers of the Civil War, a new school of thought emerged by way of William Archibald Dunning in 1898. In *Essays on the Civil War and Reconstruction and Related Topics*, seven essays from five writers present the overall Dunning thesis that Reconstruction of the South was unconstitutional and allowed the North to achieve a crippling revenge against the defeated South. Furthermore, the Dunning thesis generated a new view of the black soldier as a willing accomplice. This new historiographical perspective no longer challenged the heroism of the black soldiers but placed a question mark on their honor and motivations during the Civil War and Reconstruction. Ironically, Dunning did not claim any moral high ground for slavery, nor were his writings devoid of racist overtones, but his overall thesis encapsulated the anger of the South and a belief that Reconstruction was an abject failure and unconstitutional.⁷ One promising facet of the Dunningites was their meticulous research and professional use of primary and secondary source material, but this could hardly overcome their unfortunate belief that scalawags, carpetbaggers, and radical republicans were the only forces at the heart of Reconstruction's failure.

The Dunning thesis sparked a body of writers who unlike Dunning focused on individual Southern and Border states and the effects of Reconstruction on those states' recovery

⁷ William Archibald Dunning, *Essays on the Civil War, and Reconstruction and Related Topics* (New York, NY: The MacMillan Company, 1898). Also, see William A. Dunning, *Reconstruction, political and economic, 1865-1877* (Ann Arbor, MI: University of Michigan Library, 2006), originally published in 1907 by Harper Brothers in New York, NY.

from the Civil War. Two Border states, Kentucky and Tennessee, experienced both similar and dissimilar experiences because of differing political landscapes.

E. Merton Coulter's book, *The Civil War and Readjustment in Kentucky* (1926), however, produced a very pointed argument within the Dunning thesis. Coulter argued that while Kentucky did not secede in 1861, it was politically possible to state that the commonwealth committed a de facto secession in 1867 during Reconstruction. A minor contention by Coulter involved Kentucky's motivation to remain neutral during the War. This motivation originated with commerce in the Northwest, but eventually overt recruitment of blacks drove many from neutrality to the secessionist side. Coulter further maintained that runaway blacks accumulating in big cities were a marauding horde. He further stated that blacks in the Union Army assigned to the state, while Kentucky volunteers mustered out to other theaters during the war and Reconstruction, exacerbated tensions at home.⁸ These racially divisive arguments created a new stereotype of black soldiers as white-menacing vengeful opportunists.

James Welch Patton followed in the Coulter vein with the Dunning thesis as he presented *Unionism and Reconstruction in Tennessee, 1860-1868* (1934). Using extensive material from Governor William Brownlow, Patton supported his thesis that Tennessee survived much of the turbulence of the War and Reconstruction through the governor's commitment to deal with the Radical Republicans of the North. The focal point of the thesis is Brownlow's ability to afford Tennessee relief from the Emancipation Proclamation during the war. The political machinations of Brownlow incurred racist backlash against blacks during Reconstruction as many Southerners saw the Negro as the source of Reconstruction misery. Patton also downplayed the black

⁸ E. Merton Coulter, *The Civil War and Readjustment in Kentucky* (Chapel Hill, NC: The University of North Carolina Press, 1926).

soldier's contribution to the Civil War by creating stereotypical images reminiscent of the disobedient "buck" or "coon" slave concepts many in society believed before the war.⁹

A new socio-political view of world history grew from the Nineteenth century writings and philosophies of Karl Marx. Many historians have embraced this vision of class conflict as an explanation for many turbulent events in history. The Civil War was a ripe landscape for application of the Marxist point of view where differing social classes compete and their conflict created dramatic changes in society. The wealthy land and slave owning class of the South in direct conflict with blacks and, during the Civil War with the North, inspired many historians to make a social statement of their point of view.

One noted historian of blacks in America and specifically the Civil War was William Edward Burghardt DuBois. This noted historian, the first black man to earn a PhD. from Harvard University, began the Marxist Abolitionist interpretation of Reconstruction and by extension blacks in the Civil War. His *Black Reconstruction in America, 1860-1880* (1935), which he intended to capture a historical record of the Reconstruction as it related to blacks and presented a refutation of the Dunning interpretation of the South, blacks, and Reconstruction. The overall argument offered by DuBois was that Reconstruction failed to alter the fundamental design of the Southern economy and left in place the same flawed proletariat/bourgeoisie relationship that existed prior to the Civil War.¹⁰ DuBois treatment of black soldiers, however, marked a slight shift from the Justifiers as he provided a more rounded image of flawed humans performing heroic acts in tough circumstances in the effort to achieve emancipation and equality.

⁹ James Welch Patton, *Unionism and Reconstruction in Tennessee, 1860-1869* (Chapel Hill, NC: University of North Carolina Press, 1934).

¹⁰ W. E. B. DuBois, *Black Reconstruction in America, 1860-1880* (New York, NY: Harcourt, Brace and Company, 1935).

In 1938, a new outlook on Black Soldiers emerged from a Dunning protégé. *Southern Negroes: 1861-1865* by Bell Irvin Wiley refuted the Dunning School and the DuBois Marxist interpretation with an image of Southern blacks who fit neither the loyal slave of the Dunning school or the pure activists of DuBois. Wiley demonstrated from manuscripts, letters, diaries, and newspapers that Southern blacks possessed a cunning agency that weighed the options before them in their quest to obtain emancipation and eventual liberty.¹¹ Wiley's revisionist work, though replete with racist terms for blacks, has developed into a lasting legacy based on social history that later informs and influences historians of the 1990's.

The Marxist interpretation continued with *The Negro in the Civil War* by Herbert Aptheker in 1938. Aptheker wrote to refute the U. B. Phillips' thesis that blacks were apathetic towards their social status as slaves and did not aggressively work for their own emancipation.¹² As a Marxist, Aptheker wrote a very short book with no supporting primary or secondary material noted. This poorly documented history promoted a propaganda that ironically furthered the Dunning School argument that blacks conspired with Radical Republicans to punish the South.

A Dunningite scholar reappeared in 1947 to refute Justifiers and Anti-Secessionists. E. Merton Coulter offered *The South During Reconstruction*. Coulter argued that Reconstruction failed because Radical Republicans, corruption, and failed race relations, created a hostile atmosphere in the South preventing a healing between the opposing sections. Furthermore, Coulter stated that the Radical Republicans pandered to the black vote. Coulter's specific thesis on Black soldiers created an image of a demographic that served in the Union Army for emancipation of blacks and potential advantages from Reconstruction of the South. Coulter

¹¹ Bell Irvin Wiley, *Southern Negroes, 1861-1865* (New Haven, CT : Yale University Press, 1938).

¹² Herbert Aptheker, *The Negro in the Civil War* (New York, NY: International Publishers, 1938).

dismissed any consideration that blacks served in the Union as patriots fighting for their country. Using letters, personal writings, and diaries Coulter made a valiant effort to lay total blame on the Radical Republicans and vengeful blacks to poke holes in the theory that only Southern whites were responsible for Reconstruction's failure.¹³ Soon, however, the Dunning School fell to disfavor and the followers became history.

Bell Irvin Wiley submitted an additional work, *The Life of Billy Yank: the Common Soldier of the Union* (1952) in which he used unit histories and personal correspondence of common soldiers to illustrate the everyday life and social interactions of comrades in camp and battle. This very illustrative book offered a fresh breeze into the stale air of the historiography. While other historians were fighting political battles on paper, Wiley was revealing the human story of war. Commendably, Wiley produced a balanced account of black soldiers, their tribulations in battle and in camp. He further refuted the racist atmosphere of the 1950s South by proving that black diligence and honorable service, in the end, won over many fellow white soldiers to believe that emancipation was just.¹⁴ Wiley is careful to note in the 1978 edition's "Introduction" that he was still in search of the 200,000 plus letters of black soldiers he states are available but held out little hope as these letters had not yet materialized.¹⁵ The theme of black justification for abolition would soon turn give way to pressures of race relations.

Racial tensions of the 1950's South were percolating towards a boil over when a new historiographical school arose to challenge the anti-Reconstruction Dunning School and the resentment against blacks for perceived Radical Republican vengeance. The new trend drew

¹³ E. Merton Coulter, *The South during reconstruction, 1865-1877* (Baton Rouge, LA: Louisiana State University Press, 1947).

¹⁴ Bell Irvin Wiley, *The Life of Billy Yank: the Common Soldier of the Union* (Baton Rouge, LA: Louisiana State University Press, 1978). The original publishing date for this book was 1952, through the Louisiana State University Press.

¹⁵ Wiley, p 16.

from the Justifiers to re-defend the emancipation of slaves and give credence to Black military service. With the passing of World War II and the continuing Cold War with the Soviet Union, many accused blacks of divided or weak loyalties and the neo-abolitionists rose to their defense. These new authors predominantly used military histories filled with focused attention on black heroism and honor to state their case. This school lasted well into the 1980s.

One such writer professing this new trend of upholding emancipation and abolishment as justified was the black historian Benjamin Quarles. Written to restore the blacks to their proper relation with the Civil War, Quarles' *The Negro in the Civil War*, demonstrated heroic actions of blacks at the unit level while unfortunately overlooking the individuals who made up those units. Quarles was able to promote blacks as intelligent people of agency and convictions, with higher goals, beyond survival.¹⁶ His work went beyond that of George Washington Williams and his pure military history and exceeded Wiley's effort of presenting a common soldier's experience.

In 1963, John W. Blassingame focused on the border state of Missouri. In *Recruitment of the Negro Troops in Missouri During the Civil War*, Blassingame explored the heavily divided political landscape that required a special effort by President Lincoln to achieve the strategic goal of black enlistment. Blassingame's treatment of Lincoln as a master politician spurred this book's most positive and negative receptions. Exploring War Department records, other government documents, and newspaper stories, Blassingame argued that once Lincoln succeeded in nullifying Missouri's pro-slavery interests, the recruitment of blacks exploded.¹⁷ This thesis proved controversial in that it argued that black soldiers in the Union Army were directly

¹⁶ Benjamin Quarles, *The Negro in the Civil War* (Boston, MA: Little, Brown, 1953).

¹⁷ John W. Blassingame, "The Recruitment of Negro Troops in Missouri During The Civil War," *Missouri Historical Review*, 75, no. 1 (1980): 326-338, <http://statehistoricalsocietyofmissouri.org/cdm/compoundobject/collection/mhr/id/39395/rec/3> (accessed November 12, 2013).

responsible for their future emancipation and the abolishment of slavery. Up to this point, black historiography seemed more about an opportunity given by the Union to black soldiers than an opportunity taken by the Union and black soldiers, a marked difference in historiography.

Blassingame wrote with a passionate regard for his ancestors and their efforts to achieve emancipation and liberty. This continued in 1963 as he produced another state-focused quantitative assessment of Black in Maryland. Using Official Records of the Rebellion and other primary sources, he built a collection of data and evaluated the border state's particular political climate and the effects this had upon black enlistment. Blassingame revealed that Maryland's geopolitical position as a border state made enlistment in either the Union or the Confederacy a matter of choice for Black.¹⁸ His research and conclusions bolstered belief that most Black chose the Union over the Confederacy and that once in the Union Army they performed admirably.

James McPherson presented a new style of literature on Black Soldiers using a collection of primary source materials in a topical and chronological order to reveal what Black of the Civil War thought about their struggle. In *The Negro's Civil War: How American black Felt and Acted During the War For the Union* (1965) he argued that whenever black in the South got restless they ran away to the Union lines. He further argued that the Union could have lost the Civil War without the help of black.¹⁹ The copious use of source materials and the reduced amount of analysis by McPherson required the reader to understand each author's argument as both a portion of and support for McPherson's argument. Criticism of this book included both praise for the writing style and criticism of the book as less appropriate to scholars and more appropriate for casual readers.

¹⁸ John W. Blassingame, "The Recruitment of Negro Troops in Maryland," *Maryland Historical Magazine*, 58, no. 1 (1963): 20-29, http://mdhs.mdsa.net/mhm/dsp_viewer.cfm?id=588100010229 (accessed November 18, 2013).

¹⁹ James M. McPherson, *The Negro's Civil War: How American Blacks Felt and Acted During the War For the Union* (New York, NY: Vintage Books, 1991).

A less racially sensitive effort in the neo-abolitionist movement came from Dudley Taylor Cornish in *The Sable Arm: Black Troops in the Union Army 1861-1865* (1966). At the heart of his thesis, Cornish attempted to prove that the Union Army was laboriously slow in arming black but that once armed and in the field, they earned their white comrades' trust and respect. Investigating government publications at both federal and state levels, Cornish further demonstrated that service to the Union cause made slaves free through military service, but that moreover black worked to earn recognition as citizens within the Union Army, and by extension to the nation.²⁰

A fresh addition to the historiography came from James Brewer in *The Confederate Negro: Virginia's Craftsmen and Military Laborers, 1861-1865* (1969). Within this book are the strains of southern apologetics. Although this book challenged the Dunning school, it provided an uncomfortable image of willing free black and slaves in the service of the Confederacy as a "historical enigma."²¹ Such a thesis in the political environment of 1969 created a tremor in the ground of Justifiers, Marxists, and Neo-Abolitionists. Brewer examined Confederate Records, business and naval logbooks, and newspapers, and found that black served as non-combatant quartermaster, commissary, naval, ordnance, hospital, and general labor workers. This work countered historians who dismissed any consideration of Black Confederate service. Fellow historians quickly challenged Brewer's thesis as they questioned the Confederate primary sources they viewed as self-serving. Many accepted the Black Confederate thesis but few believed that it extended to a full acceptance by black in the Confederate cause. Historians quickly emerged to challenge James Brewer.

²⁰ Dudley Taylor Cornish, *The Sable Arm: Black Troops in the Union Army 1861-1865* (New York, NY: W. W. Norton, 1966).

²¹ James H. Brewer, *The Confederate Negro: Virginia's Craftsmen and Military Laborers, 1861-1865* (Durham, NC: Duke University Press, 1969), p. 165.

New sources of historical perceptions were emerging as more women entered the profession. Mary Francis Berry's book, *Military Necessity and Civil Rights Policy: Black Citizenship and the Constitution* (1977) slightly altered the Neo-Abolitionist view with a thesis focused on the role of military service in achieving citizenship rights. Berry argued that black did not fight only for freedom or liberty but for a higher goal of citizenship. Furthermore, she unconvincingly, according to critics, argued that from the Colonial period through the end of the Civil War military necessity always resulted in an enhancement of Black legal status. This book does accurately support that black enjoyed an improved legal status during the Civil War.²²

In 1985, another effort emerged to bolster the Berry citizenship thesis with the book *Freedom Soldiers: Black Military Experience in the Civil War* where Ira Berlin, Joseph Reidy, and Leslie Rowland analyzed the letters of Black Soldiers and white Officers found in the National Archives. The authors' argument was that black in the Union Army were the basis for all Black citizenship and that the military experience served to remove Black class distinctions.²³ Critics argue that the contribution of soldiers towards emancipation discounts the efforts of Northern Abolitionists, women, and the military necessity.

The advent of open enlistment of black in the Union Army resulted in many growing pains and the most common of these pains existed between white officers and black enlisted. Joseph T. Glatthar's, *Forged in Battle: The Civil War Alliance of Black Soldiers and white Officers* (1990), seemed to build upon earlier works by explaining the co-dependent relationship of black soldiers seeking freedom through the army with white officers leading them to victory. All was not as it seemed. Glatthar went beyond this thesis to delve into the uneasy and

²² Mary F. Berry, *Military Necessity and Civil Rights Policy: Black Citizenship and The Constitution, 1861-1868* (Port Washington, NY: Kennikat Press, 1977).

²³ Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, *Freedom's Soldiers : The Black Military Experience in The Civil War* (New York. NY: Cambridge University Press, 1998).

tumultuous relationship between two opposing demographic groups brought together by powerful political demands of abolitionists and made possible because of military necessity. Glatthar's compelling revision of the historical account, using official documents, manuscripts, and statistical analysis, placed a pragmatic flavor on the historical record, arguing that while the Civil War may have ended slavery, black did not receive immediate racial equality or justice.²⁴ Glatthar's analysis, on a deeper level, supported a new theory that black recruitment, training, and expedient employment, urged more racial tension in the South during Reconstruction and contributed to adoption of Jim Crow laws and discriminating social policies.

Hollywood films often create a firestorm of interest in the historical topics they convert into dramas. One such film, *Glory*, initiated many responses by historians, including Joseph T. Glatthar. Based on the famed 54th Massachusetts black regiment, "Glory" offered all the drama and hyperbole of a Hollywood film, and all the inaccuracies. Glatthar desired to know if the movie's depictions of black in the Union Army were historically accurate or not. In his essay, "Glory" Glatthar investigated the activities of the famed 54th and argued that many of the movie's portrayals of the white Officers and Black Enlisted produced misperceptions in the uninformed public. Glatthar argues that the real Robert Shaw is a more jovial 25-year-old colonel than his movie character and carries a great deal more "racial baggage" than what the actor Matthew Broderick displays. Glatthar's greatest concern is the movie's portrayal of the unit centered on the four Black characters of Trip, the sergeant major, the stuttering South Carolina contraband, and finally Thomas, a boyhood friend (according to the fiction) of Robert Shaw. As products of fiction the Black characters' dialogue, actions, and motivations are creations of a writer's creativity and not actual historical fact. Ironically, the actual 54th was more dramatic

²⁴ Joseph Glatthar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (New York, NY: Free Press, 1990).

than the writer's conception as Frederick Douglass' son was the actual sergeant major and William Carney, who rescued the unit flag at Fort Wagner, won the Medal of Honor. Glatthar does point to a few correct perceptions offered in the movie. First, black did fight for equal pay and equipment against the institutional Union Army racism that sought the degradation of Black units. Second, many commanders in the Union Army did, as the movie portrayed, underestimate Black Soldiers' resolve to fight. Finally, the movie accurately depicts the inflation of Black Soldiers' hope and prestige as they received their guns and blue uniforms. The conclusion by Glatthar is that while the movie depicted many inaccuracies, it did generate an interest in the overall subject of Black Soldiers and positively altered the misperceptions that surround them.²⁵

The historiography of the Black Civil War soldier, being over 100 years long and enduring changes over that span, would soon change again. The change did not alter the perspective away from pre-existing data but offered a reassessment of that data, a revision. Starting in the 1990s, a new crop of historians examined the data collected and in a few cases they discovered new data, but to be sure, they were looking at the same basic government documents, official records, and correspondence that those before had engaged, analyzed, and commented upon.

On rare occasions, revisionism actually focused not just on reinterpreting data but questioning that data's very existence. Edwin Redkey edited a book of essays concerning 200,000 letters of black soldiers that Bell Irvin Wiley insisted existed. In *A Grand Army of Black Men* (1992), Redkey refutes Wiley's claim and argues that far fewer letters exist. Redkey analyzed 129 of 400 letters from Black Union soldiers discovered within newspapers that offered more than just personal feelings and desires. Redkey determined that Black soldiers fought to

²⁵ Joseph T. Glatthar, "'Glory,' the 54th Massachusetts Infantry, and Black Soldiers in the Civil War," *The History Teacher*, 24, no. 4 (1991): 475-485, <http://www.jstor.org/stable/494706> (accessed November 01, 2013).

attain equal rights and citizenship and to eliminate discrimination through the abolishment of slavery, a controversial set of concepts.²⁶ Critics of Redkey's analysis argued that 129 letters is hardly representative of the motivations of 200,000 black in the Union Army.

One of the first Revisionists was Ervin Jordan who worked towards refuting Dunning, U.B. Phillips' perceptions of the South and the motivations of soldiers during the War and Reconstruction. Jordan's *Black Confederates and Afro-Yankees in Civil War Virginia* (1995) furthered the Brewer thesis by presenting an image of black men in Virginia deciding to fight with the Confederacy. Jordan argued that black serving with the Confederacy did so in hopes of garnering a better post-war position.²⁷ This perception by Jordan marked the extreme interpretation of the Revisionists and many historians were not convinced. There were voices far more calming and reassuring yet to come.

In 1997, James McPherson returned once again to the specific topic of soldiers in the Civil War with *For Cause and Comrades: Why Men Fought in the Civil War*. Using a quantitative method, he analyzed letters from soldiers to determine if ideology and politics were instrumental motivations in Civil War soldiers' enlistment, fighting, and reenlistment. McPherson's groundbreaking investigation also used qualitative analysis to compare Civil War soldiers and their actions or feelings to soldiers of World War II and Vietnam. McPherson argues that soldiers believed in the cause of their respective army's government. He further argues that analysis of the letters revealed high levels of camaraderie and esprit de corps among soldiers and these popular feelings often inspired soldiers to reenlist.²⁸ A few of McPherson's peers criticized

²⁶ Edwin Redkey, *A Grand Army of Black Men: Letters From African-American Soldiers In The Union Army, 1861-1865* (Cambridge, MA: Cambridge University Press, 1992).

²⁷ Ervin Jordan, *Black Confederates and Afro-Yankees in Civil War Virginia* (Charlottesville, VA: University Press of Virginia, 1995).

²⁸ James M. McPherson, *For Cause and Comrades: Why Men Fought in the Civil War* (New York, NY: Oxford University Press, 1997).

the work arguing that the sampling method used was flawed. The critics highlight McPherson's reliance on a collection of letters written predominantly by white Union Officers which included few Confederates and fewer black of either side and thus critics stated that while McPherson's conclusions are sound they are not concrete.

The popularity of Revision clearly grew as new historians began writing. Noah Trudeau intended *Like Men of War: Black Troops in the Civil War, 1862-1865* (1998) to be the definitive Revisionist work on Black soldiers in the Civil War. Using many of the same government reports and black soldier correspondence previously discovered by Redkey, Trudeau also analyzes letters in Civil War-era black newspapers in Harvard's Library and new manuscripts. With the Black soldier's perspective, Trudeau argued that black fought to win full emancipation and citizenship but also as a means for recognition of Black manhood.²⁹ Trudeau chooses stories, as he states, that balance between engagements of "minimal primary black accounts and those that provided some broad geographic representation."³⁰ Of further note, Trudeau criticizes the abuse of black in certain engagements, such as at Olustee, where the political goal of affecting elections outweighed the strategic goal, or at New Market Heights, where the officers simply tested the black bravery.

A key element of revision is that it is not an exclusive refutation of any single historiographical school. Thus enters James Kenneth Bryant, II, who authored the dissertation, *The Model 36th Regiment: The Contribution of Black Soldiers and Their Families to the Union War Effort, 1861-1866* (2001). He detailed the sacrifices of black families as husbands, brothers, and sons left their families, in many cases still in bondage on the plantation, to join the Union Army. Bryant argued that black were fully aware of the detrimental consequences of their

²⁹ Noah Trudeau, *Like Men of War: Black Troops in the Civil War: 1862-1865* (Boston, MA: Little, Brown, 1998).

³⁰ Trudeau., (p. xix).

actions and undertook the challenge to win their freedom.³¹ This thesis is similar to the Justifier thesis that black fought deservingly for their freedom. Bryant appears to build upon Jacqueline Jones' *Labor of Love, Labor of Sorrow* (1985) and Elizabeth Fox-Genovese's, *Within the Plantation Household* (1988). Both of these studies give a revealing image to the plight of black women on plantations in the South. Bryant made great use of primary and secondary sources to create a holistic image of Black sacrifices in the War.

Revisionism extended beyond studies of land forces. In 2002, Steven Ramold published *Slaves, Sailors, Citizens: African Americans in the Union Army*. It is surprising that more historians have not produced more work on the same subject. Ramold's Marxist/Revisionist thesis was that while racial tensions did exist, the Navy did not suffer the number of incidents that occurred in the Army. This quantitative and qualitative study derived from Joseph Reidy's data compiled for the National Park Service. Ramold also demonstrated that navy crews confined to vessels experienced higher levels of racial cohesion as compared to the army that operated in segregated units.³²

Another Marxist/Revisionist, Wilbert Jenkins, wrote in *Climbing Up to Glory* that black in the Civil War were not passive in their quest for freedom, but acted with a high degree of agency. The innovation of this 2002 thesis came from newly discovered slave diaries. Many previous historians based their studies on documents from white origins or from white perspectives, overlooking the black perception. Three additional themes run throughout the book, and in these points, the book's historiographical treasure lies. First, Jenkins portrayed Lincoln as a reluctant friend of black soldiers who merely succumbed to political pressures to emancipate

³¹ Kenneth Bryant, "The Model 36th Regiment: The Contribution of Black Soldiers and Their Families to The Union War Effort, 1861-1866." (unpublished PhD diss., University of Rochester Department of History, 2001), ProQuest (3005543), <http://search.proquest.com.jproxy.lib.ecu.edu/docview/275741762?accountid=10639>.

³² Steven J. Ramold, *Slaves, Sailors, Citizens: African Americans in The Union Navy* (Dekalb, Ill: Northern Illinois University Press, 2002).

and utilize black in the Army. Second, Jenkins argues that black contributed to the passage of the 13th, 14th, and 15th Amendments and this is as a source of pride for black of all generations. Finally, Jenkins placed into contemporary context the meaning behind the amendments for the black soldiers of the Civil War who fought for their freedom from slavery, and how these amendments laid the groundwork for the civil rights struggles of the 20th century and beyond.³³

In 2002, William Gould IV offered *Diary of a Contraband: The Civil War Passage of a Sailor*. This labor of love for Gould featured the three-year diary of William Gould, his ancestor, who was emblematic of so many other black who ran away from plantations and sought service in either the Union army or the navy. The work outlined a life that served to change the course of an entire lineage of people.³⁴ Gould stipulates his work grew from his belief that the rise of conservatives in the 104th and 105th Congresses threatened the racial equality his ancestor fought to achieve.³⁵ Ironically, Gould the author argues that the conservative values of pulling oneself up by the bootstraps informed Gould the ancestor to run away and join the Union Army to fight for other black' emancipation and racial equality.

A final book of 2002 that warrants mentioning here was actually a collection of essays edited by John David Smith. This book presented an overall theme that was not new or innovative; black soldiers who once were slaves fought for their freedom. Underneath this historiographically obvious and overstated thesis lay a controversial theme that incompetent white officers commanded the black units. The authors of the essays further made clear that black were successful combatants despite the impediment of poor leadership to effective military

³³ Wilbert L. Jenkins, *Climbing Up to Glory: A Short History of Africa Americans During the Civil War and Reconstruction* (Wilmington, DE: Scholarly Resources, 2002).

³⁴ William B. Gould, *Diary of a Contraband: The Civil War Passage of a Sailor* (Stanford, CA: Stanford University Press, 2002).

³⁵ Gould, p.xv.

operations.³⁶ The book, *Black Soldiers in Blue: African American Troops in the Civil War Era* extended the black soldier image of competent followers to that of effective leaders of their own struggle for emancipation. It is here that again another historiographical turn occurs.

Revisionist history in 2009, affected by the political landscape of America made a slight change that at its core did not alter the basic interpretation of the black soldiers, as described by the Revisionists, but simply adds a slight addendum. These Neo-Revisionists reacted to the contemporary discussions of immigration reform and the question of who is a citizen. The 14th Amendment, which determined a constitutionally based definition of “natural born citizen,” is often a background theme to books of this school. Ironically, unlike present day definitions based on Supreme Court precedent and executive fiat, at the heart of defining a naturalized citizen in the Nineteenth Century was the 14th Amendment. Reconstruction black required this amendment to assure their participation in the political process of Reconstruction and post-Reconstruction. Black soldiers specifically believed that they had earned their citizenship and acceptance in American society through a process of military service and commitment to a political process that was not legally their own, even if racial equality was not yet a reality. Historiographically, Neo-Revisionism states it is insufficient to consider the Civil War as only a battle for the emancipation of black from slavery.

Christian Samito is one of the first to project this Neo-Revisionist theme. In *Becoming American Under Fire: Irish Americans, African Americans, and the Politics of Citizenship During the Civil War Era* (2009) Samito argues that while Irish and black were often in opposition politically, their struggles were often congruent, and in many cases, linked. His additional argument states that the Irish often struggled for egalitarianism with other European

³⁶ John D. Smith, *Black Soldiers in Blue: African American Troops in the Civil War Era* (Chapel Hill, NC: University of North Carolina Press, 2002).

American immigrants and descendants, while black simply fought for an effect of egalitarianism, citizenship. Using newspapers and government records, Samito also states that the 14th Amendment's ratification trumped racism and color in favor of allegiance to the nation and constitutional principles.³⁷

Neo-Revisionism of black union soldiers would be incomplete without mentioning a work that centered on black union sailors. *Bluejackets and Contrabands: African Americans and the Union Navy* (2009) by Barbara Tomblin argued that the abolitionist-friendly Secretary of the Navy, Gideon Wells, had a contraband friendly attitude. Using navy records and military correspondence, as well as personal diaries, manuscripts, and newly discovered letters of black sailors, Tomblin argues that black earned full acceptance as valued members of integrated ship crews long before their army counterparts. She credits the long history of contrabands that proved their worth to civilian and navy crews prior to and during the war for the change in Union policy.³⁸

One work that does not fit neatly within the Neo-Revisionist school but still requires consideration comes from the Department of Economics, Seoul National University. Chulhee Lee, an economics major, performed a study of Black Union soldier mortality rates according to their socioeconomic origin. Lee studies the differences in skin color, non-field occupation, plantation of origin size, and rural versus urban origins as determinants for a quantitative study. She concludes that both light skin and the proximal relationship the ex-slave soldier possessed to the plantation house during bondage both resulted in differences in advantage to such a black

³⁷ Christian G. Samito, *Becoming American Under Fire: Irish Americans, African Americans, and the Politics of Citizenship During the Civil War Era* (Ithaca, NY: Cornell University Press, 2011).

³⁸ Barbara Tomblin, *Bluejackets and Contrabands: African Americans and the Union Navy* (Lexington, KY: University Press of Kentucky, 2009).

soldier in combat.³⁹ These arguments are defensible but no less controversial. This interdisciplinary approach offers a scientific approach that may determine the future of Black Civil War Soldier studies.

Returning to the Neo-Revisionist historiography, Susannah Ural as editor offers, *Civil War Citizens: Race, Ethnicity, and Identity in America's Bloodiest Conflict*. She argues that five differing ethnic groups possessed many similar traits, motivations, and experiences as soldiers. Ural presents seven authors' essays concerning the five ethnic groups, Irish and Germans in the North, Jews, and Native Americans in the South, and black throughout the nation. The book's purpose of comparing ethnic groups' experiences centers on the argument that only Anglo-Saxon Protestants enjoyed an unqualified acceptance in Nineteenth century American society and that the five ethnic groups serving in both the Union and Confederacy shared a common struggle for acceptance.⁴⁰ Critics agreed that these groups were all ethnicities outside of the Nineteenth century Anglo-Saxon Protestant mainstream desiring acceptance as citizens but it is a far stretch to conclude that all five ethnic groups endured similar experiences.

A recent edition to the historiography is from Glenn David Brasher with *The Peninsula Campaign & the Necessity of Emancipation* (2012). Brasher refutes the image of willing Black Confederate soldiers. Brasher focuses on the Peninsula Campaign and reevaluates previous history that the Confederacy enlisted the assistance of willing and complicit black in defense of the peninsula in various positions of labor. He further refutes historians who argued that fleeing slaves were the primary motivation for the Emancipation Proclamation. Brasher uses army records and newspapers in his refutation suggesting black fighting for the Union and proving

³⁹ Chulhee Lee, "Socioeconomic Differences in the Health of Black Union Army Soldiers," *National Institute of Health*, 33, no. 4 (2009): 427-457, 10.1215/01455532-2009-007 (accessed November 3, 2013).

⁴⁰ Susannah J. Ural, *Civil War Citizens: Race, Ethnicity, and Identity in America's Bloodiest Conflict* (New York, NY: New York University Press, 2010).

their indispensability actually created the military necessity for the Proclamation.⁴¹ This thesis argues that black soldiers were initiating agents as well as recipients of their emancipation and acceptance.

A final inclusion in the current debate of black Civil War soldiers is a model of balance. William Dobak balances the Revisionist, Marxist, and Justifier images in a synthesis regarding the U.S. Colored Troops (USCT). Dobak approaches this book with a question that many anti-abolitionists and those opposed to black enlistment posed in 1863; will blacks fight for their own freedom? In *Freedom By the Sword* (2013), Brasher delivers a significant addition to the historiography. Dobak argues that historiography of black in the Civil has been informed either by historians who valorized Black military accomplishments or by historians who dismissed the Black soldiers' contributions to the Union's victory. The book delivers a very colorful and complete unit history of the USCT units using official documents, and army records. Dobak's portrayal of Black Soldiers is more balanced as he offers the heroic honor-filled exploits and the dishonorable accounts of misbehaving Black Soldiers.⁴² Prior to this book, historians cast Black Soldiers within the two extremes of above reproach warriors or as inconsequential factors of Union success. As a result, black soldiers of the Civil War, along with the survivors of slavery, have become distant icons to whom black Americans today cannot readily relate. Dobak's work, while slightly iconoclastic, simply places the black soldier's historiography under the same balanced scrutiny applied to white Civil War Soldiers.

This historiography has slowly ascended through history. The first black writers produced basic unit history, and in some cases, personal accounts to justify the enlistment of black and

⁴¹ Glenn D. Brasher, *The Peninsula Campaign & the Necessity of Emancipation* (Chapel Hill, NC: University of North Carolina, 2012).

⁴² William A. Dobak, *Freedom By the Sword: The U.S. Colored Troops, 1863-1867* (New York, NY: Skyhorse Publishing, 2013).

abolishment of slavery. Next in the historiography was the Dunning School. This school judged Reconstruction a failure and indicted the Radical Republicans as avengers, while accusing black soldiers of aiding and abetting radical Republicans. The Marxists, who appeared next, judged the entirety of black participation from a proletariat position and equated contraband soldiers with striking workers. As race relations grew tense in the 1950s, the need to re-justify emancipation and equality of black created the Neo-Abolitionists. As the historiography approached one hundred years, Revisionism took hold to reevaluate previously considered data and thesis statements. Within Revisionism, no single school of historiography was off the table for review and revision. The dominant theme with this historiography was that black possessed agency in their quest for freedom, but this theory did not remain in vogue. Today a Neo-Revisionist line of historians reconsiders the conclusions of the Revisionists, determining that many histories of the Black Soldiers did not relate to contemporary issues, or were Homeric accounts of iconic figures. Neo-Revisionists are able at this time to present a more balanced, human figure of black soldiers that common people can relate to as performing great deeds. After all, super-humans are supposed to do super things that mortals cannot; therefore, the real people of the Neo-Revisionists performing great deeds are people that common people may emulate.

The next historiographical change may expand to include the fully human Black Soldier who returned home to families and everyday life in a racially divided Nineteenth century America. In addition, future historians may discover the dust covered, army and individual state archives, and unseen manuscripts, and after applying quantitative methods these new sources may reveal the overall effect of Union Army service that surely exacted a physical toll on Black veterans. These studies may also determine the effects of Reconstruction on the Black Soldiers, and by extension, their descendants. Today, the United States military is a socioeconomic force

for social and economic mobility and perhaps this was true for Black Civil War Soldiers but only further research into lives of post-Civil War black can answer that question.

Chapter Two

The Early Pension System: "...to care for him who shall have borne the battle..."

On October 5, 1867, the Adjutant General's Office in Washington D.C. issued Pension Number 151166 acknowledging the validity of a pension claim entered by Maria Counts of New Bern, North Carolina. Maria's late husband Caesar Counts, a deceased veteran of the United States Civil War secured Maria's Widow's Pension with his death from Chronic Diarrhea on January 24, 1864, at Beaufort, South Carolina.⁴³ The issuance of this pension number was a small but important step for Maria as it was for many claimants working through the perilous pitfalls and bureaucratic nightmares of the Commission of Pensions. Because Maria's arduous journey in the Pension system is emblematic of the many hurdles encountered by black in the Pension system, it is her story that will serve as the human face of this study.

This chapter will explore the United States Military Pension system before, during, and after the Civil War, focusing on the system as a whole paying particular interest in the United States Colored Troops (USCT) and their survivors.⁴⁴ The peculiarities of slavery played an important role in determining health, marriage practices, and cultural mores of slaves and freeborn black, therefore this discussion will focus on those aspects that affected Black accession to pensions. The aforementioned factors also greatly contributed to the liberalization of the United States Pension system that later developed into today's United States Veterans

⁴³ Pension File WC130402; Case Files of Approved Pension Applications of Widows and Other Veterans of the Army and Navy Who Served Mainly in the Civil War and the War With Spain, compiled 1861-1934, *Fold3* by *Ancestry.com*, Record Group 15, National Archives Catalog ID: 300020. Accessed 3 Jan 2014. Pg. 3.

⁴⁴ United States Colored Troops and the acronym USCT derived from the Bureau of Colored Troops, a bureau created under the direction of General Order No. 143 issued on May 22, 1863. The term does not designate a specific unit of any organizational level within the Union or United States Army. The term replaced the various state titles given to members of black units. For more information see James McPherson's, *The Negro Civil War* (New York: Pantheon Books, 1965), p 170. and/or Cornish's *The Sable Arm: Negro Troops in the Union Army, 1861-1865* (New York: W.W. Norton, 1965), pp 129.131.

Administration. Though the U.S. Military Pension Commission existed for all veterans of the United States Civil War, this examination will focus exclusively on the difficulties experienced by many black veterans and their survivors within that pension system. Black veterans and their survivors in post-bellum America dealt with the same issues as did whites but their plight towards monetary relief was more troubled due to racism, turbulent social change, the legacy of slave illiteracy, and the debilitating post-slavery poverty of black. For these reasons, the pension system for black was a very different experience from that of their white counterparts.

The Liberalization of the Pension System

The earliest military pension system of the United States developed to satisfy the needs of invalids, widows, and orphans of the American Revolution, War of 1812, the Indian Wars, and the Mexican/American War. As the American Civil War began, the pension rolls for all these wars combined amounted to only 11,284 names with a combined total pension payout up to 1860 of \$89,000 dollars. The modest and conservative pension system, that assisted early veterans only, employed a meager force of only 71 clerks to operate. In 1860, the Commissioner of Pensions, George C. Whiting, called for a reduction in the number of clerks to keep pace with the decreasing number of veterans from America's wars and the reduced number of applications to the system. Congress was ready to acquiesce to Whiting's concerns and suggestions, but the events of the Civil War and the need for Union recruits reversed the policy goals of Congress and the Commission of Pensions from ebb to flow overnight.⁴⁵

The Civil War required the Union Army to increase its ranks by over a half million men in a very short time. Many politicians greatly desired that these recruits volunteer for their service as a public relations and political statement on the war effort. At the same time, Congress

⁴⁵ John William Oliver, *History of The Civil War Military Pensions, 1861-1885*, (Madison, Wisconsin: Bulletin of The University of Wisconsin, 1917), 5. For additional information detailing the Congressional Acts directly affecting the Civil War pensioners, refer to the Appendix.

liberalized the military pension system to entice young northern males to enlist. To that effort, Attorney General Bates interpreted the current governing Act of August 2, 1813, to infer, first, that any soldier wounded and disabled because they answered Lincoln's "call-to-serve" proclamation of April 15, 1861, was entitled to a pension. Secondly, on July 22, 1861, Congress passed a motion that greatly assisted in recruitment efforts by guaranteeing pensions for those who served. These actions quickly improved but soon proved inadequate as the initial casualty numbers of 1861 were beyond the short-sided estimates of many who believed the Civil War would be a one-month conflict.⁴⁶

Congress quickly decided to do more for war veterans but ideas varied among representatives and thus congressional debates soon began. Ideas proposed included paying equal pension without regard to rank and that the pension system should be overhauled to create a readily understood and appropriate response to the current national emergency. Representatives quickly tossed out equal pensions regardless of rank in favor of a system based on graduated invalid conditions or death. Lincoln then signed into law on July 14, 1862 the most liberal set of guidelines written by Congress up to that point. First, the act prorated the new guidelines back to March 4, 1861, and charitably included unmarried widows and their children, dependent mothers, and orphaned sisters of the fallen under the age of sixteen. The payouts ranged from \$8.00 to \$30.00 dollars a month, depending on the rank of the veteran. One idea that required little debate was the proposal offered by Commissioner of Pensions Joseph H. Barrett to discontinue paying current pensioners who resided in rebellious states. The Act of February 4, 1862, required the Secretary of Interior to remove all suspected rebels from the rolls. Though this act received a partial repeal shortly after war's end, it would not be until 1872 that veterans from all southern areas would once again be accepted into the pension system. The purpose of denying

⁴⁶ Oliver. 6-9

rebels a continuing pension was of course, an obvious punishment but coupled with the Act of July 14, 1892, the pension system reflected a powerful recognition of the sacrifices of loyal Army volunteer veterans. This simple philosophy made the Union volunteers citizen-soldiers and not simply a conscripted force compelled to serve, or a group of mercenaries hired to kill. There is no doubt that this act and the philosophy behind it intended to send a message to the world that the American Civil War was a free man's fight against tyranny as a continuation of the American Revolution's principles.⁴⁷

The administrative changes to the pension system following the Act of July 14, 1862 were also innovative as it made changes to the Pension Agent system and the medical examination requirements. Commissioner Barrett intended the changes to enable anyone of ordinary intelligence and education to apply, establish, and secure a claim. Opportunistic pension agents were a reality of their times, however, as many veterans, white and black, still required an assistance to navigate the pension system. Though many agents were fully accredited practicing lawyers, many simply were "lawyers in fact." This title resembles today's concept of the power of attorney that renders any person bearing that designation a duly appointed representative of another person before the legal system.⁴⁸ For the privilege of representation, a pension claimant paid a fee to the agent, either up front or upon pension payment. It was to this point however that the Act of July 14, 1862 made a significant change.

Pension agents had filled the lobbies, walks, and halls of Washington D.C. during Congressional debates before the enactment of the Act of July 14, 1862. This was in fact one of the earliest examples of "lobbying" in Washington to influence legislation. Agents wanted to influence lawmakers in an effort to prevent any provision that set an agent fee cap. In the end,

⁴⁷ Oliver, 6-10.

⁴⁸ Randall Sauls, LLC, (To understand the legal definition of Nineteenth Century Pension Agent), interview by Peter Coffman, Saul's Law Offices," Power of Attorney," Record, February 26, 2014.

however, the Act established a \$5.00 dollar cap as the set fee, unless the Pension Commission required further work from the agent on behalf of the claimant. Agents, however, could charge an additional \$1.50 for filing supplementary paperwork required by the Bureau of Pensions. The Act further stated that any violation of this mandate would result in a \$300 dollar fine and/or a possible 2-year imprisonment. Though these penalties were steep, many cases of fraud did occur during and after the Civil War, as is expected with any historical government programs. The very aim of this act reveals that representatives were already aware of this fraudulent activity.⁴⁹

The second major administrative change to the pension system was the appointment of civil surgeons to provide biennial examinations of pensioners and give special examinations whenever the Commissioner requested. Additionally, the appointment of surgeons was changed. In the past surgeons received commissions directly from local judges of the courts and operated autonomously of the Pension Bureau. Now the Commissioner directly appointed new surgeons. The Commission also set the fee for the examinations at \$1.50, paid by the examinee.⁵⁰

The pensioners and the pension system reacted to the Act of July 14, 1862 almost immediately. Within four months, pension claim applications soared to 10,804 and total pension payout rose \$3.5 million dollars to a total \$4.5 million. Soon the number of surgeons appointed by the Commissioner totaled 600. Moreover, it was the Act of July 14, 1862, that enabled many widows to file a claim. Moreover, it was this impediment that prevented Maria Counts, a former slave, from filing her claim: Maria and Caesar were married as slaves prior to the war.⁵¹

Slave Marriage and the Pension System

Maria Counts' story is long and troubled but at its heart is also a romantic commitment to live beyond the hell of slavery. While her claim began in the office space set aside by claims

⁴⁹ Oliver. 9-11.

⁵⁰ Oliver. 11.

⁵¹ Oliver. 12-13.

agent in New Bern, North Carolina, Maria was actually born, raised, enslaved, and married in Mississippi. Through the affidavit she filed with her claims agent, Frederick C. Douglass, Maria stated that she had been the property of Mr. Lafayette Dillahunt near Vicksburg, Mississippi. During Maria's enslavement, Dillahunt forced Maria as a young girl to give birth to three children she conceived following forced conjugal relations with Dillahunt's uncle, William Green. While on the plantation, Maria also began a relationship with Caesar Counts, the slave she would later marry sometime in 1854 after Dillahunt had given his consent. The marriage produced only one child, who died soon after birth. Dillahunt then forcibly parted Maria and Caesar from one another and sent Maria to New Orleans in March 1856. Maria quickly became the focus of discontent for the new Master's wife who soon returned Maria to Dillahunt. Still not desiring Maria's service, Dillahunt in-turn sold Maria to speculators in Vicksburg. As the Civil War took hold of Vicksburg in the spring of 1863, Maria moved again as her new master Benjamin Haskins relocated to Winnisborough, Florida. Hearing that the Union was in full control of Vicksburg, Maria ran away and found refuge with the Yankees. As Maria reached the safety of Union held Vicksburg, she learned that Caesar had also run away after the couple parted. She also learned that Caesar had become a Union soldier in Company I of the 35th Regiment, United States Colored Troops Infantry Volunteers. Happiness turned to sadness, however, when Maria learned that Caesar Counts had died in a unit hospital at Beaufort, South Carolina on January 24, 1864. About a year later, Maria married John Lewis, a newly volunteered member of the USCT, but he too was soon stricken and hospitalized at Vicksburg where he died sometime in March 1865.⁵²

⁵²Richard E. Rogers Collection: Frederick C. Douglass Papers, 1883-1910, East Carolina University Joyner Library, 248.1a, p 16.

Maria's story demonstrates the horror of slavery that many young black women suffered, but she also experienced the joy of falling in love, getting married, and then the tragedy of discovering her knights, clad in Union blue, gave their last full measure of devotion to free black, and of course their Maria from bondage. So why would a widow such as Maria, with two husbands who fought and died in the Union Army, find it so difficult to apply for and secure a widow's pension?

There were many bitter realities for newly freed black in post-Civil War America. These realities ranged from lost and divided families, homelessness, debilitating poverty, unemployment, vile racism, but most importantly, in this context a lack of legal identity. For most black, male and female, the demise of slavery left them in a world without any record of existence. Most black left their bondage with little to no existing paperwork. Slave schedules, used for calculating slave populations during the antebellum years of three-fifths representation, most often only noted a first name that, in most cases, the slave master assigned upon the slave. For many freedmen, the slave schedule and bill of sales receipts constituted the depth and breadth of their legal identification. Furthermore, for many freedmen, their last name, a name they acquired through their master, was not a name they desired to keep. Many freedmen changed their last and sometimes their first names, thus creating a new personal identity that confused any post-war legal action. If the slave master allowed a marriage of a slave woman or man on his plantation, the record of that union most likely did not exist in any court or hall of records. Moreover, a record of any secret marriage surely did not exist. For matters of pedigree, many masters recorded marriages to track the offspring of such a union, but these records typically did not survive the demise of slavery. Mr. Dillahunt did allow the marriage between Maria and Caesar in Vicksburg, Mississippi, as she attests to in her affidavit, but that marriage

was not legally recorded anywhere and she filed her pension case in Craven County, North Carolina. Based upon the pension system and the Act of July 14, 1862, Maria was still a woman without a complete legal identity.⁵³

The United States Congress and the Pension Bureau were slow to react to the needs of the veterans and sometimes with good cause. Fraud was an important consideration of the day. Photo identification was not available. Moreover, initial claims submitted to the Pension Bureau for living veterans included physical descriptions and supporting affidavits attesting that the claimant was in fact the exact person, or as many affidavits state, “the identical person” that the claim indicates. A secondary applicant such as a widow would not only have to prove their identity but also their legal status in relation to the veteran, and it is here that slaves were systemically and institutionally disadvantaged.

The Act of July 1864 passed just before the summer adjournment of Congress as a supplement to the Act of 1862. The act somehow rose to the surface behind other more heavily promoted ideas such as the suggestion of Secretary of Interior J. P. Usher, who desired to confiscate and sell the property of rebels in order to recoup the growing cost of the pension system. The confiscation proposal failed to pass the Congressional muster but other ideas did become a part of the Act of July 1864 that further liberalized the Act of 1862. The Act of 1864 provided a refund for the cost of medical examinations to the pensioners as well as money for the traveling expenses of those residing more than 75 miles from their nearest court. This was a common problem for many black filing claims through Frederick C. Douglass. These two provisions were in response to the hardships attested to by pensioners. The Act also allowed the descendants of veterans to obtain the claimant funds when the claimant died before the case was

⁵³ Donald R. Schaffer, *After The Glory: The Struggles of Black Civil War Veterans*, (Lawrence, Kansas: University Press of Kansas, 2004), 97-118; Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925*, (New York: Vintage Books, 1976), 363-431.

complete. This provision recognized the high mortality of pensioners as well as the inefficiencies of the pension system that relied on an enormous bureaucracy and postal mail.⁵⁴ The most liberal portion of the Act of 1864 created a loophole for the widows of veteran freedmen by validating marriages through supporting affidavits attesting that the couple cohabitated in a state of marriage for at least two years before the claimant entered Union Army service. The act was a grand gesture by Congress to accept the realities of black soldiers who escaped the slave south. Unfortunately, the burden of proof of marriage was on the ex-slave.⁵⁵

Marriage in the antebellum slave world was not a clearly defined institution. The varied ways slaves married on the plantation and what occurred after matrimony further blurred the definition of marriage in post-slavery American society. Slaves wanting to marry required the consent of their master, or masters if owned by two different people. Once approved, the ceremonies were often simple affairs of “jumping the broom” as an overt act of entering a slave cabin together to demonstrate the couple was married. In other cases, masters arranged the marriages in an effort to engineer slave pedigrees. In these marriages, “jumping the broom” was less celebratory but still an important cultural action. Donald Schafer described these various and loosely defined marriages in his book, *After the Glory: The Struggles of Black Civil War Veterans*, as the “old constitution.”⁵⁶

The “old constitution” was an over-arching concept describing the realities of marriage in a slave society devoid of liberty and civil rights. If the marriage occurred in secret, the couple either cohabitated in the manner of a traditional household on the plantation or were considered cohabitating by other slaves, regardless of living conditions. Whether married openly or in

⁵⁴ Oliver, 14-15.

⁵⁵ Oliver. 15.

⁵⁶ Schaffer, 103.

secret, many slave masters separated slave spouses after marriage, for few or many years. These separations occurred because of slave speculation, punishment by the master, or one or both of the slaves running away. In the case of many black veterans, this separation was a reality, as the soldier was also a runaway slave prior to enlistment in the Union Army.

As the Civil War raged and the South collapsed, many black soldiers searched for their wives and families who were still held in bondage as slaves. The quest by many uniformed freedmen to rescue their families served to legitimize and empower the soldiers as men with honor and dignity. Many soldiers arrived after their loved ones left or vengeful southerners expelled them. In some cases, the freedmen never reunited with their loved ones as the diaspora represented a cruel last gasp of slavery. In most cases, they were successful in locating their families. Often, the soldiers sought the assistance of their commanding officers, the Army, the Freedmen's Bureau, sympathetic local magistrates, and clergy to locate and liberate slave family members often held in several locations by several masters. Black soldiers frequently did not escape indignity or the wrath of ex-masters, as these southerners often were resistant to acquiesce to their new geo-political realities. Moreover, the situation occurred prior to passage of the 13th Amendment, the matter could require physical force. Once released, many ex-masters would allow the ex-slaves to leave but would grudgingly claim all of the ex-slave's personal effects as property, including, literally, the clothes on the person's back.⁵⁷

As spouses were reunited, many veterans sought to legitimize their nuptials as a part of their newfound freedom and societal dignity. These nuptials, however, were not just symbolic. Many legal considerations had to be considered. One simple idea was the last name. As discussed above, many slaves left plantations with their master's last name. However, slaves from one plantation did not necessarily possess the same last name and so it was that black

⁵⁷ Shaffer, 91-102.

husbands and wives did not always enjoy the same last name. Furthermore, when slaves reached freedom they often would change their last names to separate themselves from their former masters and develop a singular human dignity. Married slaves of the “old constitution” legalized their marriages and the immediate legal benefit was the record of a last name, even a new last name, in official court documents. Many black believed these marriages were an important first step to citizenship and acceptance into society.⁵⁸

The Army normally did not promote the marriage of soldiers, especially when soldiers had only recently met the young women of their desires. Army chaplains were also reluctant to perform the ceremonies because of obvious religious concerns. However, many chaplains were charitable to black soldiers and believed that their pre-existing marriages were still applicable and wanted to formalize the union. In this way, the Army promoted formalized black marriages, as they believed marriage solidified that soldier’s social mores “under the flag” and made the soldier a committed citizen. The Army also promoted marriage of black soldiers they knew lived under the ‘old constitution’ in an effort to reduce immorality and to alleviate the concerns of whites who believed racial stereotypes.

Statistics on black marriages formalized by the Army remain unquantified but historians have compiled marriage statistics in civilian settings. In, *The Black Family in Slavery and Freedom, 1750-1925*, Herbert Gutman studied the marriage registration records of seven North Carolina coastal counties from 1867 to 1890. First, his work revealed that the black population across the seven counties over the 23 years studied averaged 61 percent, corresponding to the high population levels following the Civil War of those areas. Additionally, black in those seven counties during the same period also registered 61 percent of the total marriages in those counties, indicating that many black either legalized their existing marriages or entered new

⁵⁸ Shaffer, 106.

marriages. Herbert Gutman's study of these very specific counties reveals that many black did exercise their right to marry, though it does not stipulate if those marriages were new relationships or legalization of marriages of the 'old constitution.'⁵⁹

Many freedmen did not rush to legalize their marriages once reunited with their wives after the war. Many simply lived in the "old constitution" well after the war, considering renewal of vows to be redundant or unnecessary. Gutman's quantitative study indicates that only half the ex-slave couples living in Virginia and North Carolina legalized their slave marriages after becoming freedmen. Accepting Gutman's assessment of the black Union soldier population as accurate, this would suggest that about half of the married veterans surviving slavery did not seek to legitimize their marriages. Given the high standard of the pension system to prove marital status, Gutman's statistics require reexamination in the context of this research.⁶⁰

The spectrum of black marriage, from the "old constitution" to that of traditional societal whites, had ironically created for a pension system that was extremely complicated and problematic. The point for the Pension Commission was the monogamous marriage model. For slaves however, this model was malleable and included "abroad spouses," "sweet-hearting," and "took-up" as terms often used to describe the "old constitution."⁶¹ Maria Counts would have fallen under the "abroad spouses" category, but no matter, the Act of 1964 created the loophole required for her to file for a death benefit that her husband Caesar had earned with his life. A long trail of paperwork for Maria to complete was still required.

For the legal widows of black veterans who died in the war, the Act of 1864 was a blessing. However, the pension system still presented large holes that left many widows and

⁵⁹ Herbert G. Gutman, *The Black Family in Slavery and Freedom, 1750-1925*, (New York: Vintage Books, 1976), 427.

⁶⁰ Gutman, 412-418.

⁶¹ Brimmer, 217.

family members uncovered. Disability pensions only allowed for the loss of eyes, hands, and feet, a clear indication that the pension system focused only on a veteran's lack of post-service employment in an agriculturally based society of manual labor. On June 6, 1866, a new bill passed into law that permitted disability claims for 14 new disabilities and it extended eligibility to claimants from all wars with exception, of course, of the American Revolution. The law also brought fathers and orphaned brothers under the age of 16 into the eligibility ranks. Finally, the bill removed the possibility of liens against pensions and fixed the semi-annual payment fees at twenty-five cents, fifteen cents for administering the oaths of affidavits. Then changes, were a response to the scandalous pension agents and lawyers. These changes resulted in an additional 33,000 claims and more than \$18 million dollars in annual payouts.

When the Act of July 6, 1866 went into effect, Congress passed another smaller act into law that provided very liberal provisions for widows. Widows with dependent children under 16 years of age would receive death benefits, but because widows could not remarry and continue to receive the benefit, their income was often insufficient to support the children of the deceased veteran. Once again, given the mores of nineteenth century American society, this act may also have sought to prevent scandal in households as many widows, knowing of the restriction of remarrying, might live with a new mate and forego the legalized marriage nuptials. This simple and unheralded act resulted in the immediate relief for nearly 18,000 widows to provide for children of dead veterans without regard to the widow's current marriage status.⁶²

The liberalization of the pension system to accommodate the many varied life situations of veterans, widows, and other claimants were of prime importance to Congress and President Johnson. The ever-changing pension system, however, required a clarification and logical amalgamation of the previous acts. In the Act of July 27, 1868, Congress intended to define,

⁶² Oliver, 25-26.

omit, correct, deconflict, and clarify all the pension acts and laws into a coherent whole. The Act included seven major sections. Section 1 defined the order of beneficiary payout to create a clear line of eligibility to a claim. Section 2 stated that wounds and diseases incurred in the line of duty earned a pension. The aim of Section 3 was to limit the timeframe of starting a pension to three years after service ended while Section 4 intended to provide for children of widows from a previous marriage. Finally, Sections 6 and 7 allowed for full payment of pension arrears if the claimant filed within three years of discharge. The intent of the Act was clear; Congress desired to make accommodations for the many and varied family conditions of soldiers. Though it is not a stipulation of the Act, the changes were especially helpful to black who were previously married under the “old constitution” and the diaspora relocation of families and friends following collapse of the ‘peculiar institution.’⁶³

Up to the Act of July 8, 1870, the pension system focused on claimants and the process by which they filed and secured a claim. There had been no attention given to how the Pension Bureau issued payments to claimants. The current system revolved around a biennial payment pattern that left pensioners without money for long periods. The claims agents and lawyers assisted the pensioners with loans or advances on pensions, however, this also allowed for abuse of pensioners by greedy agents who then charged high interest and processing fees. One study presented to Congress revealed that 59 pension agents received \$250,000 dollars a year in payments resulting from fees and interest on loans. Obviously, not all pension agents were corrupt but the abuses were sufficiently widespread and common for Congress to look for a cure. The Act of July 8, 1870 did just that. It provided for a maximum fee of \$25 dollars to pension agents and only if the claimant so agreed; otherwise, the payment remained at the \$10 dollar cap.

⁶³ Oliver, 26-28.

More importantly, the Act established quarterly payments to pensioners in an effort to alleviate periods of destitution.⁶⁴

All pension related acts of Congress up to and including 1870 reflected a growing strain or burden on the system because of growing numbers of pensioners, but the later acts of Congress reflected a diminishing number of claimants and a need to reform the pension system against fraud. The Codification Act of 1873 reflected a need to consolidate the forty-four more recent and individual acts of Congress, into a single unambiguous whole. Once accomplished the Act of 1873 incurred a review of 33,000 cases to determine their efficacy and proper adjudication. The pension rolls from 1870 to 1877 declined revealing a disturbing level of morbidity among pensioners (both the veterans and their spouses) and the aging of dependent children beyond eligible beneficiary status.

In short, the U.S. Pension system experienced a high degree of liberalization over a span of 15 years. The charitable actions of Congress and the President allowed all soldiers to apply for pensions as appropriate and permitted thousands of widows, dependents, and even siblings to receive just compensation for the loss of their loved ones. The greatest liberality benefited the widows of black veterans. Congressional actions to liberalize the pension system all stemmed from the real stories of veterans, widows, and families who either had lost a beloved member of their family in the Union Army during the Civil War or watched helplessly as their loved one suffered to their death as post-war veterans.

Medical Conditions of Black Soldiers

The study of the Frederick C. Douglass collection of pension claim affidavits indicates that Black Union soldiers suffered much the same injuries, wounds, and diseases as whites when exposed to similar combat and camp conditions; however, the two groups did not always receive

⁶⁴ Oliver, 31-35.

equal exposure to hazards. Many of the Black casualties of war stemmed from horrible missions and conditions in the field, the camp, and/or the filthy, ill supplied, and poorly staffed Black hospitals. Furthermore, differences also existed between black, specifically ex-slaves, and white soldier's pre-military physical condition. By far the greatest difference between whites and blacks occurred in the employment of black forces and the medical care they received after becoming a casualty of combat or disease. Differences in healthcare began long before enlistment and continued long after enlistment's conclusion. Many factors contributed to the differences in white and Black medical care such as racial bias of Army leadership and medical personnel, segregated unit hospitals, and pre- and post-war poverty.

Many black soldiers were runaways who enlisted in the Army, a prime factor in their pre-military medical condition. First, black males who ran away and became Union soldiers tended to be of better physical condition than those who did not. This may seem a bit obvious but the act of successfully running away from plantations required a greater level of physical conditioning to escape, evade capture, and endure long periods without proper rest or sustenance. The older, sickly, injured, or invalid slaves were physically incapable of successfully running away, and thus this simple impediment created an artificial filtering system to weed out many potential enlistment rejections. Margaret Humphreys has shown that black recruits were rejected 25 percent of the time as compared to 33 percent of the time for whites. Though her work studied only 11% of the total black enlistments, the numbers reflect more than 26,000 black enlistees seen by Union physicians prior to full enlistment as compared to a half million white enlistees examined. Humphreys stated that the Union Army recruited 88,000 blacks from Slave States, while 46,000 enlisted from Border States. She also indicated that quite possibly the diet of slaves was superior to that of poor whites in urban areas. The poor health and diets of poverty-stricken

whites, many of which lived in unhealthy cities, led to the higher failure rate of white enlistees while the unintended physical consequences of runaway-slave soldiers determined the higher enlistment of hearty black troops.⁶⁵

Yet, morbidity and casualty, regardless of physical condition at enlistment, was still a reality confronting all black soldiers. Disease and not combat injury, wielded the sharpest blade against soldiers. As indicated by Humphreys, and later by Sven Wilson in his article, *Prejudice & Policy*, disease overtook black soldiers more readily at a rate of 18.7 percent of all black deaths, while white counterparts succumbed of disease 9.6 percent of the time.⁶⁶ white soldiers hospitalized because of disease 53.7 percent of the time while black only hospitalized 45.3 percent of the time. Various reasons exist as to why the numbers are disparate. First, these numbers reflect a disparity between white and black immunology; the ability to ward off and/or survive infections. Secondly, the numbers reflect a disparate effort toward proper sanitation in camps. Finally, and most importantly, a differing level of sanitary condition and medical care existed between white and black hospitals.⁶⁷

It is an ironic twist of fate that black, prized by slave owners for their ability to withstand diseases in the southern climes, suffered higher disease mortality during the war. In fact, death by disease pushed total black mortality to 18.5 percent, while whites suffered 13.5 percent death rate.⁶⁸

⁶⁵ Margaret Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, (Baltimore, Maryland: The John Hopkins University Press, 2008). 8-9.

⁶⁶ Margaret Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, (Baltimore, Maryland: The John Hopkins University Press, 2008). 8-9; Sven E. Wilson, PhD. 2010. "Prejudice & Policy: Racial Discrimination in the Union Army Disability Pension System, 1865-1906." *American Journal of Public Health* 100: S56-65. <http://search.proquest.com.jproxy.lib.ecu.edu/docview/215088927?accountid=10639>.

⁶⁷ Sven E. Wilson, PhD. 2010. "PREJUDICE & POLICY: Racial Discrimination in the Union Army Disability Pension System, 1865-1906." *American Journal of Public Health* 100: S56-S65. <http://search.proquest.com.jproxy.lib.ecu.edu/docview/215088927?accountid=10639>.

⁶⁸ Wilson, S58.

One possible source of higher disease mortality among ex-slave black was the plantations themselves. Isolated on plantations, blacks were not as exposed to the range of disease as were their northern counterparts. Many northern soldiers were urbanites who consistently dealt with immigration of people and the diseases they imported. black on isolated plantations were unaccustomed to altering viruses and to the dramatic changes in northern climates.

The list of diseases presenting the highest mortality rates easily compares to white numbers in their order of havoc but there are a few surprises. Diarrhea and dysentery mounted the most lethal attack on black in the Union Army, just as it did with whites. It is however, the level of death created that is curious, as this disease caused 33.9 percent of the disease-related deaths for black. whites did suffer diarrhea as the greatest disease killer but the figure represents only 17.3 percent of white disease-related deaths. The next great killer of black from disease was pneumonia, accounting for 29.1 percent of all disease-related deaths. Pneumonia, however, is a secondary malady indicating that an underlying cause contributed to the pneumonia's origin. The primary conditions contributing to pneumonia were tuberculosis, small pox, measles, remittent fever (malaria), and the common cold, known today as rhinovirus. These diseases treated in unsanitary field and unit hospitals created a natural home for the killing lung disease to proliferate.⁶⁹

By far the most unexpected malady to beset black was malaria. Occurring 5.6 percent of the time, and when coupled with typhoid, an additional 8.8 percent of the time, malaria statistically affected whites in lesser numbers.⁷⁰ The slave system developed in the Americas partially based that choice on African resistance to malaria, specifically in the tropical and sub-tropical climates of North America. The occurrence of malaria in Black Union soldiers appeared

⁶⁹ Humphreys, 11.

⁷⁰ Ibid.,.

in unexpected levels. This occurred because of the confluence of northern blacks and whites presented the ex-slave black soldiers with forms of malaria unknown to their immune systems. Such a gathering of men from so many corners of America, and in some cases almost directly from Europe through immigrant enlistees, on the battlefield, is the true source of disease mayhem for the Union Army and consequently ex-slave Black soldiers.

The final disease, scurvy, is discussed here because of the nature in which it occurred for blacks. Scurvy occurred infrequently for whites and blacks. In fact, reported scurvy cases for whites totaled 383 known cases, while for blacks reported cases totaled 388. These raw numbers however indicate that blacks were 10 times more likely to have scurvy than whites when total Army populations of whites and black are taken into account; why the difference? Ex-slaves were accustomed to a fresh vegetable, fruit, and corn bread diet on plantations, and when they entered into Union Army service were unimpressed by the hard tack and salt pork diet. When Army units changed the diet of Black units to accommodate ex-slaves, black quickly demanded the same diet as their white counterparts. This peculiarity occurred because of an obvious ignorance of proper nutrition by black and of course many whites, as well, and as black desired equality by wearing Union Army blue.

The worst cases, however, occurred at Brazos Santiago near today's Brownsville, Texas. The 25th Corps, composed of USCT, left Virginia in May and June 1865 for Brazos Santiago as part of General Phillip Sheridan's invasion of Texas to prevent a furtherance of Confederate belligerency and to deny Mexican raiders any opportunity to invade the weakened land of Texas. More than 25,000 black sailed for Texas and a small one-mile long sand bar on the Gulf of Mexico shoreline known as Brazos Santiago. Aboard ships with few vegetables or clean water, the men soon fell ill to many diseases, among them scurvy. Once off-loaded at Brazos Santiago,

conditions grew worse. Crude de-salinization distillers, the ingestion of salted cured meats, and the blistering sun of July and August 1865 created a scurvy epidemic. Commanders reduced water rations to one cup a day, at one point, and only increased the ration to two cups a day after relocation of troops to the nearby Rio Grande. Conservative estimates indicate 50 percent of the men suffered scurvy to varying degrees while other estimates indicate that one percent, or 2,500 men actually died a far lower figure than officially reported.⁷¹ A report to the *Boston Medical and Surgical Journal* by Ira Perry, Assistant Surgeon, 9th USCT included this report.

“About nine thousand--one third of the whole command--were seriously affected, and many died. During the voyage, and four to six weeks after, fresh vegetables were rarely seen. On arrival of fresh vegetables in August the disease rapidly declined, though many were left crippled by its prostrating influence, a part of whom have died and some remain incurable.”⁷²

Clearly scurvy was a preventable disease and with the inclusion of vegetables and fruit in the normal diet, the condition was easily reversible, though prolonged suffering could lead to other problems of a lasting nature such as diarrhea, and painful swelling of legs. The source of the tragedy for the 25th Corps at Brazos Santiago was the horrible choice of camp location. It is hard to fathom that such a camp choice would have stood long for a unit of white soldiers. Furthermore, the lack of respected unit surgeons exacerbated the poor living conditions. While the cause of scurvy and the readily accessible cure were well known, the Army often ignored the warnings of USCT unit surgeons. Various reasons exist, including racism, but the more systemic and chronic issue was the Army's regular policy of whites mistakenly relying on the slow moving Sanitary Commission to respond whenever regular supplies of vegetables became inadequate or doctors requested. The Army apparently ignored Brazos Santiago's remote

⁷¹ Humphreys, 126.

⁷² “Scurvy in the Twenty-Fifth Army Corps.” *The Boston Medical and Surgical Journal*, Issue 74, no. 8 (09/22; 2014/04, 1866): 155-157. doi: 10.1056/NEJM186603220740802.
<http://dx.doi.org/10.1056/NEJM186603220740802>.

position away from civilian stocks of vegetables. Furthermore, Army surgeons failed to expend allotted Army funds on vegetables when they were available.⁷³

As stated previously, wounds and diseases occurred in the ranks of black soldiers just as it did for whites but the critical differences were the medical staff and facilities black soldiers relied upon for their medical care. First, hospitalization of Black soldiers only occurred after an official order by a white officer. This peculiarity created a fundamentally different approach to the worth, dignity, and expectation of care for the Black soldier. In Wilson's *Prejudice & Policy*, he reports that 74.9 percent of whites received proper hospitalization as opposed to 63.1 percent of blacks. Worse still, only 32.6 percent of blacks who died from wounds received on the battlefield ever saw a hospital while 64.1 percent of whites who died of wounds receive hospitalization. These numbers indicate a racially biased officer corps and support the historical interpretation that hospitals for Black and white Civil War soldiers were obviously separate and far from equal.⁷⁴

One easily recognizable disparity in black and white medical care manifested in the numbers of surgeons specifically, black surgeons. Margaret Humphrey's study revealed that black surgeons of the Union Army never totaled more than ten throughout the war. This difference in racial employment was not simply a matter of unequal opportunity. The racial disparity in unit surgeons contributed to a cultural divide between whites and free and ex-slave blacks that dominated all Army life including the prescription of medical care. Wilson outlined this cultural divide as a result of existing an inconsistent language between whites and blacks and free blacks and ex-slaves themselves, misunderstandings created by cultural-religious differences between the free and the ex-slave and ignorance by white surgeons of the maladies affecting ex-

⁷³ Humphreys, 130-131.

⁷⁴ Wilson, S60.

slaves and Black soldiers in general. Without the knowledge of Black and ex-slave, cultural peculiarities (that Black surgeons could have understood) white Army leadership often dismissed the medical complaints of blacks accusing them of being gullible and superstitious.

Cultural differences existed in many ethnic groups of the Union Army but these differences were never greater than between ex-slaves and whites. Blacks complaining of diseases to white doctors offered a host of challenges to both patient and doctor. A language barrier and a difference in causation and desire in treatment strategies were common between white doctors and black patients. The basic impediment for doctors understanding of soldier's afflictions was language and the cultural understanding of the language. Simple questions became points of confusion for both the patient answering and the doctor listening. The "negro ignorance" as Humphreys detailed, led to many patient descriptions of symptoms that related little of their condition. Ex-slave patients often used superstition to self-diagnose their maladies while disregarding sound medical theory. Similarly, ex-slave soldiers concluded their illness were the result of a strong spell that no white doctor's medicine could cure. Such beliefs dispirited the soldier's trust and negatively affected any further care. Moreover, these cultural differences convinced many physicians that blacks were uncivilized and ignorant. Many doctors believed it was only possible to cure a black patient under such superstitious beliefs after convincing that patient the spell was broken.⁷⁵

In addition to other problems, Black units lacked competent surgeons of any color. As stated previously, a shortage of black surgeons existed throughout the war. Furthermore, many of the surgeons assigned to Black units were unskilled, unqualified, and uncaring. Many untrained, uneducated stewards, pharmacists, clerks, and/or administrators gained assignment as unit surgeons based on nothing more than the asking. Many surgeons were unskilled, and some were

⁷⁵ Humphreys, 70.

sadistic. Many surgeons in Black units did not treat all soldiers universally but instead made racially and personally charged decisions such as accusing some soldiers of malingering. There was also the practice by many surgeons to punish blacks when they fell ill.⁷⁶ The greatest example of disregard for human decency and dignity of the Black soldiers was Ira Russell's autopsy of more than 800 blacks in 1864. Russell related in his journal entries of the difference in acceptable treatment of Black and white corpses, "they (blacks) could not resist" and "whites do not like it." In a pseudo-eugenic style study, Russell observed in the autopsies the simple characteristic differences in ages, height, and weight but also skin color, tone, and depth. He also noted size and weight of the organs of blacks but unexpectedly he never recorded any known conclusions in what Margaret Humphreys labeled as a "directionless empiricism."⁷⁷

The greatest visible sign of incompetence and racism among surgeons of Black units was in the conditions of the hospitals they operated and the unit camps they oversaw. First, it is important to understand that USCT hospitals also treated runaway slaves or contrabands when found. This comingling of blacks just off the plantation with the uniformed black of the USCT led to disease proliferation and the divided attention of already reduced numbers of medical staff, and diminished the already reduced funds and supplies for the treatment of black soldiers.

Because hospitals for black soldiers suffered from lack of funds and staffing, the hospitals and the unit camps were notoriously unsanitary. Though regimental hospitals tended to be larger and better equipped than unit field hospitals, Black facilities still had a lower quality of care for their patients than their white counterparts. This reduced quality of hospitals and unit camps was a direct reflection on the quality of surgeons in many Black units. Skilled surgeons in white units were not only concerned with the care of sick and wounded but with basic sanitation

⁷⁶ Humphreys, 74.

⁷⁷ Humphreys, 101-103.

of camps and the prevention of disease proliferation. white unit surgeons also found sympathetic ears within their chain of command concerning diet, sanitation, supplies, and general camp conditions unlike their black counterparts. Black units' efforts to acquire simple things such as fresh vegetables and fruits to fight scurvy, medicines like quinine to fight malaria, and even warm clean clothing to ward off exposure, suffered because of poorly trained surgeons and general racism. The few skilled and conscientious surgeons in Black units often discovered that racism created an impediment that was difficult to overcome.

Food, medicine, supplies, and surgeons were obvious shortfalls to Black unit hospitals but a less known shortage also existed in nurses, orderlies, and general staff. The Union Army and specifically, white Army units often made use of contrabands as nurses, orderlies, generously at black unit hospitals. In Jane Schultz's *Women At the Front*, she quantified, among other groups, the number of Black women who served in newly built hospitals at Washington, Nashville, Louisville, and St. Louis. Her numbers reveal that around 10 percent (2,096) of the 20,208 women working in the hospital system were black, but these women worked in large hospitals and rarely worked in Black field or regimental hospitals. Sadly, these women worked mostly as cooks and laundresses while only 281 Black women ever served as contract nurses. Contract nurses were nurses hired on the spot at locations and not nurses hired and assigned by the Army or philanthropic organizations.⁷⁸ These statistics highlight a fundamental contradiction of the Civil War. blacks as soldiers were valued for their contribution to the war effort just as Black women served a great need in hospitals filled with white patients. Black soldiers, however, did not warrant the vigorous employment of black contract nurses in USCT units, or regimental hospitals.

⁷⁸ Jane E. Schultz, *Women at the Front: Hospital Workers in the Civil War*, (Chapel Hill, NC: University of North Carolina Press, 2004), 21.

Black women did work in USCT field hospitals alongside white women but the old racist attitudes prevailed. Jane Schultz' work shows that many white women were unappreciative of Black women challenging the old stereotypes. Schultz clearly notes that racial differences played a large part of the hospital culture. Her research revealed the social hierarchy in hospitals as convoluted and multi-tiered with white male doctors at the top. Depending on position, white female army nurses were "over" contract nurses, with black female nurses, or orderlies at or near the bottom, unless the hospital employed contrabands. While the regimented Army chain of command influenced all interpersonal relations, the racially charged social hierarchy was always prevalent. Regardless of seniority or rank, whites always commanded blacks.⁷⁹ This disregard for egalitarianism placed Black women at a disadvantage in terms of influencing Black soldier care and stifled much needed advice resulting in decreased Black patient advocacy and treatment.

The collaborative effects of slavery, army life in filthy camps, hard-edged combat in total war, and sub-standard medical care before, during, and after the war contributed to the accelerated deterioration of Black vets and their otherwise untimely deaths. The work of the complete Pension System was a slow and exasperating experience for many but it always began with the initial claim application submitted by the veteran, widow, families, and the pension agent filing for the pension or death benefit to the Commission. It is on that process that attention will now focus.

⁷⁹ Schultz, 97-106.

Table 1: Military Pension and Recruitment: Legislative and Military Acts

April 10, 1806	Aug 2, 1813	July 22, 1861	July 14, 1862	July 4, 1864	March 3, 1865
An act to provide for persons who were disabled by known wounds received in the revolutionary war	To provide for the widows and orphans of militia slain, and service of the United States	Pension Commissioner Barrett relied on the Act of August 2, 1813 to establish that pensions were already in the law.	Most liberal pension law passed up to that point.	Supplement to 1862 law	Defined eligibility of pensioners
	Provided widows or if no widow, children under 16 a death benefit for commissioned officers who died in war of half-months pay for five years unless widow remarries.	Increase enlistment numbers	Pro rated to March 4, 1861 and included all branches (Army and Navy)	Only commissioned appointed surgeons could perform biennial exams	Civil service employees were not allowed to draw pensions during periods of full employment
	Provided pension for commissioned and non-commissioned officers, privates, and musicians for disabilities from injuries during war. Officers limited to no more than half normal pay per month. Enlisted personnel could receive up to five dollars per month	Accept service of volunteers up to 500,000	Rated system of up to \$30 a month for Capt's and down to \$8 a month for privates	Exam fees were to be refunded to the pensioner	If a widow pensioner dies, the pension reverts to the child below the age of 16.
		Provide pension for any volunteer wounded/disabled in regular service-applicable to any widow or to heirs if no widow exists.	Widows and children receive same pension upon total disability of either should military member die until widow remarries or child ages past 16 years of age.	Claims pending for 3 years or more after act passage were denied. Claims filed 5 years after passage denied. Allowed exception for sufficient evidence to grant claims outside time limits. Claims accepted after three years commenced from submission of last papers.	
		Marked beginning of Civil War pension legislation.	Mothers also included in pension eligibility; no rebellion aid allowed	Authorized commission to appoint notaries when claimants were more than 25 miles from a court of record.	
		Soon deemed inadequate as more claims filed than expected	application required within a year, otherwise pension dated from time of death and not service	Section 8 extended pensions to volunteers disabled in service (same as regular enlistees)	
			Fixed agent fee of \$5 and \$1.50 for any additional paperwork. Violators were fined \$300.	Extended to include widows/children of colored soldiers. Parties considered married if cohabit 2 years prior to enlistment and considered spouses.	
			Commissioner of Pensions allowed to appoint civil surgeons. Required biennial exams	Allowed \$10 fee for agents and attorneys but only after first payment received.	
			Special commission established for fraud investigation.	Fixed rates for disabilities at \$20/month for loss of both feet and \$25/month for both hands or eyes.	
			10,804 applications received within 4 months		

Source: John William Oliver, *History of The Civil War Military Pensions, 1861-1885*, (Madison, Wisconsin: Bulletin of The University of Wisconsin, 1917).

Table 1: Continued

June 6, 1866	Feb 5, 1867	July 22, 1868	July 8, 1870	March 3, 1873	June 20, 1878
Redefined pensioner eligibility and further protected pensioners.	Reformed the pension agent system	Defined order of pensioner eligibility, time limits to file claim, and added a disability category. Further added benefit for officers of the Army and Navy who were amputees.	Affected payment schedule and created requirements and limitations for agents. Intended to end practice of usury by pension agents.	39 Section act to coalesce and deconflict previous pension acts.	To fix fees at a set rate for pension agents
Provided for 14 new disability classifications	Compelled all pension agents appointed since July 1, 1866 to vacate offices within 30 days.	Section 1: defined pension order as pensioner, widow, dependent children, parents, and siblings.	Changed semi-annual payments to quarterly payments. Agents mail vouchers 'within 15 days of the 4th of March, June, Sept, and December.	Codified all laws since 1861.	Set fee at \$10 in all cases.
Included fathers and orphaned brothers under 16 years of age.	All new pension agent appointments would require advice and consent of the U.S. Senate.	Section 2: return to pre-Civil War standard that pensions were for wounds and diseases occurring during battle only.	Agents draft vouchers and pay pensioners when received. Agents could charge \$.30 for filing vouchers.	New rates based on when disability occurred and the degree of invalidity	
Attorneys and agents compelled to swear no interest in pension money through pledges, mortgage, sale, assignment, or transfer of the claim. No attachments were allowed on the money.	President could appoint the creation of pension agencies wherever deemed in the public interest to do so.	Section 3: Pensions not claimed within three years of discharge would be presumptive evidence that pension was legally terminated.	Removed third party payment through pension agents.	Pensions for widow's children increased by \$2/month. Prorated all pensions in this category back to July 25, 1866. In case widow died, the same increase with arrears was also to be awarded to the minor children.	
Fees for claims agents and lawyers for assisting pensioners in semi-annual funds capped at \$.25 with \$.15 cents for administering the oath.	No state or territory to have more than three pension agencies	Section 4: Former wife's children were now eligible for pension at \$2/month. Children in foster care were also eligible.		Provided pension for 15 Missouri State Militia regiments and 9 regiments of the state's provisional militia.	
	All other pension agents were allowed a term of office to be fixed at four years.	Section 6/7: moved application to five years and gave payments and arrears back to discharge. Arrears to be paid immediately. Claim agents could not receive any arrear monies.			
		Added a disability category for officers of the Army and Navy who lost limbs to receive an artificial limb.			

Chapter Three

The Administrative Challenges Faced by Black Civil War Soldiers

Many black veterans began the Civil War with dreams of fighting valiantly, earning an honorable victory, and then living happily with their families in the long awaited and promised freedom. What they found in the actual experience of enlisting, serving, and if injured, filing for a pension, was less than ideal. While many historians have focused on the life of black soldiers in the camps and on the battlefields to highlight adversity and discrimination, other problem areas deserve attention.

This chapter will focus on two critical areas- the bookends of the black soldier's military experience- his enlistment and pension processes. Enlistments should have been a straightforward process of application and screening, while veteran invalidity should have been a simple investigative process of eligibility. Therefore, the award of any monetary benefits and entitlements should also have been a simple matter. An examination of enlistment and pension application processes reveals many similarities between the two ends of military service that greatly affected compensation to the soldier and the soldier's families.

Both corrupt bounty brokers and misguided government policies detrimentally affected the compensation to many black soldiers. Similarly, pension agents often corrupted the system and took advantage of illiterate black soldiers. However, some agents acted responsibly as advocates for these veterans. One such pension agent, Frederick C. Douglass, had a nearly all black clientele in New Bern, North Carolina. His records offer important evidence of how government policies created challenges for black veterans filing for pensions.

“And be it further enacted”: Legislative Discrimination

With the Union defeat at the First Battle of Bull Run, northern politicians quickly realized the Civil War was going to be a protracted affair. After the major defeats of 1862 and reductions in Union enlistments, Congress and President Lincoln looked to build Union forces quickly. The War Department had banned black service in the military in 1792, and this ban extended to the beginning of the American Civil War. This situation would soon change.

Late in 1861, contrabands began to cross battle lines from Confederate territory and found refuge in Union camps. As their numbers grew, camps required a larger labor force in many capacities. Moreover, as the war continued, casualties of white Union soldiers grew dramatically. The short supply of replacements, coupled with abolitionists' efforts to encourage black slaves to escape their plantations and seek freedom in Union territory served to change public opinion and eventually force Congress and President Lincoln to rethink policy concerning black enlistment.⁸⁰

Four important policy changes paved the way for full black participation in the Union Army. These changes were in form of legislation and Army orders. They included the Second Confiscation and Militia Act of 17 July 1862, the Enrollment Act of 3 March 1863, General Order No. 143 of 22 May 1863, and the Act of 24 February 1864, that amended the Enrollment Act of 1863. These four policy changes incrementally abated the prohibition of blacks serving in the Army and led to full employment of blacks. These changes, however, fell short of acknowledging full acceptance of blacks in the Union Army and American society. As will be detailed, blacks achieved slow and limited acceptance into the Army. That limited acceptance

⁸⁰ Glenn David Brasher, *The Peninsula Campaign and The Necessity of Emancipation: African Americans and the Fight for Freedom*, (Chapel Hill: University of North Carolina Press, 2012). For comprehensive information on Union Draft policies and the political environment of the North read James W. Geary's *We Need Men: The Union Draft in the Civil War*, (Northern University Press, 1991) and Eugene Murdock's *One million men; the Civil War draft in the North*, (State Historical Society of Wisconsin, 1971).

fell short at every step to granting them full respect and dignity as American citizens. More importantly, it concerns their future after the Civil War to reach full monetary compensation for their service and sacrifices.⁸¹

The Second Confiscation and Militia Act of 1862

The Second Confiscation and Militia Act of July 17, 1862 legitimized the practice of employing blacks in the Army, based on the practices of generals, such as Benjamin Butler, who ignored Army policy in the field and utilized contrabands in and around Fort Monroe to dig ditches, scout Confederate lines, and spy on enemy movements. General Butler noted the success of his policies in many letters to Washington D.C., and as noted by Glenn Brasher in *The Peninsula Campaign & Necessity of Emancipation*, these successes supported the “logic of Military Necessity.”⁸² This necessity resulted from two realities. First, Congress and the President could not afford the political ramifications of a fully realized conscription program and needed a pool of volunteers to replace casualties and increase numbers on the battlefield. Secondly, by succumbing to abolitionists demands to utilize blacks, Congress and Lincoln created a propaganda tool that when fully realized would help to drain the enslaved labor pool of the rebels, especially in Border States, while enriching the numbers of combatants the Confederates would face on battlefields. The synergistic effect of reducing Southern labor while increasing Northern combatants actually reaped greater dividends as a whole than the individual parts alone, which is a testament to the contribution of blacks to the Union effort. Unfortunately, the Second Confiscation Act fell short of treating with full dignity the blacks who made the strategic advantage a possibility. First, it left in place the option for commanders to utilize blacks

⁸¹ Christian Samito, *Becoming American Under Fire, Irish Americans, African Americans, and the Politics of Citizenship During the Civil War Era*, (Cornell University Press, Ithaca NY, 2009); Edwin S. Redkey, *A Grand Army of Black Men* (Cambridge University Press: Cambridge, 1992), pp 1-8.

⁸² Brasher, p. 6.

as strictly as a labor force for “constructing entrenchments, or performing camp service or any other labor.” Furthermore, the Act instituted a discriminative practice of paying enlistees ten dollars a month while allowing three dollars of that pay to be in the form of clothing. This practice meant black soldiers were potentially and consistently paid six dollars a month less than were their white comrades. Furthermore, there were no provisions in the Act to pay bounties to blacks. Section 13 of the Act did stipulate that the former slave, his mother, wife, and children were forever free but the reduced compensation placed the soldier’s family at a great disadvantage monetarily both during and after the war, and curtailed the family’s ability to establish a new life away from slavery and vengeful masters.⁸³

Enrollment Act of March 3, 1863

An important policy change came with the Enrollment Act of March 3, 1863. This act was an effort by Congress and President Lincoln to generate greater enlistment numbers. First, Lincoln again required larger numbers to accomplish his strategic goal of defeating the rebels while avoiding outright conscription, which had become anathema to many national and local politicians. Secondly, he was able to push quota number requirements to the states and districts. Two incentives to increase enlistments were bounties paid to enlistees and the ability for substitution that afforded “draftees” the opportunity of transferring their military service through the practice of paying a third party to volunteer on behalf of the draftee. This act also constituted a draft policy of commutation, which allowed the wealthy to avoid the draft by paying their way out of service. The unintended consequences of this act resulted in riots, most notably the New York City Draft Riots of 1863. As part of that riot there was racial backlash against blacks by

⁸³ “Congressional Globe, A Century of Lawmaking for a New Nation”: U.S. Congressional Documents and Debates, 1774 – 1875, 37 Congress 3rd Session, 1863. <http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=0762>. "(accessed June 12, 2014)

poor whites who felt that the burden of the “rich man’s war” had fallen on their shoulders. Moreover, poor whites and immigrants also believed that free blacks of New York would supplant draftees in the local labor force. This led to horrible attacks on unsuspecting blacks and at least eleven deaths.⁸⁴

This act detrimentally affected blacks due to the unintended consequences of promoting a “rich man’s war, poor man’s fight” that pitted social classes and races against one another. Changing economics of the North during the war placed the poor whites against the middle class in competition for jobs. Ironically, while laborers jobs in the civilian North were highly competitive that many poor whites guarded ferociously, within the Union Army, many of those jobs (constructing fortifications, digging ditches, or burying the dead) fell on the blacks as they entered service.

General Order 143, War Department, May 22, 1863

The third policy change came by the Union Army’s implementation of a social policy movement, created by Northern Abolitionists, such as Frederick Douglass, who urged blacks to enlist. In his own newspaper, the Douglass Monthly, the famed abolitionist admonished President Lincoln and the Union for not utilizing “both hands” (black and white) to fight the rebels. Following the implementation of the Emancipation Proclamation on January 1, 1863, many calls went out that the newly freed slaves in the rebellious areas and their already freed brothers-in-race in the North were capable of fighting just as well as whites.⁸⁵

Union General Order 143, issued on May 22, 1863 established a separate regimental system for “colored troops” in the United States Colored Troops, or the USCT. This highly

⁸⁴ Iver Bernstein. *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (New York: Oxford University Press, 1990), pp. 3-14.

⁸⁵ Frederick Douglass, and Philip S. Foner, *The Life and Writings of Frederick Douglass*, (New York, NY: International Publishers, 1950), 151-154.

controversial matter allowed blacks to enlist but ensured a segregated system of service. The General Order permitted the promotion of blacks to non-commissioned officers, a huge step forward; however, commanding officers of these units were white.

However, the General Order did not specify employment of colored units on the battlefield since higher-ranking officials of the military typically were not supportive of any combat role for blacks. As a result, the bulk of early employment of blacks in the Union Army began as simple labor in many jobs that were hazardous due to unhealthy living conditions, disease, and difficult working conditions.⁸⁶

Moreover, this act implemented an institutionalized segregation system that also limited the success and safety of blacks in the war. Because the Union placed blacks in the USCT and not the general Union population, they did not enjoy the same chain of command support, supply, equipment, or proper employment. The act placed a stigma on USCT units via the reference of the unit's regiment name. As Section Six of General Order 143 stipulated, the USCT units were numbered in "seriatim." Requisition requests, unit correspondence, and reports to army leadership placed the all members of a USCT unit in a racial demographic. Had the Army integrated blacks into established units of the Union Army, all matters of normal army business may have eventually become colorblind. As described in Chapter 2, officer assignments, camp conditions, medical issues, logistics issues such as food and equipment supply, unit employment, and command oversight to trouble spots and troubled leadership, suffered detrimental effects of the segregated USCT system that this order instituted.⁸⁷

⁸⁶ General Order No. 143, May 22, 1863; Orders and Circulars, 1797-1910; Records of the Adjutant General's Office, 1780's-1917; Record Group 94; National Archives.

⁸⁷ General Order No. 143, May 22, 1863; Orders and Circulars, 1797-1910; Records of the Adjutant General's Office, 1780's-1917; Record Group 94; National Archives.

The Act of February 1864, An Amendment to The Enrollment Act of 1863

This act in 27 sections affected many aspects of the Enrollment Act of 1863, but by far the most important section for blacks was Section 24 that defined their enlistments. Of particular interest to blacks were the details concerning bounties. First, the section required that all black males be at least 20 years of age and no older than 45. Additionally, the act stipulated that black enlistees (slave or free) must be a resident of the United States. Curiously, the section recognized that some black males would be slaves belonging to masters in Union States or in recognized non-rebellious areas of other states. If the Army drafted a slave of a loyal master, the master would receive a certificate for his property, and the master would receive the bounty, not the slave. The act also stipulated that recruits (slave or free) were to be counted toward the quotas of their state or district. Of course, the Army always mustered black recruits into the USCT. As with the Act of July 17, 1862, this act provided freedom for the soldier, his mother, and his family, but without bounty money. This presented many soldiers' families with forced hardship. The likelihood that the slave master, regardless of loyalty, was not happy to lose his property was great. For example, many black soldiers reported that ex-masters instigated obvious retaliation by claiming all of their ex-slave's property, including clothing.⁸⁸

The government's efforts to enlist blacks began with the prohibition against black enlistments that dated back to 1792 through four major steps that eventually led to the Union Army's USCT system. The administrative barriers built into these laws along with the Army's General Orders denied many blacks (early enlistees and slaves) their rightful bounties and pay. black who were fortunate enough to qualify for bounties, however, still met a formidable opponent to their just reward, bounty brokers.

⁸⁸ Congressional Globe, A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 – 1875, 38 Congress 1st Session, 1864.
<http://memory.loc.gov/cgibin/ampage?collId=llsl&fileName=013/llsl013.db&recNum=035>.

“A Necessary Evil”: Enlistment Agents

Today when a man or woman enlists in the United States Military they seek out their local recruiter's office and begin the process of application, examination, and final acceptance through a uniformed member of the armed forces. But during the Civil War, access to direct enlistment with the Army was technically possible but the War Department noted that enlistment numbers fell far short of the quotas required when only recruits and the Army were involved. As a result, the Army used bounty brokers to reduce the deficit of enlistments. There was a cost for this assistance, however, born on the backs of those enlisting.⁸⁹

In the fall of 1862, the Army promoted a heavily advertised bounty system that provided graduated monetary incentives to enlistees. The Federal bounty was set so that three-year inductees received 300 dollars while five-year inductees were paid 400 dollars. States with quota difficulties established differing bounties. In addition, privately paid “substitution” rewards (the act of paying someone else to fulfill a conscription requirement) further increased the amount of money a volunteer could earn. The availability of such large funds lured many to become bounty brokers.⁹⁰

Bounty brokers sought recruits when quotas were unfilled, and they matched unwilling but wealthy conscripts with poor “substitutes.” As opposed to static recruiting stations, brokers were mobile recruiters who roamed the countryside and city streets in search of recruits. Of

⁸⁹ Eugene C. Murdock. "New York's Civil War Bounty Brokers." *The Journal of American History* 53: 259-278. <http://www.jstor.org/stable/1894199> (accessed June 11, 2014), p. 259.

⁹⁰ A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 – 1875, Congressional Globe, 37 Congress 3rd Session, 1863. "<http://memory.loc.gov/cgi-bin/ampage?collId=llcg&fileName=063/llcg063.db&recNum=888>." (accessed June 12, 2014); Eugene C. Murdock. "New York's Civil War Bounty Brokers." *The Journal of American History* 53: 259-278. <http://www.jstor.org/stable/1894199> (accessed June 11, 2014).

course, brokers operated for a fee, and those fees were born by the recruits or substitutes themselves using the money provided by the government.⁹¹

When recruits sought to enter the Army, brokers assisted them by providing many services including travel, food, and accommodations during the enlistment process. To ensure their profit, brokers created contracts with enlistees outlining the services and money offered. The contracts also stipulated that any bounty offered by the government, whether state or national, would revert to the broker. Though the system already proved lucrative, brokers often abused their client's naiveté and/or illiteracy.⁹²

Fraudulent activities of bounty brokers included kidnapping or seizing unwary immigrants, boys, and the mentally challenged. By kidnapping victims and transporting them to distant communities, brokers created dependency. Immigrants were especially susceptible to such practices since many did not speak English. Others actually contracted their passage to America for the expressed purpose of attaining a bounty. Runaway slaves were easy marks for this practice as they reached freedom with no money or designed destination.⁹³

A slight variation of "kidnapping" was the practice of "running" recruits. Here, "runners" would search towns and low bounty districts for possible recruits. "Runners" would then transport the prospective recruits to their destination charging recruits fees for a long list of "expenses." Brokers would create contracts with the prospective recruits and then set the deal but the back end would require reimbursement of traveling expenses at inflated rates. Blacks seeking

⁹¹ Eugene C. Murdock. "New York's Civil War Bounty Brokers." *The Journal of American History* 53: 259-278. <http://www.jstor.org/stable/1894199> (accessed June 11, 2014). p. 260.

⁹² Murdock, p. 261.

⁹³ Murdock, pp 263-264.

enlistment from slave and Border States were easy prey for this practice and in the most egregious cases; the victims never received their bounties.⁹⁴

One of the worst cases of swindling of blacks occurred in February of 1864 where a black man enlisted multiple times in multiple districts while the brokers tried to deny him of all the proceeds. Realizing the scheme was immoral; the black man declared that he previously enlisted elsewhere. The provost marshal then had him escorted, under guard, after issuing his bounty so that the bounty brokers could not retrieve their ill-gotten gains.⁹⁵

Some government officials and Army officers desired to end the practice of bounty brokers but the use of brokers continued because of their overwhelming value to recruitment. Wherever and whenever localities tried to limit the broker's influence and rely solely on direct Army recruitment, quota numbers fell dramatically. Legislators never seriously undertook efforts to remove brokers from the recruitment efforts until the last weeks of the war. Most felt that these brokers were an unavoidable evil as these agents ensured sufficient numbers of Union troops were fighting the war. Only after northern victory was imminent did states take steps to end brokerage practices.⁹⁶

Bounty brokers were the first impression given to many black soldiers. The "some good and some bad" experiences of blacks eerily resembled plantation life. For the previously enslaved, brokers utilizing unscrupulous tactics was not a far removed experience of involuntary servitude under their old masters. This planted the seed of mistrust of the government in the minds of many blacks. Later, their experiences in the Army in segregated units, filthy camps, and unequal employment on the battlefield would serve to nurture distrust and fear of dealing with the government. After war's end, filing for appropriate pensions required assistance yet again

⁹⁴ Murdock, pp 264-265.

⁹⁵ Murdock, p. 270.

⁹⁶ Murdock, pp 274-278.

through lawyers and pension agents. As will be demonstrated, con artists also existed in the pension system alongside those who honestly wished to assist heroes of the Civil War and their families toward the financial relief and compensation they rightly earned.

Frederick C. Douglass: The Pension Agent

The first step in the pension claim process was to file an application. In addition, while Congress attempted to create an application system that any layperson could utilize, the majority of claimants filed through agents. The Frederick C. Douglass Collection, at East Carolina University's Joyner Library contains many ledgers including one ledger containing a rare and unfilled pension application. The application was a product of Jacob H. Dewees, an attorney from Washington, D.C. who carefully created a blank form with specific questions intended for the soldier or widow to answer. From answers to the questions, the lawyer or pension agent could determine eligibility and begin to collect the affidavits to support the claim. There were no notations in the collection as to why Frederick Douglass had access to the blank applications, but the questions are consistent with his ledger entries and affidavits with regard to information and format of statements. Dewees' law offices were located at "604 and 605 5th Street, N.W. Opposite U. S. Pension Bureau." As a pension lawyer, Dewees' close physical proximity to the Pension Bureau provided his associates and him with an intimate knowledge of what information or key words were required in a pension claim for it to reach a successful conclusion. How Douglass gained possession of the forms is unknown. These forms provided Douglass with a great advantage for success and a shrewd approach to the work.⁹⁷

⁹⁷ Frederick C. Douglass papers, 1887-1896, 265-001.3.a. [Do You Want A Pension?]. East Carolina University, Joyner Library, Special Collections.

Figure 1: Pension Application Questionnaire

Soldiers who have never applied for a pension should answer questions on the other side.

DO YOU WANT A PENSION?

If so, a careful perusal of this will benefit you.

... JACOB H. DEWEES ...
ATTORNEY-AT-LAW,
604 and 606 5th Street, N. W. Opposite U. S. Pension Bureau.

Prompt Attention Given to the Prosecution of Land, Pension, Bounty and all Classes of Government Claims. New and Honorable Discharges Obtained.

SPECIAL CIRCULAR TO INVALID PENSIONERS
Desiring an Increase, Re-Rating or Additional Pension.

Dear Sir:—Are you certain that you are now drawing the full amount of pension to which you are by law entitled? Is your present rate commensurate with the full degree of disability? If you are in doubt or feel that your rate is not as high as you should receive, don't wait, but file a Claim for increase or pension at once. It will cost you nothing for my services to have your interests thoroughly investigated unless I succeed in having your present rate increased. No additional evidence is required in the prosecution to obtain you an increase in the disability for which you are now pensioned, and are you not to any expense or trouble other than examining the declaration which I will send you upon the receipt of this blank with the questions answered.

The Government will never allow you an increase of pension until you have your case formally presented.

Having had years of practical experience in the prosecution of all classes of claims against the Government, especially in Original and Increase Pension Claims, I offer you my services, believing that I can not only give active satisfaction, but return blank to me at your earliest convenience. I therefore respectfully request that you answer the following questions and the proper forms, fully describing your disability and results thereof, will send you for extension if not entitled you will proceed ruling.

Don't delay in answering these and saving time and expense on both sides and giving you a correct statement as to adequacy of your present rating.

Your name is _____ age _____
Your Post Office address _____
Your rank _____ Company _____ Regiment _____ Vol. _____
Number of your pension certificate _____ Where paid _____
What rate of pension do you receive _____ Give name of disability for which pension as it appears on your pension certificate _____
Inform me so well as you can how it affects you _____
When were you last examined? _____ Who was your attorney? _____
Did you make application for any other disability than that for which pension was not granted? _____
Give name of disability _____ Why was it dropped? _____
Are you afflicted with any other disability than that of which new pensioned as a result of your Army life? _____
If so, give name of disability and how it affects you _____
Did you ever make an application for additional pension thereafter? _____
State when and where it originated _____
How did it originate, what caused it? _____
Can you obtain the testimony of commissioned officer or two comrades of your company? _____
If treated while in service, give names and location of hospitals or other places of treatment _____

Read carefully, answer all the questions fully, and return to me at once with stamps for reply, when prompt and careful attention shall immediately be given your interests. From the receipt on delay will occur in sending you the proper form for extension, and every effort made to bring your claim to a speedy and satisfactory settlement.

Hoping to hear from you at once, I am, yours truly,
JACOB H. DEWEES
Attorney at Law, WASHINGTON, D. C.

265-001.3.a

In some other Soldier.

Those wanting an increase of pension should answer questions on the other side.

DO YOU WANT A PENSION?

If so, answer questions below and return blank to me.

... JACOB H. DEWEES ...
ATTORNEY-AT-LAW,
604 and 606 5th Street, N. W. Opposite U. S. Pension Bureau.

Prompt Attention Given to the Prosecution of Land, Pension, Bounty and all Classes of Government Claims. New and Honorable Discharges Obtained. Spanish War claims a specialty.

NO FEE IN ADVANCE FOR PENSION AND BOUNTY CLAIMS.

If you have been a soldier in the United States regular volunteer service, and desire that your claims for pension, bounty, investigation, and the proper form of application due you. In sending you my services I feel safe in assuring that when my system of work a claim can be completed with less than one-half the trouble and expense as applicant in places of those endeavoring to prosecute the same claim, or when it is returned to me as impracticable or incompetent practitioner.

Do not delay in answering the following Questions, and return this blank if you desire to file a Claim.

Under what name did you enlist? _____ Your rank _____
Co. _____ Regiment _____ Was it Infantry, Cavalry, or Artillery? _____ By what name was the Regiment known? _____ Name of Captain you enlisted under _____
Date of enlistment, day, month and year _____
How long did you enlist for? _____ Place where discharged _____
Date of discharge, day, month and year _____ What discharged for _____
About what month and year did you contract the disability that you now claim pension for? _____
Near what town and in what State was it? _____ State clearly and fully for what disease, wound or injury you desire to claim a Pension or Additional Pension, and under what circumstances it was contracted, received or incurred, and if claim is based on wound or injury, state its exact location on the body _____
Were you treated by a Regimental Surgeon? _____ Can you obtain his affidavit _____
State the name and location of all hospitals in which you were treated while in the service, stating the disability for which treated, and if possible, the date you entered and left each _____
Were you in the service more than the time named above? _____ If so state what Company, regiment, date of enlistment and discharge, etc. _____
What has been your occupation since discharged? _____ Occupation before enlistment _____
Since leaving the service where have you lived? _____ Can you find any of your company officers? _____ Can you find two comrades? _____ Have you got your discharge? _____
Where is it? _____ If it is lost I can get you a new one. Is there any month you are not in? _____
Is there any bounty due? _____ How much bounty have you received, and when did you get it? _____
Were you ever in a retail prison? _____ How many days? _____ Did you ever get commutation of ration at 75 cts. per day for the time? _____ Have you ever applied for a pension before this? _____ If so, to whom, when, and what because of it? _____
What is your age? _____ Height? _____ Complexion? _____ Hair? _____ Eyes? _____

Sign your name here as in business transactions _____
State your address in full, Post Office, County and State _____
This blank should be filled out by some one who writes a plain hand.
Return with TWO recent stamps for reply.

JACOB H. DEWEES,
Attorney at Law, WASHINGTON, D. C.

265-001.3.a

Source: Frederick C. Douglass papers, 1887-1896, 265-001.3.a. [Do You Want A Pension?]. East Carolina University, Joyner Library, Special Collections.

The heading of the form included such information like the address, but there are other noticeable inclusions. Dewees stated on the form that with his help the claim would be completed in "...one-half the trouble and expense" as compared to an applicant filing on their own behalf or when the claim is "intrusted (sic) to an inexperienced or incompetent practitioner." This testimonial conveys a universal mistrust of lawyers, a fear that obviously transcends generations while Dewees' professed a truth that the pension system was not as "user-friendly"

as the Pension Commissioners had intended. Perhaps the greatest impediment to most pensioners is also included on the form at the bottom where he advises the application should be “filled out by someone (sic) who writes a plain hand.”⁹⁸

Besides basic demographic information of the applicant, the Dewees form provided data from the applicant, including his service in the Army, cavalry, or the artillery. These data included rank, company, regiment, date of enlistment, length of enlistment, and for what state the enlistment served. The form also listed the veteran’s military occupation, before and after enlistment, and his residence after service. Finally, military data included date of discharge, reason for discharge, and the place of discharge. Depending on state militias or regular Army, units varied the format and look of discharge papers.⁹⁹

Today, service members receive a DD 214, *Armed Forces of the United States Report of Transfer or Discharge* that details among other concerns the nature of the member’s discharge and the quality of the discharge.¹⁰⁰ Prior to 1950, however, the Adjutant General’s Office issued AGO 53 or AGO 53-55.¹⁰¹ These documents were born from the variations of WD form 252 AGO, a World War I War Department document from the Adjutant General detailing the condition of discharge and reason. Documents from the WD 252 AGO to the DD 214 owe their existence to discharge papers and identity requirements of Civil War pension claims.¹⁰²

Concerns of personal identity were of prime importance to the Pension Bureau. Every claim contains an affidavit attesting to the identity of the pensioner or claimant. Included on the

⁹⁸ Douglass Papers [Do You Want a Pension?].

⁹⁹ Douglass Papers [Do You Want a Pension?].

¹⁰⁰ Peter W. Coffman, DD Form 214, Armed Forces of the United States Report of Transfer or Discharge. The iteration of the form referenced is August 2009 and is a part of the author’s personal retirement record from Active Duty service occurring on 1 January 2012.

¹⁰¹ Imagixx. "Welcome to DD214: The Road to Acquire Your DD214." [A good source for information on DD Form 214, its uses, importance and methods of acquisition is DD214.US](#). (accessed April 20, 2014); U.S. Department of Veteran Affairs. "National Cemetery Administration: National Military Discharge Documents." http://www.cem.va.gov/cehm/discharge_documents.asp (accessed April 20, 2014).

¹⁰² Douglass Papers [Do You Want a Pension?].

Dewees form were questions regarding age, height, complexion, hair, and eyes. The location on the form is just above the signature line where the relationship of the information is most relevant. Many affidavits submitted with claims in the Douglass papers testify to the authenticity of signatures belonging to the “identical person” signing, or a “mark” of many illiterate Black soldiers or claimants.¹⁰³

The greatest portion of the application, however, related to the death, wound, injury, or disease that an applicant claimed. Information as to where, when, and how the death, wound, injury, or disease occurred was also included. Liberalized policies of the pension system also appeared on the Dewees form with the request of information regarding post-military occurrences of disabilities. The form continued by requesting if there was treatment received in the military. If so, was the treatment in a regimental location, under a surgeon, and when possible could the surgeon provide an affidavit.¹⁰⁴ This presented a key point; patient-based and patient-held medical records were not a fixture of Nineteenth century American society, the Army, or its pension system. In lieu of medical records, surgeon’s affidavits functioned exclusively as a legitimizing document for a veteran’s medical conditions and any treatment they received while enlisted and after discharge. A number of affidavits filed through Douglass indicate the applicant or pensioner did not possess documents. Furthermore, of those missing their affidavits, the compelling issue was a lack of contact information or response from the surgeon when a fortuitous contact occurred. The final questions regarding medical condition referred to the level of disability experienced and if previous pensions for this applicant existed. The liberalized

¹⁰³ Douglass Papers [Do You Want a Pension?].

¹⁰⁴ Douglass Papers [Do You Want a Pension?].

pension system moreover provided for the inclusion of new disabilities and/or degrading physical health because of a wartime injury or disease.¹⁰⁵

As mentioned earlier in this chapter, some educated blacks who W.E.B. DuBois would later refer to as “the talented tenth” worked with the pension system to provide service to both veterans and their families. One such person was Frederick C. Douglass. Douglass was more than a claims agent in New Bern, North Carolina however. Primarily a local preacher and teacher, he had an important connection to the black community as a respected social and political figure. His educated status, specifically, gave him the skills to act on behalf of the black community. Though not officially an attorney (he was not officially a legal member of the State Bar), he possessed a legal acumen and had extensive experience helping members of his community. The ledgers, filled with affidavits, often use the language of claimants referring to Douglass as their attorney in the matter of their claim. Douglass was a “lawyer in fact,” a designation co-equal with today’s practice of assigning a trusted confidant with power of attorney. This, however, was a misnomer of those giving and taking testimony who stated Douglass was a lawyer representing their case.¹⁰⁶

Douglass was not a “lawyer” per se. He did provide an important connection to the pension system. As a black preacher and teacher, he was more than qualified to translate the life stories, physical infirmities, and racial peculiarities of black veterans. Douglass received permission from the Pension Commission to act as a claims agent and began working alongside Edward W. Carpenter.

¹⁰⁵ Douglass Papers [Do You Want a Pension?].

¹⁰⁶ Brandi C. Brimmer, ““Her Claim for Pension is Lawful and Just”: Representing Black Union Widows in Late-Nineteenth Century North Carolina,” *The Journal of the Civil War Era*, 1, no. 2 (2011): 207-236, <http://muse.jhu.edu/journals/cwe/summary/v0001/1.2.brimmer.html> (accessed 11 February 2014); Sauls, Randall. To understand the legal definition of a Nineteenth century Pension Agent, interview by Peter Coffman, Saul's Law Offices, "Power of Attorney," Record, February 26, 2014.

As a white claims agent, Carpenter had acquired his practice from a former claims agent and lawyer, Augustus Sherill Seymour, a white New York-born attorney. Carpenter's reputation, like that of other white claims agents, was poor. Many black widows complained that white claims agents were bilking the proceeds of black pensioners and widows. Bad press and a nefarious reputation would not serve Carpenter's political ambitions as a newly elected Craven County probate judge. As a result, he aligned his business with Douglass the preacher, teacher, and respected black Union Army veteran. As a former clerk of the county court and now probate judge, Carpenter remained deeply involved with Douglass and certified many documents on behalf of the black Union widows.¹⁰⁷

Douglass was a perfect choice for a claims agent in the center of the bi-racial New Bern since he could easily navigate between the social spheres of that troubled landscape. Following the war, Douglass married a bi-racial woman, Charlotte Bryant, and they had three children. After Charlotte's untimely illness and death, Frederick remarried twice thus creating a persona of a man of the world. Furthermore, Douglass, like many educated black men of the day, held multiple prominent positions throughout the community such as educator and religious leader. This multiple-source income placed his economic status firmly within the middle-class. Edward Carpenter perceived Douglass as the salvation to his claims business in the New Bern and James City area, an area that by 1862 became home to the largest black population in North Carolina. By 1880, Douglass had completely taken over all of Carpenter's claims.¹⁰⁸

The heart of Douglass' expertise, based on his ledger entries, was the "translation" of black veteran and widow's cultural language and mores into acceptable and understandable

¹⁰⁷ Brandi C. Brimmer, "'Her Claim for Pension is Lawful and Just': Representing Black Union Widows in Late-Nineteenth Century North Carolina," *The Journal of the Civil War Era*, 1, no. 2 (2011): 207-236, <http://muse.jhu.edu/journals/cwe/summary/v0001/1.2.brimmer.html> (accessed 11 February 2014), 212-214.

¹⁰⁸ Brimmer, 213-214.

terms on affidavits to the all-white Pension Commission. Marriage and the morality of the home was of deep concern to the Pension Commission. Unfortunately, the same Pension regulations that allowed for a liberalized and fluid definition of Black pre-Civil War marriage also created difficulties during the pension application process. Many of the cases Douglass represented, including that of Maria Counts, attest to the contradiction of a liberalized pension system operated by conservative agents and commissioners. In Maria's case, Pension agents projected their morality upon her unconventional slave family that did not fit the contemporary mold. Maria Counts birthing children from forced relations as a slave was a clear example of a life story that the Pension Commission understood differently. Douglass was, however, able to shape the responding affidavit language towards nonconsensual sex but curiously, he stopped just short of declaring it rape. This calculated adjustment of language, which accommodated Nineteenth century societal concerns of sexual morality and racial relations, led to a successful conclusion of Maria's case.¹⁰⁹

Douglass' strategies proved attractive to thousands of pensioners and widows of New Bern and Eastern North Carolina. As outlined by Brandi Brimmer, Douglass' was able to translate language to fit the needs of Nineteenth century white society, and he sought to overcome stereotypes of slavery and racism by demonstrating that his clients were needy (especially widows) and above all patriotic. Whether it was the widow's pre-war, wartime, or post-war habits, or their self-reliant efforts as breadwinners in households made fatherless by their husband's service to the Union, Douglass painted a picture of morality and patriotism. In

¹⁰⁹ Brimmer, 219. Also, see the Frederick C. Douglass Collection at East Carolina University's Manuscript collection, which includes the Frederick C. Douglass Papers, the William L. Horner Collection: Frederick Douglass papers, 1880-1890, and the Richard E. Rogers Collection, 1883-1910, as multiple affidavits submitted on behalf of and for Maria Counts attest to a requirement by Pension Examiners to satisfy questions of marital status, and implications of sexual immorality because of non-consensual sexual relations during her period of enslavement.

the absence of any appreciable evidence, Douglass made great use of witness testimonies in affidavits certified by Carpenter, the ex-clerk probate judge.

The Pension Process for Veterans

The United States military pension system following the Civil War was a quagmire of slow mail, complex bureaucracies, indifference, and disappointment for many veterans. The simple task of determining a veteran's disability rate, and whether the condition had resulted from an individual's service or post-war activities resulted in many prolonged cases. Since the issue of disability was a matter of judgment, the Pension Commission relied almost exclusively on medical opinion. Ironically, medical opinion was not an absolute, and in many cases, the medical condition either worsened or lessened in severity. The medical examination was the cornerstone of evidence to determine the most accurate medical status of pensioners, as it is today.

As early as 1862, Pension Commissioner Joseph H. Barnett took note that many soldiers or sailors discharged with certificates of disability, (a document detailing why the soldier or sailor was unable to serve any longer), were only temporarily disabled. The commissioner felt that disability was a factor of invalidity to work. As outlined in the study "A Reasonable Degree of Promptitude," by William Chamberlain determined that of 300 previously determined disability cases, 10 percent were no longer considered disabled, and of the 90 percent remaining, a "less than full disability" rating was seen as appropriate. To a ballooning pension system burdened with a high costs, this type of nuance was common.¹¹⁰

Rating of disability, while subjectively achieved through numerous doctors across the nation, received guidance through Pension Commission regulations. The act of April 10, 1806, established a highly regarded precedent. This act specifically stated that the veteran's capacity to

¹¹⁰ Prechtel-Kluszens, p. 2

“procure a subsistence by manual labor,” which meant any manual labor, not just the pre-war occupation the veteran held prior to service. The pension system under Barrett also decided to allow considerations of whether the disability was permanent or temporary, whether the disability was a functional or organic disease induced by military service or personal habit, and whether the disability was treatable or incurable. These questions, while appropriate, created more questions than they answered, and at times imposed a large burden on the veteran. To improve specifications, Pension Commissioner Barrett asked Congress for, and received through the Act of July 14, 1862, authorization to appoint a commission of surgeons to devise a scale of disabilities.¹¹¹

A portion of the Act of July 14, 1862 required disabled veterans to submit to medical examinations every two years while pensioners with expected temporary conditions of invalidity, were required to receive a medical exam bi-annually or annually. There are many notations in Douglass’ pension ledgers attesting to his interpretations of the Act’s requirements. Many entries reveal his direction to the veterans and/or the corresponding actions of the veterans to satisfy the demands of the Act. These requirements, of course, required a large cadre of physicians, sanctioned by the Pension Commission, and adequately dispersed across America. Most counties possessed only a single physician. This proved adequate for many rural locals, but in 1862 with the rise of invalids, the meager 172 civilian doctors nationwide clearly were inadequate. By 1877, the number of appointed officials was still a disappointing 1,578. To deal with the problem the Pension Commission permitted rural counties to have a single physician examination board. In large cities, however, they required a three-physician examination board with a two-physician joint examinations requirement. Physician boards reduced the incidence of Commission re-

¹¹¹ Prechtel-Kluszens, p. 3

examinations, saving the pension system, though the \$2 fee paid to each physician placed a steep burden on the veteran.¹¹²

Yet many communities still experienced a shortage of Commissioner sanctioned physicians. This was especially the case in densely Black veteran populated areas, such as the Upper South. Statistics provided by Shaffer indicates that the eight states of the Upper South, including North Carolina, had 37.2 percent of the total Black Civil War veteran population. The Pension Commission tried to institute a geographic network of doctors that kept veteran travel limited to less than 40 miles, but this pattern was not practical in many locations.¹¹³

In the Douglass papers, many pensioners testified to traveling long distances, to differing counties, such as Wendell Jones, who traveled from New Bern in Craven County to Goldsboro in Wayne County. Jones, who suffered from severe rheumatism, traveled to see Dr. Bates in Goldsboro but suffered a terrible fall on his journey and subsequently filed an additional claim based on the injuries. Other black veterans were required to travel to neighboring states, such as Washington Brock, who died while traveling from Hampton Virginia's Home for the Volunteer Disabled Veterans to his original North Carolina-based physician. These outrages occurred because many veterans did not want to begin relations with a new doctor in fear their new and less favorable medical evaluation would reduce their disability level or fully negate their claim altogether. This limitation of the system fell hardest on black invalids who had insufficient funds for such journeys. The Act of July 14, 1862 intended to remove this hardship by reimbursing travel expenses a veteran required for medical examination.

However, as with all reimbursements, an upfront purse of cash was required, otherwise for black veterans living on the street, God's grace was the only form of relief or sustenance

¹¹² Prechtel-Klusdens, pp. 3-4.

¹¹³ Shaffer, p. 205.

while traveling. Once the examination was completed, doctors provided medical evaluation records to the Commission and included in the claimant's file for Commission Board evaluation.

Arguably, the most frustrating aspect of the pension claim process was correspondence with the Commission itself. The overwhelming number of claims adjudicated by the Pension Commission produced a deluge of correspondence with claimants, their agents or lawyers, and other branches of the government. By June 30, 1875, the Pension Bureau received 24,494 individual claims, and more than 51,000 War Department reports on soldiers/veterans. Additionally, 15,600 other government communications arrived on the desk of Commission examiners, while additional sources accounted for 81,000 pieces of evidence. The large volume of mail created a workload that the Pension examiners had difficulty dispensing with in order to provide closure to cases. In 1883, the Pension Commission employed 240 special examiners who attempted to investigate and close overdue cases. However, the special examiners closed only 6,290 cases the entire fiscal year.¹¹⁴

Blacks did not share in the same successful conclusion numbers of claims as their white counterparts. Statistics provided by Shaffer reveal a clear disparity. Using a random sample of the population with equal numbers of white and black veterans, widows, children, and parent claims (n=545), whites were more successful in completing their claims at an overall average of 18.5 percent. In only one category did the whites and blacks share the same success, children. This is perhaps because of the sympathy factor. Widows of black veterans showed the greatest disparity as they enjoyed a success rate of only 60.7 percent. This translated into 23 percent fewer successful claims than widows of whites did. Black veterans garnered a slightly better

¹¹⁴ Prechtel-Kluskens, 4.

success rate at 75.4 percent, but this was still well below white veteran's success at 92.6 percent.¹¹⁵

Maria Counts' case serves as an example of how the sluggish system, laden with bureaucratic red tape and, beset with large numbers of cases and few Commission personnel often led to heartbreak for many. The final resolution for Maria Counts came too late for her benefit. Like her husband Caesar Counts, she died without proper recognition for his or her sacrifice.¹¹⁶

Black veterans in the pension system typically faced the stark realities of war in greater numbers than did whites. Once discharged, blacks faced an uphill battle for their own recognition. For blacks, whether it was the simple gesture of receiving recognition as a human being with their own name, or having society recognize their slave marriage, or acknowledging their children as legitimate, black veterans, widows, children, and parents fought for a higher goal of self-assurance that their cause for freedom was right and their sacrifice meaningful. The numerous cases filed by Frederick C. Douglass reveal the pride, the sense of citizenship, and the dignity within the claimants. Furthermore, a determination to thrive is evident in virtually every story. What is most striking however is the lack of any sense of victimhood in the wording. Every person filing a claim or giving testimony exhibited his or her own agency. The character of these pension applicants and their families reveals a deep and moral character, focused on the future.

But while the enlistment of blacks in the Union Army represented for them a tremendous leap forward, the omission of bounties to many black soldiers and their families ruined their dreams of a new life and allowed poverty to take its toll. As the war and politics granted blacks

¹¹⁵ Shaffer, 209.

¹¹⁶ Brimmer, p. 219.

similar bounties, the unscrupulous practices of bounty brokers and the apathetic collusion of the Federal and local government officials permitted the greedy to continue the theft of the black veteran's, and their family's future. As each veteran exited the service of the Union Army for civilian freedom, many were left with broken and disease-ravaged bodies. The invalidity of many of these men ranged from the very disabled and incapable of work to that of men seemingly fully fit. However, many of these men only had to wait for time to set loose the deleterious bomb lying just below the surface in their bodies.

Bounties could have set many and their families on the path, not just toward freedom from bondage of slavery, but also from the more insidious form of slavery that most black veterans and their families faced, poverty. The theft by bounty brokers of permitted bounties further denied them hope for their future. Differences in monthly pay, institutionalized in Congressional acts, further exacerbated the monetary deficit felt by these black families. The institutional and systemic discrimination of the Civil War Pension System and unscrupulous behavior of many agents working within that system increased both the physical and financial burdens on blacks.

Chapter Four

“The Iron Hand”

On January 14, 1862, Frederick Douglass, the abolitionist, spoke to a Philadelphia audience and advocated the use of black troops- free and slaves to bring a victory for the North. Douglass was concerned that the Union was using only the soft white hand in its fight against the rebellious south. Unleash “the iron hand” of the black man, he exhorted, to strike the fatal blow.¹¹⁷

The hundreds of pension cases authored, submitted, and concluded by Frederick C. Douglass (the pension claims agent to the United States Pension Bureau) attempted to reward the bravery of that “iron hand.” The overwhelming majority of those soldiers originated from five black North Carolina units of the United States Colored Troops. These units include the 35th, 36th, 37th, 135th, and the 14th U.S. Colored Heavy Artillery. Douglass also represented sailors of the U.S. Navy who served on various ships. Chapter 1 detailed the historiography of the black soldier of the Civil War but the new sociological focus on the war dictates many new directions that historiography should and must take in revealing more about these noble men. This chapter will revisit the Official Records of the War of the Rebellion just as other historians have done, but will examine the nature of the black soldiers’ and sailors’ service environments. Chapter 3 further argued that despite the efforts of this “iron hand” the War Department typically denied black soldiers and sailors their rightful recompense in enlistment bonuses, monthly pay, and pensions. To consider only the theft of black soldiers’ wealth, however, would minimize the cost in human flesh that was far more precious.

¹¹⁷ John W. Blassingame, ed., *The Frederick Douglass Papers, Series One: Speeches, Debates, and Interviews, Volume Three: 1855-1863* (New Haven and London: Yale University Press, 1985), pp. 466-467; *The Civil War*. DVD. Directed by Ken Burns. United States: Kenneth Lauren Burns, 1989.

Black soldiers and sailors of North Carolina suffered many difficulties of service, including dangerous working conditions both on and off the frontline, under supplied units, and institutionalized discrimination. These issues affected the welfare of black soldiers and that affected them the rest of their lives. The Frederick Douglass Pension Records, therefore, often reflect not only the misfortunes of enemy engagements and the spread of disease, but also the detrimental effects of U.S. Army decisions on USCT units.

Wild's Brigade

Immediately following the establishment of the 54th and 55th Massachusetts regiments, the Massachusetts Governor John A. Andrew decided it was time to create an “African Brigade” in Eastern North Carolina from newly freed slaves. Based on Governor Andrew’s request, Secretary Stanton granted permission for the formation of regiments and, furthermore, agreed that Andrew would choose a Brigade Commander.¹¹⁸

Governor Andrew based his choice on carefully regarded considerations. He decided that the leader of the new black regiments must have abolitionist sympathies. Andrew also wanted a veteran of combat, a clear indication that he fully intended the unit to fight. Colonel Edward Augustus Wild of the 35th Massachusetts met the criteria. A man of considerable military capability, Wild knew well the realities of combat from his experiences in the Crimean War as a surgeon in the Turkish Army and later in six different battles with the 35th Massachusetts, including the Battle of Antietam where he lost his left arm. Wild was also a strong abolitionist.¹¹⁹

General Wild quickly set about selecting his officers following the standards established by Governor Andrew, and he was fully aware of the difficult political environment in the North

¹¹⁸ Richard Reid, *Freedom for Themselves: North Carolina's Black Soldiers in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2008), pp. 24-25; see also, William A. Dobak, *Freedom by The Sword: The U.S. Colored Troops, 1862-1867* (New York: Skyhorse Publishing, 2013), p. 17.

¹¹⁹ Frances H. Casstevens, *Edward A. Wild and the African Brigade in the Civil War* (Jefferson, NC: McFarland & Company, Inc., 2003), pp. 46-50.

as well as the Union Army at all levels. For example, despite the fact that Wild was building a black brigade, the War department denied blacks the opportunity to command black units or receive commissions. As a result, he searched for white officers with abolitionist leanings, and demanded temperance from his officers leading his black units. Because of Army politics and Wild's standards, he found most of his officers from units in Massachusetts. The officers selected were all tested veterans and many still suffered injuries from earlier Civil War battles. A few were already been discharged from the Army.¹²⁰

While the Union Army frowned on commissioning blacks in the Army, between 75- 120 blacks did attain officer status during the war. Black officers in the Union Army served predominantly in the Chaplaincy, Medical Corps, and in many cases as logistics officers. In the black North Carolina units, only four blacks attained officer status.¹²¹

Three North Carolina unit officers held medical or chaplain positions. Major John V. De Grasse, an assistant surgeon with the 1st North Carolina Colored Volunteers (NCCV), was also the first black man accepted to an American medical association. The Army court martialed De Grasse for drunkenness on duty and as a result received a discharge. Reverend John N. Mars was also commissioned into the 1st NCCV but at age 58 he relinquished his commission in 1864 after 20 months of service because of harsh army conditions. Mar's purpose was to provide spiritual direction for the unit based on the methods and conventions expected to satisfy the black, ex-slave Christian culture that white preachers could not. Another black chaplain, David Stevens, served in the 36th USCT (formerly the 2nd NCCV), who served in Portsmouth Virginia. These

¹²⁰ Joseph T. Glathaar *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (New York: Free Press, 1990), pp 240-241.

¹²¹ Numbers of commissioned black officers varies depending on source, as such, no consistent number has been determined. See George Washington Williams' *A History of the Negro Troops in the War of the Rebellion 1861-65* (New York: Bergman Publishers, 1888), p. 141.

officers served in capacities that fit white comfort zones by providing non-combat support, but there were others.¹²²

Lieutenant Colonel William N. Reed became the highest-ranking black line officer of the Union Army. Reed enlisted in 1863, served in the 1st NCCV and continued after the unit converted into the 35th USCT. Reed suffered a mortal gunshot wound at the Battle of Olustee Florida in February 1864, and died shortly after. Reed has not enjoyed universal acceptance as a black officer by historians because his demographic status was not clear in the official record. However, based on George Washington Williams' military history of blacks, published immediately after the war, Reed's fellow officers of the 35th considered him a negro.¹²³

With his office corps in place, General Wild departed for New Bern N.C. in May of 1863. Governor Andrew advised Major General John Foster who was in charge of the district of Wild's assignment. The simple act of creating black units in North Carolina, however, was not popular with many Union officials. Compounding the political effects of enlisting blacks was the competing interest of Union officers in Eastern North Carolina who had grown accustomed to free labor that runaway slaves provided. The labor provided by "contrabands," for example, had relieved white units occupying New Bern. Thus, any potential enlistment and deployment of black males from the area would upset many whites. Thus, while Wild may have had a supportive officer core and a political mandate, his brigade did not yet have any soldiers. His first order of business upon arriving in New Bern, North Carolina therefore was enlisting the men of what history would call Wild's Brigade.¹²⁴

¹²² Reid, pp. 30-31; see also Casstevens, pp. 68-69.

¹²³ Williams, p. 141.

¹²⁴ Casstevens, pp. 68-69.

35th USCT, the First in North Carolina

When General Wild arrived in New Bern, North Carolina, he had filled his regimental officer positions but did not have any enlisted to fill the ranks. Officers of the regiment who began their commissions by enlisting blacks received their greatest assistance from black women in the camp who promoted service to the men. The enlistment of men was not a foregone conclusion because many black men in Eastern North Carolina were working in the “free zone” and earning wages. To complicate the matter, the Army, at that time, did not offer enlistment bounties to blacks. This left families without financial means until they received their first month’s pay. Wild initiated many programs to offset the official Army policies, to ensure the welfare of his soldier’s families and to promote enlistments. These programs worked because in the first week of June 1863, Wild had recruited 5,000 black males already present in the New Bern refugee camps and was able to fill seven companies of the 1st North Carolina Colored Volunteers.¹²⁵

Wild’s choice for regimental commander of the 1st NCCV was Colonel James Beecher, the son of Lyman Beecher and brother of Harriet Beecher Stowe. Beecher immediately issued General Order Number 1 that created a typical training day for the men. Beecher and Wild then chose their non-commissioned officers from the 5,000 soldiers. Unfortunately, these men had no military experience or training. Wild then instituted a bottom up policy to promote ten of the best in each company to corporal and then two of the best ten to sergeants. These men were critical to the success of each company because they would transfer the policies of Wild and Beecher into matters of discipline. Though the promoted soldiers had only brief and limited training before assuming their roles, they had determination. Beecher and Wild understood this and were

¹²⁵ Shana Renee Hutchins, “Just Learning To Be Men: A History of the 35th United States Colored Troops, 1863-1866” (MA Thesis, North Carolina State University, 1999), p. 45.

prepared to endure many challenges, mistakes, and varying degrees of progress. Thankfully, these men understood their duties and most of them served long and did well throughout the war.¹²⁶

Army leadership cautioned General Wild that senior non-commissioned officers in the unit must be whites. Wild, however, did not agree. Unfortunately, the men promoted to these positions often were illiterate and when officers were absent, as the often were, fellow company officers were required to perform double duty. Camp discipline and business suffered accordingly. For this reason, Wild eventually relented to reality and enlisted four whites to fill the senior non-commissioned positions. The white sergeants received bounties and promises of commissioning upon return to the regular Union Army.¹²⁷

Training was a problem for the 1st NCCV from the beginning. First, no camp existed! Most units of the Union Army possessed a cadre of initial unit members who built the camp, who would build a core collection of tents, supply areas, kitchens, regimental hospitals, and most importantly latrine facilities, which all ensured a disciplined and hygienic camp start. However, the 1st NCCV received 5,000 men nearly all at once and as a result had to suffer a lack of tents, basic supplies, and no location to drill, and most critically a lack of general hygiene. Therefore, instead of drilling, the regiment set to work clearing land on the south bank of the Neuse Rivers, even before promotion of the non-commissioned officers was complete. Never the less, this did not deter Wild or Beecher from pressing ahead with training and drill, even if it meant extended work hours.¹²⁸

Beecher's men did receive equipment and weapons but like other newly formed units in the Union Army, it was poorly maintained or defective. To make matters worse, the Army issued

¹²⁶ Casstevens, p. 70.

¹²⁷ Reid, p. 38.

¹²⁸ Reid, pp. 38-39.

three different types of muskets, furthering confusion, and complicating training. Unlike white units, this placed black soldiers at a great disadvantage. These soldiers, of course, were ex-slaves from the South that strictly forbade the arming of blacks, and thus, did not have experience with firearms. To counter this, Wild instituted rigorous training with weapons to include training with the visiting 55th Massachusetts in late July 1863.¹²⁹

The transition to the discipline of camp life also was not easy for the black soldiers who in many cases had families in the refugee camps of New Bern and Elizabeth City. In addition, the Army housed freedmen together with differing life stories and expectations of dignified life. This caused further difficulties of adjustment. Sickness also became a major concern. Many ex-slaves suffered exposure to the common diseases that many freedmen and white soldiers took for granted. Visiting women, some of them wives and mothers of the black soldiers, provided laundry and cooking services, but this further stretched camp discipline. Beecher quickly ended their presence in camp. Simple dress and deportment, associated with a high degree of military efficiency, was often a point of concern for many new black soldiers. Still, General Wild believed the men were ready for action and had developed plans to send the 1st NCCV troops on raids to the interior. This plan, however, would have to wait.¹³⁰

The Army ordered the 1st NCCV to Charleston, South Carolina as a part of a 10,000-man support operation. Major General Halleck ordered a light march to speed the deployment and thus most of the unit's baggage remained behind in New Bern to be pillaged and/or lost. Sickness also forced 146 men and 2 officers to remain in camp. As a result, Wild appropriated

¹²⁹ Reid, pp. 40-41.

¹³⁰ Reid, p. 39.

new recruits intended for the 2nd NCCV who were, compared to the troops of the 1st NCCV, less qualified.¹³¹

Sent by boats to Morris Island just outside Fort Wagner, the famed fort of the 54th Massachusetts's attack, the 1st NCCV immediately put to work digging trenches and building fortifications on areas of the island under Confederate fire. The unit arrived on Folly Island during the "sickly season," and bivouacked on the sand. The lack of fresh water exacerbated diseases and contributed to an outbreak of diarrhea and later piles. The Douglass Pension Files are replete with such cases, including that of Private Caesar Counts of 1st NCCV, Company I who died of chronic diarrhea as detailed on his death certificate from the unit surgeon. Unit surgeons sent Caesar to the Union hospital at Beaufort, where he died January 24, 1864.¹³² Those who did not die from chronic diarrhea suffered maladies of the second order effect, including piles. An exacerbating effect was the insistence by Brigadier General Vodges that only blacks would perform fatigue duty. Fatigue duty resulted in many soft tissue injuries and lasting ailments exemplified by the case of Private Randall Staton. Randall suffered severe back pains in what he described as "rheumatism," a malady for which he endured the rest of his life.¹³³ What sickness did not take, heat exhaustion further claimed to the point that the 1st NCCV's soldiers were unable to effectively drill.¹³⁴

Following the fall of Fort Wagner on 6 September 1863, fatigue duty subsided. The Army abandoned the aggressive siege of Fort Sumter and the city of Charleston. About the same time, the Army changed policy and required a more equitable distribution of fatigue duty. This

¹³¹ Reid, p. 67; Casstevens, p. 77.

¹³² Frederick C. Douglass, Richard E. Rogers Collection, East Carolina University, Joyner Library, (248.1a), pp. 16; see also, Pension File WC130402; Case Files of Approved Pension Applications of Widows and Other Veterans of the Army and Navy Who Served Mainly in the Civil War and the War With Spain, compiled 1861-1934, *Fold3 by Ancestry.com*, Record Group 15, National Archives Catalog ID: 300020. Accessed 3 Jan 2014, Pg. 3.

¹³³ Frederick C. Douglass, Richard E. Rogers Collection, East Carolina University, Joyner Library, (248.3a), pp. 148 and 185.

¹³⁴ Casstevens, p. 80; Reid, p. 72.

did not always materialize in actual action. The regiment remained on Folly Island to continue the Union threat against Fort Sumter and Charleston. This made drill and training easier to conduct, but sickness continued to plague the 1st NCCV.¹³⁵

In November 1863, the unit along with the 55th Massachusetts moved to have access to better water. But the weather soon turned colder and rain set in. Since the troops had been sent on a light march at the beginning of the campaign they had left overcoats in New Bern. Those coats were not replaced until late November. The constant exposure to the elements led to indirect injuries and sickness such as in the case of Corporal Jesse Boswell of the 1st NCCV, who suffered exposure related sickness that developed into asthma and rheumatism. To make matters worse, camp discipline and morale were suffering because of a lack of leadership as many officers were detailed to other units. The bright spot on the record was that the army replaced the eclectic mix of rifles with all smooth bore caliber 69 muskets converted for percussion caps. This permitted an increase in the efficiency in drilling and bolstered morale. By the end of January 1864 the unit was fully rearmed and on 8 February 1864 the 1st NCCV was redesignated as the 35th Regiment of the United States Colored Troops.¹³⁶

The overwhelming number of soldiers in February 1864 suffering from environmentally induced diseases of diarrhea, piles, fevers, and fluxes soon expanded by an outbreak of Small Pox. The arrival of Small Pox came just after the 35th was ordered by General Gillmore, newly appointed commander of the Department of the South, to join units of an expeditionary force under Brig. General Truman B. Seymour. Their mission was to restore Florida to the Union and create a new source of black enlistments. Disease struck 171 men but only 110 men remained

¹³⁵ Casstevens, pp. 82-83.

¹³⁶ Reid, pp. 76-79.

behind in South Carolina. Another dozen men remained on Folly Island for burial detail, which earned that island the nickname of Coffin Island.

The multi-unit Union force arrived just outside Jacksonville, Florida with once again minimum baggage. On 7 February, the Union forces captured the lightly guarded town. Moving parallel to the Atlantic and Gulf Railroad lines to the west, toward Olustee, the large force met an equally numbered but more experienced Confederate force just east of Olustee and was quickly overwhelmed. The units, weary from a long march, were thrown piecemeal against the wide Confederate line. The total collapse and protection of the Union withdrawal were made possible only because of a combined effort by the 35th and the 54th.¹³⁷

At the critical moment when the Union line was failing, General Seymour ordered the 35th forward with all haste to fill the gap and prevent the rout. To meet the demands of the order, the 35th dropped all unnecessary equipment and proceeded on the “double quick” over six to seven miles to fill the line. In so doing, the fog of war took control and many men fell out from exhaustion on the roadside. During the ensuing retreat, moreover, much of the equipment was lost. The supply system took a long time to replenish the lost equipment of knapsack, haversacks, and other soldier necessities.¹³⁸

The 35th’s performance during the Battle of Olustee was a shining example of the valiant spirit of the all-black unit. First, the unit, recently ravaged by small pox, made no delay in its march or double-time to the line when battle ensued. Secondly, the 35th met the ferocity of Confederates, bent on destroying black Union soldiers to the last, with muskets that were defective and unusable. The official reports stated that the faulty weapons of the USCT units

¹³⁷ Reid, p. 83; Williams, p. 207.

¹³⁸ Capt. Benjamin F. Skinner, Report of Capt. Benjamin F. Skinner, Seventh Connecticut Infantry, of engagements at Olustee to Hdqrs. Seventh Regiment Connecticut Volunteers, Official Record of the War of the Rebellion (Series 1, Vol. 35, Part 1), pp. 307-309; Reid, pp. 80-81.

prevented Union victory. Private Isaac Evans of Company C, 35th USCT knew too well the cost of faulty weapons. His failed musket forced his retreat into the woods and put him in proximity of a shell burst that caused the tree that he found cover behind to explode and collapse on him. His injuries include his right shoulder and a punctured stomach, wounds that guaranteed a measure of invalidity and a hard life after the war. Many white units in the expedition attested to the valiant and heroic efforts of both the 35th and 54th, other voices, however, stirred contention.¹³⁹

More defeating than the outcome of the battle, the wounds or diseases, bad national press and Army criticism surrounding the Battle of Olustee was laid upon the 35th. Ironically, the source of the criticism may have originated from simple unit rivalry, a common occurrence between military units, but also inadvertently promoted by reporters who had created a public relations sensation surrounding the storied 54th Massachusetts. As detailed in *Freedom for Themselves* by Richard Reid, the *Philadelphia Ledger* discounted the heroism of the 35th in the battle by summarizing Reid in its article “Bad Conduct of a Negro Regiment.” Unfortunately, this misrepresentation of the 35th coupled with prevalent racism resulted in many Army leaders denouncing the unit’s historical contribution. The battle casualty numbers actually reveal a different picture.¹⁴⁰

The 35th suffered 230 soldiers killed, wounded, or missing and was forced to care for 30 to 40 soldiers permanently disabled during the march, a testament to their devotion. The forced march just prior to the battle, the failed muskets, and the nature of the 35th’s employment during battle led to the high casualty numbers. Furthermore, many of the 35th suffered critical injuries because of the forced march and chronic illness from sleeping on swampy land. The final

¹³⁹ Skinner, pp. 308.

¹⁴⁰ Reid, p. 84.

indignity for many black soldiers came after their capture and brief work in Confederate camps with their return to their previous master's servitude.¹⁴¹

While the 35th was sacrificing on the field and suffering in the court of public opinion, the Army apparently was also renegeing on its enlistment bargain. At home, the 35th's families were benefiting to a lesser degree from the support policies instituted by General Wild but reports from North Carolina during the 35th's stay on Folly Island indicated that many families were in a crisis. Back pay received by the soldiers of the 35th at Folly Island should have proved a great relief for dependent families, however, many soldiers mistakenly entrusted a series of dishonorable couriers to get the money to New Bern and the families. The waiting families never saw the money, and neither the Army nor General Beecher could discover the truth of what happened. It would not be the last case of theft.¹⁴²

Army policy to pay blacks less than whites was already a fact of the black soldier's life. The reduction of pay to offset costs of clothing was also general policy but when the 35th requested replacement clothing for the baggage lost after the forced light march from New Bern, North Carolina to Folly Island, South Carolina, the Union Army decided to deduct the cost of that clothing from the soldier's pay. Furthermore, after the Battle of Olustee where the 35th once again lost tents, cooking utensils, and other necessities in the haste to plug the failing Union line, the Army once again decided to charge the unit for lost equipment. This, of course, resulted in more hardships of exposure, sickness, and poor nutrition. To compound the insult, the Army overcharged many of the soldiers for their replacement clothing, further hampering their support

¹⁴¹ Reid, pp. 83-89; Williams, pp. 204-208.

¹⁴² Reid, p. 102.

of family members. An eventual board of survey recouped overcharged clothing costs but standard clothing costs were never replaced.¹⁴³

The next great setback for the 35th came not on land but on a river boat, the *Columbine* in late May 1864. Major General George H. Gordon, acting on intelligence that Confederates were approaching by way of the St John's River near Volusia, Florida took 700 soldiers, including the 35th to engage them. Two tugs, the *Columbine* and the *Ottawa* were utilized to transport the men upriver to support other Union troops believed to be in jeopardy. The *Columbine* came under attack during the night of 23 May. Of the reported 148 men, Confederates only found 66 survivors aboard the grounded vessel. Once again, many of the blacks, specifically of Company E, were returned to slavery under their previous masters in North Carolina. The losses left Company E decimated with only 13 men and one officer available for duty. The effect on morale for the remaining men of the 35th was devastating as it appeared from all reports of the few who escaped capture that the Confederates focused their ambush on the black soldiers specifically.¹⁴⁴

For the 35th, the fall of 1864 was marked with privation, low morale, and a loss of military discipline and order. Those still suffering from injury or disease were slow to recover and many grew worse. Complaints about the unit surgeon also surfaced when the men reported that Dr. Henry Marcy did not treat the sick and injured with compassion. Based on complaints, it appears that Dr. Marcy did not effectively rate sick and injured patients accurately and as a result forced many who were unfit for duty to endure labors under extreme pain, handicap, or debilitating sickness.¹⁴⁵ Such treatment most likely exacerbated injuries and prolonged illnesses,

¹⁴³ Reid, p. 102.

¹⁴⁴ Reid, p. 102; Lt Gen Thomas Robinson, Thomas J. Robinson, Lt Gen to J. C. Beecher, Col. Official Record of the War of the Rebellion, Series 1, Vol. 44, pp. 547.

¹⁴⁵ Reid, p. 105.

resulting in further reduced unit training, morale, and readiness. It also resulted in lifelong effects of those maladies.

On November 25, 1864, Maj. Gen. John Foster, commander of the Department of the South, ordered the 35th back to Hilton Head, South Carolina. This redeployment allowed General Beecher to rejoin all the companies of his regiment once again. Forming near Grahamville, the 35th, along with other Union regiments, were tasked with blocking Confederate reinforcements from utilizing the Charleston/Savannah Railroad as a means to slow General Sherman's march from Savannah through the Carolinas. Landing at Boyd's Neck, they marched on Honey Hill where the 35th sustained heavy losses once again as they tried to traverse difficult terrain under intense Confederate fire. Another assault was planned on the woods in hope of clearing a way for artillery to destroy the rail line and deny the rebel's use of it. Along with the 55th Massachusetts, the 35th again suffered losses. Col. Beecher was shot in the thigh during that assault but he chose to stay on the field and lead his men. In the end, the railroad line was never destroyed but the Confederates were also denied its use. The final casualty count for 35th was 114. This was the last major enemy engagement of 1864 for the 35th USCT.¹⁴⁶

Final actions by the 35th for the remainder of the year and the war constituted mere picket duty at Devaux's Neck in South Carolina, and a few small skirmishes. This was followed by a mid-January march on Charleston, South Carolina. The 35th's mission, in support of white units, was to find and destroy the Confederate's war supporting supplies. A very small engagement with rebels ensued but resulted in little combat. The 35th USCT ended the Civil War posted to Mt. Pleasant outside of Charleston as an occupying force.¹⁴⁷

¹⁴⁶ Edward Potter, Brig. Gen. Edward Potter report to Headquarters First Brigade, Field Division, Official Record of the War of the Rebellion, Ser. 1, Vol. 44, pp. 425-427; Reid, p. 107.

¹⁴⁷ Reid, p. 109.

In the final analysis of the 35th USCT, they participated in some combat loss and injuries. Of course, combat was not the only source of a soldier's misery. As we have seen, disease was the sharpest blade that winnowed the Civil War soldiers. Of course, injuries were just as debilitating when they occurred, and they occurred on and off the battlefield as well.

The 36th USCT, Second to None

The creation of the 2nd NCCV began just as the staff and enlistment positions of the 1st NCCV were being completed. General Wild simply used an overflow method to determine the officers and for this reason, the officers of the 2nd NCCV were of the same demeanor and political sympathies toward black service in the Union Army. The nature of camp creation and the manner in which soldiers and their families were supported were very similar to that of the 1st NCCV. The omission of enlistment bounties, poor supply support, lack of basic equipment, and the systemic racism endured by the 1st NCCV were similarly experienced by the 2nd NCCV. However, it is the unique employment and the subsequent tribulations of that unit on which the attention of this chapter now turns.

General Wild's choice for his second regiment commander was Colonel Alonzo G. Draper. After the regiment was transferred to Portsmouth, VA in August 1863, Colonel Draper was proud to report 800 men present. Gen. John Foster, the theater commander, however, held Draper's regiment close because Foster still did not believe in the combat employment of blacks. That would soon change.¹⁴⁸

By late November, the 2nd NCCV was marching south through Virginia and North Carolina. Their mission was simply to search out recruits and refugees in the Confederate-controlled areas. The regiment carried only three days supplies and confiscated, per directives, other supplies as needed, from disloyal civilians. General Wild also issued orders to the units to

¹⁴⁸ Reid, p. 111.

hang any civilians firing pot shots on the black soldiers.¹⁴⁹ Wild's policies concerning confiscation and treatment of civilians, including those participating in guerrilla warfare, stemmed from the Lieber Code and the Union Army policies created by Maj. Gen. Henry Halleck and endorsed by President Lincoln. This was also the basis behind Sherman's "March to the Sea" through Georgia to cripple the South's war-making capability.¹⁵⁰

It was during this operation that Draper aggressively raided the land and in the course of operations captured Major Burroughs of Burroughs (Confederate) Guerrilla Forces. Contrary to orders, however, Draper did not hang the avowed partisan ranger. Draper understood the delicate public relations concerns that such action would create in enemy civilian territory. Nonetheless, Col. Frederick Wead of the 98th New York was outraged by Draper's operations. The real source of Wead's disgust was his aversion to any plundering of civilian private property, which ironically was a hallmark of Union strategy during the last days of the Civil War and the intended initial mission of many black units. Draper took this policy a step further by encouraging slaves to leave their masters and make use of the master's livestock for transportation or other needs. Unfortunately, many of the men of the 2nd NCCV raided lands on which they previously worked which of course precipitated many rebel complaints.¹⁵¹

Animus towards the black units and their officers was not confined to the Confederate forces or rebel civilians. Many in the Union ranks displayed their hatred as well. For example, confrontation between Col. Draper of the 2nd NCCV and Col. Wead of the 98th New York erupted as a result of the 2nd NCCV's participation in raids of civilian rebels and the occasion of

¹⁴⁹ Casstevens, pp. 93-97.

¹⁵⁰ For additional background information on the policies instituted by President Lincoln and Union Army read Burrus M. Carnahan, "Lincoln, Lieber, and the Laws of War: The Origins and Limits of the Principle of Military Necessity." *The American Journal of International Law* (Vol. 92, Issue 2, April 1998), 213-231. <http://www.jstor.org/stable/2998030> (accessed May 25, 2014); see also, Francis Lieber, *Guerrilla Parties Laws and Usages of War: Written at the Request of Major-General Henry W. Halleck*, (New York: D. Van Nostrand, 1862), pp. 1-22.

¹⁵¹ Reid, pp. 114-115; see also Casstevens, pp. 131-137.

the arrest of a rebel sympathizer's daughter. The physical altercation between Draper and Wead nearly spread to an all-out unit-to-unit brawl but was averted by a second New York colonel. Another example of discrimination came from Col. John Ward of the 8th Connecticut who sent his cavalry scouts to rebel homesteads to warn them of the approach of "nigger-stealers." These incidents not only placed troops in the field at risk, it also created a hostile environment for officers of colored units who were coordinating military efforts. What was at stake were assignments, on and off the field, the support provided to so called friendly forces, and simple comradery. Discrimination against black units and their leadership created a hostile and distrustful environment for officers and soldiers alike.¹⁵²

In February 1864, the 2nd NCCV was already redesignated as the 36th USCT and was relocated to Point Lookout Prison. The Union Army established the prison just after the Battle of Gettysburg and housed as many as 15,000 Confederate prisoners. Over the prison's two-year existence it held more than 50,000 prisoners. The prison's conditions were primitive, rations were short, and accommodations were poor for both the inmates and guards. Diseases such as malaria, small pox, fevers, and flux were rampant. Nearly 4,000 rebels died of disease alone in the prison. The use of blacks to guard whites made matters worse, as the Confederates demonstrated rebellion at every turn. Many resorted to relieving themselves in areas of the camp not suitable for hygiene. Commanders ordered that the guards to force rebel use of the proper relief points in the camp and not "loiter" in unapproved areas creating a sanitation problem. But,

¹⁵² Edward Wild, Brig Gen. Edward Wild to Brig Gen. Barnes. Official Record of the War of the Rebellion, Series I, Vol. 29, Part 2, p. 562;

the shooting of a disobedient prisoner led to other incidents of insurrection and placed many guards in further danger.¹⁵³

Just outside the prison walls, a contraband camp soon developed from the many runaway slaves who accompanied the black guards and soldiers of the area. The district commander, Gen. Henry H. Lockwood, curiously discriminated against these refugees from Maryland by denying them entrance to the camp, though refugees from Virginia were allowed to remain of course. Many of the refugees were family members of the unit soldiers and such discrimination put them at risk of capture by pro-slavery civilians. The refugee camp also suffered poor rations and unhealthy conditions. Never-the-less, wives and relatives were able to assist the soldiers and many black couples were able to gain formal recognition of their marriages while stationed there. This was an important consideration later when filing for a pension.¹⁵⁴

By June 1864, Col. Draper's command of the regiment ended because of his promotion to command of the Second Brigade of the Eighteenth Corps. When the interim commander, Gen. Charles Paine took command of the 36th, he marched the unit into the trenches in front of Petersburg, VA. Paine then instituted a sharp shooter contest in the regiment as a good excuse for training and perfection of skills. But, the 36th at Petersburg did little more than dig and repair trenches, or when not on fatigue duty, they were relegated to mundane picket duty.¹⁵⁵

In August 1864, the Union Army sent a small detachment of the 36th, along with other black units and many civilian laborers, to Dutch Gap Canal to excavate dirt and mud to create a detour waterway on the James River. Once the laborers removed the 67,000 cubic yards of earth,

¹⁵³ J. B. Traywick, "Prison Life at Point Lookout." *Southern Historical Society Papers*, Vol 18, Jan 1890, pp 431-437, (accessed June 11, 2014); Reid, pp. 125-132; Lonnie R. Speer, *Portals to Hell: Military Prisons of the Civil War* (Lincoln: University of Nebraska Press, 1997), pp. 151-154, and 187-193.

¹⁵⁴ Reid, p. 132; James Kenneth Bryant, II, "A Model Regiment": The 36th U.S. Colored Infantry in the Civil War," (MA Thesis, The University of Vermont, 1996), p. 4; James Barnes, Brig. Gen. Barnes to Headquarters United States Colored Troops, Dec 28, 1863, Official Record of the War of the Rebellion Series 1, Vol. 29, pt. 1, p. 917.

¹⁵⁵ Reid, p. 136.

the detour allowed Union boats to bypass the rebel-controlled Trent's Reach on the James River. Ironically, the blacks (soldiers and civilians) were required to work alongside their mortal enemies, the rebel POWs. As a result, injury, disease, and exposure exacted a steep price for the construction of the canal that in fact never saw any real use during the war.¹⁵⁶

At the Battle of New Market Heights, the 36th USCT was responsible for much of the Union Army's success. Heavy losses occurred during the assault, but Gen. Benjamin Butler's review noted the apparent courage of the black units, including the 36th USCT. As reported by Thomas. M. Chester, a black Civil War correspondent, "Every man looked like a soldier..." and "The officers, as they went along the line, were impressed with an unwavering confidence by the martial bearing of the troops."¹⁵⁷ After the battle, however, the 36th simply returned to the cold exposure of the trenches of Petersburg for the winter.

Persistent shelling around Dutch Gap punctuated the mundane nature of duty in the trenches around Petersburg as the 36th suffered extended privation, disease, lack of food, and hard work. One very unfortunate experience was a result of the common practice of using blacks as the munitions supply labor, a very dangerous occupation. These hazardous operations required the manual transfer of very large shipments of explosives and many accidents occurred. At a munitions testing ground on Thanksgiving 1864 near Richmond's Tredegar works, three of the 36th USCT and other colored units died and many were injured when a large explosion occurred on the grounds.¹⁵⁸ This incident provides proof that hazards existed everywhere, on and off the battlefield.

Eventually, the officers of the 36th also began to complain through channels that the army was failing to supply the regiment and their families properly with food, clothing, and other

¹⁵⁶ Reid, p. 137.

¹⁵⁷ Chester, p. 150.

¹⁵⁸ Chester, p. 196.

necessities. The Army, however, conducted a short review of the allegations and concluded that the officers under Wild's command were the source of malfeasance. The families of the men of the 36th also suffered due to Army delays in issuing back pay and simple rations. At enlistment, for example, the 36th's officers promised the soldiers that their families on Roanoke Island, who were runaways themselves, would have shelter and rations provided. But many soldiers of the 36th presented evidence that the assistant to African American Affairs, Holland Streeter, had cut their families' rations by half so he could sell them for personal gain. An investigation by Major Hart also revealed that 15 percent of the regiment was in a financial crisis with 24 families experiencing extreme destitution. One important concern arose from missing clothing items such as shoes. Major Hart's investigation revealed that many of the 36th's soldiers were providing shoes to their relatives in the refugee camps. As a result, Hart ordered that any unauthorized disposition of Army clothing was a punishable offense. These difficulties would continue through the end of the war.¹⁵⁹

The final movement by the 36th USCT was the taking of Richmond in April 1865. However, Gen. Draper's desire to prove the effectiveness of his all-black regiment created a tremendous breach of military etiquette. To ensure the 36th was the first Union infantry unit to enter Richmond, Draper ordered his men to double-quick past white units. When command ordered Draper to move his men to the side of the road so the white units could pass, he simply followed the letter of the order while violating the intended spirit as he continued marching the 36th at a considerable pace into the falling Confederate capital. This breach of decorum created a deep rivalry and hurt the image of the 36th among other units. Never-the-less, the 36th, along with other units, was tasked with guarding the Confederate civilians who remained in the city,

¹⁵⁹ Reid, pp. 263-264 and pp. 148-149; also see General Order No. 32, 8 February 1865, LEOB, 36th USCT, RG 94, NARA.

and their conduct was never questioned. Over the next three months the unit was moved to and from City Point to Fort Monroe and back again until May when the Army ordered the 36th on a new mission.¹⁶⁰

Based on the nature of rebellious Texans and intelligence indicating possible actions by Mexico to reclaim territory from the U.S., the Army sent the 36th to guard the southern United States border and quash the final embers of the Civil War. The unit boarded a transport on 24 May and after a brief respite in Mobile Bay, they re-boarded, and finally arrived at Brazos Santiago Island, Texas. The arrival, however, coincided with a low tide and the unit could not disembark for three more days. Bad food, made worse by a long journey, poor sanitation, and a deficit of clean water, led to fevers, diarrhea, and fluxes. The lack of fresh vegetables and fruits led to an outbreak of scurvy long before the unit landed on Brazos Santiago. This was only the beginning of the nightmare.¹⁶¹

During the unloading of the 36th and their meager supplies, the schooner began to founder on a sand bar. Though quick action prevented any deaths, the ship and the unit's critical supplies sank to the bottom. Once ashore, the men of the 36th had little clean drinking water. At one point, soldiers working in the Brazos Santiago summer heat lived on one pint of water a day. To mitigate the short supply of fresh water, the 36th marched up the Rio Grande to Brownsville, where water was more plentiful though still poor in quality. The march itself was agony for the men who were already suffering the effects of severe dehydration and the associated ailments.¹⁶² One veteran of that campaign who suffered terribly during the march was Priv. Haywood Carter

¹⁶⁰ Bryant, pp. 130-131; see also Chester, pp. 290-291, 303-304.

¹⁶¹ "Scurvy in the Twenty-Fifth Army Corps," *The Boston Medical and Surgical Journal*, Issue 74, no. 8 (09/22; 2014/04, 1866): 155-157. DOI: 10.1056/NEJM186603220740802, <http://dx.doi.org/10.1056/NEJM186603220740802>, p. 155.

¹⁶² "Scurvy," p. 156.

of Company H. The “bad water” wreaked havoc on his gastro-intestinal system as he suffered severe diarrhea and piles for the rest of his life, filing for a pension based on this disability.¹⁶³

In fact, at least half of the 36th USCT suffered from the effects of scurvy and diarrhea for months after arriving at Brownsville. Only after supplies began to arrive in late August did the effects of anti-scorbutics take hold and stem the suffering. The effects of diarrhea, however, remained chronic for some time. Deaths from diarrhea continued to occur well into 1866. Since the war had ended in April 1865, many soldiers of the 36th were quite resentful of what they deemed needless death in the prairie lands of Texas. By contrast, the unit’s relative isolation from Texas locals reduced exposure to hostile civilians in the region. Furthermore, regardless of the suffering endured by the soldiers, the conditions and supply deficits, only one soldier deserted from the 36th during service in Texas. This is a clear indication that the overall sentiment of the unit was patriotic and that comradeship normally was high. Despite the calls and requests by many Texas planters for labor, the men of the 36th returned to New Bern once they mustered out starting in October.

The 3rd NCCV, the 37th USCT

The 3rd North Carolina Colored Volunteers began service much like their sister units the 1st and 2nd NCCVs. In fact, as intended by Gen. Wild, the 3rd NCCV was created from the overflow of the first two units. Like its sister units, the 3rd recruited continuously, benefiting greatly from the large and still growing population of blacks in the New Bern and Elizabeth City region. As new recruits enlisted, the unit moved them forward to their headquarters in Virginia for inclusion into the ranks.

¹⁶³ Frederick C. Douglass, Richard E. Rogers Collection, East Carolina University, Joyner Library, (248.1a): pp. 203-230.

Unlike the 1st and 2nd NCCVs, the 3rd NCCV began with only five fully formed companies. Also, while the 1st and 2nd's problems of training and full formation were resolved prior to any combat action, this was not the case for the 3rd. Its formation was incomplete when it joined the Eighteenth Corps' Third Division and was redesignated the 37th U.S. Colored Troops. The 37th's first commander was Lt. Col. Abial Chamberlain, a wounded veteran of the 1st Massachusetts. Chamberlain's position at the time of appointment to the 37th was provost marshal at Riker's Island in New York Harbor. When he arrived at the unit he was beset with copious amounts of paperwork because his staff officers were in short supply. Since the 37th was last to begin its formation, the recruiting competition made for sparsely filled companies. The regiment resorted to scouting Virginia, Maryland, and District of Columbia to find sufficient numbers. Unfortunately, the unit never fully filled its ranks.¹⁶⁴

On 20 April 1864, Confederates attacked the 37th's recruiting station at Plymouth. The 7,000-man force under General Robert Hoke lay siege to the garrison that housed 3,000 defenders. The garrison's number included 200 black soldiers and sailors who had just recently enlisted, as well as white North Carolina Unionists known as "Buffaloes." After a four-day siege the garrison and its inhabitants were taken. Many of the blacks were not treated as POWs. Vengeful rebels summarily shot many of them while others were re-enslaved. Sadly, the number of black casualties is probably much larger than recorded because the 37th had assembled an unknown number of blacks ready to enlist. Additionally, at least 1,000 blacks had found refuge in the town along with 50 members of the 37th.

This tragedy came just two days after the massacre of Fort Pillow where the Confederate fully realized the policy of "no quarter" for blacks and white officers of black units. The Confederates, aware of the public relation's optics of a massacre, claimed that the prolonged

¹⁶⁴ Reid, pp. 54-56.

resistance of a few, after the unconditional surrender of Brig. Gen. Wessells, had caused the ensuing bloodbath. Regardless of the which version of the battle is true, the attack stifled further recruitment in that area and forced the 37th to look elsewhere to find sufficient numbers of enlistments to fill the ranks.¹⁶⁵

Chamberlain's leadership endured many challenges but through it all he kept the welfare of his soldiers preeminent. One key factor was his insistence to his superiors that his men be relieved of field duties until they received sufficient drill and training time. Gen. Edward Hinks, commander of the Eighteenth Corps, believed the 37th suffered many problems because of the rocky manner in which it had begun, and he consistently ensured the 37th performed labor duties in lieu of actual combat operations. Unfortunately, this duty was no less dangerous, as many suffered gunshot wounds while working on the trenches surrounding Richmond. The labor, however, also resulted in many injuries, such as hernias and broken bones. The use of the 37th for strenuous fatigue duty, general sickness, and lack of training all contributed to the assessment by Gen. Hinks and others that the regiment was unfit for combat operations.¹⁶⁶

The 37th, minus the First Brigade, which continued to man the trenches of Petersburg, did receive the necessary training time, which contributed to the second order effects of increased health of the regiment and continued enlistments. This helped to fill the ranks. By early August of 1864, the 37th regiment's officers still believed the unit's training was incomplete, however, and they deemed the unit unfit for combat employment. Never-the-less, Chamberlain received orders to rejoin the Third Division, Eighteenth Army Corps. The Third Division had positioned itself for a planned breakthrough of the Confederate defenses surrounding Richmond.

¹⁶⁵ Official Record of the War of the Rebellion, pp. 282-303; Weymouth T. Jordan and Gerald W. Thomas, "Massacre at Plymouth," *The North Carolina Historical Review*, Vol. 72, No. 2 (Apr 1995), pp. 125-197 <http://www.jstor.org/stable/23521768> (accessed June 21, 2014).

¹⁶⁶ Reid, pp. 167-168.

The 37th's earlier evaluations however, resulted in the unit's limited use. Instead, the regiment was used to shore up the lines on the Union left and saw little fighting at Laurel Hill Church, and Chaffin's Farm. Later, the unit drew up the rear of the march on Williamsburg road to flank the northern side of the Confederate line.¹⁶⁷

In November 1864, Col. Nathan Goff took command of the Regiment. He was quickly involved in many critical problems. His new regimental chaplain, William Green, took up the issue of missing back pay that was crippling the black families back home. Complaints were forwarded and when the back pay appeared, Green personally embarked on a 20-day trip to deliver the funds to the families for the soldiers. Green certainly was aware of other black unit horror stories of pay that disappeared while in the care of couriers. Meanwhile, Company K of the 37th was still at Chaffin's Farm where they endured the harshest winter in years, suffering exposure on the snow and ice without tents.¹⁶⁸

Real combat for the 37th came not at Richmond but instead developed as Confederate forces pulled back from Fort Fisher. Eight companies of the 37th joined Col. Elias Wright's Third Brigade to attack the fort in December. Complications of the water transport up the James, however, resulted in only a portion of the force arriving. Gen. Butler, who now took command of the operation, ordered the fleet to Beaufort, North Carolina, to ride out bad weather which by now had arrived. But troops were not allowed to disembark. The entire journey, which required two days to complete, actually left the units on the boats for two weeks. The men of the 37th simply remained aboard the transports during the very tepid attack. Gen. Butler eventually abandoned the operation after learning that the advance naval bombardment on the Fort had

¹⁶⁷ Reid, p. 169.

¹⁶⁸ Reid, p. 176.

resulted in no real damage. He concluded that any attack would put the infantry units approaching the fort in great danger.¹⁶⁹

Union forces attempted a second water-borne attack on Fort Fisher in January 1865. The 37th was again crowded aboard a craft of questionable worthiness and then battered in stormy seas. After a long problematic landing, the 37th with the 5th USCT led the march up the peninsula to guard the landing against 6,000 Confederates in Wilmington. Once again, however, the 37th's checkered past resulted in little employment where hard action was guaranteed. In the end, the fort fell and Confederate general Braxton Bragg knowing the Cape Fear estuary region was untenable, withdrew. By June 5th, the regiment was in camp near Wilmington.¹⁷⁰

The 37th assumed provost duty over Wilmington but this soon revealed a host of problems. The white civilians of the surrounding area grew increasingly hostile to black soldiers. Furthermore, the 37th began to deal with black civilian complaints of white abuse by trying to determine street-side justice, a policy unwarranted and unsupported by the Army, which only made the race relations worse. For the duration of the 37th's existence, the unit experienced many troubles acting as a provost force in the defeated South. But when it finally mustered out in February 1867, there were few hardships.

The 14th: Heavy Artillery but Light Work

The 1st North Carolina Colored Heavy Artillery was established to man the heavy artillery in coastal and river fortifications. Numbering more than 1200 men by war's end, the unit was trained as "foot" artillery and received dual small arms training. The regiment became the 14th United States Colored Heavy Artillery and its mission was to defend the cities and ports of

¹⁶⁹ Official Record of the War of the Rebellion, Series 1, Vol 42, pp. 964-977, 980-986.

¹⁷⁰ Charles Paine, Report of Brig. Gen. Charles J. Paine, U.S. Army, commanding Third Division, Twenty-fifth Army Corps, of operations January 13-19, Official Record of the War of the Rebellion, Series 1, Vol. 46, pp. 423-424.

eastern North Carolina, specifically, Morehead City's constructed docks and wharves. The recruits came from the New Bern area but because of enlistment agents, recently passed legislation and the Army's General Order 227, a convoluted system of enlistment emerged. Enlistees earned state bounties of the northern states that the enlistment agents represented and their enlistments counted towards the quotas of those states, but not for North Carolina.¹⁷¹

Though the 14th never experienced serious action before the enemy, the unit still suffered many hazardous moments. Often used in loading and unloading operations and in the movement of large cannons, the men dealt with strains, hernias, and a wide range of other injuries from lifting heavy cannons. Men of the 14th suffered other injuries resulting from various incidents such as exploding cannons from overcharging the shot and a gun carriage failure resulting in crushed feet and legs. The lack of eye protection, which was common with cannoneers, resulted in eye injuries and vision loss. The large explosions with big guns also caused hearing loss in many of these men. This seems improbable today, but the lack of training and enforcement by white officers seems to be the most likely cause of these problems.

Specific cases of injuries in the 14th are common in the Frederick C. Douglass papers (pension records), but two examples illustrate the difficulties that these men faced. The first involved Benjamin Heston of Company A. Heston was severely injured while assisting in the dismount of a large cannon from its carriage. During the heavy lifting with a stick for a fulcrum, the skid that supported the cannon began to slip. Heston tried unwisely to catch the cannon but the cannon slammed into Heston's shoulder with great force. The second case was Corporal

¹⁷¹ E. D. Townsend, Adjutant General's Office, War Department "General Order 227," Official Record of the War of the Rebellion, (Series 3, Vol. 4, Section 1), pp. 484-486.

William Moor who suffered the effects of an errant shell burst that propelled fragments of the cannon carriage into his right ankle and leg just below the knee.¹⁷²

These cases dramatize how many blacks, who were not on the front lines, still endured an inherently hazardous environment that created the need for future peacetime care and support.¹⁷³

Conclusion

The analysis of the black units of North Carolina in the Civil War reveals that the men of the 35th, 36th, 37th USCTs, and the 14th USCHA endured a wide spectrum of danger in combat comparable to their white counterparts. The Union Army did form and enlist the members of the units in a unique manner, but the systemic discrimination by the Union Army and personal biases of some officers resulted in many detrimental effects on these black soldiers. Hard labor, impossible missions, and reduced monetary compensation touched the lives of many black soldiers and their families. The long-term effects of this discrimination resulted in broken bodies of the black heroes of the Civil War, broken promises by the U.S. Pension Bureau, and the broken dreams of future generations. But the “Iron Fist” remained.

¹⁷² Frederick C. Douglass, the Richard E. Rogers Collection, East Carolina University, Joyner Library Special Collections (248.1a), p. 14.

¹⁷³ The Union Army organized the 135th Regiment, United States Colored Infantry on March 28, 1865 in Goldsboro, North Carolina as a possible provost guard unit. The 135th USCI did not participate in any actual operations or maneuvers and after a relatively uneventful existence, the unit mustered out on October 23, 1865.

Chapter Five

They Had a Dream

The United States underwent a tremendous upheaval with the end of slavery. Generations of southern blacks were set free upon the American landscape. During the latter half of the Civil War, many runaways and freedmen found their way to Union-held territory where they either joined the army or found refuge in contraband camps. Then with the full defeat of the rebels, millions of ex-slaves immediately set upon dusty roads for unknown destinations and futures. Other less capable black veterans remained near contraband camps. In either case, black veterans required a stable source of income with which to build a new life of freedom where they could get down to the day-to-day task of living.

For black veterans, their dependents, and their survivors, the promises of enlistment bounties, death benefits, and pensions were not simply monetary recompense. These entitlements and benefits were promises ensuring a future of true freedom that did not rely on the Freedmen's Bureau, societal benevolence, or working on plantations as under-paid second-class citizen employees. This examination of the Civil War Pension System was performed using the Frederick Douglass papers as the data source. The data reveals that far too often the bureaucracy, corruption, and biases of the Union Army and the Pension System stole, delayed, or simply denied the "promissory note" of financial security, and by extension, the freedom for ex-USCT and their families to establish destinies of their own making.¹⁷⁴

¹⁷⁴ King, Jr., Martin Luther, "'I Have a Dream' Speech," (March on Washington, Washington, D.C., August 28, 1963). Within this speech given 100 years after the end of slavery, Dr. Martin Luther King Jr., offers the image of the "promissory note," an abstract concept combining the precepts of the Declaration of Independence and the U.S. Constitution. In this concept, Dr. King referenced inalienable rights of all people for life, liberty, and the pursuit of happiness. The Union Army and the Pension Bureau designed the programs to promote enlistments and to care for those who had born the battle, thereby creating a "promissory note." The 13th Amendment and the successful conclusion of the Civil War secured the promises of life and liberty for blacks, while entitlements of enlistment and

A Promissory Note Defaulted

As clearly demonstrated in Chapter 2, black soldiers were often cheated of their rightful compensations from the very beginning of the enlistment and pension systems. The Union Army policies concerning contrabands and their eventual use in the Union Army denied many the standard bounty of enlistment. Later, when Army regulation permitted enlistments of blacks, unscrupulous bounty agents, using an ex-slave's illiteracy and naiveté, cheated many black enlistees of their rightful bounties. Ironically, the Union Army was fully aware that such travesties occurred and often employed policies, measures, and men to thwart the agents, but ultimately the volatile national and state politics of enlistment quotas allowed the practice to continue with the proviso that the agents produced sufficient recruit numbers.

Since many enlistment bounties were co-funded to varying degrees by the states, local policies often played a major role in the enlistment process. Free-blacks early in the war, joined prior to Army regulation changes and therefore received no bounties. Additionally, maverick Union commanders often employed contrabands prior to official changes in Army regulation. Contraband use in army units constituted defacto enlistments. Once regulations and laws permitted open enlistment of blacks, many simply joined the unit with which they previously served or moved on to USCT units and thus received no bounty at all.

The Douglass papers revealed many cases of those seeking bounties for themselves or for their posterity, as an afterthought of their enlistment and service. The veteran private, Robert Dunbar was one such case where the claimant filed to retrieve his bounty. In Dunbar's case the Tyrell County native ran away as a slave, went to Newbern, North Carolina, and enlisted.

death bounties, and pension benefits promised possibilities for the pursuit of happiness to veterans and their beneficiaries. Unfortunately, it is arguable that America defaulted on the "promissory note" of financial assistance to black Civil War veterans and continued to default on the promise of equal rights to all blacks of America 100 years later.

Dunbar was seeking his pension and bounty for service from June 16, 1863 until June 1, 1866 where he mustered out at Charleston, S.C. The former runaway signed up prior to the enlistment bounty's offer to blacks and received only seven dollars per month. Dunbar was also a victim of the 35th's infamous campaign at Jacksonville, Florida. Like so many of the 35th, Dunbar was forced to retreat after a chaotic but effective support of the front line units. Much of his personal equipment was lost and the Army charged him as well as others for their replacement equipment. This equipment included two haversacks, camp gear, and ordinance. If this financial indignity was not enough, the 35th's Muster Rolls in April 1865 stated that the "slave" was paid seven dollars a month, and that a pay balance was still due, indicating Dunbar's Army pay account was in arrears. black were actually paid ten dollars a month with three dollars deducted for uniforms and equipment. When Dunbar finally mustered out, he was due a balance of \$121.00 of the total \$252.00 he was paid. Of course, Dunbar's white counterpart in the Union Army was paid \$13.00 a month for a total of \$468.00 for the same enlistment period. Furthermore, whites were not required to pay for their own equipment or uniforms.¹⁷⁵

As noted by MacPherson, many simply served for the chance to secure the blessings of freedom for themselves, their families, and other blacks.¹⁷⁶ Eighteen percent of the Douglass sample cases involved black veterans or their families who filed an affidavit in an effort to recover outstanding bounties. This data also revealed that in 82 percent of those cases the black veteran was deceased prior to Douglass filing the case. The remaining 18 percent of Douglass "bounty" filers were veterans denied their rightful pay but in either case, the monies were of prime importance to the financial security to the veterans or their survivors.

¹⁷⁵ http://search.ancestry.com/cgi-bin/sse.dll?indiv=1&db=ColoredTroopsCMSR&rank=1&new=1&MSAV=1&msT=1&gss=angs-d&gsfn=Robert&gsln=Dunbar&uidh=1nb&pcat=39&fh=0&h=115393&recoff=3+4&ml_rpos=1.

¹⁷⁶ James M. McPherson, *The Negro's Civil War: How American Blacks Felt and Acted During the War For the Union* (New York, NY: Vintage Books, 1991). p 5.

After enlistment, many of the North Carolina black soldiers often fell subject to the institutionalized prejudices of the Union Army. Individually and as USCT units, blacks performed duties that were not required of their white counterparts. black also endured field and camp conditions that most white units would not. Hardships were a common part of all army life in the Civil War; however, North Carolina blacks of the Union Army often lived in sub-standard camps in locations with little potable water, poor logistics support, and with shoddy equipment. The miseries suffered by the 35th USCT at Folly Island and the deplorable conditions that the 36th USCT lived through at Brazos Santiago highlight the racially charged environment that blacks faced in an army whose strategic mission was ultimately the emancipation of those suffering the worst form of racism.¹⁷⁷

The deplorable camping conditions of black units were the cause of many physical ailments and lasting miseries. The camp at Folly Island, for example, debilitated many men with insufficient camp materials, many slept the open while they lacked proper clothing that left them exposed to winter conditions. Lasting effects of fevers, fluxes, diarrhea, piles, frostbite, and rheumatism affected most pension applicants for the remainder of their lives. These long-term conditions were fully attributable to camp conditions and the negligence of Army leadership to provide adequately for its men regardless of race.

One such case involved Hosea Spencer who mustered in June 25, 1863 at the age of 39 and mustered out June 1, 1866. Hosea enlisted in Company G of the 35th Regiment at Newbern North Carolina and served at Folly Island, South Carolina, and Olustee, Florida among other locations. Hosea was also a victim of the Army's effort to recoup the cost of lost equipment at

¹⁷⁷Margaret Humphreys, *Intensely Human: The Health of the Black Soldier in the American Civil War*, (Baltimore, Maryland: The John Hopkins University Press, 2008). pp 8-9; Sven E. Wilson, PhD. 2010; see also, "Scurvy in the Twenty-Fifth Army Corps." *The Boston Medical and Surgical Journal*, Issue 74, no. 8 (09/22; 2014/04, 1866): 155-157. doi: 10.1056/NEJM186603220740802. <http://dx.doi.org/10.1056/NEJM186603220740802>.

Jacksonville, Florida. Muster records for the 35th reveal his exit pay reflected a stop pay for a haversack.

Hosea Spencer's service at Folly Island where there was a poor water supply resulted in his contraction of long-term dysentery, rheumatism, diarrhea, and blood in the stool. Hosea's widow, Lucy, filed the affidavits for the death bounty, pension, and back pay in February 1892 just eight days after his death. While Hosea was 68 years of age at the time of his death, he suffered debilitating effects of gastrointestinal diseases when he worked to earn a living as a ferryman. The Douglass ledgers do not contain the final disposition of the Spencer case, but Federal Records indicate that Hosea died leaving a widow of 28 with his four young children in Newbern, North Carolina. His widow, Lucy, was awarded a pension file number but the result of the case, is currently absent from any known file.¹⁷⁸

Negligence in North Carolina colored units did not end with poor camp location choices. It extended to equipment, supplies, and personnel as well. As indicated by the affidavits of many veterans, the care many black soldiers received directly affected the lasting result of treatment. As detailed in Chapter 2, USCT hospitals were notoriously under staffed, under equipped, and filthy, leading to many blacks suffering subsequent maladies once admitted to unit hospitals. Many men entered the hospital to recuperate only to contract a disease which often resulted in extended stays and even death. One such soldier of many was Caesar Counts who entered the 35th Regimental Hospital in Beaufort, SC for undisclosed injuries or diseases, but eventually died from chronic diarrhea. Death from diarrhea did occur in the Nineteenth Century, but contracting and dying of diarrhea in a hospital is indicative of deficient field hospital conditions. It is important to note that the National Archives reveal that Caesar Counts originally entered the

¹⁷⁸ National Archives: Fold3 at Ancestry.com. "Hosea Spencer," <http://www.fold3.com/image/29352436/?terms=Hosea%20Spencer>. p 1. Accessed 23 Mar 2015.

regimental hospital with the 35th in St. Augustine, Florida in October of 1863. He did not succumb from chronic diarrhea until 24 January 1864 in the regimental hospital at Beaufort, S.C. This is indicative of a systemic condition of the hospitals used by the USCT and not simply a matter of one dirty field hospital.¹⁷⁹

The horrible experiences of many soldiers in the USCT hospital system were common among the many affidavits filed through Frederick Douglass. As detailed in Chapter 2, blacks statistically suffered death from dysentery and diarrhea more often than their white counterparts did. As detailed previously, contrabands, runaways, and later, emancipated blacks, received treatment in USCT regimental hospitals. This mix of civilian and military patients contributed to the spread of diseases in the military patient population. The burden of non-military patients on the under staffed black regimental hospitals represented a burden the white Union regimental hospitals were not required to support. Many factors contributed to the overall disparities between USCT and regular Army units, but surely filthy hospitals, poor food and water quality, and the lack of quality medical personnel played the largest roles in creating, extending, or causing suffering in black soldiers of the USCT.

Of course, unit policies and unit leadership are important considerations for their effect on the health and safety of the veterans in the Douglass files. First, the men of the USCT were required to get an officer's permission to go to the hospital. This divergence from standard policy of white units, easily allowed callous white officers to exercise abuse of their power by denying proper medical care to many under their command. Secondly, when blacks entered regimental hospitals, callous regimental doctors and surgeons received them. These men exercised racial bias often in their treatment of blacks. These doctors denied proper treatment, blamed the men

¹⁷⁹ National Archives: Fold3 at Ancestry.com. "Ceasar Counts," <http://www.fold3.com/image/312765663/>. p 72. Accessed 23 Mar 2015.

for their infirmities, and/or blatantly mistreated the men. The staffs of these hospitals were also guilty of malfeasance by misdirecting supply funds, or simply failing to buy the proper supplies to prevent simple diseases such as scurvy or other diseases preventable with proper dietary habits. This particular charge is well supported by the evidence of regimental surgeons who failed to provide fresh vegetables and fruit for the units traveling to and while camped at Brazos Santiago, Texas.¹⁸⁰

The misery of Brazos Santiago was the most infamous case of scurvy outbreak but there were others including the case of Sampson Foy and enlistee of the 2nd North Carolina Colored Volunteers, which later became the 36th United States Colored Cavalry. His symptoms of liver disease, digestive tract problems, and rheumatism of the legs and feet are indicative of scurvy. His affidavit did not mention the malady of scurvy specifically, but it is quite plausible that he suffered the disease along with his comrades but never received treatment at a regimental hospital. Foy's service to the 36th included the Battle of Chaffin's Farm where he further reported suffering an extreme level of exposure to the cold because he had no tent and lived off a very poor diet. His affidavit, filed in 1891, indicates a lifetime of suffering from the effects of a poorly equipped unit, poor diet, and apparent lack of company, regimental, or army leadership concern.¹⁸¹

The very presence of the USCT units at Brazos Santiago following war's end highlighted institutionalized prejudice and bias towards the black soldiers. The initial days of acceptance of the blacks into the Union Army revealed much as well. USCT units were woefully understaffed of both officers and qualified non-commissioned officers to points most white units would not

¹⁸⁰ "Scurvy in the Twenty-Fifth Army Corps." *The Boston Medical and Surgical Journal*, Issue 74, no. 8 (09/22;2014/04, 1866): 155-157. doi: 10.1056/NEJM186603220740802. <http://dx.doi.org/10.1056/NEJM186603220740802>.

¹⁸¹ Richard E. Rogers Collection: Frederick C. Douglass Papers, 1883-1910, East Carolina University Joyner Library, 248.2a, p 229.

have tolerated. Because some white officers held biases, many USCT units were condemned to act as their own laborers, even while unit leadership ordered training to continue unabated, thus ensuring poor training and potential risk in combat. Furthermore, the Union Army systemically and institutionally hurt USCT unit's readiness with consistent failure to supply needed materials. Evidence of missing combat gear such as muskets or the delivery of poorly conditioned or faulty weapons made standardized training difficult, placed lives in jeopardy in combat, and may have actually caused death of USCT men. To make matters worse, the Army placed monetary liability for lost material and equipment on the backs of the very men the Union Army equipped. The case of the 35th USCT retreating at the battle of Olustee in Florida revealed that very fact. Already owed back pay, the 35th USCT soldiers had future funds docked for lost material during the hasty retreat. Such a scandalous act by the Union paymasters further ensured the future poverty of soldiers and their families waiting for them. Even after discharge from the unfriendly Union Army, black soldiers would still have a dream, a dream of better days in freedom.

““Wait” has almost always meant “Never.””

When the Civil War ended and troops returned home, blacks were delivered forever from chattel slavery and were set adrift in a strange and complicated world. For members of the USCT, the simple and brief routine of army life they grew to rely on was over. Soldiers released from their units quickly began finding their way home where they tried to reunite with scattered family members.

Unmarried soldiers with no family ties were free to explore the full range of possibilities, including moving to the Northern states or to new territories in the West. Those ex-soldiers with dependent family members found their possibilities were more limited which restricted their

newly won mobility. These limiting factors forced many black veterans to settle in the contraband camps and surrounding areas where their family members were already residing prior to war's end. It was not long that these contraband camps necessarily evolved into permanent settlements, and eventually, into cities.

In these cities, ex-soldiers and surviving family members required assistance in retrieving their hard-earned entitlements from the U.S. Pension Bureau. Countless pension agents who formed businesses and careers on this bureaucratic process answered the need for assistance. Frederick Douglass was but one of many in New Bern. One his clients, Mary Counts, has become a focal point of this study, as her story is both dramatic and emblematic of the struggle that so many faced in their quest for their fair share of the money owed to soldiers and/or their survivors.

The story of Maria Counts is a tale that lies within 256 pages captured through the United States National Archival system that holds the known records of her legal correspondence with the Pension System by way of Frederick Douglass, her pension agent. Douglass also provides a portion of Maria's story from the notes captured within the Douglass files themselves. Both files are lengthy in narrative and confusing at times, revealing a lot of misinformation that comes from both Maria's divergence from societal norms and the tragedies of war.

Maria's first approach to the pension system was less than advantageous. As detailed in Chapter 2, Maria was remarried by the war's end and her second husband, who was also a member of the United States Colored Troops, was deceased before war's end. It is not clear from either source as to why Maria decided to file for a widow's pension through Caesar Counts, but she was adamant about her attempts. Maria's children were not through her brief marriage to Caesar. Perhaps Maria simply felt a deeper allegiance or love for her first husband.

The pension system and the people within that system held Maria to a high moral standard and tested her veracity at every step. Based on both files, Maria's account of the events were always consistent with one another, but her story was checked through at least three different audits of her case. Maria was actually dropped from the pension roles in 1893 due to evidence of remarriage. However, her subsequent affidavits refute the claims as she simply cohabitated for a time with a man suspected to be her husband. Ironically, she will marry the man later. Maria was suspected of having a child named Cenus with the man but affidavits later revealed that the child in question was her sister's son. Maria's sister ran away before Caesar and Maria had left the plantation and the two raised Cenus as their own.

A very disturbing fact that the National Archive files revealed was that Edward Carpenter, her principal agent before Douglass, had withheld \$639.25 in claims, bounty, and back pay accrued through her earlier attempts to collect from the Pension Department. Carpenter's apparent malfeasance was uncovered through one of the special investigations of Maria's case in June 1873, and resulted in an indictment against Carpenter.¹⁸²

Maria Count's pension case, which she initially filed through Ed Carpenter in 1866, underwent four different audits or investigations. There is no direct evidence that negligence or incompetence by Ed Carpenter or Frederick Douglass created the increased Pension Bureau attention of Maria's case. It is clear that Maria's specific case is particularly complicated and her personal choices definitely strained the moral standards of the day. In her final Pension Bureau investigation, auditors believed Maria had remarried immediately following the war in 1866. The early affidavits of her case were ambiguous at best and failed to adequately clarify her married status. Her affidavit on June 3, 1892, however, bears witness that Maria fully admitted to being

¹⁸² National Archives: Fold3 at Ancestry.com. "Ceasar Counts," <http://www.fold3.com/image/312765663/>. p 70. Accessed 23 Mar 2015.

married, and that the marriage took place on August 16, 1866 to her last husband, Mathew Simmons.¹⁸³

It seems strange that Maria testified ambiguously during her early affidavits but is adamant in later testimony concerning her marriage to Mathew Simmons. It is also strange that her agent Carpenter surreptitiously held monies previously paid to her case. The causes of such confusion and apparent misdirection of funds is a matter of speculation but one fact is without dispute. Carpenter was Maria's representative, the only one of the two who could read and write, and the only one educated on matters of law and evidence.

The final numbers on Maria's case indicate that she received her husband's back pay, minus lost equipment costs, plus his death bounty. Maria also received a widow's pension up to the time of her third marriage on August 16, 1866. Maria's two children, though they were the prodigy of her former master's uncle, Mr. Greene, were also paid a pension up to their 18th birthday. Maria received on March 17, 1893, a final amount of \$280.45. This was after she had to repay \$637.27, which the Pension Bureau paid based on the affidavits filed through Carpenter. It is also notable that with every series of documents filed, Carpenter and Douglass were paid an additional ten dollars. If the files at the National Archives are complete, Carpenter, and by extension Douglass were paid \$140.00 dollars for services rendered, flawed or not. Every document series cover bears a bottom line statement "Fee, \$10.00." While Maria answered the Pension Bureau's queries concerning erroneous eligibility statements, her bill for Carpenter and Douglass' representation continued to erode any possible financial gains.¹⁸⁴

¹⁸³ National Archives: Fold3 at Ancestry.com. "Ceasar Counts," <http://www.fold3.com/image/312765663/>. p 123. Accessed 23 Mar 2015.

¹⁸⁴ National Archives: Fold3 at Ancestry.com. "Ceasar Counts," <http://www.fold3.com/image/312765663/>. Accessed 23 Mar 2015.

“Do You Want a Pension?”¹⁸⁵

The Frederick Douglass Papers are at best an incomplete collection of the agent’s work with pensioners in New Bern, North Carolina. At best, his records if complete would constitute a sample of the work performed by all pension agents. Furthermore, the Douglass Papers are an informal sample of all his work and the papers we have today were selected by fate. Choosing the cases within the collection to produce a representative sample required a careful approach. The papers contained in the collection represent affidavits collected between the years of 1887 to 1893. These affidavits are often incomplete in the background knowledge they offer or contain making many of the cases nearly impossible to examine on the merits of data within themselves. Of the 700 cases converted to data, nearly half contain incomplete data that severely curtail their worth to a quantitative approach. These deficiencies in the collection in no way prove the Douglass Papers to be without statistical worth. They merely define the limits of those statistics to the demographic level.

The sample group constitutes 700 lines of data, each representing a separate affidavit series, compiled through a sampling of the affidavits in the 12 separate books. While each of the ledgers varies in number of pages, the total number of ledger pages across the 12 books is 3,261. It should be noted at this point that two of the ledgers were not affidavits but rather hand-scribed copies of Pension Certificates. The two ledgers filled with hand-copied certificates totaled 366 pages, and when deducted from the overall number leave 2,956 pages of affidavits. The sample group constitutes 1,444 ledger pages or 49 percent of the total affidavit pages within the Frederick Douglass Collection.

¹⁸⁵ Richard E. Rogers Collection: Frederick C. Douglass Papers, 1883-1910, East Carolina University Joyner Library, 248.2a, p 1. Note: This is the title for the pension application found within the Frederick Douglass Collection.

It is notable that some pages within the books were of varying degrees of quality. To facilitate greater readability of the often faded and poorly handwritten pages, picture-enhancing programs were utilized to enable varying features of portrait programs and to permit a limited handling of the ledgers to reduce inadvertent damage. Pictures were often sufficient in their original configuration to enable excellent readability. Other pages required only minor color or contrast enhancement to heighten faded hand-written ink. Unreadable pages, or portions of pages, were few but most often were so because of poor hand writing techniques of the lawyer or pension agent.

The basic demographics of the affidavits in the papers reveals that those who included their age were between the ages of 40 and 84 with an average age of 52.28 years at the time of filing the affidavit with Frederick Douglass. Using 1893, the last year available in the ledgers as a baseline, and deducting the number of years since the war's end and beginning, the average age of the black soldiers (who filed affidavits with Douglass) at the time of war was between 12 and 56 years of age. The early age of the group is highly plausible since many young men who filed were among the musicians' corps such as John Lewis who was a musician with the 37th USCT. Lewis was a young man of 19 when he enlisted as a musician with the 37th and served at Dutch Gap, Virginia, and Goldsboro, NC. Lewis indicated in his pension affidavit that he suffered loss of eyesight and severe rheumatism of the chest and legs resulting from being run over by a horse and wagon. Other young soldiers worked as powder monkeys while others worked aboard Union Navy vessels where the use of young boys and the smaller in stature were highly prized. John Harris was one such sailor who enlisted at a slight age of 15 and worked as a powder monkey on the USS *Received*. The maladies he listed in his affidavit included partial

blindness, deafness, and rheumatism; very common issues for anyone working with black powder, near high-powered cannon fire.

Affidavit entries range from the single page entry, many simply recorded to alter erroneous data on a previously entered pension application to up to seven pages of affidavits that represent the initial application and supporting affidavits of family, former comrades in arms, and doctors. Many affidavit entries were highly incomplete and simply were notations that bore witness to payment by the client, reception of correspondence, and even simple notations of addresses of contacts.

One of the curious facts of the affidavits is that many provide information concerning a 2nd party, and with some exceptions, additional parties who provided supporting testimony or were the primary applicant. These additional parties were wives, parents, children, and with rare exception, siblings filing for eligibility. Additional parties with no claim to monies were provided for evidentiary support. Where possible the relation of the additional party was captured in the data. The breakdown of additional parties includes that 141 of the cases, or 20 percent, involved additional parties providing testimonial support who were unit comrades from the Civil War. Not surprisingly, only 73 of the cases with a comrade providing testimony were for the actual soldier. This means that half of the cases filed with a soldier in evidentiary support were for a suspected eligible beneficiary.

Surprises in the Frederick Douglass Collection were many. One very curious surprise is that only 127 of the 700 affidavits involved a wife or widow. The incomplete nature of the Douglass Collection may account for a portion of the disparity; however, there are many reasons to account for the low figure. First, wives and widows were only eligible as long as they had not remarried. Secondly, the elderly age of many soldiers involved in the files could indicate that

many wives or widows were already deceased by the time of the affidavit's filing. Another surprise of the papers is that Civil War veterans filed 318 of the 700 affidavits themselves with 49 of the cases appearing to be new applications for initial pensions, or to reopen a previously resolved pension case for adjustment. This opinion was concluded since Frederick Douglass conspicuously upheld the habit of listing the Pension File number to an Affidavit whenever possible.

The maladies listed in the affidavits of the soldiers are wide and varied but validate much of our knowledge about the Civil War and how combat affect the black soldiers of North Carolina. The Douglass Papers, however, provide new data that reveals the lasting effects of the Civil War on a very specific population of black soldiers and sailors.

“...he has earned the right to citizenship.”¹⁸⁶

The American Civil War was a dangerous and precarious operation that left many soldiers physically and emotionally wounded. For the most unfortunate, war simply requires the ultimate devotion on the altar of freedom. The Frederick Douglass Collection holds a treasure of data concerning the black North Carolina veterans of the Civil War. It is remembered, that this data reflects the pain and suffering of many veterans and their family and friends who suffered along with them. While analysis of the data may seem cold and without empathy, the act of shining a focused light on the soldiers brings forth the valor and heroism of this very special group that would otherwise go unknown.

Simple demographics often reveal much. The Douglass Collection is a compilation of the pension records of soldiers from many Army units, navy vessels, supporting units, and of course,

¹⁸⁶ Frederick Douglass, "Should the Negro Enlist in the Union Army?" Lecture, Emancipation Speech, Philadelphia, August 1, 1863. Frederick Douglass made this speech to entice blacks to serve in the Army and to promote that service. Furthermore, Douglass makes the argument that such service legitimized the black soldier's citizenship.

the four North Carolina units of the United States Colored Troops. The black North Carolina Regiments comprise 83 percent of the total number in the sample population. This breakdown of the Douglass Pension records is an expected outcome since he served the New Berne area. The remaining 17 percent of the records belong to a variety of pensioners. Many are veterans who decided to settle in post-war New Bern possibly to take advantage of the large Freedman population support system and to be near family.

Table 2: Unit Breakdown of the Frederick Douglass Papers

Unit	Number	Percentage of Total
14 Regiment	161	23
35 Regiment	225	32
36 Regiment	105	15
37 Regiment	91	13
Navy	25	3.5
All Others	93	13.5
	Total N = 700	Total Percent = 100

Many of the ailments suffered by the black veterans like so many other veterans were often overlapping and/or contiguous. Those veterans suffering long term or chronic diarrhea, with few exceptions, also suffered the condition of piles, known today as hemorrhoids. Individuals, who suffered any kind of wounds, whether it was cannon fire, gunshot, broken bone, puncture, or even extreme exposure to weather, also suffered rheumatism. Quite often, many veterans suffered three maladies at once, but rheumatism was the most common.

Today, rheumatism is an outdated and unused expression for soft-tissue or connective tissue inflammation. In 1893, rheumatism was a perfectly legitimate diagnosis covering a spectrum of miseries. It seems logical from the Douglass Collection that rheumatism was simply any pain or painful swelling of a body part or joint. Many of the cases in the Douglass Collection

detail veterans who suffered great pain to the point of invalidity. This invalidity most often resulted in unemployment for various period lengths at best and full invalidity at worst. Of the 700 case files of the sample group, 318 cases involved a surviving soldier. While only 138 individuals listed rheumatism as a condition they suffered in the war, 340 detailed suffering with the painful condition during their post-war years with many detailing full invalidity.

A strong cause for an increase in rheumatism cases with veterans can also be found in the wartime condition of exposure, which did not manifest itself directly in pension cases. The files indicate that 90 soldiers specifically reported the effects of exposure to a doctor during the war. The long-term effects of exposure caused many secondary effects with rheumatism being the most common as 68 soldiers of the 90 original wartime cases of exposure reported rheumatism as the primary reportable condition for justifying a pension.

The same is true with diarrhea, as 143 suffered the gastro-intestinal problem during the war from various sources such as bad water and diet. As veterans, however, the number of pensioners mentioning diarrhea in their affidavits as justification for a pension rose to 222. The number of cases reflecting piles also rose. Veterans reported piles as a combat related malady in 130 cases, while the post-war cases rose to 200. The following graph shows the correlations between combat and post-war conditions.

Table 3: Frederick Douglass Papers: Direct Combat Injury vs. Post War Condition

Direct Combat Injury	Injury or Disease	Post-War Condition
41	Eye Injury	54
90	Exposure	
119	Wounded	
130	Piles	200
138	rheumatism	340
143	Diarrhea	222
215	Disease (specified or not)	5

One interesting correlation is between combat injuries of the eye(s) and those reporting an eye ailment as a lasting condition after the war. The number of cases increased from 41 to 54. While the numbers are small, it still indicates that eye problems rose by 25 percent from the end of the war. Only 21 of the 41 cases reported as a war injury correspond to a reported condition on an affidavit. Deaths account for eleven cases but this would mean that 23 new cases emerged after the War ended. A few reasons could explain this disparity. First, all but two cases reported an injury to the head or eyes but 30 cases reported burns from gunpowder flare, musket, or cannon fire. Secondly, the delayed reporting could indicate conditions that deteriorated over time because many soldiers suffered minor eye problems due to the use of gunpowder created with an irregular grain size. Grain size of Nineteenth century black powder relates to the corning process when the powder is milled. Irregularity often resulted in undesirable condition of flash and slow burn. Soldiers firing into the wind were at risk of receiving minor bits of powder, burnt or otherwise, in their eyes. Black Civil War units were often victims of poor-grade supplies, including old muzzle loaded muskets that poorly contained the flash and black powder that was less than army grade, or degraded in quality from poor storage.¹⁸⁷

In the final analysis, 315 of the 700 sample cases involved a living veteran. The living veteran group's affidavits are broken down into simple groups based on reason for affidavit. Ten soldiers were seeking back pay from the Army. The total number of veterans seeking an Invalid Pension was 302 and this number breaks down to varying levels of disability. Unfortunately, the Douglass affidavits were often indistinct in their application of levels of invalidity. The assigned physician who performed the requisite examinations officially ascribed the level of invalidity, but the affidavits contained informal predictions based on the veteran's opinion of their disability

¹⁸⁷ [American Journal of Ophthalmology](#) (Impact Factor: 4.02). 01/1986; 100(6):852-3. DOI: 10.1016/S0002-9394(14)73382-3; also, Michael A. Rosen, PhD. MD, Historical Aspects and Black Powder Manufacturing, Dupont Chemical, July 30, 2006. <http://www.civilwarartillery.com/disarm/blackpowder.htm>.

level. Surprisingly, only 16 affidavits submitted by veterans in the sample group contained a physician's testimony. This is not to indicate that physicians did not submit evidence. It simply reflects that physicians often submitted their findings to the Pension Bureau without the use of a pension agent. A notable finding of this sample group is that only two doctors directly submit testimony in the affidavits. Dr. Henry Bates entered testimony in 15 of the cases while Dr. Robert Primrose submitted testimony in one other. There is one other doctor mentioned, Dr. Reid, of Goldsboro, who performed an unspecified examination on a soldier, but did not submit any testimony in the current collection.

The last number to consider is the average pension payout. The lowest pension amount awarded in the Douglass Collection was two dollars while the highest amount awarded in the pension files was ten dollars. The breakdown of pension payments mentioned in the affidavits reveals that 85 percent of the payouts noted went to a living veteran with an average payout of \$7.38 a month, and of those, 81 percent were requesting an increase or adjustment of their pension award. The use of a relative value generation program reveals that \$7.38 in 1893 possessed a buying power of \$986 in 2014 dollars; a level well below the 2015 poverty level of \$11,490.¹⁸⁸

The black soldiers of North Carolina during the Civil War began their quest to achieve freedom for themselves, and their brothers and sisters held in bondage. Along the way, they discovered that their service elicited a pride in them that they never knew before. By wearing the uniform and standing shoulder to shoulder with other Americans, the black soldiers earned legitimacy to their claims that they were also American. Those who survived were able to claim

¹⁸⁸ DeGreef, Dan. "Measuring Worth - About Us." Measuring Worth - About Us. January 1, 2015. Accessed March 29, 2015. <http://www.measuringworth.com/aboutus.php>; and Department of Health and Human Services, "2013 Poverty Guidelines." Department of Health and Human Services. January 1, 2015. Accessed March 29, 2015. <http://aspe.hhs.gov/poverty/13poverty.cfm#thresholds>.

their pride, their status as Americans, but could not necessarily claim a secure future. For the unfortunate who died in combat or shortly after war's end, their loved ones often replaced their dreams of life after bondage with a life of want and privation. For surviving veterans, their glorious efforts to achieve freedom left many of them mercilessly bound in their remaining years to physical infirmities. These infirmities and the lack of financial support by the army and the nation that they served stunted the black soldier's realization of a future of their making.

Bibliography

Primary Sources

Congressional Globe, A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774 – 1875, 37 Congress 3rd Session, 1863.

<http://memory.loc.gov/cgi->

[bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=0762](http://memory.loc.gov/cgi-bin/ampage?collId=llsl&fileName=012/llsl012.db&recNum=0762)

(accessed June 12, 2014).

Douglass, Frederick. "Should the Negro Enlist in the Union Army?" Lecture, Emancipation Speech, Philadelphia, August 1, 1863.

Fold3 by Ancestry. Com. Pension File WC130402. "Case Files of Approved Pension Applications of Widows and Other Veterans of the Army and Navy Who Served in the Civil War and the War with Spain, Compiled 1861-1934." Record Group 15, NARA Catalog ID: 300020.

Imagixx. "Welcome to DD214: The Road to Acquire Your DD214." A good source for information on DD Form 214, its uses, importance, and methods of acquisition is DD214.US. (Accessed April 20, 2014).

King, Martin Luther, Jr. "I Have a Dream" Speech," (March on Washington, Washington, D.C., August 28, 1963).

King, Martin Luther, Jr. "Letter from Birmingham Jail." (Birmingham, AL, 16 April 1963).

Lieber, Francis. Guerrilla Parties Laws and Usages of War: Written at the Request of Major-General Henry W. Halleck. New York: D. Van Nostrand, 1862.

Pension File WC130402, Case Files of Approved Pension Applications of Widows, and Other Veterans of the Army and Navy Who Served Mainly in the Civil War and the War with

Spain, compiled 1861-1934, Fold3 by Ancestry.com, Record Group 15, National Archives Catalog ID: 300020. Accessed 3 Jan 2014.

Sauls, Randall. To understand the legal definition of a Nineteenth century Pension Agent, interview by Peter Coffman, Saul's Law Offices, " Power of Attorney," Record, February 26, 2014.

U.S. Department of Veteran Affairs. "National Cemetery Administration: National Military Discharge Documents".
http://www.cem.va.gov/cem/hmm/discharge_documents.asp (accessed April 20, 2014).

War of the Rebellion; A Compilation of the Official Records of the Union and Confederate Armies: Washington, D.C.: GPO, 1880-1901.

Secondary Sources

Books

Aptheker, Herbert. *The Negro in the Civil War*. New York, NY: International Publishers, 1938.

Berlin, Ira. *The Black Military Experience*. Cambridge, UK, Cambridge University Press, 1982.

Berlin, Ira, Joseph P. Reidy, and Leslie S. Rowland. *Freedom's Soldiers: The Black Military Experience in The Civil War*. New York. NY: Cambridge University Press, 1998.

Bernstein, Iver. *The New York City Draft Riots: Their Significance for American Society and Politics in the Age of the Civil War* (New York: Oxford University Press, 1990).

Blassingame, John W, ed. *The Frederick Douglass Papers, Series One: Speeches One: Debates, and Interviews, Volume Three: 1855-1863*. New Haven and London: Yale University Press, 1985.

- Brasher, Glenn David. *The Peninsula Campaign and the Necessity of Emancipation: African Americans and the Fight for Freedom*. Chapel Hill: University of North Carolina Press, 2012.
- Brawley, Benjamin. *A Social History of the American Negro*. Toronto, Ontario: General Publishing Company, 2001.
- Brewer, James H. *The Confederate Negro: Virginia's Craftsmen and Military Laborers, 1861-1865*. Durham, NC: Duke University Press, 1969.
- Casstevens, Frances H. *Edward A. Wild and the African Brigade in the Civil War*. Jefferson, NC: McFarland & Company, Inc., 2003.
- Chester, Thomas Morris, and R. J. M. Blackett. 1989. *Thomas Morris Chester, Black Civil War Correspondent: His Dispatches From the Virginia Front*. Baton Rouge: Louisiana State University Press.
- Cornish, Dudley Taylor. *The Sable Arm: Black Troops in the Union Army 1861-1865*. New York, NY: W. W. Norton, 1966.
- Coulter, E. Merton. *The Civil War and Readjustment in Kentucky*. Chapel Hill, NC: The University of North Carolina Press, 1926.
- Coulter, E. Merton. *The South during Reconstruction, 1865-1877*. Baton Rouge, LA: Louisiana State University Press, 1947.
- Dobak, William A. *Freedom By the Sword: The U.S. Colored Troops, 1863-1867*. New York, NY: Skyhorse Publishing, 2013.
- Douglass, Frederick, and Philip Sheldon Foner. *The life and Writings of Frederick Douglass*. New York, NY: International Publishers, 1950.

- Dunning, William A. *Essays on the Civil War, and Reconstruction and Related Topics*. New York, NY: The MacMillan Company, 1898.
- Dunning, William A. *Reconstruction, Political and Economic, 1865-1877*. Ann Arbor, MI: University of Michigan Library, 2006.
- DuBois, W. E. B. *Black Reconstruction in America, 1860-1880*. New York, NY: Harcourt, Brace and Company, 1935.
- Geary, James W. *We Need Men: The Union Draft in the Civil War*. (Northern University Press, 1991).
- Glatthar, Joseph. *Forged in Battle: The Civil War Alliance of Black Soldiers and white Officers*. New York, NY: Free Press, 1990.
- Gould, William B. *Diary of a Contraband: The Civil War Passage of a Sailor*. Stanford, CA: Stanford University Press, 2002.
- Gutman, Herbert G. *The Black Family in Slavery and Freedom, 1750-1925*. New York: Vintage Books, 1976.
- Higginson, Thomas W. *Army Life in a Black Regiment and Other Writings*. New York, NY: Penguin Publishing Company, 2004.
- Higginson, Thomas W. *Black Soldiers, Blue Uniforms: The Story of the First South Carolina Volunteers*. Tucson, AZ: Fireship Press, 2009.
- Humphreys, Margaret. *Intensely Human: The Health of the Black Soldier in the American Civil War*. Baltimore, Maryland: The John Hopkins University Press, 2008.
- Jenkins, Wilbert L. *Climbing Up to Glory: A Short History of Africa Americans During the Civil War and Reconstruction*. Wilmington, DE: Scholarly Resources, 2002.

- Jordan, Ervin. *Black Confederates and Afro-Yankees in Civil War Virginia*.
Charlottesville, VA: University Press of Virginia, 1995.
- McPherson, James M. *For Cause and Comrades: Why Men Fought in the Civil War*. New York,
NY: Oxford University Press, 1997.
- McPherson, James M. *The Negro's Civil War: How American black Felt and Acted
During the War for the Union*. New York, NY: Vintage Books, 1993.
- Oliver, John William. *History of The Civil War Military Pensions, 1861-1885*. Madison,
Wisconsin: Bulletin of The University of Wisconsin, 1917.
- Patton, James Welch. *Unionism and Reconstruction in Tennessee, 1860-1869*. Chapel Hill,
NC: University of North Carolina Press, 1934.
- Quarles, Benjamin. *The Negro in the Civil War*. Boston, MA: Little, Brown, 1953.
- Ramold, Steven J. *Slaves, Sailors, Citizens: African Americans in The Union Navy*.
Dekalb, Ill: Northern Illinois University Press, 2002.
- Redkey, Edwin. *A Grand Army of Black Men: Letters From African-American Soldiers In The
Union Army, 1861-1865*. Cambridge, MA: Cambridge University Press, 1992.
- Reid, Richard. *Freedom for Themselves: North Carolina's Black Soldiers in the Civil War Era*.
Chapel Hill: The University of North Carolina Press, 2008.
- Samito, Christian G. *Becoming American Under Fire: Irish Americans, African Americans, and
the Politics of Citizenship During the Civil War Era*. Ithaca, NY: Cornell University
Press, 2011.
- Schaffer, Donald R. *After The Glory: The Struggles of Black Civil War Veterans*. Lawrence,
Kansas: University Press of Kansas, 2004.

- Schultz, Jane E. *Women at the Front: Hospital Workers in the Civil War*. Chapel Hill, NC: University of North Carolina Press, 2004.
- Smith, John D. *Black Soldiers in Blue: African American Troops in the Civil War Era*. Chapel Hill, NC: University of North Carolina Press, 2002.
- Smith, John D. *Race & Recruitment*. Kent, OH: The Kent State University Press, 2013.
- Tomblin, Barbara. *Bluejackets and Contrabands: African Americans and the Union Navy*. Lexington, KY: University Press of Kentucky, 2009.
- Trudeau, Noah. *Like Men of War: Black Troops in the Civil War: 1862-1865*. Boston, MA: Little, Brown, 1998.
- Ural, Susannah J. *Civil War Citizens: Race, Ethnicity, and Identity in America's Bloodiest Conflict*. New York, NY: New York University Press, 2010.
- Wiley, Bell Irvin. *Southern Negroes, 1861-1865*. New Haven, CT: Yale University Press, 1938.
- Wiley, Bell Irvin. *The Life of Billy Yank: the Common Soldier of the Union*. Baton Rouge, LA: Louisiana State University Press, 1978.
- Williams, George Washington. *A History of the Negro Troops in the War of the Rebellion*. New York, NY: Fordham University Press, 2012.
- Wilson, Joseph T. *The Black Phalanx: African American Soldiers In The War Of Independence, The War Of 1812, And The Civil War*. New York, NY: De Capo Press, 1994.

Articles

[American Journal of Ophthalmology](#) (Impact Factor: 4.02). 01/1986; 100(6):852-3.

DOI: 10.1016/S0002-9394(14)73382-3

Berry, Mary F. *Military Necessity and Civil Rights Policy : Black citizenship and the Constitution, 1861-1868* . Port Washington, NY: Kennikat Press, 1977.

- Blassingame, John W. "The Recruitment of Negro Troops in Maryland." *Maryland Historical Magazine*. no. 1 (1963): 20-29.
http://mdhs.mdsa.net/mhm/dsp_viewer.cfm?id=588100010229&span=1960-1969
(accessed November 18, 2013).
- Blassingame, John W. "The Recruitment of Negro Troops in Missouri During The Civil War." *Missouri Historical Review*. no. 1 (1980): 326-338.
<http://statehistoricalsocietyofmissouri.org/cdm/compoundobject/collection/mhr/id/39395/rec/3> (accessed November 12, 2013).
- Brimmer, Brandi C. "'Her Claim for Pension is Lawful and Just': Representing Black Union Widows in Late-Nineteenth Century North Carolina," *The Journal of the Civil War Era*, 1, no. 2 (2011): 207-236,
<http://muse.jhu.edu/journals/cwe/summary/v0001/1.2.brimmer.html> (accessed 11 February 2014).
- Carnahan, Burrus M. "Lincoln, Lieber, and the Laws of War: The Origins and Limits of the Principle of Military Necessity." *The American Journal of International Law*, Vol. 92, Issue 2 (April 1998). <http://www.jstor.org/stable/2998030>, (accessed May 25, 2014).
- Glatthar, Joseph T. "'Glory,' the 54th Massachusetts Infantry, and Black Soldiers in the Civil War." *The History Teacher*. no. 4 (1991): 475-485.
<http://www.jstor.org/stable/494706> (accessed November 01, 2013).
- Jordan, Weymouth T, and Gerald W. Thomas. "Massacre at Plymouth." *The North Carolina Historical Review*, Vol. 72, No. 2 (April 1995)
<http://www.jstor.org/stable/23521768> (accessed June 21, 2014).

Lee, Chulhee. "Socioeconomic Differences in the Health of Black Union Army Soldiers."

National Institute of Health. no. 4 (2009): 427-457. 10.1215/01455532-2009-007.

Murdock, Eugene. "New York's Civil War Bounty Brokers." *The Journal of American History*

53: 259-278. <http://www.jstor.org/stable/1894199> (accessed June 11, 2014).

Murdock, Eugene. *One million men; the Civil War draft in the North*, (State Historical Society of Wisconsin, 1971).

Prechtel-Klusgens, Claire. "A Reasonable Degree of Promptitude": Civil War Pension

Application Processing, 1861-1885." *Prologue*. no. 1 (2010): 1-8.

<http://www.archives.gov/publications/prologue/2010/spring/civilwarpension.html>
(accessed March 28, 2014).

"scurvy in the Twenty-Fifth Army Corps." *The Boston Medical and Surgical Journal*

74, no 8 (03/22; 2014/04, 1866): 155-157. doi;10.1056/NEJM186603220740802.

<http://dx.doi.org/10.1056/NEJM186603220740802>.

Traywick, J. B. "PRISON LIFE AT POINT LOOKOUT." *Southern Historical Society Papers* 18,

(Jan 01, 1890): 431.

<http://search.proquest.com.jproxy.lib.ecu.edu/docview/1299920928?accountid=10639>.

Wilson, Sven E., PhD. 2010. "PREJUDICE & POLICY: Racial Discrimination in the Union

Army Disability Pension System, 1865-1906." *American Journal of Public Health* 100:
S56-S65.

<http://search.proquest.com.jproxy.lib.ecu.edu/docview/215088927?accountid=10639>.

Theses and Dissertations

Bryant, James Kenneth, II. "A Model Regiment": The 36th United States Colored Infantry in the Civil War." Order No. 1383890, The University of Vermont and State Agricultural College, 1996.

<http://search.proquest.com.jproxy.lib.ecu.edu/docview/304307968?accountid=10639>.

Bryant, James Kenneth. "The Model 36th Regiment: The Contribution of Black Soldiers and Their Families to The Union War Effort, 1861-1866." PhD diss., University of Rochester Department of History, 2001. ProQuest

(3005543)<http://search.proquest.com.jproxy.lib.ecu.edu/docview/275741762?accountid=10639>.

Hutchins, Shana Renee, "Just Learning to Be Men: A History of the 35th United States Colored Troops, 1863-1866." MA Thesis, North Carolina State University, 1999.

Rosen, Michael A. PhD. MD, Historical Aspects and Black Powder Manufacturing, Dupont Chemical, July 30, 2006. <http://www.civilwarartillery.com/disarm/blackpowder.htm>. (accessed November 3, 2013).

Manuscripts

Frederick C. Douglass papers, 1887-1896, East Carolina University, Joyner Library, Special Collections.

Richard E. Rogers Collection: Frederick C. Douglass Papers, 1883-1910, East Carolina University Joyner Library.

William L. Horner Collection: Frederick C. Douglass Papers, 1889-1890, 1893-1894, East Carolina University Joyner Library.

Websites

Ancestry.com. U.S., Colored Troops Military Service Records, 1863-1865.

DeGreef, Dan. "Measuring Worth - About Us." Measuring Worth - About Us. January 1, 2015.

Accessed March 29, 2015. <http://www.measuringworth.com/aboutus.php>; and

Department of Health and Human Services, "2013 Poverty Guidelines." Department of Health and Human Services. January 1, 2015. Accessed March 29, 2015.

<http://aspe.hhs.gov/poverty/13poverty.cfm#thresholds>.