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A House Divided



Maryland by the mid-nineteenth century had become a sectional netherland, a mix of free and slave economy, Northern and Southern culture. The state partook of both Yankee "go-aheadism" and Cavalier leisure gave itself completely to neither. Cambridge, Easton, Chestertown, Annapolis, and Southern Maryland nestled themselves in the ways of the past and on the surface might have been tidewater towns or tobacco lands anywhere in the South; Westminster, Frederick, Hagerstown, and Cumberland continued to grow, prosper, and boast of their advancing fortunes. Baltimore resembled Philadelphia or New York in its commercial banks and varied manufactures. At the same time the city impressed visitors as being gay and charming in a way entirely its own. The songs of black hucksters selling fruits and vegetables, dairy products and poultry, filled the morning air. For the outdoor life, the state had no peer, wrote a correspondent to the *Spirit of the Times*; "old Maryland" stood "preeminent, for hospitality, shooting, fishing, and sporting, in each and every particular." Oysters, crabs, terrapin, and canvasback truly had made Baltimore hotels like Barnum's famous as far away as London.

One also noticed the pleasantness of Maryland in polite relations between men and women. Maryland women from families of accomplishment seemed to bring out the courtly best in the gentlemen who paid them attention, and traditionally they had many admirers. Passing through Baltimore in the 1850s, an Englishwoman—though noting that they had a habit of eating everything, including oysters, with their knives, leaned both elbows on the dining table, and gloried a bit in the "braverie" of their colorful clothes—wrote that Maryland ladies were celebrated all over the Union. The most a Kentuckian could boast, she reported with slight dismay, was a sure rifle, a fine horse, and "a Maryland gal for his wife." A London lawyer discovered the proverbial phrase "Baltimore beauty" to be perfectly apt. Henri Herz, an Austrian-born pianist and composer who lived in Baltimore at mid-century, found women there positively distracting. "At my concerts," he confessed, "I was carried away to see so many beautiful faces all at once." He made it a

practice to wave to the Maryland belles with his right hand while continuing to play with his left—a feat they applauded with delight.

Not to be outdone, young Maryland gentlemen of the day tried to win that applause by taking up chivalry. The sport of "jousting"—galloping on horseback in medieval costume and spearing rings—gained popularity in this romantic period and often included a ceremony crowning a queen at the post-tournament ball. "The Knights looked well and fought gallantly," wrote a Maryland woman of an especially chaste event near Leonardtown. After ceremonies acclaiming the winner, "the Knights rode in order to the Town and the maids to their homes."¹ To sober Northerners jousting was a sure sign of Southern influence.



A better index might have been the state of education. Maryland offered an example of a slave state in which legislators, having spent large sums on internal improvements, were eager neither to support elitist colleges nor to provide for a general system of public schooling. Education thus hung somewhere between Northern interest in public schooling and Southern regard for the academies that prepared gentlemen for public leadership or ladies for social confidence. Catholics had a women's school, St. Joseph's, at Emmitsburg; well-to-do Methodists sent their daughters to academies in Annapolis and Baltimore—the Baltimore school receiving \$1,500 annually from the General Assembly. Another college for women opened at Mount Washington in Baltimore County in 1856. Until retiring that year, Almira Lincoln Phelps, a New England native transplanted to Howard County, served as headmistress at the Episcopalian Patapsco Female Institute. She recognized that daughters of slaveholders posed special problems to an educator; a North Carolina congressman with daughters enrolled at the institute complained that Phelps did not pay enough attention to the development of feminine charm. Ahead of her time, she replied that she aimed to give women all the advantages young men received in college.

Men's institutions got along as best they could. Washington College in Chestertown—closed after a fire in 1827—triumphantly reopened in 1844, won limited state funding four years later, and enjoyed a period of modest prosperity. St. John's College in Annapolis, struggling financially, its trustees convinced that the 1806 withdrawal of state aid violated its charter and therefore amounted to breach of contract, finished students irregularly in the 1840s. At the 1849 commencement, William H. Tuck, an 1827 graduate who soon served as a Court of Appeals judge, seized the opportunity to speak on "the educational problems and requirements of the times." Newton University, founded in Baltimore in 1845, promised to impose "no rules, laws, or regulations of a sectarian or party character." While the college recommended its regular curriculum of languages, history, belles-lettres, and math, it also offered a three-year course in commercial, mechanical, and sci-



"A Maryland Tourney: Riding at the Quintain." Silhouette signed "T. F. H., 1841."
MHS

entific subjects that produced "practical men and good citizens." Also in Baltimore, the University of Maryland slowly recovered from its unhappy experience in the years 1826–39, when the assembly had tried to make it a combined undergraduate college and professional school. Once more a private institution with strong medical, dental, and pharmaceutical faculties (though missing its earlier law school), it reflected growing specialization in mid-nineteenth-century professional life but also the somewhat haphazard manner that Yankees put down as Southern. Its faculty declined a donation of \$10,000 virtually because spending the sum would be too much trouble. John Pendleton Kennedy, elected provost of the university in 1850, joked of his unfitness for the post and his unwillingness to let its duties draw him from more pleasurable occupations. "Think of a Provost with his coat off at billiards!" he wrote a friend.²

Unfamiliar with the township system of local government typified in Massachusetts and Pennsylvania, many Marylanders, like Virginians, resisted a general system of free public schools. In the 1820s Littleton Dennis Teackle of Somerset County had drawn up a program that would have divided each county into districts and distributed the two-dollar annual cost of educating

a child among taxable citizens—each of whom, Teackle, figured, would have paid about sixty-two cents a year. An act of 1825 substantially adopted this plan while leaving the counties free to accept or reject it. Voters in six counties, among them Teackle's own, turned it down, postponing any statewide system of public education. As in other slave states, private academies in Maryland varied greatly in quality. Few measured up to Charlotte Hall, which for a time received monies from St. Mary's, Charles, and Prince George's counties, employed three teachers in the classics, and accepted twenty "free students." Another academically respectable academy, St. James, east of Hagerstown, had been chartered as a "college" in 1843; the Episcopal bishop of Maryland, William R. Whittingham, perhaps planned to build it into an institution to rival Mount St. Mary's, which thrived under the Reverend John McCaffey as a leading middle-states Catholic college. In Baltimore City and Frederick, Washington, and Allegany counties small free schools, some with one teacher, had become numerous by 1850, when the census placed Maryland's white illiteracy rate at about 5 percent. In this respect the state ranked between New England and New York (about 2 percent) and Virginia (8.6 percent).

The fortunate geography of Maryland continued to stimulate investments that few other Southerners found enticing. As the nineteenth century wore on, mineral wealth and ship, canal, and rail enterprises tied the state less to staple crop agriculture and ever more to manufacturing, Ohio Valley farming, and foreign exchange. In October 1850 the C&O Canal finally reached Cumberland. Long hampered by financial shortages and labor troubles, the canal company completed work on the fifty-mile stretch between Dam Number 6 at Great Cacapon and the Queen City using private money (in 1844 the legislature, itself in fiscal trouble, had released the company from earlier ties to the state). Though originally supposed to extend much farther than Cumberland, the canal became profitable enough as a conveyor of Western Maryland flour, wheat, and corn. Freight tonnage on the canal, a mere 60,000 in 1841, reached 86,000 in 1848 and two years later almost 102,000. Recognizing the close tie between farm productivity and the canal's success, company officials in 1848-49 offered special low toll rates on fertilizer headed upriver. Meantime the canal suffered from seemingly endless problems of maintenance and order. Each year banks caved in, muskrats burrowed under the towpath, floodwaters damaged both channels and locks, and boatmen broke rules against iron-tipped poles and untowed boats. Users of the "Big Ditch," as Potomac Marylanders called it, complained of delays, sunken wrecks, and drifting rafts. As always in need of funds, company directors watched developments in iron mining west of Cumberland and welcomed the bituminous coal traffic that the George's Creek Valley began to produce in quantity.

The canal literally faced an uphill contest in competing with the B&O, which eventually solved problems that would have broken the canal company. Having arrived at Cumberland (running on the Virginia side from

Harpers Ferry) eight years before the C&O opened to that city, the railroad faced both political and practical difficulties in reaching the Ohio River. Alive to the economic benefits of a cross-state railroad, Pennsylvania in the mid-1840s withdrew cooperation, forcing B&O planners to stay outside the state's boundary. In the summer of 1848 chief engineer Benjamin H. Latrobe, Jr., his predecessor, the feisty Jonathan Knight, and a New Englander, John Child, completed a survey that mapped the best route to the Ohio and estimated the cost of building west from Cumberland at more than six million dollars. The next year leadership of the company passed to a young and energetic board member, Thomas Swann. Swann cleverly used the plight of the B&O to activate the competitive juices and tap the pocketbooks of Baltimoreans, among them some younger men whose wealth had charted recent economic gains in the city—George Peabody, a New Englander with London banking ties, and Johns Hopkins, a Quaker merchant with heavy interests in development of the B&O.

Realizing the dangers of further delays (the Maryland and Virginia legislatures already had extended the deadline for completion to the Ohio), Swann focused all the resources of the road on the drive to Wheeling. Five thousand men and 1,250 horses went to work. Eleven tunnels had to be bored, two of them extraordinarily long: Broad Tree (163 miles from the Ohio) extended 2,350 feet; Kingwood (83 miles) ran to 4,100 feet, an unprecedented length. Delivering supplies to workers on the far side of each mountain required a switchback system that Mendes Cohen, a nephew of the B&O director of the same name, devised while serving under Latrobe. A company builder at the Mount Clare shops, Ross Winans, designed the slow but powerful engines that pulled twelve-ton loads up the steep switchbacks. B&O engineers constructed a 650-foot iron bridge—stone viaducts took too long to build and had grown too costly—over the Monongahela, the longest such structure in the country. Work proceeded with an enviable safety record. On Christmas Eve 1852, at a lonely spot 18 miles east of Wheeling, the tracks joined. In January, Maryland and Virginia dignitaries met at Wheeling for a rightly exuberant ceremony. After a quarter-century of trial, rails linked the Chesapeake Bay and Ohio River.

Practical developments ensured the primacy of rail over canal. Though Winans played a large part in locomotive technology during the 1830s and 1840s, the B&O had decided against relying on its own builders and gone to the open market for its engines. Philadelphia manufacturers supplied the next generation of steam locomotives, which, both powerful and fast, left no doubt that trains could run over the rugged terrain between Cumberland and Wheeling. Their boilers and driving rods, instead of vertical as in the early grasshoppers, lay parallel to the tracks. With forward "trucks" or sets of small wheels in front of the four drivers—along with "cowcatchers," gaping smokestacks, and racy cabs—the locomotive assumed its classical form. Between 1848 and 1854 revenues permitted the B&O to increase its number of

engines from 57 to 207. With more of them available, none had to be in constant service, making it possible to maintain them properly and thus minimize repair costs over long service. After completion of the line to Wheeling, Cohen experimented successfully with coal-burning boilers, and before long coal replaced wood on B&O tenders. He also designed a new pressure gauge that allowed firemen to know exactly how much fuel to burn to sustain a level of steam. This simple device saved the company an estimated ninety-five thousand dollars each year.

Criss-crossing much of the state, taking many engineering and operational lessons from the B&O, other railroads made their own marks. Annapolis had a line to the B&O tracks at Elkridge, Hagerstown its own rail connection to Harrisburg. Eastern Shore lines remained incomplete for want of capital. At mid-century the Baltimore and Susquehanna line connected Jones Falls factories and the Harrisburg intersection with the new Pennsylvania Railroad. In 1850 the company also completed work on a new, gas-lighted Calvert Street Station, then the largest in the country and a model of simplicity and function. It went up on the site of an old waterworks and stood only five blocks from Barnum's Hotel. Another company, the Philadelphia, Wilmington, and Baltimore, connected those cities and in February 1850 opened its President Street Station just east of the harbor. Two years later the B&O left a haphazard Pratt Street depot and moved to the site on which the company in 1856 built Camden Station. Baltimoreans long had argued about land use, the proper pathways of railroads, and the noise of steam locomotives within the city. These new stations, along with track and wharfage construction at Canton and after 1848 at Locust Point, represented the state of the struggle between the railroads—which in 1845 won the nighttime right to use steam engines to carry heavy freight like coal and iron ore over city tracks—and the draymen, who needed hauling work but after 1847 faced higher taxes on their draft animals. Even after completion of the new, closer-in stations, passengers from Philadelphia to Washington detrained at President Street for a horsecar trip to the B&O terminus at Camden Street.

On the water, Maryland by mid-century had recovered from the financial reverses of 1837 and registered progress. In October 1852 Maryland ship pilots, angered by a recent act that permitted skippers to do their own bay and large-river piloting, formed a professional association with stiff membership requirements. During the next legislative session the association lobbied successfully for a bill making pilotage compulsory (unless shipowners paid an annual fee that a commission then divided among pilots) and establishing regular, if modest, rates. While ship captains disagreed that pilots alone knew Maryland waters well enough to navigate without mishap, the new law, partly satisfying a special interest, included general considerations of safety and insurance costs. In 1855 the state began planting offshore lighthouses (the first beacon had gone up at Bodkin Point in about 1820) according to a new, screw-pile design. Auger-like pilings, turned into the

soft bay bottom, solved the problem of anchorage that until then had frustrated construction of effective warnings on the bay's sandy shoals. The first one went off the mouth of the Patapsco at Seven Foot Knoll.

With travel safer than ever and the economy healthy, steamboats thrived. The Maryland and Virginia Steam Boat firm, a victim of the depression, gave way in 1840 to the Baltimore Steam Packet Company. Later known as the Old Bay Line, it resumed the daily service between Baltimore and Norfolk and demonstrated its prosperity in the early 1850s by ordering two new vessels, the *North Carolina* and *Louisiana*. Magnificent, white-painted side-wheelers with copper-covered wooden hulls, the steamships measured well over two hundred feet in length and incorporated the latest mechanical advances and creature comforts. Passengers who had nowhere to sit except on the main deck later remarked on the pervasive smell of liquor (shipboard bars did such business that captains and crews demanded a share of the profits) and the puddles of tobacco juice. More commonly travelers praised the boats as "elegantly carpeted and furnished . . . with the most profuse gilding, mirrors, ottomans, etc."³ By 1858, agreements with rail lines to the north and south of the Chesapeake made the Old Bay Line a chain linking sections together. The company sold through tickets from New York City to Wilmington, North Carolina.

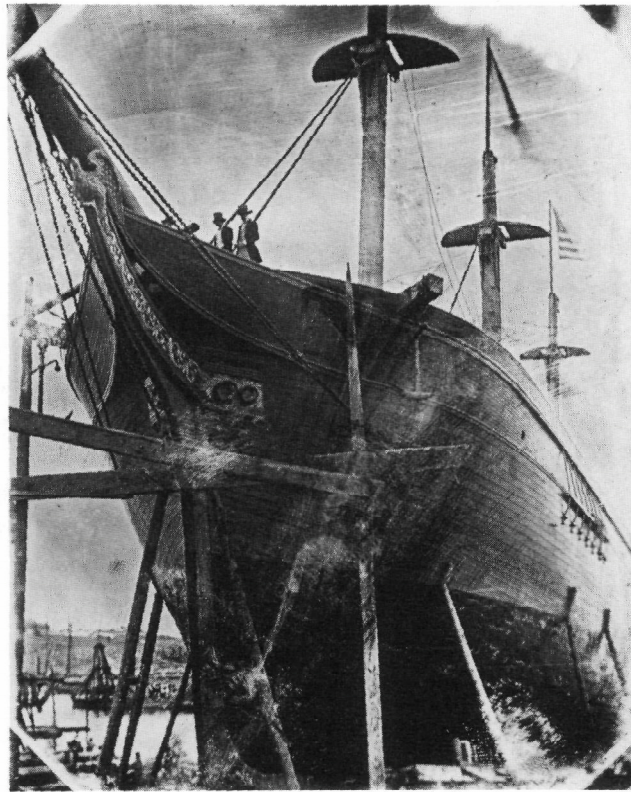
Maryland shipbuilding, most extensive in the slave states, enjoyed a rebirth of its own in the 1850s as shipping patterns once again called for fine-lined sailing vessels. Trade between Baltimore and New Orleans—with its Mississippi shoals—required vessels of shallow draft; trips to China, which fully opened its doors to Western commerce in 1842, and after 1849 runs to the California gold fields placed a premium on speed. Expanded as far as its design would permit, the Baltimore Clipper played a last part in the glory days of sailing. The *Ann McKim*, launched in 1833, 493 tons, joined the square stern, low freeboard, and heavy after-drag of the Baltimore Clipper hull (usually of about 250 tons) with the three-masted ship rig. Striving for the capacity of the packet ships then common to oceangoing commerce, the *Ann McKim* anticipated the large, full-sail clippers later famous in the California and China trades. Baltimore shipyards produced their share—*Rattler* (1842, 539 tons), *Architect* (1847, 520 tons), *Grey Eagle*, and *Grey Hound*. In the spring of 1850 the Bell brothers of Baltimore, Edward Johnzey and Richard Henry, accepted a commission to build a speedy ship of 550 tons burden for the busy traffic around Cape Horn. Their three-masted *Seaman*—136 feet long, 28 feet of beam, and drawing only 15 feet of water—slid into the basin at the end of September. Two months later, under Captain Joseph Myrick, the *Seaman* made its first New York to San Francisco passage in 107 days, registering the second-best time any vessel had made on that journey; her return sailing time, 94 days from San Francisco to Capes Henry and Charles, set a record for sailing ships that no one ever surpassed. With such success to prompt them, the Bells in July 1851 launched a sister ship, the *Seaman's*



Detail, "View of Baltimore, Maryland, from Federal Hill." Lithograph by Edwin Whitefield, 1841. From atop Federal Hill a group of gentlemen and ladies marvel at the active port and city beneath them—the countryside on the north almost having receded to the horizon. *MHS*

Bride. While Baltimore did not produce as many ships as Maine, New York, or Philadelphia in these years, it hummed with activity that made shipbuilding one of the four leading sources of city employment. Yards in Talbot and Dorchester counties turned out their own working vessels for bay waters.

All these economic advances worked to change the character of the people who called Maryland home. Elsewhere in the slave South social homogeneity helped enormously to preserve a white order based on black bondage. Maryland by 1850 had attracted a high proportion of free-state immigrants. Of about 55,500 non-Maryland-born persons in the state that year (perhaps 9,000 of them having arrived since 1840), only about 12,500 outsiders had arrived from the slave region to the south and west. More important, no eastern slave state approached Maryland in number or proportion of foreign-born. Of about 418,000 Maryland whites in 1850, almost 54,000, or nearly 13 percent, had been born abroad—half of them in Germany, about 20,000 in Ireland, 4,500 in England, Scotland, and Wales, and the rest in twenty-five different countries. Baltimore, that census year a city of nearly 170,000 people and twenty wards, had doubled in size since 1820 and accounted for almost 36,000 of the foreign-born. Germans in the city were numerous



The *Scaman's Bride* under construction, 1851. An early daguerreotype depicted the Bell brothers on the deck of their nearly completed clipper ship. MHS

enough to support publication of three newspapers in their language, clubs, musical and athletic groups, and schools. While the ratio of foreign to native-born in Maryland resembled the average for the entire United States at this time, a significant comparison lay with sister states below the Potomac: more foreign-born persons lived in Maryland in 1850 than in the other old slave states—Virginia to Georgia—combined. True, newcomers might adopt the ways of their new home, but the German papers in Baltimore were openly and actively abolitionist.



During the 1850s the peculiar qualities of Maryland both heated up politics within the state and, in sectional debate, gave its spokesmen an in-between perspective that counseled coolness and compromise. Sectional conflict followed upon United States military successes. Maryland volunteers, serving in a regiment that included District of Columbia troops, had fought in the

Mexican War and been involved in some of the heaviest fighting around Monterrey; the rich bounty of western territory that fell to the country at war's end in 1848 proved even deadlier than enemy musketry. David Wilmot's proposal that the federal government prohibit slavery in the lands won from Mexico set off hateful exchanges between slave and free states and quickly raised other acrimonious issues: how much trouble Northerners should take in returning fugitive slaves to the South (as the Constitution required of them) and whether Congress should permit slave trading in the federal capital (where by law it governed). Doubting that slaveholders' rights would survive intact in this crisis, Southern radicals called a convention to meet in June 1850 at Nashville, where they hoped to prod their states to consider secession.

Invited to participate, Maryland leaders all declined. Throughout the year public feeling in the state overwhelmingly favored peaceful settlement and a return to business. Governor Philip F. Thomas in his yearly address to the assembly—he was a Democrat, to the dismay of his traditionally Whig Eastern Shore family, and the legislature was overwhelmingly Whig—spoke of the need for moderation. The governor made his only political mistake in suggesting Maryland make common cause with the South should the sectional quarrel come to blows. On 4 March, in bad weather, five thousand Baltimoreans staged a bipartisan rally at Monument Square under a banner that read (paraphrasing a line Andrew Jackson had addressed to John Calhoun in 1831) "The Union Must and Shall be Preserved." Another such meeting, this one called by Baltimore businessmen, was held in June. All the while Maryland congressmen and Whig senators James A. Pearce of Chestertown and Thomas G. Pratt of Annapolis lent their support to Henry Clay's omnibus compromise bill, which in late summer suffered defeat. The Baltimore *Sun* wrote that the bill's "murder" was the fault of "Northern and Southern abstractionists." Newspapers in Rockville and the Eastern Shore echoed these sentiments. Finally it was Senator Pearce, introducing Clay's measures one by one, who broke the deadlock and secured passage of the hopeful 1850 compromise. Henry Winter Davis, a Baltimore lawyer and son of a former president of St. John's College, expressed the prevailing Maryland view when he wrote that the "North is filled with the fanatics of liberty, as the South is with the Quixotes of slavery." "In the name of God," wrote another Marylander in a letter he wished every American could read, "take the Compromise of 1850 and don't let us hear any more about this matter."⁴

Politics in Maryland itself did much to direct the state's course over the next few years, at the same time that, in Washington, sectional issues became more and more difficult to manage within party bounds. Congressional debates had made it obvious that most spokesmen for Southern rights were Democrats while the old opposition party—which for many years had won regular, if narrow, victories in Maryland federal elections—had divided so bitterly between "Conscience Whigs" and "Cotton Whigs" that it lay nearly

broken as a countrywide force. Most Maryland Democrats eschewed the extreme rhetoric of the Calhouns and Yanceys. Whig leaders in Maryland faced the unhappy prospect of belonging to a party with declining hopes of retaining the presidency. Then, in 1850, the matter of constitutional change in the state, subdued but not quieted after the 1837 reforms, returned to the fore. Malapportionment had remained a complaint in Baltimore and the western counties. Eastern Shoremen, though still unwilling to concede power to their traditional rivals, found the state's fiscal problems so severe (taxes recently had gone up to cover the heavy state debt) that a convention, as a means of tightening controls on spending, carried some appeal among them as well. Yet opposition in the Whiggish, slaveowning counties of Southern Maryland divided the party, and generally Whigs found themselves standing behind the Democrats in pro-reform publicity. In the western counties this image proved a severe disadvantage. During the 1850 gubernatorial canvass, coinciding with the election of delegates to the constitutional convention, the victorious Democrat Enoch Louis Lowe of Frederick, whose campaign newspaper was entitled the *Maryland Reformer*, had little trouble promoting himself as the better friend of progress.

The constitutional convention of 1851 was not a resounding success, but the encounter with reform worsened the plight of Maryland Whigs. From the start convention members placed themselves in bad odor by spending a week bickering over a choice for chairman. They went on to write a mixed bag of changes. New curbs appeared on legislative spending. The convention created new offices (state comptroller, commissioners of public works and lotteries, and county commissioners) while making formerly appointive local positions (judge of the orphans' court, county clerk, justice of the peace, and constable) elective. Henceforward state senators ran for reelection every four instead of six years. While the growing counties of the Western Shore did gain by the apportionment formula the convention finally agreed to, and Baltimore City enhanced its part of the General Assembly from one-sixteenth to one-eighth, opponents of drastic reform had enough votes to prevent election of the House of Delegates strictly on the basis of county population. Even as voters ratified the constitution, comment was critical almost everywhere: if a county did not lose representation, it did not gain enough. A Cumberland wag totaled the cost of the meeting and the length of the new constitution and argued that, at a cost of a dollar and a half per word, it was "about the hardest bargain of modern times."⁵ The biggest losers, the Whigs, realized that they had won seats in the western counties only by running with Democrats as "fusion" candidates—suppressing their party identity—and that the state government, already susceptible to Democratic pleas, now consisted of even more offices that Democrats likely would win. In the 1852 contest between Winfield Scott and Franklin Pierce, the Democrats carried Maryland for the first time in a presidential election.

In these circumstances—sectional tensions still high, Whig party in decline—the cauldron of Maryland bubbled near boiling. Always combining dislocation and benefit, change in the state now brought a new round of fears. Since the 1830s private groups had been meeting to discuss the threat to old ways that accompanied the influx of immigrants, to ask what had happened to the former influence of the native-born. Secretive about their doings, members of these lodges had parried all questions by answering “I know nothing.” Detractors called them “Know-Nothings,” suggesting that they represented ignorance. In truth they spoke for bewilderment. Their malaise perhaps had something to do with the very speed of communication, the quickened pace of life. By 1848 the telegraph, first tested between Baltimore and Washington in 1844, made possible nearly instant news reporting from such faraway places as New Orleans. The Baltimore *Sun* soon made extensive use of the telegraph and wrote that it resulted in the “complete annihilation of space.”⁶

The Know-Nothings may also have reflected a Christian native’s uneasiness about the growing Jewish presence in Baltimore. Since 1826 Jews had been able to hold public office in Maryland, but change had come only after struggle and several defeats. In 1818, after receiving petitions from Jewish Baltimoreans, delegates Thomas Kennedy of Washington County had proposed and William Pinkney of Baltimore had written a constitutional amendment removing the religious test for state officeholding. The federal Constitution prohibited such restrictions, and the measure had the support of lawyers like Henry M. Brackenridge and John Van Lear McMahon as well as spokesmen for religious equality, among them John S. Tyson, William G. D. Worthington, and Ebenezer S. Thomas of Allegany. Kennedy, a Scots-born admirer of Jefferson, said he knew no Jews personally but declared that one’s religion “is a question which rests, or ought to rest[,] between man and his Creator alone.” “The right to put up one religion, is the right to put down another,” said Tyson, who won praise from the Catholic bishop John England of South Carolina. Despite its merits, the “Jew Bill” or “Kennedy’s Jew Baby” became a test of party loyalty and went down to defeat in that session and again in 1822–23; Kennedy himself lost his seat for a term when an opponent charged that Jewish equality would bring Christianity “into popular contempt.” Once reelected, Kennedy introduced another measure that produced more acrimony and further pleas for religious rights. In February 1825 the bill at last passed—by one vote, with eighty legislators abstaining. Confirmed narrowly in the next assembly, the amendment opened places of public trust to anyone who believed in an afterlife—to Jews but not atheists.⁷

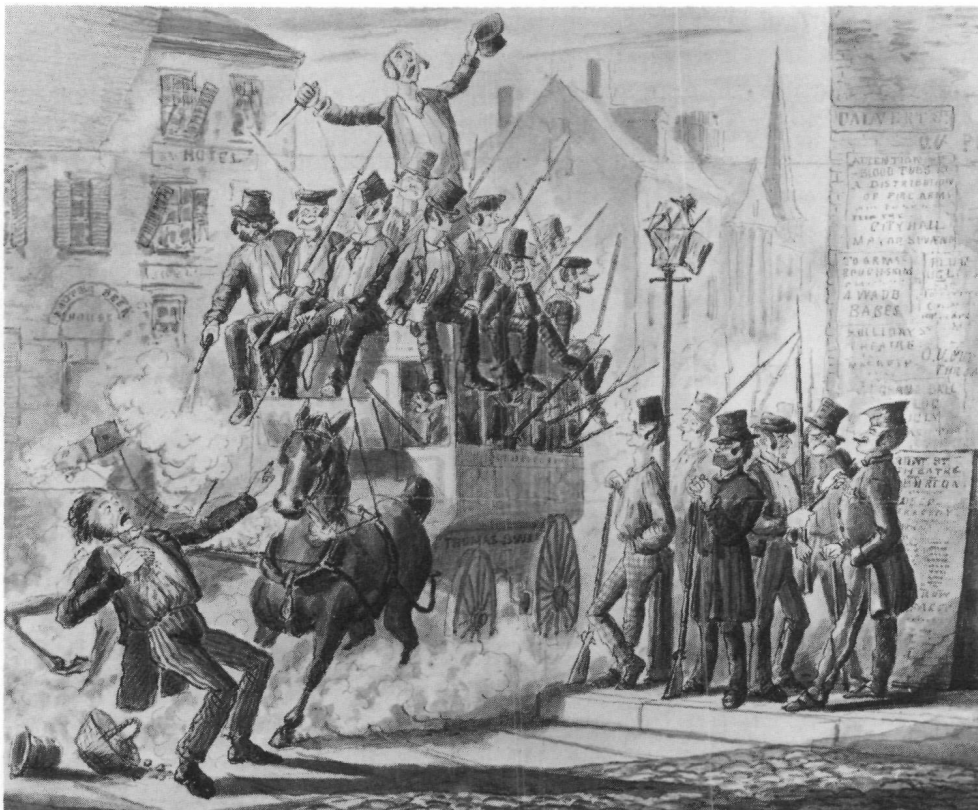
Of German origins, and for many years small in number, Baltimore Jewish families had formed the Hebrew Congregation (or Stadt Schule) in 1829. This Orthodox group moved from friendly rooms to available houses until Robert Cary Long, Jr., designed the first synagogue in the city. Long’s Greek Revival structure retained the traditional gallery for women but introduced Ameri-

can (or Gentile) pews in the place of benches; it opened in 1845 in the heart of the old German-Jewish community centered around Lombard Street in Old Town. Another synagogue organized on Eden Street in Fells Point. A third—Reformed—split from the Baltimore Hebrew Congregation in 1854 and built a temple on High Street, and then a fourth—Oheb Shalom (Lover of Peace)—tried to steer a middle course between Orthodoxy and Reformism. Despite theological differences, all these congregations clung to German-language services.

German Jews by the mid-nineteenth century had achieved considerable social distinction in the state. Reuben Etting earlier had served under Jefferson as federal marshal for Maryland. Both Solomon Etting, Reuben's father, and Jacob Cohen had lobbied for Jewish rights in the 1820s. After passage of the Kennedy amendment Etting and Cohen, well known as directors of the B&O, won seats on the city council. In 1846 Joshua Cohen, Jacob's younger brother and a prominent University of Maryland physician, played a part in removing a reference to Christians in an old law that limited black court testimony against whites; at the 1851 constitutional convention Dr. Cohen with partial success advocated the end of all religious references in state charter and laws. The number of Jews in Baltimore neared seven thousand in the late 1850s, when Jewish leaders included the banking Cohens and merchants and clothiers like the Ettings, Friedenwalds, Hutzlers, Hamburgers, Levys, and Sonneborns. Leopold Blumenberg, an officer in the Fifth Maryland, demonstrated that Jews could serve in the city's proudest militia unit.

Most of all, however, Know-Nothings were disturbed by electoral, labor, and miscellaneous violence and angered by "foreign ungrateful refugees." In Baltimore gangs calling themselves Plug-Uglies, Red Necks, Blood Tubs (who soaked the heads of erring voters in a vat of pig's blood), and Butt Enders combined drinking with intimidating rivals at polling places. Baltimore fire companies, many of them Irish or German clubs, had become "jealous as Kilkenny cats of one another"; rumored to set fires in order to engage in contests, wrote an astonished visitor, "they scarcely ever lose an opportunity of getting up a bloody fight." Labor groups, recovering from the long depression after 1837, brought together at least two currents of anxiety. Better-off Marylanders worried because laborers seemed to begin with a premise of natural conflict between propertied and poor; native-born union members harbored animus toward the immigrants who served as strikebreakers. In 1853 labor unrest reached a new peak. That spring and summer Allegany County coal miners (in some districts nine out of ten miners were foreigners) struck for more pay, threatening livelihoods all along the C&O Canal. Limestone workers in Baltimore County also went on strike. Laborers in the western Maryland iron fields and Harford County textile workers struck for a ten-hour workday.⁸

Objecting to use of the Protestant Bible in Baltimore public classrooms,



"A Sketch, from The New Tragic Farce, of 'Americans Shall Rule America' as enacted by Mayor Swann of Baltimore, and his wonderful 'Star' Company." Pen and ink drawing by unknown artist, 1858. The caption accused Swann of being behind Know-Nothing violence and rendered pithy dialogue: "Hello!! Red-neck—Seen any thing worth Shooting, up this way to day?" "No—nothing of any Count worth speaking of—Some of the Fellers racked out a 'Lager Beer' just now, and winged a few Dutch,—But I'm tired o' shooting Dutch and Irish, I am! If I don't kill something else soon, I'll spile!" MHS

Catholics in 1852–53 sought state funds for parochial education. Thomas Kerney, a Baltimore delegate and chairman of the education committee, introduced a bill that would have allowed commissioners to allocate to parochial schools "so much of the common School Fund as in their judgment may be just and reasonable." Quickly recognizing a no-win situation, members of the assembly tabled the measure in several consecutive sessions. Running quarrels over the Kerney bill poisoned relations between Protestants and Catholics, particularly since the numbers and political weight of Catholics were increasing with immigration. Few people recalled that in 1840 the Catholic clergy, seeking a fair solution, had seriously doubted whether introducing the Bible "as an ordinary class book into schools" would prove "beneficial to religion." One's position on the Kerney bill drew on deep be-

liefs and cultural identity. The bill gave free rein to the imagination. Opponents saw it as a "conspiracy against the diffusion of knowledge" and the dark design of a "foreign priesthood."⁹ In the fall of 1854 the *Hagerstown Herald and Torch Light* fanned anti-Catholic sentiment by publishing a story about a nun who had "escaped" from the late Mother Seton's convent in Emmitsburg and whose accounts of abuse titillated readers. A crowd in Baltimore burned a papal emissary to American bishops in effigy. Friends of a mentally unstable priest took him by rail from Annapolis to a Baltimore hospital. Onlookers said that he had been kidnapped and held prisoner.

In the spring of 1853 nativists threw off their cloak of secrecy and got involved in politics, first as the Order of the Star Spangled Banner or Know-Nothings, then as affiliates of the countrywide American party. Members came out against the Kerney bill and in favor of the Maine Law—a temperance measure proposed in the assembly. The Know-Nothings drew on rural discontent over the pace and "morbid love" of change and the ballooning power of Baltimore; the *Worcester County Shield*, a Know-Nothing voice on the Eastern Shore, called the mid-1850s "this age of wild and reckless fanaticism" and referred sarcastically to "Beautiful Baltimore"—so "petted and pampered and indulged" that its citizens had begun to think of the city "as all Maryland." The new party organized under the banner Americans Shall Rule America. Charles Benedict Calvert, a Prince George's County Know-Nothing with distinguished bloodlines, wrote the *Port Tobacco Times* urging a movement to "bring back the government to its original purity."¹⁰ Nativists did not have to be Anglo-Protestants with forebears like Josias Fendall or John Coode to participate in the soul-searching—or belong to the Protestant branch of the Carroll family, as did an active Know-Nothing publicist, Anna Ella Carroll. Friedrich Anspach, a Lutheran minister in western Maryland, published a number of nativist pamphlets in these years, the best known of which, *Sons of the Sires*, made an impassioned plea to the native-born to restore the republic of the Founding Fathers. Troubled Marylanders, many of them former Whigs but ex-Democrats in Baltimore as well, heeded the call. In the fall of 1853 Know-Nothings took control of the Baltimore city government, filled all the state judgeships up for bid, elected several state commissioners, gained the balance of power in the legislature, and won four of the six Maryland congressional seats.

On the subject of slavery, the state Know-Nothings tried to maintain the moderation that appealed to most Marylanders. Henry Winter Davis, now a congressman and Know-Nothing leader, told colleagues in Washington that "the way to settle the slavery question is to be silent on it." But events made silence impossible. Opening the Kansas territory to antislavery and proslavery elements in 1854—leaving slavery in the future state constitution to settlers to decide—Congress both had repealed the Missouri Compromise (prohibiting slavery north of Missouri and above its southern border to the west)

and produced an orgy of frontier violence. With Kansas bleeding, politicians in Congress found it difficult to discuss much of anything peaceably. In May 1856 Preston Brooks assaulted and nearly killed Charles Sumner on the Senate floor. The *Baltimore Sun* decried both the abolitionist's "venomous invective" and the South Carolinian's brutal reprisal.¹¹

The presidential election that year forecast the fate of moderation as crisis worsened. Maryland Know-Nothings supported the American party candidate, Millard Fillmore, an ex-president and former Whig, and his running mate, the Kentucky moderate John Breckinridge. Like the Whigs earlier, the American party split between supporters of the ticket and "North Americans" who thought both men soft on slavery. The only state Fillmore carried was Maryland. Once again without patronage hopes at the federal level, Maryland Know-Nothings faced a bleak future. Democrats won many votes in the state by running a Pennsylvanian who refused to condemn slavery, James Buchanan. His refusal cost him much Northern support and thus bolstered the new Republican party that was fundamentally hostile to Southern interests. Standing against slavery in the territories, favoring a high protective tariff, free land for homesteaders, and federal support of internal improvements like western railroads, Republicans protested that they would not touch slavery in the states below the Mason-Dixon Line and Ohio River. Yet not even Marylanders doubted that, in Republican hands, congressional power and presidential appointments could greatly undermine slave-ownership and its way of life. In slaveholding Southern Maryland, Catholic enough to back away from the Know-Nothings anyhow, voters drifted toward the Democratic camp because it offered a more likely check on "Black Republicanism."

With the old parties in disarray, extremists and novices on both sides found opportunities for advancement, and when tempers were feverishly hot, inexperience could take a heavy toll. Maryland Know-Nothings proved a partial exception to the general rule. Most of them had never before run for public office, and once in the General Assembly might have abruptly passed laws, as one nativist proposed, outlawing Catholic convents as "priests' prisons for women."¹² Instead, Know-Nothings exercised restraint, as if the anti-Catholic rhetoric that had helped them win office embarrassed them once in power. At national conventions of the American party, in fact, Maryland Know-Nothings worked to define the enemy as immigrants rather than Catholics.

On the other hand, rowdyism at Baltimore polling places—instead of abating as the scions of the sires took control—grew worse. Whether the "enemy" was an Irish newcomer or an Irish Catholic, Know-Nothing appeals at election time encouraged intense public interest, attacks and counterattacks, and immense fraud. In October 1856 the Baltimore city elections produced pitched battles between Know-Nothings and Irish Democrats near

Monument and Calvert streets and at the Lexington Market. Besides throwing brickbats and swinging clubs, opposing sides pulled pistols and drove some voters to seek cover behind the white marble town-house steps that visitors found so beautiful. Four people died in the fray and at least fifty, in the words of a laconic physician, were injured "more or less dangerously."¹³ To keep some kind of order during the later Fillmore-Buchanan contest, the Democratic governor, Thomas Watkins Ligon, placed militia units on alert and offered them to Thomas Swann, now the Know-Nothing mayor. Swann calculated the effects of an increased Democratic turnout and refused help. When the riot fully unfolded somebody started firing a cannon. Ten persons were killed and more than two hundred and fifty wounded. Mayor Swann took his own measures to keep peace during the two elections in the fall of 1857, which made up in stuffed ballot-boxes what they lacked in street violence.



Concern for order, locally and generally, mounted. Prominent Baltimore business and professional men, along with some clerks and skilled workers, formed a City Reform Association in 1858. Led by the established lawyer and slavery opponent George William Brown, reformers promoted change in the city police and fire departments. People in other parts of the state still looked with horror upon the metropolis; an Annapolis newspaper expressed "shame and disgust" at irregularities that cast a pall on every Baltimore election return.¹⁴ Meanwhile Americans debated Chief Justice Taney's most famous and infamous decision, handed down the year before, declaring that a slave like Dred Scott did not escape his condition by being moved into free territory. The federal Constitution, Taney declared, never had contemplated black citizenship. Excoriated by abolitionists, Taney's majority decision did not comfort moderate Marylanders either, because it dismissed the old Missouri Compromise as unconstitutional in the first place—Congress had no power to prevent slaveholders from taking their human property anywhere they chose. How could one compromise without establishing a north-south line? Must every western territory undergo the bloodbath and then election-eering fraud that had made such a mess of Kansas?

Sectional suspicions grew darker and darker, and while arguments about escaping slaves and freeing blacks tended toward theory in Massachusetts or Alabama, in Maryland they could not have been more concrete. Having played a leading part in the effort to colonize freed blacks in the 1830s, Marylanders faced anew the question of the free black's place in society. One reason for the failure of colonization lay with the blacks themselves—they steadfastly refused to leave home. By 1850, more free blacks lived in Maryland than in any other state of the Union. In ten years the gap widened; the 1860 census counted almost 84,000 "free people of color" in Maryland (Vir-

ginia that year had 58,000, Pennsylvania 56,000). They lived all over, but were concentrated on the Eastern Shore and in Baltimore City. To encourage their departure, state and city legislation kept them out of jobs like policeman and steamboat captain and from fields like the militia, politics, and law.)

Whites expected them to work at menial tasks, especially in the country. Caroline County offered an example of population shifts and rural labor demand that caused friction between free blacks and whites. From the first of the nineteenth century its black population had grown more than four times as fast as that of whites, while the percentage of blacks who were slaves had dropped from about 80 to 20. Meantime Eastern Shore farmers found it hard to interest free blacks in labor contracts that rewarded them with little more than "victuals and clothes" and assigned them the common agricultural and domestic work they had done as slaves. Blacks who did labor usually worked "Christmas to Christmas," living as a tenant on a landowner's farm, or performed seasonal work like harvesting crops; if women did not join the men in the fields they washed clothes or served as house maids.

At the same time a few free blacks in the country managed to prosper as skilled workers—some of them in shops, others as itinerants. A Talbot County free black earned a wide reputation as a shoemaker who also could build boats, wagons, and wheels. On the lower Eastern Shore free blacks worked as sawyers. In Chestertown and Cambridge the most successful butchers were free blacks. Until someone discovered a copy of Harriet Beecher Stowe's *Uncle Tom's Cabin* in his back room, a Salisbury free black managed to do very well as a shopkeeper. Captain Robert Henry of Pocomoke City became a successful shipowner and trader, carrying on business between Maryland and Virginia ports. To judge from white patronage, the most successful restaurants in Chestertown, Easton, and Princess Anne were those of free blacks, and when in 1845 the federal government opened a naval school at Fort Severn, Annapolis, the first chief steward there was a local black freeman. Elsewhere on the Western Shore free blacks had a hand in the hard work of ironmaking, blacksmithing, and farming. At Ellicott's Mills they made barrels and harness of noted quality.

Most conspicuous in Baltimore, free blacks and mulattoes found their position increasingly vulnerable in the 1850s. Twenty-five thousand of them lived there, more than in any other American city, and they had done much to build a society of their own. A few had attained some status as tobacconists, confectioners, grocers, or clothiers; one, Lewis Wells, was a physician. After 1847 Baltimore free blacks supported two Masonic lodges. Besides their African Methodist Episcopal churches—now numbering about fifteen—they had established two banks (with almost twenty-one thousand dollars on deposit) and more than thirty mutual aid or insurance societies. They also banded together in their residential patterns. Free blacks (and some slaves) formed backstreet neighborhoods in Fells Point and Old Town

and to the west and southwest of the harbor; they bore ironic or tell-tale names like Happy Alley, Welcome Alley, Strawberry Alley, and Whiskey Alley.

Baltimore blacks provided evidence of community strength in this period by trying to place their children's schooling on a firm foundation. For many years outsiders had commented on the church sabbath schools and their seriousness of purpose; after a visit in 1847 a black Baptist minister from Virginia said he found the colored people of Baltimore "advanced in education, quite beyond what I had conceived of." Still, the sabbath schools left many gaps to be filled. In early 1850 the Reverend Moses Clayton, Nathaniel Peck, and Captain Daniel Myers and other black leaders dared to petition the mayor and council for part of the city's school allocations. Maryland law neither prohibited black education nor encouraged it; though Clayton and the others had the support of 126 whites who questioned why blacks should be taxed to support schools for whites only, the mayor and council abided by tradition and declined the request. Over the next decade black churches, the black Catholic Oblate Sisters of Providence, and some white friends—Methodists, Quakers, Presbyterians—managed to open fifteen schools for black children in Baltimore. That of William Watkins, who was self-taught except for some training with Daniel Coker, had the highest reputation: "He was strict," a former student remembered, "from the first letter in the alphabet to the last paragraph of the highest reader."¹⁵

11 All the while free blacks discovered their jobs shrinking as white immigrants forced their way into the Baltimore labor market. This process, begun in the 1830s, accelerated as the number of unskilled whites in the city increased and as skilled whites controlled certain occupations with guilds open to themselves alone. By the 1850s free blacks for so long had dominated barbering, blacksmithing, and carriage driving that whites avoided that work as "black." Free Negroes made slight advances during the decade in oystering, though perhaps not owning their own boats, and in bricklaying as Baltimoreans put up structures less likely to burn. Other work, earlier shared between white and black, gradually went to whites. City directories for 1860 listed far fewer free blacks than earlier as laborers, sawyers, washers, draymen, and the like. This process did not always occur peacefully, particularly after the economic downturn of 1857. In May of the next year whites attacked black workers in a Fells Point brickyard, shooting one. That summer fights between black caulkers and whites trying to "bust" the longtime Negro hold on those jobs grew vicious enough to force the closing of Skinner's shipyard. # In June 1859 whites belligerently offered themselves as replacements for blacks on the city horse-drawn railway system—but only at a raise from \$1.00 to \$1.25 per day. Soon after, a mob attacked blacks at another shipyard. Thugs whom police took into custody later went free for lack of white witnesses. The *Sun* referred to a "reign of terror" on the Baltimore docks.¹⁶

These tensions did not improve with news of John Brown's raid on the Harpers Ferry federal arsenal that October. Brown's unlikely, even maniacal, plan was to arm Virginia slaves and begin a war to free all Southern bondsmen. His vision carried racial conflict to its hideous conclusion, and his force included several free blacks. Maryland militia units, some from Baltimore, gladly joined in capturing Brown. In the superheated atmosphere following the raid—with military companies forming in the state to repel madmen, keep order, and protect white families from racial holocaust—free blacks stood near the top of the suspected enemies list. Baltimore constables in December 1859 answered a call that a fight had broken out at the black caulkers' annual ball. What the police found after breaking in provided plenty of ammunition for the various white Marylanders who resented free blacks in a slave state. The caulkers had drawn a likeness of Brown on the ballroom floor and labeled it "The martyr—God bless him." Also on the floor were outlines of Virginia governor Henry A. Wise (who had seen to Brown's execution), "a huge Ethiopian" who apparently struck a menacing pose, and an inscription that the *Sun* described as "unfit for publication." Forty-nine blacks were arrested. Laws pertaining to the free Negro now received the full attention of authorities. The next year three blacks in Harford County were prosecuted for "being members of a secret association," violating a law of 1842. Police in Somerset County and Annapolis conducted searches for weapons among free blacks. Rural Marylanders believed free blacks and slaves had set house fires and tried to poison whites.¹⁷

Evidence that Maryland free blacks incited slaves to rebel or helped them to escape did not have to be enormous; protests to the contrary aside, slaveholders so near free territory were in good position to worry. Indeed, with Northern states, Pennsylvania among them, passing "personal liberty" laws in these years—statutes making recovery of fugitives legally difficult and expensive—Maryland slaveowners suffered directly from one of the celebrated complaints Southerners made while weighing the Union. The number of blacks who escaped slavery never was entirely clear. According to census figures 279 Maryland slaves fled the state between June 1849 and June 1850—though at least another 47 were captured and imprisoned in Baltimore. In the year before the 1860 census, Maryland fugitives numbered 115 (about as many as from Virginia and Kentucky), with another 70 caught and jailed in Baltimore alone.

Only a few incidents were needed to fuel fears that free blacks aided and abetted slave resistance. In July 1845 a gang of 30 or 40 Charles County slaves had gathered together and covered considerable distance (presumably with the help of District of Columbia free blacks) before armed whites overwhelmed them near Rockville. Whites held a meeting at Port Tobacco and gave free blacks there until 1 December to leave the county. In 1847 a gang of free blacks in Hagerstown tried to free fugitive slaves detained in the jail

there. Six blacks near Cambridge were arrested in 1849 on charges of aiding escaped slaves. In 1857 a Baltimore court sentenced a free black to banishment from the state for the same offense.¹⁸

White Marylanders could not agree on what to do about the "free Negro problem" or slavery either. Though immigrants had little love for their free black competitors, many of them, in particular the Germans who fled political oppression after collapse of the 1848 revolution, abhorred slavery. Eastern Shore farmers continually complained during harvest season that free blacks could not be "induced to work," though many of these same people, former slaveholders, had helped bring on their predicament by acting on antislavery principles. Baltimore slaveowners knew that the abundance of free blacks dropped wages and thus made hiring out slaves less profitable.) Partly for that reason Baltimore slaves had declined in number between 1850 and 1860, from almost 3,000 to 2,218. In fact, slavery in the state as a whole had continued its decline during that period, from 90,368 to 87,189. Alone of the slave states, Maryland had almost as many free as enslaved blacks. The tendency of the first group to grow larger and the second smaller caused white Marylanders anxiety, yet the economic feasibility of slavery remained a doubtful question. The price of tobacco reached a low point of 5¢ a pound → in 1850 (it had been 20¢ in 1810), and Marylanders continued to discuss farm reform and new crops that meant using free labor. Some slaveholders sold their bondsmen to traders who sent them southward. Stories circulated of other planters who simply turned their backs while their slaves ran off. A Bel Air man claimed that poor farm prices left him glad that his slaves had escaped. John Giddings of Prince George's County gave his blacks food and directions to the Mason-Dixon Line.¹⁹

When the General Assembly convened in early 1860 it briefly considered restoring a simpler order with all blacks in some kind of bondage. Militant slaveholders and planters in need of dependable labor (petitions arrived from Cecil, Somerset, Anne Arundel, and St. Mary's counties) lobbied in favor of proposals that would have ended manumission, forbidden blacks from peddling, traveling, holding their own church services, or having their own schools, and punished some offenses—among them carrying books or papers of an "inflammatory character" and any crime for which a white went to prison—with slavery. Unless free blacks found regular jobs, local commissioners would assign them masters under terms that involved renewable contracts and amounted to peonage. Since by Taney's dictum free blacks could not be citizens, the state, some legislators argued, had an obligation to "restrain their freedom and make them useful and subordinate laborers." "Free-negroism throughout this State must be abolished," declared Curtis W. Jacobs in defense of the bill that finally emerged from his House of Delegates committee on "the Free Colored Population." He aimed to force his colleagues to decide whether Maryland would be a Southern state "or whether she shall go into the arms of the abolitionists." Significantly, the Jacobs bill

passed the assembly as a referendum, to be decided in the counties of Southern Maryland and the Eastern Shore alone. Also significantly, voters there turned it down. The plan would have put the "evil example" of freed blacks in the slave quarters. It would have saddled slaveholders with slavery.²⁰



This curious referendum helped prepare Marylanders for the decision the country faced in the November presidential election. Democrats split. At the regular Charleston convention they nominated John Breckinridge, the choice of proslavery, positive-protection-of-slavery Southern Democrats; another faction, meeting in Baltimore at the Front Street Theater (where the main floor caved in), offered voters Stephen A. Douglas. On the Kansas-Nebraska formula, Douglas wished to leave slavery to future territorial voters. The Republican party—its slogan "Free Soil, Free Labor, and Free Land"—mustered small numbers in Frederick and Carroll counties and claimed support among pro-tariff Allegany County workers, except the Irish. Baltimore German immigrants applauded the Republican plank against slavery in the territories. Yet Lincoln had little hope of success in Maryland. The Free Soilers, Republican forebears, had won only 21 Baltimore votes in the 1852 presidential election; in 1856 the Republican candidate John Frémont had captured a mere 214. To help organize the House of Representatives in early 1860, Henry Winter Davis, who first and last despised Democrats, had cast a deciding vote for a Republican, William Pennington of New Jersey. At home that decision won him burning in effigy and obtained assembly resolutions condemning him. Miners in Pompey Smash raised what they believed was the first Lincoln campaign pole below the Mason-Dixon Line; someone cut it down, and after the Lincoln Club president put it back up, he had to stand guard over it with a shotgun. In places support of the Republicans made one an abolitionist. A Charles County Republican, believing he could deliver 15 or 20 Lincoln votes there, vowed to stand firm "although," he said, "it may cost me my life."²¹

Workingmen in Baltimore, so many of them loyal Democrats, made life miserable for Republicans. In May of the election year, Montgomery Blair, a Missouri-born, moderate Republican leader, left his Silver Spring estate to make a speech in Baltimore. He had to contend with a howling mob. When the Germans staged rallies, opponents pounded them with stones, garbage, and eggs. Thick-skinned Republicans formed a chapter of the party's Wide Awakes, whose active members marched to rallies wearing green capes and slate-colored caps with red trim. One night during the campaign the Wide Awakes staged a torchlight procession that wound up at the Holliday Street Theater. Democrats and various rowdies, having waited in the galleries, drowned every Republican speaker in a chorus of groans, bahs, coughs, wheezes, and sneezes. A Wide Awake leader who visited the gallery to call for quiet was thrown down the stairs. By the time police arrived, the meeting


had become a brawl and someone had mounted the stage armed with a pistol. Another open Republican in Baltimore, the hapless abolitionist William Gunnison, suffered like an early Christian martyr; "the presence of ladies alone," wrote an unfriendly paper of an assault made upon him, "spared him the application of boots and shoes to that point of the human anatomy where kicks 'Hurt honor more than twice two thousand kicks before.'" ²²

Marylanders by and large wanted both to uphold Southern rights and to hold the Union together. Their choice narrowed to the Democrat Breckinridge and yet another ticket that formed in the state itself—at a "Constitutional Union" convention held at the First Presbyterian Church in Baltimore during May 1860. The new party, combining old Whigs and Know-Nothings in an uncertain alliance, nominated John Bell, a pro-Union Tennessean, for president and a Massachusetts conservative, Edward Everett, for vice-president. Bell and Everett sought to unite moderates throughout the country. Western Marylanders and leading Baltimoreans welcomed their appeal. The *Cumberland Civilian & Telegraph* endorsed the Constitutional Union party. Brantz Mayer, lawyer and man of letters, voiced the now-familiar cry that differences over slavery were false alarms, "political bugaboos, that are as harmless and hollow as ghosts manufactured out of sheets and pumpkins." John Pendleton Kennedy, who earlier in the decade had served well as Fillmore's secretary of the navy and then had withdrawn from politics, wrote an English friend that slavery agitation represented a political "trick," a sentiment others in the makeshift party echoed. Kennedy came out of retirement at Mount Vernon Place to speak for Bell. Constitutional Union men avoided discussing sectional issues, pointing out instead the value of steadiness, the rule of law, the protections contained for both sides in the Constitution. They warned of the radical drift of Breckinridge's platform. Frederick newspapers referred to Breckinridge men as "seceders"; the Baltimore *American* noted "the rampant and controlling spirit of disunion" as being "a distinguishing feature of his supporters." ²³

Though in the state Breckinridge's Democracy carried the taint of secessionist threats, his candidacy also defended rights that many Southern and Eastern Shore Marylanders—as possible slaveholders in the west—might wish to exercise, or that they held inviolable given their view of the compact Americans had entered into in 1789. A Montgomery County paper expressed "abhorrence" at the unwillingness of Bell to speak "upon this most vital and all-important question of slavery in the territories." For many months before the election the *Sun* refuted the charge that Southern rights stood for aggressiveness or radicalism. Lovers of the Union, wrote *Sun* editors, should ask themselves not whether the South would secede, but when the arrogant North would recede—give up its hostile designs on Southern property. "Maryland Must and Will Be True to the South," read a hopeful banner painted for a Breckinridge meeting in Monument Square. ²⁴

Unfortunately the November elections settled nothing. Lincoln won more

**The Constitution, the Union, and the
Equality of the States.**




For President,
JNO. C. BRECKINRIDGE,
OF KENTUCKY.

For Vice-President,
JOSEPH LANE,
OF OREGON.

*For Electors of President and Vice-President of the
United States.*

E. LOUIS LOWE,
JAMES LLOYD MARTIN,
ELIAS GRISWOLD,
JOHN BROOKE BOYLE,
JOSHUA VANSANT,
T. PARKIN SCOTT,
JOHN RITCHIE,
JAMES S. FRANKLIN,

Maryland State Ticket.
Election, Tuesday, November 6th, 1860.



*"The Union, the Constitution, and the Enforcement of
the Laws."*

For President of the United States.
JOHN BELL,
Of Tennessee.


For Vice President of the United States,
EDWARD EVERETT,
Of Massachusetts.

*For Electors of President and Vice President of the
United States*

CHARLES F. GOLDSBOROUGH,
J. DIXON ROMAN.

1st District—JAMES U. DENNIS.
2d " JOHN E. SMITH.
3d " SAMUEL M. RANKIN.
4th " WILLIAM PRICE.
5th " JAMES S. CARPER.
6th " ALEXANDER B. HAGNER.

**NATIONAL
Democratic Nominations**




**FOR PRESIDENT,
STEPHEN A. DOUGLAS,**
OF ILLINOIS.

**FOR VICE PRESIDENT,
HERSCHEL V. JOHNSON,**
OF GEORGIA.

ELECTORS.

COL. WILLIAM P. MAULSBY,
JOHN B. ROWAN,
G. W. P. SMITH,
COL. WILLIAM B. STEVENSON,
DR. MILTON N. TAYLOR,
HON. HENRY MAY,
WILLIAM WALSH,
HENRY E. WOOTTEN.

Republican Ticket.



**FOR PRESIDENT,
Abraham Lincoln,**
OF ILLINOIS.

**FOR VICE-PRESIDENT,
Hannibal Hamlin,**
OF MAINE.

FOR ELECTORS.

For the State at Large,
WILLIAM L. MARSHALL,
GEORGE HARRIS.

1st District—DANIEL T. OREM,
2d " WM. PINCKNEY EWING.
3d " FRANCIS S. CORKRAN.
4th " GEO. EDWARD WISS.
5th " ISAAC GEHR,
6th " MONTGOMERY BLAIR.

Election tickets, 1860. Maryland supporters of all four candidates used similar slogans and symbols in avowing loyalty to Constitution, Union, and liberty. MHS

than five hundred votes in Allegany County, over a hundred in Cecil and Frederick, and about a thousand in Baltimore City. Douglas strength followed the same pattern, with Washington, Carroll, and Baltimore counties added. Bell and Everett carried 47 percent of the vote outside Baltimore City and all the counties except Talbot and Worcester east of the bay and St. Mary's, Charles, and Prince George's on the Western Shore. Breckinridge nonetheless ran a close second in all the counties except those with Lincoln-Douglas leanings. Democrats in Baltimore City, having successfully identified themselves with electoral and police reform, carried the day by over two thousand votes. The total Maryland popular vote thus went to Breckinridge by six-tenths of a percentage point. Badly divided in selecting a new president, Marylanders had objected overwhelmingly to "black Republicanism." Nearly half of them had supported as their first choice a kindly old statesman who seemed to hope that the political weather might someday clear. Soon that hope seemed terribly forlorn. Between December and early 1861 the states from South Carolina to Texas seceded, calling on Marylanders to make another choice, this one between staying in or leaving the Union that now had a Republican in its highest office.

The quarrel over Maryland secession began as soon as Lincoln's election became clear, and it engaged a full range of reason, emotion, and prayer. "May God in his mercy avert the dangers" that impend "so threateningly," prayed the *Frederick Herald* in mid-November. Shortly afterward Presbyterians in Baltimore held a large "Union prayer meeting." Newspapers like the *Centreville Advocate* and *Patapsco Enterprise* argued in favor of secession. In December, after the secession of South Carolina, some Baltimoreans hung the Palmetto flag out their windows. "Southern Volunteers" formed in Baltimore, while a Reisterstown company adopted the blue cockade that signified Southern rights. A Harford County militia unit wrote the governor, Thomas Holliday Hicks, begging to be mobilized against the "Black Republican hordes of the North." Newspapers overflowed with opinion: some Marylanders favored armed neutrality, others economic reprisals against the North, others a strengthened fugitive slave law as the price of keeping the state in the Union. Pro-Union feeling grew more vocal with news that more states had followed South Carolina's lead. In January Union men staged rallies in Frederick, Baltimore, and Cumberland. George William Brown, now Baltimore mayor, left no doubt that in his opinion state policy ought to be adherence to the Union. Henry Winter Davis, remaining unpopular at home as one who was willing to deal with the incoming Republicans, played a large role in congressional efforts to find a sectional compromise, at one point suggesting admission of New Mexico as a slave and Kansas as a free state.²⁵

The Union or secession issue involved procedure that bogged down revolution and focused attention sharply on one man. If Maryland were to withdraw from the Union, the decision would require a convention elected for

the purpose. Only the General Assembly could call such an election, and the legislature, convening every other year under the 1851 constitution, was not due to meet until 1862. Everyone watched to see whether the governor would call a special session. Nothing could properly have prepared Hicks for this crisis, but to many observers he cast an unusually small shadow. Son of a Dorchester County planter, he had risen slowly as county sheriff and member of the House of Delegates. He had gained a reputation in the state for talking seriously now and again of Eastern Shore secession. In 1857, when it was the turn of the Eastern Shore to supply the executive, he had won the governorship as a Know-Nothing. Now Hicks claimed to know of a plot to take the state out of the Union if the assembly met. Plot or not, the Democratic legislature in 1860 had resolved, "if the hour ever arrive when the Union must be dissolved," to cast Maryland's "lot with her sister states of the South and abide their fortune to the fullest extent." It was no secret that counties where Breckinridge had polled well still enjoyed heavy representation in the assembly. The Speaker of the House of Delegates, Elbridge G. Kilbourn of Anne Arundel, had openly sided with the seceded states. Kilbourn commented that the situation was too serious to allow the governor to go it alone.²⁶

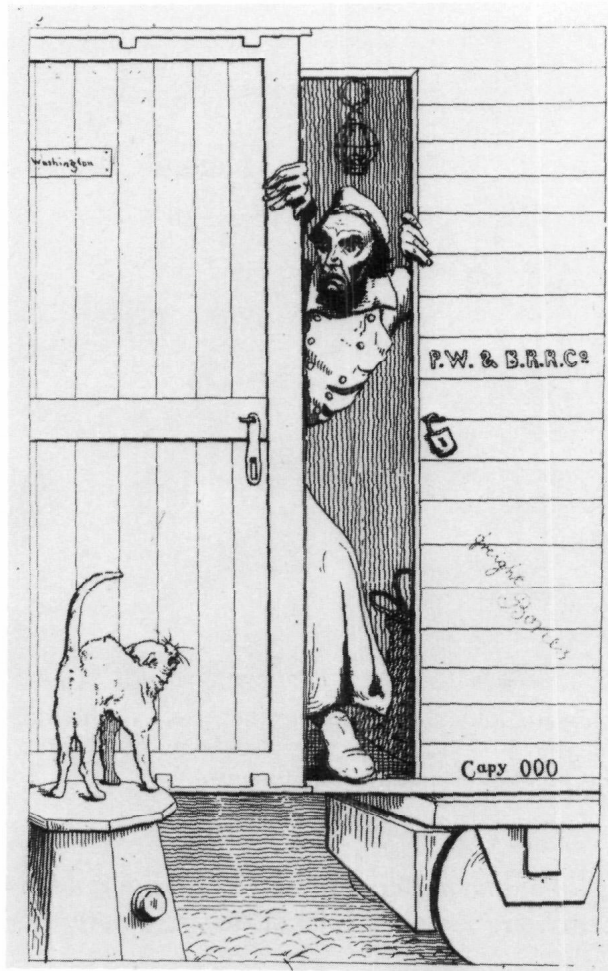
Hicks faced his duty ruefully and cautiously. Though sympathizing with the South as a critic of personal liberty laws, he counted himself a strong Union man and furthermore doubted the wisdom or workability of secession. In late November 1860 he had announced a wait-and-see policy; nothing, he wrote the month following, should be done before the people had time to reflect. As pressure mounted, Hicks's resolve seemed to strengthen. True to his Eastern Shore and small-state heritage, he hated above all things to be bullied. South Carolina, Alabama, and Mississippi sent letters or emissaries urging the governor and Maryland to act. Hicks reportedly said that disunion remedied no wrongs done the South "and Maryland should not seem to give countenance to it by convening her legislature at the bidding of South Carolina." When in January 1861 Mississippi departed the Union, he noted on the back of the envelope that had brought him the telegraphed news, "Mississippi has seceded and gone to the devil."²⁷

The governor continued his balancing act throughout the early months of 1861 while excitement, war fever, and rumors filled the air. A gathering of citizens disgusted with the governor's inaction met in Baltimore in February and again in March, threatening to call an extralegal convention to debate secession. Meantime Hicks, on his own power, appointed a committee of Marylanders—Reverdy Johnson, Augustus C. Bradford, Benjamin Chew Howard, John T. Dent, John W. Crisfield, William T. Goldsborough, and J. Dixon Roman—to attend a conference that opened 4 February at the Willard Hotel in Washington. There border-state and Northern moderates made a desperate attempt to formulate a sectional compromise. The nationalism that gloried in the defense of Fort McHenry provided Hicks with emotional

leverage in these highly charged circumstances. He told a delegation from Talbot County that secessionists in the District of Columbia had poised themselves to take over Washington City should Maryland move. Wavering Marylanders must have agreed with the governor that the prospect of an isolated and pillaged federal capital was shocking and unacceptable. Lincoln's necessary rail passage through Baltimore in late February gave rise to plenty of whispered rumors of a kidnapping or assassination, though no one ever produced the names of the supposed conspirators. A Maryland woman wrote the governor of a plan she had been told about involving three thousand men who were determined to prevent Lincoln from taking office. The Baltimore City Guards planned to take part in the military parade at Lincoln's inauguration. A reporter for the *New York Tribune*, hoping that General in Chief Winfield Scott would "assign them a proper place" if they did, described the guards' sympathies as "fully understood."²⁸

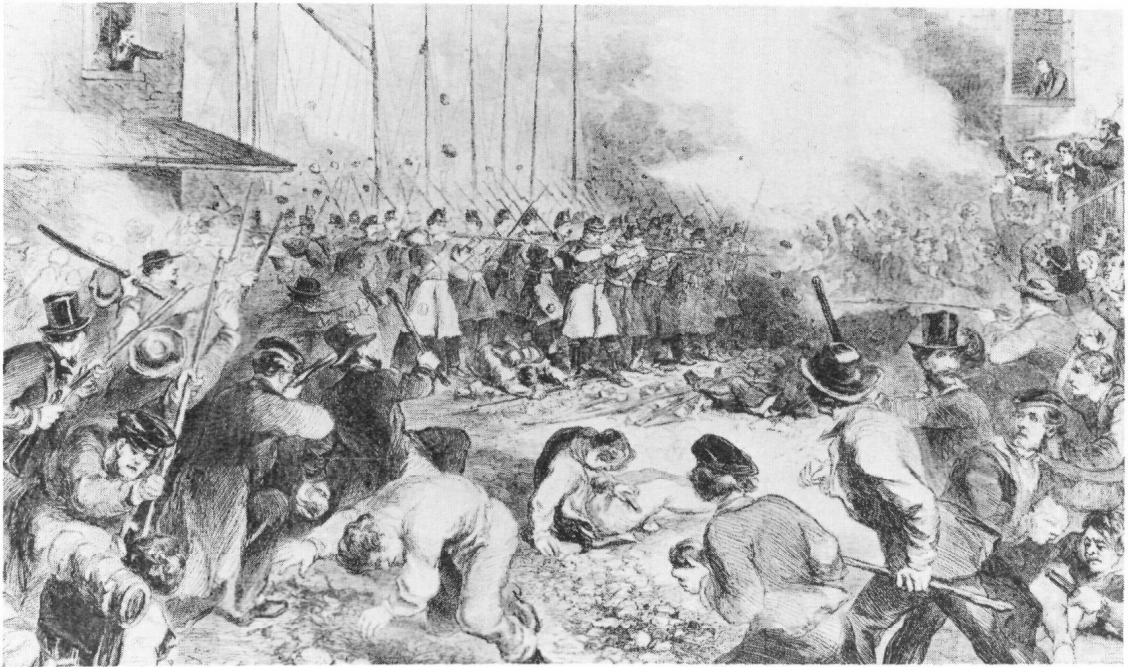
Despite the conciliatory tone of the president's address on 4 March, the practical problem of handling federal garrisons within the seceded South offered scant room for compromise or delay, and in mid-April, when South Carolinians fired on Fort Sumter and Lincoln called on the states to gather seventy-five thousand troops to put down the rebellion, Marylanders faced the most difficult question yet placed before them: whether to arm themselves and force fellow Americans to remain in the Union, whether to cooperate at all in the war against Southern independence. Having expressed scruples against Union-by-coercion, Hicks found himself tottering. Military units sporting the blue cockade, fired by action in Charleston, waited menacingly for the state to secede. Enough Baltimoreans demonstrated against answering the president's call that Hicks felt compelled to visit the city and see for himself. On 17 April he traveled to Washington to confer with Lincoln and his highest aides, advising them against pressing the troop request and warning them of the tinderbox that was Baltimore—through which Lincoln's army presumably would pass. Later that day the secretary of war sent Hicks written assurances that the administration would employ Maryland soldiers only to defend federal property within state boundaries and to protect Washington. On 18 April the governor issued a plea for calm, assured citizens that any federal force passing through the state would be directed only to the defense of the capital, and promised in the pending congressional elections to listen to the voice of Maryland on the issue of Union or secession. The next day, staying with Mayor Brown in Baltimore, Hicks had begun drafting the Maryland muster order when the public voice reached him from the streets.

The riot of 19 April eventually became legendary. At about 11 A.M. the 6th regiment of Massachusetts volunteers arrived from Philadelphia at the President Street Station. The troops then proceeded by single horse-drawn cars along Pratt Street to the B&O station for the trip to Washington. Most of the



"Passage through Baltimore." Etching by Adalbert Volck, 1861. Allan Pinkerton's agents recommended that President-elect Lincoln slip through divided Baltimore in the dead of night, thus prompting Volck to pick up his poison pen.
MHS

seven hundred men had made it, hazarding shouts and stones, when some bystanders dumped a cartload of sand and threw some anchors on the tracks ahead of the last few cars, halting them and turning them back. Soon afterward Mayor Brown, demonstrating the new official attitude toward disorder in Baltimore, arrived on the scene and ordered the debris cleared. Brown next met the last companies of troops running up Pratt Street, pursued by a mob throwing cobblestones at the "invaders," screaming insults, and firing an occasional pistol shot. For a time the mayor rode at the head of the men in an effort to safeguard their passage. "The soldiers bore the pelting of the



"The Sixth Massachusetts Regiment Repelling the Attack of the Mob in Pratt Street, Baltimore, April 19, 1861." Wood engraving from *Frank Leslie's Illustrated Newspaper*, May 1861. Peale Museum, Baltimore City Life Museums

pitiless mob for a long time under a full trot," an eyewitness wrote, "& more than three of them were knocked & shot down, before they returned the assaults."²⁹

When the troops returned fire all hell broke loose, as many bystanders as rioters falling in the *melée*. Marshal George Kane—head of the Baltimore constabulary that the assembly in 1860 had placed under control of a state commission—finally managed to form a police line at the rear of the troops and hold the mob at bay. The soldiers left for Washington, shooting out the windows of their cars. Four soldiers and twelve Baltimoreans lay dead, and scores were injured, the first real bloodshed of the Civil War. At an afternoon rally in Monument Square both Brown and Hicks (the governor fearing for his life) appealed for peace. Aiming to prevent troop movements and further bloodshed, the mayor and police board—either with Hicks's permission or with his acquiescence—directed Kane and militia units to burn railroad bridges north of the city. One junior officer at Fort McHenry, expecting attack, threatened to train his guns on the Washington Monument. If you do, a representative from the city replied, "there will be nothing left of you but your brass buttons to tell who you were."³⁰

Lincoln agreed to defuse the situation and wait for tempers to cool; he and

Maryland leaders, among them the president of the B&O, John W. Garrett, struck a deal whereby federal troops bound for Washington would bypass volatile Baltimore, steaming from Havre de Grace to the naval school and then proceeding by branch lines to the capital. A Pennsylvania regiment turned about at Cockeysville and left for the border. But in these critical days the administration could ill afford to temporize for long. As soon as sufficient troops arrived in Washington to defend the city, General Scott promised, he would assign ten thousand men to hold Baltimore and secure the rails and bridges above the city. On 22 April General Benjamin F. Butler landed a force at Annapolis and began repairing the Annapolis and Elkridge Railroad, which its directors had begun to tear up to prevent its military use. Butler cleverly offered to help put down the local slave uprising that rumors described as imminent. While helpless to slow the growing federal presence, Hicks rejected the offer as unnecessary. Later, when Butler occupied the Relay House B&O station, just seven miles from Baltimore, he issued an ultimatum based on the belief that a Maryland farmer had poisoned one of his men. The general declared he could put an armed soldier in every household he chose.

Squeamish about forcing the South to return to the Union, perhaps realizing that events were beyond one person's power to control, Hicks on Monday, 22 April, called a special session of the General Assembly for Friday of that week. Northern commentary, until then complimentary toward the Maryland governor, wrote him off as a secessionist pawn. The Lincoln administration quietly planned every necessary measure, including "the bombardment of their cities," should legislators vote to arm against the Union.³¹ In these perilous circumstances one might have expected a referendum or test of the public will. Actually voters filled only a few places according to prevailing sentiment—one seat in Washington County and nine places in Baltimore (the assembly earlier had vacated them by reason of fraud). A "States Rights and Southern Rights" gathering in Baltimore nominated candidates, including Severn Teackle Wallis and Ross Winans, who ran unopposed; the western seat went without opposition to Lewis P. Fiery, a strong Union man. With Butler in Anne Arundel County, Hicks decided to convene the assembly in the Frederick Courthouse, where—students of his motives reflected—lawmakers would not be surrounded by Union troops but would sit in the midst of Union sympathizers.

Most Marylanders probably wanted to be left alone. State government, roughly reflecting that wish, appeared paralyzed. Neither the governor nor the assembly found any decisive course appealing. A hand-carried invitation from Virginia to join the Confederacy got a cold reception. The senate published resolutions denying its authority to decide the secession question. Hicks in his address wanted neither league with the seceded South nor any active Maryland role in invading another state—and no passage through

Maryland of forces with that hostile intent. A memorial to the House of Delegates from Prince George's County called for immediate secession, but the delegates demurred, again for lack of authority. A few outright secessionists, Coleman Yellott of Baltimore among them, spoke of calling a convention to consider leaving the Union. Yellott, who had commissioned a steamboat to bring Eastern Shore legislators across the bay, introduced a bill for the "public safety" that would have created a commission to stand above the governor, prepared the militia for defense of the state, and presumably taken Maryland into the Confederacy. His bill went down to defeat—not even Wallis supported it—on grounds that it threatened "a Military Despotism." At the same time delegates turned down a request to reopen rail links to the North; repaired, legislators agreed, they would invite the invasion of "fanatical and excited multitudes, whose animosity to Baltimore and Maryland is measured by no standard known to Christian civilization." Resolutions authorized a commission to Lincoln protesting Maryland's treatment as "a conquered province."³²

The assembly adjourned, and finally geography, economy, old patriotism, and the harsh reality of military law combined to keep Maryland officially in the Union camp. The events of 19 April both demonstrated and spent anger; the hostility of the mob may have had as much to do with transgressed neutrality—being bullied—as with support for Jeff Davis's government. Gradually, as usual, a reaction to the violence set in. On the twenty-eighth, the commander at Fort McHenry reported that a sailing ship had passed down the Patapsco freighted with men cheering his garrison and flying the Union colors stem to stern. Pro-Union Marylanders staged a convention in Baltimore on 2 May, planning to organize a party around loyalism. The destroyed railroad bridges did such harm to the local economy that there was talk of food shortages in Baltimore. They underwent repairs.

John Pendleton Kennedy, who earlier had tried to chart a course for all the border states in the crisis, next published a masterful pamphlet arguing strongly against Maryland secession on the basis of self-interest. The free-trade policy planned for the Confederacy would ruin Maryland manufactures, he wrote. Direct Confederate taxes on populous Maryland would multiply its existing tax burden as much as twelve times. Out of the Confederacy Maryland might lie vulnerable to a Southern blockade of Capes Henry and Charles, he said, but the United States could do the same to a Confederate Maryland and shut off commerce with Ohio and Pennsylvania as well. Though historically tied to Virginia, Maryland still had to decide its own course and should realize that its future truly lay not with stagnant eastern Virginia but with growing western Virginia. Kennedy also noted, as had Hicks and other Marylanders, that the state had no defensible northern frontier. Confederate Maryland would be the first region to be swept by recurrent war—and would lie on a boundary as unfriendly to slavery as Canada's. Widely circulated, this *Appeal to Maryland* doubtless had an impact on the

popular will. "Maryland has no cause to desert our honored Stars and Stripes," wrote Kennedy. "Out of this Union there is nothing but ruin for her."³³



Clinching the question, Lincoln used military power to quell disorder, restore links between Washington and the North, and keep Maryland beyond the reach of would-be secessionists. On 27 April he directed Scott and his subordinates to suspend the writ of habeas corpus anywhere along a line between Washington and Philadelphia where federal officers met resistance. Without precedent, this measure enabled the military to seize and hold indefinitely anyone suspected of disloyalty. On the rainy night of 13 May General Butler quietly entered Baltimore and occupied Federal Hill, and thereafter he and his successors employed their authority to considerable effect. Much of it bore directly on the war and the eagerness of many Marylanders—whom Butler described as "malignant and traitorous"—to contribute to the Confederate cause. Butler seized twenty-seven hundred muskets, ammunition, and other stores he had reason to believe were headed southward. He closed shops he suspected of manufacturing Confederate military supplies, outlawed unsanctioned assemblies, and forbade display of the Bonnie Blue Flag. Federal officers arrested known Confederate recruiters. Shortly after Butler's arrival old Ross Winans, who in 1859 had made four thousand pikes to be used against abolitionists, landed in jail partly for building a steam-powered, four-wheeled cannon that he tried to get through Union lines to Harpers Ferry (federal troops found it unreliable). Though Winans on 16 May took the prescribed oath "not openly or covertly [to] commit any act of hostility against the Government of the United States," his reputation remained with him. Union authorities later considered hunting in a Baltimore convent for the "Winans cache" that according to rumor lay hidden there, ready for an uprising of Confederate sympathizers.³⁴

Over the summer of 1861 the hand of the federal government fell firmly on the shoulders of Marylanders. Troops encamped in Patterson Park and on the railroad avenues into the city. Soldiers on Federal Hill, overlooking what a Union officer called a neighborhood "rank with disunion," dug fortifications and planted cannon that could reach three-fourths of the city. Federals began improvements on Fort McHenry, which had few defenses on its land side. Military engineers surmised that the McKim mansion and Potter's Race Course, both in east Baltimore, needed entrenchments and troops. Both places commanded the 8th ward, "one of the most disloyal in the city." Murray Hill to the north and on West Baltimore Street the home of George Hume Steuart also assumed strategic value (Steuart, a pro-Confederate with long service in the Maryland militia, had fled to Charlottesville, Virginia; in April his son had resigned from the army and embraced the Confederacy). By August more than forty-six hundred Union soldiers had taken up posi-

tions in Baltimore. Others in the military Department of Maryland occupied Annapolis, defended Relay House and the railroad to Washington, and were headquartered at Cockeysville and Havre de Grace to safeguard the railroads to York and Philadelphia. Federal troops encamped in Cumberland, Williamsport, and other points along the C&O Canal. Union commanders continually requested more men, estimating the number needed in and around Baltimore at seven thousand and describing the city as an excellent place to break in raw recruits.³⁵

Union men and women were happy to have order at last, but there was no mistaking the weight or character of federal power. Mid-June congressional elections in Baltimore corresponded with the arrival of General Nathaniel P. Banks—a Massachusetts Republican, former Speaker of the House of Representatives and state governor—who had steeled himself for any challenge. He assured Mayor Brown that no Union soldiers would be permitted to leave their posts or otherwise interfere with the election, that he had confidence in the Baltimore police “to suppress ordinary election tumults.” He also had his men armed with forty rounds each and prepared to march instantly; he ordered liquor stores closed and warned Brown that if the people took advantage of the situation “to organize anarchy and overthrow all forms of government,” responsibility for whatever resulted would be theirs alone. Before departing in July he brought some of his troops in from the countryside so as to exercise a “moral effect upon the disaffected inhabitants of the city.” Marylanders who voted returned a pro-Union delegation to Congress.³⁶

Banks's replacement, John A. Dix, approached his duties with puritan pleasure. A New Hampshire native who in the 1820s had studied law with William Wirt, Dix had no doubt that since 1812 Baltimore domestic violence had been the worst in the Union. “A city so prone to burst out into flame, and thus become dangerous to its neighbors,” he later wrote, “should be controlled by the strong arm of the government wherever these paroxysms of excitement occur.” Dix extended the crusade against secessionist flags and paraphernalia to the latest Confederate colors, red and white—their appearance together, he said, was provocative. Amused Baltimoreans issued a mock bulletin in the name of “His Majesty (Abraham 1st),” requiring all persons having red hair and moustaches to have one side or the other dyed blue. One stanza of a song celebrating “Dix's Manifesto” went: “On Barber's pole, and mint stick / He did his veto place / He swore that in his city / He'd red and white erase.”³⁷

“In times of civil strife,” read an earnest War Department order of the day, “errors, if any, should be on the side of the safety of the country.” The Lincoln administration left considerable room for discretionary power among its friends and little for dissent, doubt, or even indifference among others. Baltimore police, by reports reaching General Scott, had discouraged citizens from greeting Union troops with food and water. Banks ordered Marshal Kane arrested on 27 June; several days later, at four in the morning, Union

troops seized all four members of the city police board and put them in cells at Fort McHenry without specifying charges against them. Afterward the city lay under the authority of provost marshals. Military forces seized former governor Thomas G. Pratt early in the summer, Judge Richard Henry Alvey of Hagerstown (he opposed coercion of the South), and Baltimore Congressman Henry May, who favored peace negotiations with the Confederacy. In the fall, as the assembly prepared to reconvene, the army arrested twenty-six suspicious or pro-secession legislators—Winans (again), Wallis, and Kilbourn among them. The clerks of the house and senate went to Fort McHenry. Pinkerton secret service agents jailed the editors of two newspapers devoted to Maryland secession: Frank Key Howard (grandson of Francis Scott Key) and William Wilkins Glenn of the Baltimore *Daily Exchange* and Thomas W. Hall of the *South*. After also arresting Mayor Brown in a dispute over payment of Baltimore police during federal occupation, Dix complained in September that Fort McHenry had grown so crowded with prisoners that one cell had twenty people in it. So many disloyalists had been placed in tents on the drill field that there was "hardly room left for the guard to parade."³⁸

Whatever the value of Lincoln's object, saving the Union, these means led to serious questions and earlier had produced a dramatic confrontation between the president and the Maryland native, then eighty-four, who sat as federal chief justice. The protagonist was John Merryman, a Baltimore County Democrat who in 1861 was president of the Maryland Agricultural Society and an officer in a local militia unit that under orders had helped break Baltimore's rail links after the 19 April riot. For that act federal troops arrested him in May. Merryman's friends quickly obtained a hearing with Chief Justice Taney in his capacity as judge on the federal circuit court for Maryland. Taney had issued a writ of habeas corpus, calling on the commander holding Merryman at Fort McHenry to bring him to court on 27 May and explain the reasons, if any, for his imprisonment. Though Taney feared his own arrest, he believed it important to defend the rule of law against arbitrary authority, even in perilous times. "I am an old man, a very old man," Taney had said to his friend the mayor, "but perhaps I was preserved for this occasion."³⁹

At the appointed hour a blue-coated officer with red sash appeared in Baltimore federal court and handed the chief justice a paper. It announced that authorities suspected Merryman of treason and repeated that they, under presidential power, had set aside the habeas corpus protection. Taney ordered the Union general, George Cadwalader, to appear in court the next day, but there was scant hope he would obey and none of compelling him. The chief justice then wrote Lincoln an opinion that amounted to a lecture: the president assumed a power that the Constitution granted not to him but to the Congress; military officers had no right to arrest anyone not subject to army discipline except by judicial order. If the executive and the military



Baltimore from Fort Federal Hill. Photograph probably taken in September 1862, when Union troops had fortified the position Butler secured in the spring of 1861. *Peale Museum, Baltimore City Life Museums*



Roger Brooke Taney (1777-1864), the chief justice who, in his last, sad years, defied President Lincoln in the belief that no circumstances set aside constitutional safeguards. *MHS*

usurped such power, Taney declared with stirring choice of words, "the people of the United States are no longer living under a government of laws, but every citizen holds life, liberty, and property at the will and pleasure of the army officer in whose military district he may happen to be found."⁴⁰

Dix's rule, like Lincoln's presidency, exhibited some latitude and humanity under the circumstances. Dix demanded proof of a person's alleged disloyalty and discharged some prisoners on insufficient evidence. He advised Union troops not to assume that Marylanders carrying shotguns on a "sporting excursion" were rebel soldiers. He did not use troops to search private homes and declined a request from Harford County that the army administer loyalty oaths at polling places. A few Confederate sympathizers Dix kept in perspective. One exotic war prisoner was Richard Thomas, who called himself "Zarvona" and who became known as "the French Lady" for his part (bustled and petticoated) in capturing a steamboat and sailing it into Confederate waters. After capturing "Zarvona" on another escapade, Dix eventually paroled him as a small man, "crack-brained," whose danger related directly to his stature.⁴¹

Still, no one could mistake the folly of open opposition to the federal government. Lincoln had made no reply to Taney's defense of civil liberties in *Ex parte Merryman*. The arrests continued. Perhaps the most abusive of them involved Richard Bennett Carmichael, a state circuit court judge for Talbot, Queen Anne's, and Kent counties. Objecting bitterly to arbitrary arrests on the Eastern Shore, Carmichael instructed grand juries to indict anyone making or abetting them. Late in 1861 Secretary of State William Seward ordered Dix to arrest Carmichael. Dix described Carmichael's courtroom statements as "inflammatory" and "insulting" to the federal government but postponed action on the advice of Eastern Shore Unionists who feared that more harm than good would come from forcibly quieting the judge. When a bill came down against Dix's deputy provost marshal for the Eastern Shore, Dix wrote Augustus Bradford, newly elected governor (and father of a Confederate officer), that Carmichael was a dishonor to the state. Finally, in late May 1862, federal troops entered Carmichael's court at Easton and literally pulled him off the bench. When Carmichael kicked back, he was pistol-whipped into submission. First taken to Fort McHenry, the judge spent six months in prison with no charges ever filed against him. Except for the staunchest supporters of the Union cause, Marylanders found Carmichael's arrest, as much the manner as the deed itself, appalling.⁴²

A Maryland native in Louisiana, James Ryder Randall, wrote a poetic protest to all these attempts at military control, "My Maryland," and Baltimoreans set it to music. The song became popular among all Southern soldiers. James J. Archer, a Marylander who as a Confederate general later fell at Gettysburg, conveyed home the same sentiments. "Our Maryland is throttled," he wrote sadly. "Every day I see her across the Potomac—the armed heel of the disgusting despot trampling upon her bosom."⁴³



Militarily nothing had been settled in May 1862. Since early spring elusive Confederate foot soldiers under Stonewall Jackson and Richard S. Ewell had struggled with Union forces for control of the Shenandoah Valley, one avenue into the Confederacy. The federals held onto outposts at Strasburg and Front Royal. John R. Kenly, a Baltimore native who briefly had been provost marshal in that city, commanded the Union detachment near Front Royal. His regiment, the 1st Maryland, provided the main line of defense. Beginning a thrust designed to tie down as many Union troops as possible, Jackson late in May left his encampments at New Market and Luray and headed north. His movements typically escaped the notice of federal officers, whose cavalry remained wanting, and on 23 May the head of his column of about ten thousand men approached the unwary defenders of Front Royal. To deliver his surprise (and without knowing who his adversaries were), Jackson chose another 1st Maryland, led by Bradley T. Johnson of Frederick. Rarely, even in a conflict that pitted many a brother against brother, did men from the same state face each other in combat.

The skirmish that day did not decide much, but it was sharp, and celebrated at the time. Kenly's men delayed the Confederate advance as long as possible, spreading themselves thin to cover the two roads and pair of bridges to their rear. Jackson, who did not bestow lavish praise, reported that against this "spirited resistance" the Confederate Marylanders "pushed forward in gallant style." After several hours the larger Confederate force prevailed. Union troops withdrew across the bridges in good order until Southern cavalry broke through and spread havoc among them. Severely wounded, Kenly was captured along with more than five hundred of the federal 1st Maryland and most of their stores.⁴⁴

Fugitives who made it to Williamsport said that the Confederates had flown a black flag, shot into an ambulance, and given no quarter. Outraged at that news, Union men in Baltimore stalked the city and beat up Southern sympathizers. Not until early June, after Kenly was exchanged, did it become clear that the Confederates had treated him and his men well. Indeed, among the Marylanders who that evening found old friends and relatives in another uniform, the brief fight had purged hostility in a way that civilians could scarcely understand. "Colonel Kenly says many officers of the First Maryland Confederate Regiment visited him," read the *Sun* on 6 June, and they had been "particularly kind."⁴⁵ The fact remained that many citizens of the old state, having grown up on the middle ground between the Potomac and Mason-Dixon Line, were trying to shoot one another.

The Marylanders in gray had gone south by various routes. Many of them had joined military companies that formed in response to sectional tensions of the 1850s and that consisted of Southern rights men; they, like others, left the state and offered their services to the Confederate government when the

opportunity for Maryland secession passed. After quitting federal service, young George H. Stuart—known in the army as “Maryland Stuart” to distinguish him from J.E.B. Stuart—had recruited Baltimoreans for the Confederacy. In the spring of 1861 Isaac R. Trimble, a West Point graduate who worked as an engineer for the Baltimore and Susquehanna Railroad, assumed command of a pro-secession “Volunteer Un-Uniformed Corps,” many of whose members showed up in Confederate service. For good reason Governor Hicks so doubted the loyalty of the Maryland militia at the outset of war that he thought better of calling it into service. Maryland militiamen like those under William H. Dorsey and George R. Gaither (Butler called them “violent rebels”) headed south, some as soon as Virginia seceded, others when the Union army entered Maryland. Most Maryland Confederates—who came from all over the state but heavily from Baltimore and the slaveholding counties—made their way individually or in small groups. Butler had noticed squads of men hastening toward Harpers Ferry and at first did not know whether he could stop them or what to do with them if he did. Soon the noose tightened, and joining the Confederate army during the war became an adventure in itself. Soldiers spoke of traveling an “underground railroad” of their own in Southern Maryland, of night crossings to Mathias Point, below Port Tobacco, or to Chantilly Bluffs, opposite St. Mary’s County.⁴⁶

The Maryland presence in Confederate service, if not large, was noticeable. Probably not more than five thousand men at any one time served under the state colors, which included a battle flag “Presented by the Ladies of Baltimore” and a headquarters pennant bearing the Crossland cross botany. Not counting emigrés, thousands more (as many as twenty thousand Maryland men later called themselves Confederate veterans) found their way into Virginia regiments and various other units. Gaither led horsemen who made up K Company of J.E.B. Stuart’s 1st cavalry; the Maryland Guards, a Baltimore militia unit, served with the 21st Virginia Infantry. Volunteering strenuously, obviously devoted to the cause, these Marylanders performed service that did them disproportionate credit. The 1st infantry, organized of companies mustered at Harpers Ferry, Point of Rocks, and Richmond, distinguished itself at First Manassas, leading the flanking charge that began the Union collapse. After Front Royal the regiment took severe losses in a fight with a noted regiment of Pennsylvania “Bucktails” at Harrisonburg, Virginia, there winning the right to attach a buck’s tail to its standard. Later in 1862, at the battle of Gaines Mill below Richmond, the 1st Maryland halted a Confederate retreat by standing dressed on the colors, shot and shell raining down, while other units rallied around them. From time to time the Confederate war department tried to combine the proud Maryland infantry regiment with other units from the state—the small horse corps formed around Ridgely Brown of Montgomery County in the spring of 1862 and one of several artillery batteries the state supplied the Army of Northern Virginia. Briefly in 1862 the 1st regiments of infantry and cavalry did serve alongside

Marylanders who formed the Baltimore Light Artillery. Yet for the time being the "Maryland Line" existed mostly on paper and in the minds of Maryland Confederates.

Like the Kentuckians who called themselves an "orphan brigade," these troops spent most of the war cut off from their state—lacking military supplies, official recognition, even mail service. They worried with reason that Union authorities would harass their families and confiscate their property; they borrowed, begged, or captured what they needed. Early in the war Colonel Johnson's wife, a North Carolina native, traveled to Raleigh to plead the regiment's cause. She returned with gray uniforms and rifles that were far superior to standard Confederate arms. The Baltimore Light Artillery, like so many other Confederate batteries, fought with antiquated cannon until it won rifled guns as battle trophies. When Henry Clay Mettam succeeded in making his way from Pikesville to Richmond and located the 1st Maryland Cavalry, he had to wait while an agent for the company commander looked for horses in North Carolina (each trooper paid for his own mount). During lulls in the fighting recruiters stole home to seek replacements or money for military supplies. Often these men were captured or failed to return.

Even in the summer of 1862, when Lee's force seemed indomitable, it did not lure as many fence sitters as Maryland Confederates hoped. Lieutenant George Booth, proud of his "somewhat unruly" company of Irish-Americans, needed replacements when in early September the army crossed into his home state—a brass band leading the way and playing "Maryland, My Maryland." Booth reckoned that his bare-footed troops may have evoked the sympathy of a fellow Marylander but likely "did not inspire his confidence." He gauged correctly. The strain of the march and dusty conditions, besides the usual shortage of supplies, left Lee's men looking tired and bedraggled—not the sort a young fellow would jump to join. Dr. Lewis H. Steiner, a prominent Frederick Unionist, complained that the Confederates smelled like ammonia and referred to pro-Southern cheers for Jackson's vanguard as "feeble." A Clear Spring farmer, Otho Nesbitt, described the Confederates who camped near Hagerstown as "a hard, drab-colored set—long, lanky, and tawny"; "the dirtiest men I ever saw," wrote another onlooker, "a most ragged, lean, and hungry set of wolves." Lee had hoped to swell his ranks in Maryland. During that campaign the Army of Northern Virginia attracted perhaps two hundred Maryland recruits.⁴⁷

Union officials, who finally recruited about 25,000 white volunteers (and about 5,000 sailors and marines), faced their own peculiar obstacles. In May 1861, once Hicks felt comfortable issuing a call for the Maryland troop quota, loyal Baltimoreans, along with contingents from Baltimore, Howard, and Frederick counties, quickly formed the 1st Maryland under Kenly. Western Marylanders that summer and fall organized companies to thwart Confederate sallies across the Potomac. As a polite gesture to loyal members of the old Fifth Maryland, the federal government swore them and their recruits



"The Charge of the First Maryland Regiment at the Death of Ashby." Lithograph by A. Hoen & Co. after a drawing by W. L. Sheppard and C. A. Muller, 1867. The war in its romantic phase, as recalled in the bittersweet times afterward. MHS

into service under that number. The 2d infantry regiment was also raised in Baltimore in September. A few weeks later the War Department accepted a "legion" made up of foot, horse, and artillery troops organized by William J. Purnell, a Worcester County native who was the Baltimore postmaster. During the next year Union enlistments slowed. The promise Hicks had received that Maryland troops would serve only in defense of the state and Washington did not hold for long, but many Union soldiers belonged to three regiments in the "Potomac Home Brigade"—supposedly defensive forces. Others served only on garrison duty at the military prison at Point Lookout, as pickets in Southern Maryland and on the Eastern Shore, or as occupying forces in the Shore counties of Virginia. Federal officers tried to fill quotas east of the bay by naming two infantry regiments "Eastern Shore" rather than simply Maryland units. One Shore company was disbanded when it refused to serve anywhere except at home.

A great many Marylanders, especially in the western counties, wished to see the Union preserved; there nonetheless remained much reluctance to force people to stay in it. The occupation of Baltimore did not help efforts to recruit a light-infantry regiment that General Dix himself sponsored and that never filled. Maryland failed to meet troop quotas in 1862, and in August Governor Bradford began organizing a draft under John A. J. Creswell of Cecil County. Immediately military authorities noticed a migration of young men toward Philadelphia. At about the same time the state and localities,



Company 1, 5th Maryland Volunteer Infantry, c. 1862. An amply supplied Cecil County unit, recruited to fill the regiment traditionally from Baltimore, rests arms to pose for a passing photographer. *Historical Society of Cecil County*

including Baltimore City, offered bounties to volunteers, as did the Philadelphia, Wilmington, and Baltimore Railroad. Union recruiters in some areas faced personal danger trying to compile the draft lists required to raise troops. When some of them called for protection, General John E. Wool, department commander, commented acidly, "If the state of Maryland cannot enforce enrollment let it be put under martial law." In the fall of 1862 federal troops, including the cavalry of the Purnell Legion and the 4th Maryland Infantry, aided draft enforcement in Southern Maryland.⁴⁸

Although skirmishes along the river boundary with the Confederacy were frequent, Union soldiers of Maryland did not truly feel their mettle tested until the Army of Northern Virginia entered the state in force. Much of Lee's army occupied Frederick for a week, beginning Saturday, 6 September. Lee used the time to issue a formal appeal to Maryland. Colonel Charles Marshall, a Marylander on his staff, drafted a message assuring the state of Southern friendship and offering to assist, as he put it, "in regaining the rights of which you have been despoiled." Bradley Johnson, acting as provost marshal in his home city, called on Marylanders to think of Fort McHenry's victims, "the insults to your wives and daughters, the arrests, the midnight searches of your houses. Rise at once in arms," he concluded, "and strike for liberty and right!"⁴⁹ Calculated at once to court an unseceded slave state, prey on Northern weariness, and obtain European aid for the Confederacy, Lee's daring campaign might have won the war. Instead, with Jack-

son's men detached to capture Harpers Ferry, the main body of Southern troops found itself driven through two gaps in South Mountain west of Middletown and almost into the Potomac at Sharpsburg, a village of about thirteen hundred people.

Maryland soldiers suffered as severely as any in the Army of the Potomac during the terrible engagement that followed on 17 September, a day that began with low clouds and a Union assault that sent the sound of cannon rumbling all the way to Hagerstown, seventeen miles north. Hurrying down the Hagerstown–Sharpsburg turnpike, a reporter for a Northern newspaper described the horrifying sound that met him as “at first like pattering drops upon a roof; then a roll, crash, roar, and rush, like a mighty ocean billow upon the shore, chafing the pebbles, wave on wave, with deep and heavy explosions of the batteries, like the crashing of thunderbolts.”⁵⁰

Probably at about the time he arrived, soldiers of George S. Greene's division of the Twelfth Corps—including the 3d Maryland (in service only since February) and infantry of the Purnell Legion—were climbing over stout farm fences and throwing themselves into the center of the smoky and confused battle. They attacked through the destroyed Mumma farm and East Woods toward the Dunker church, which charge and countercharge since dawn had left pockmarked and filled with wounded. Not long afterward the 5th Maryland, led by Leopold Blumenberg, and part of a Second Corps division commanded by a West Pointer and Baltimore native, William H. French, moved through the Roulette farm and assaulted southward. They ran into opposition at a sunken lane filled with Southern troops who (taking ghastly casualties themselves) for nearly four hours crouched and poured such fire into their attackers that the dead soon lay heaped in rows and “the broad, green leaves” of corn “were sprinkled and stained with blood.” A little before noon the 2d Maryland, part of Ambrose Burnside's force on the Union far left, took heavy losses trying to cross over the narrow Antietam bridge that Georgians covered with four hundred muskets and artillery fire. “The 2d Maryland had some good soldiers in it,” wrote a regimental surgeon of Northern birth. “These boys just stood up to be shot down.” Later in that day that seemed to have no end (“The sun seemed almost to go backwards, and it appeared as if night would never come,” one soldier remembered), Battery A, Maryland artillery, posted itself in what was left of David R. Miller's cornfield. Crumpled men lay there by the hundreds; “we could not get into position,” James H. Rigby of Baltimore wrote, “without striking them with our wheels.” On this dismal spot and in a second position Battery A won acclaim for withstanding heavy fire and helping to repulse Confederate counterattacks.⁵¹

By the end of that inconclusive day more Americans had died in battle (4,800) than on any other single day in history, and another 20,000 lay injured. “The crying of the wounded for water, the shrieks of the dying, min-

gled with the screeching of the shells, made up a scene so truly appalling and horrible," Rigby reported home, "that I hoped to God, that I might never witness such another."⁵²



Living where Marylanders did, the war was no stranger, but the battle of Antietam brought home its carnage in focused horror. On the nineteenth of September, when Nesbitt rode to the battlefield, he could tell where the Confederates had formed by a mile-long line of bodies—"the dead lying along it as they fell," he wrote in disbelief. "Nearly all lying on their backs as if they hadn't even made a struggle." Burial parties worked for days. Some families in and around Sharpsburg had left for safer quarters when the armies began choosing their ground; others had sought refuge in their cellars, as during a tornado. Though only one of them, a small girl, had been killed during the storm, it still had been a terrible ordeal, and everyone who left came home to frightful devastation. Horses of a Confederate artillery battery lay where they had been struck in the town square. Barns, homes, livestock, and crops had been destroyed. "Fences were everywhere broken down, trees shattered, the ground ploughed up in furrows" from artillery shot, wrote a New York soldier on the twentieth. Farmers discovered unexploded shells in fields and haystacks. Meanwhile physicians tried to care for the seriously wounded, whose injuries in that era carried a good chance of leading to death. Churches and public buildings in Williamsport, Keedysville, Boonsboro, Hagerstown, and Frederick served as makeshift hospitals—as did barns (preferred for their open space) for miles about. St. Paul's Episcopal Church in Sharpsburg, badly damaged by Union artillery fire, housed Confederates, the Lutheran Church Union men. No one overlooked the piles of arms and legs lying outside these places. "The minnie ball," wrote the 2d Maryland's surgeon, "does not permit much debate about amputation." On the northern edge of the battlefield Union surgeons built a tent city to shelter their patients, blue and gray. The tents remained there as late as December.⁵³

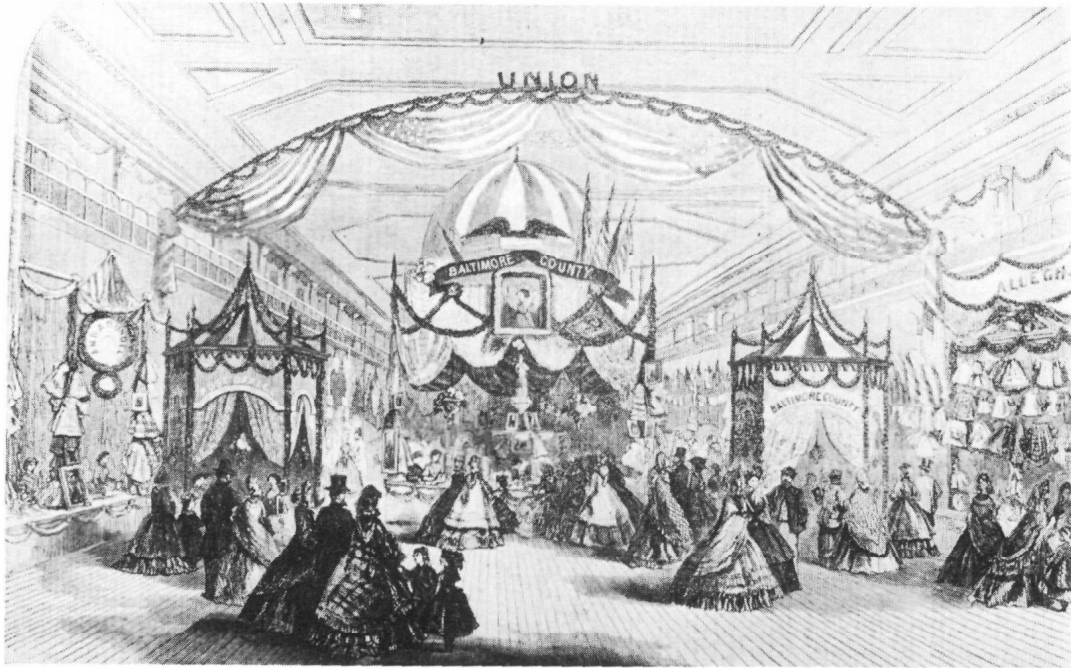
The enormous scale and intensity of civil war placed new importance on organizations. Casualties on the magnitude of those at Sharpsburg called for coordinated relief, and women played a large part in a new set of benevolent organizations. Clara Barton, a New Englander who performed heroic service during and after Antietam, proved an exception in her vigorous independence. The United States Sanitary Commission, a private group that aimed broadly at the soldier's personal welfare, received heavy subscriptions in Baltimore, made purchases there, and had a large hand in supplying the army hospitals in Annapolis—one at St. John's College, the other in the vacated buildings of the naval school. Another group, the Christian Commission, applied evangelical energy to the spiritual and medical needs of Union troops. Immediately after Sharpsburg, its Baltimore committee journeyed to the battlefield and by later report was "very active in its exertions." The



Confederate dead at Antietam, 18 or 19 September 1862. Reality replaced the romantic in Alexander Gardner's classic photograph. *MHS*

Christian Commission did not, however, cater to Catholics; an Annapolis parish priest successfully petitioned the Sanitary Commission to deliver Catholic Bibles to Maryland regiments. The Union Relief Association of Baltimore—joining which gave proof of one's loyalty—held regular meetings to roll bandages, box personal articles for the comfort of Maryland troops in blue, and hear patriotic speeches. On leaving Baltimore in 1862, General Dix singled out the ladies of this association for special thanks; the records of philanthropic devotion, he wrote with a flourish, "do not contain a brighter example of self-sacrificing service than that which is to be found in their own quiet and unobtrusive labors." In the McKim military hospital, they worked hard and openly after the battle of Antietam.⁵⁴

No organization played a more important role in the war effort than the B&O, whose rail network was as vital to the Union as its field armies and (Marylanders knew) as valuable to Baltimore as to the Union. B&O tracks connected Washington with North and West alike, and though military tonnage during the war years climbed beyond anyone's expectation in 1861, the value of the Maryland railroad also was psychological. Union forces expended vast resources to protect the B&O tracks in Virginia, where they ran



"The Baltimore Sanitary Fair at the Maryland Institute." Woodcut from *Frank Leslie's Illustrated Newspaper*, 14 May 1864. Pro-Union Baltimoreans flocked to an event that benefited army hospitals. *Peale Museum, Baltimore City Life Museums*

through country friendly in places, hostile in others. Confederate raiding parties, some of them under the command of a colorful Maryland cavalrman, Harry Gilmor, constantly tore up track, derailed trains, tried to make off with locomotives, and burned bridges. The span over the Potomac at Harpers Ferry went down five times. John Garrett's solution became an organizational model. His steady men at the Mount Clare shops piled up all debris for reuse. "There are millions of pounds of damaged iron," the *American Railroad Journal* reported with amazement in 1863, "but it is not lost to the company, for no matter how small the piece, it is collected, placed into melting furnaces and again wrought into such parts of engines and cars as are required." Insofar as possible Garrett made short sections of the line independently functional—so parts of the system could be used even when a break occurred. Always on good terms with Secretary of War Edwin M. Stanton, Cameron's replacement, and with Lincoln himself, Garrett never surrendered control of the company to the military. He cared less about his employees' politics than their loyalty to the B&O.⁵⁵

Garrett's cooperation, despite early misgivings about the war, told the tale of the Maryland home front: division no one denied, but life somehow went on. Residents of Deal Island claimed loyalty to the Union but carried on a lucrative trade with the Confederacy, usually eluding Union gunboats. Mili-

tary authorities in Baltimore continued to suppress Southern supporters and, with members of the Union League, to press everyone for outward signs of Union feeling. In August 1862 the Baltimore council required a loyalty oath of all city officials, schoolteachers, and employees. Two people were arrested for waving a window curtain at passing Confederate prisoners. Provost marshals banned the sale of "evil, incendiary" secessionist sheet music in the spring of 1863, when a bank president went to prison for tipping his hat to captured rebels. General Robert C. Schenck, then military commander, went so far as to round up women who seemed to be spying on Union movements and send the ladies to Confederate lines. Frank Howard published his recollections of imprisonment for Southern sympathies, *Fourteen Months in American Bastiles*, in early 1863. When it went into a second edition, troops seized all unsold copies and threw one of the printers in jail (Howard was left unharmed). On 3 July 1863 Schenck issued an order "requesting and recommending" that every house display the American flag on the fourth. Police took down the numbers of flagless residences. After the battle of Gettysburg, during which Maryland soldiers fought each other near Culp's Hill, Baltimoreans were forbidden to receive or entertain wounded from Lee's army. Relatives of a Confederate artilleryman killed at Gettysburg met to bury him in Greenmount Cemetery. After the funeral Union troops arrested all the adult males who attended, only clergy excepted. Union officers forbade public prints to put "CSA" after the names of Marylanders killed in Southern service and shut down additional newspapers on loyalty charges.⁵⁶

Churches, offering some sanctuary, and families, where divisions were private, vividly portrayed the conflicts that the war imposed on Marylanders. All denominations suffered some sort of wartime disruption. Earlier having tried to avoid the slavery question, Benjamin Kurtz of the *Lutheran Observer* decided when secession was the issue "to lie low and keep dark"; for the next two years he tried to hold his middle ground by arguing for gradual slave emancipation only. Methodists came under attack in Baltimore for being, too many of them, laggards in suppressing the rebellion. The mob angered by reported atrocities against Kenly's Maryland regiment in 1862 had broken up services at the Independent Methodist Church, and the following year that meeting and another received orders to display a large American flag or be judged. The minister of the Strawbridge Chapel went to jail in 1863 for pro-Southern sympathy. Priests at the Catholic cathedral in Baltimore refused to say the usual prayer at the end of mass for civil authorities because it contained a clause about saving the Union. Bishop Francis P. Kenrick then determined to say it himself, but every time he did some parishioners stood up and left and others made noises "by a great rustling of papers and silks." In Baltimore, rabbis serving the seven thousand or so Jews in the city voiced three positions toward the war. Benjamin Szold led a majority of the faith who clung to neutrality during the conflict. Bernard Illoway

condemned violence against a neighbor's institutions, asking "Where was ever a greater philanthropist than Abraham, and why did he not set free his slaves?" David Einhorn, strongly pro-Union, advised Jews to "remember Egypt." Episcopal Bishop Whittingham called for a Sunday of prayer and thanksgiving after Gettysburg. The rector at Mount Calvary Church, A. A. Curtis, wrote that to him Union victories were simply "steps and stages toward eventual ruin," "matters of humiliation and not of thanksgiving."⁵⁷

Whittingham replied by withdrawing his name from the list of pew holders at Mount Calvary—he did not wish to be "associated with a body treasonably ungrateful for Divine mercy shown in the deliverance of the State from an invasion of armed rebels and thieves." A Baltimore father wrote his son in Harford County that if he did name his baby boy Jefferson Davis Colburn, as contemplated, he must not forget to add "Beelzebub." "Between the blue forces and the gray we were ground between two millstones of terror," recalled Lizette Woodworth Reese, later an accomplished poet and then a young girl living out York Road north of Baltimore. Her grandfather was a fervent states' rights secessionist. One of his sons, a Unionist, joined the federal army. Reese's mother married a Southern sympathizer and another daughter wedded an abolitionist. One night Union soldiers came to arrest the grandfather but by mistake stumbled on the abolitionist son-in-law. "Why, boys," he sang out from a second-story bedroom window, "the old gentleman has a son in the Union Army."⁵⁸ The troops left without a prisoner.

Passing through Maryland, Confederates found such divisions of mind baffling, maddening. In Frederick in September 1862 some Marylanders had hung out buckets of water for thirsty Southerners, prepared them decent food (one South Carolina surgeon never before had tasted apple butter), and in a few cases given them the very shoes off their feet. "The ragged were clad, the shoeless shod, and the inner man rejoiced by a number and variety of delicacies," testified one of Jackson's officers. Southern-sympathizing Marylanders by their own admission held Lee, Jackson, and Stuart in awe. Baltimoreans smuggled a dress uniform to Lee. Henry Kyd Douglas, a Jackson staff officer with ties to Washington County, wrote that as soon as the tents went up outside Frederick during the campaign into Maryland, townspeople, "especially ladies," had flocked to catch a glimpse of the famous generals in gray. William W. Blackford, Stuart's scout, later wrote of a fancy ball held for the general and his officers at the Frederick Female Academy during that campaign and of the unbounded delight Marylanders a month later took in the gray cavalry as it passed through Emmitsburg on a long raid. "Though only a mile or two from the Pennsylvania state line," Blackford wrote, "the people here seemed to be intensely Southern in their sympathies and omitted no opportunity of showing us attention during the short half hour we passed among them."⁵⁹

Lovely farms and fat livestock in the state (especially impressive after war-torn Virginia) held out promise, if Maryland would only secede, of a well-

fed Confederate army able to fight indefinitely. A North Carolina soldier remarked on the "fine thickly settled country, splendid farms & houses with plenty" he saw in western Maryland—yet in Buckeystown "the houses were all shut up & nearly all the people looked as if they had lost a dear friend." "There was a surfeit of enthusiasm all about us," Douglas remarked more sharply, "—except for enlistments." Maryland's divided sympathies lived in Southern memory. On a Sunday before Antietam, when General Jackson attended a German Reformed church in Frederick, the undaunted minister prayed for Lincoln (not noticing that Jackson had fallen asleep). A Frederick farmer gave Jackson a mare to ride in battle. Stonewall mounted, but she wouldn't move; he gave her spurs and then—Douglas called the mare a "Trojan gift"—she rose up and threw the general on his back so severely that he lay there for half an hour. When the Confederate column left Frederick, natives flew Confederate and Union colors alike (Barbara Frietschie evidently waved the Stars and Stripes later, at men in blue) and drew various cries from the troops. A buxom woman wearing a small Union flag caused a riotous comment about storming breastworks; General Howell Cobb, a division commander who had served in Buchanan's cabinet, endured catcalls but found a few listeners while trying to make a secessionist speech. When the Confederates passed through Middletown, "two very pretty girls" ran down to Jackson's men wearing red, white, and blue ribbons in their hair and carrying Union flags. Laughing, they "waved their colors defiantly in the face of the General. He bowed and lifted his cap and with a quiet smile said to his staff, 'We evidently have no friends in this town.'"⁶⁰

In June 1863 first Confederate cavalrymen and then Union infantry passed through the hamlet of Union Mills, almost entirely made up of the Shriver clan. One family, nonslaveholders who supplied five sons to the Confederate side, welcomed Stuart's famished cavaliers with a heavy breakfast—the horsemen fingered the hotcakes off the griddle before they were ready—and sang the Confederate commander's favorite tune, "If You Want to Be a Bully Boy, Jine the Cavalry." Later that day another Shriver household, pro-Union slaveowners, greeted their champions in blue with a picnic lunch and music on the family piano.⁶¹

By 1864 the character of the war had changed, the Southern star had sunk on the horizon, and campaigns of Union and Confederate generals alike became exercises in vengeance. Earlier Southern attacks on the C&O Canal had attempted to halt traffic on what might eventually become an asset to the Confederacy; after 1863 the raids aimed at maximum destruction—breaching the canal's banks, exploding locks, burning boats, and stealing mules. In the summer of 1864 Confederates under Jubal Early crossed the Potomac to travel in Frederick County for a third time, hoping to pull some of Grant's forces away from Lee's front. Southern troops set out to even the score, to repay the Union for its burning and pillaging in the Shenandoah Valley. Confederate horsemen under John McCausland entered Hagerstown and deliv-

ered a ransom note demanding \$20,000 (they missed a digit, intending to call for \$200,000) and a large assortment of clothing and supplies. The banks and merchants produced the money and most of the other articles, but another Confederate force broke into stores and took what they wanted. Confederates seized the Reverend John B. Kerfoot, headmaster at St. James Academy, and one of his faculty members, hoping to trade them for a Virginia churchman whom Union troops had captured. Middletown had to pay \$5,000 and Frederick—once Union forces retreated—a full \$200,000. Many farmers lost horses to the Confederates, as they usually did, as well as “money, meat, chickens, cattle, sheep, & anything that came their way.” Pro-Union newspaper offices in Boonsboro and Frederick were destroyed. Baltimoreans faced an invasion scare of the same kind they had experienced in the two preceding summers. Militia and volunteer units mustered. Authorities closed shops selling spirits, curtailed travel without passes, and kept a watchful eye on suspected Southern sympathizers. Residents worked on earthworks. Prices shot up as food grew scarce.⁶²

Early's campaign, designed as an armed feint, accomplished little more than to remind Marylanders how tiresome the war had grown. Among Frederick County farmers, Early's offensive and the failure of federal troops to prevent wholesale seizures dropped “Union stock” to about 25 percent of par value, wrote Jacob Englebrecht, who was so disgusted that he himself rated the cause at only 5 percent. Another example of fatigue came from the other side. Confederate Marylanders, now united in the Maryland Line, included horsemen under Johnson and Gilmor, whom Early dispatched on a separate raid.

Aside from burning Governor Bradford's home north of Baltimore (retaliating for the destruction of the Virginia governor's house in Lexington), the two Maryland Confederates conducted a thrust that almost acquired a comic or festive air. Gilmor's troopers scattered the few Union soldiers in Westminster by charging with drawn sabers, then stopped to admire a young woman who waved a kerchief out her window. Early ordered a ransom of clothing from the town fathers; they proved hard to locate, and Gilmor persuaded Early to drop the demand. Outside Baltimore, Johnson and Gilmor captured a train only to have the engineer fix the locomotive so that it could not be moved. The raiders captured another one, and this time, after gallantly giving passengers their luggage, set the train afire and backed it onto the bridge over the Gunpowder River. Guards jumped into the water, but the bridge failed to catch fire and federals repaired it in three days. A captured Union general, elderly though he was, made good his escape. At Owings Mills Johnson's men came across a railroad car loaded with ice cream. Some of the western Virginians had never seen it before and thought it was frozen mush. Gilmor's men rode off with canteens, cups, and even hats filled, slurping it at a gallop. Several of the Marylanders then enjoyed sneaking to their homes for a quick visit, right under the noses of federal troops. Johnson and Gilmor



Lieutenant Colonel Harry C. Gilmor (1838–83), looking proud and fit at the height of the conflict. *MHS*

had planned to sweep down to Point Lookout prison the night of 12 July, free the Confederates held there, and then re-arm them from captured Washington arsenals. Wisely, they abandoned the scheme. Later, after a far more destructive McCausland raid on Chambersburg, Pennsylvania, on 30 July, Johnson and Gilmor protested that the ransom demanded of Hancock—\$30,000 in cash and 5,000 cooked rations—was excessive for so small a village. Hancock was spared.



“In Carroll County there were so many people who were Union men that it was dangerous for whites in some places to say they were Rebels,” an ex-slave remembered long after the war. “This made the colored and white people very friendly.”⁶³ While no doubt true to one slave’s experience, this impression did not hold widely; for most blacks the war imposed pressures and carried hopes that hardly made relations between themselves and whites more comfortable. Slaveholders resisted change to their labor system. Most white Marylanders remained unsettled about the numbers of free blacks. Near war’s end, after outside prodding and by a circuitous route, Unionists made Maryland the first slave state to abolish slavery.

At first the Union army steered clear of any role in domestic arrangements.

Unruly slaves in Anne Arundel would have looked in vain to General Butler in April 1861. One of Dix's first duties involved the return of runaways who believed that Union troops were abolitionist friends. He ordered slaves captured by a cutter on the Severn turned over to civil magistrates at Annapolis and later directed the return of Dorchester County fugitives to their owners. "We wage war with no individuals," Dix wrote a Wisconsin officer. "Do not interfere in any manner with persons held in servitude." To avoid "misrepresentation or cavil," Dix wanted no blacks within military camps. When citizens in Washington County complained that an army officer encouraged insubordination among slaves, the local Union commander issued a reprimand and promised in the future to turn disobedient soldiers over to state authorities for trial.⁶⁴

Holding the military on a tight leash, the Lincoln administration tried to strike a balance between its radical antislavery wing, with leaders like Horace Greeley of New York and Charles Sumner, and party moderates like Edward Bates of Missouri and Montgomery Blair, who knew well the political needs of border-state Unionists. Slowly the party center moved toward emancipation; surely Lincoln's military aims carried him along as well. Late in 1861 Republicans in Congress introduced a measure to abolish slavery in the District of Columbia, compensate slaveowners, and provide a fund for voluntary resettlement of the freedmen. On 6 March of the next year, believing that an end to slavery in the border states would deny them to the Confederacy and hasten the war's end, Lincoln sent Congress a proposed resolution urging those states to adopt gradual emancipation. He offered federal financial aid "to compensate for the inconveniences public and private, produced by such a change of system."⁶⁵

Maryland Unionists hesitated. Soon after suggesting these resolves, Lincoln met privately with border state congressmen and senators, including John W. Crisfield, an Eastern Shore representative and Lincoln's former colleague in the House, and Cornelius L. L. Leary, an "independent Unionist" from Baltimore. Unionists had united on a conservative platform: suppressing the rebellion, preserving the Union, leaving slavery alone. Both the District bill and the compensated emancipation plan threatened unanimity among these erstwhile Know-Nothings, Democrats, Whigs, and Republicans. Crisfield and other Maryland leaders hedged, asking for more time and firm assurances of federal aid. While Congress passed the compensated-emancipation resolution easily, the entire Maryland delegation voted against it or abstained. Lincoln's proposal reached the House of Representatives just as legislators in Annapolis were about to adjourn. They took no stand on it and sidestepped another serious issue. According to the 1851 constitution, the assembly after each census had to conduct a referendum to learn whether voters favored another convention. Rural members, apprehensive that a new constitution might dismantle slavery, used parliamentary delays to defer the poll.

Congress passed the District measure that spring, and the family networks and travel patterns of free blacks quickly spread word of it. Slaves in Montgomery and Prince George's counties began departing for Washington and freedom. In April 1862 the *Baltimore Sun* reported that between one hundred and two hundred slaves were leaving for Washington weekly from the Maryland countryside. Whites watched in frustration. Reverdy Johnson, senator-elect, began preparing lawsuits to test the constitutionality of the law, which seemed to violate the terms of Maryland's land cession for the federal district. Learning that federal marshals in the District refused to honor the 1850 fugitive slave law, Governor Bradford registered futile protests with Lincoln and Attorney General Bates. Bradford's position was as helpless as Hicks's had been in the secession crisis. Losing slaves himself, he told delegations of slaveowners that calling out the militia to protect slavery would only result in disastrous clashes with federal troops; the slaveholder had to accept his losses as a cost of war, "one of the direct and anticipated fruits of this atrocious rebellion, got up under a pretense of establishing a better security for this very species of property."⁶⁶

Editors of the *Montgomery County Sentinel* believed that the District emancipation act, besides providing a haven for runaways, promoted the likelihood of racial war—it created a hatchery for slave insurrection. Freeing the slaves might do away with that fear, but for whites in early 1862, just as in the 1820s, talk of emancipation raised the specter of living in a heavily black society. If Maryland suddenly freed its slaves, Brantz Mayer observed in an article for the *Baltimore American*, the combined black population would exceed 170,000 persons, many of them competing for jobs, others becoming a public burden. Attempting such a social revolution in the midst of political rebellion would be foolhardy, and freeing blacks who then would lose in the struggle for survival was no kindness to them. It was, he concluded, not so much emancipation as the emancipated that Marylanders need fear; the time was rapidly arriving "when the *Negro question*, rather than the *Slavery question* . . . would become of paramount importance in its bearing on labor and taxation in Maryland." A Dorchester County meeting put it more bluntly: Maryland was in danger of becoming "the free Negro state of the Union." "If in the providence of God," the resolves declared ungenerously, "this country was intended as a home for the exclusive occupation of the white man, there should be no dark spots upon it—it should be white all over."⁶⁷

As 1862 wore on, a welter of events strengthened antislavery sentiment all the same. The *Baltimore American* cited figures showing land in nonslaveholding counties to be worth twice as much as in slaveholding areas; it declared that if all Maryland slaves ran off, the result would be a "prodigious gain." Unionists in Baltimore, angry that the assembly had failed to call a convention referendum, described slaveholders as longtime oligarchs. Meanwhile Lincoln—who protested that events controlled him, not the opposite—made shrewd patronage choices and kept to a gradualist policy. In April the

American printed a letter Postmaster General Blair wrote a Maryland friend favoring "separation of the races" after the slow dismantling of black bondage. Under consideration for a federal post, former governor Hicks, still a slaveholder, called Lincoln's compensated emancipation plan as much a stroke "against ultraists of the North as at Southern fanatics." Frederick Schley of the *Frederick Examiner*, switching his editorial stance, also endorsed Lincoln's scheme—and soon afterward became a collector of federal revenue. In a militia act of July 1862 Congress freed "rebel"-owned slaves and their families when a slave enlisted in the Union army. A sterner confiscation act (unenforceable except when slaves escaped to Union lines) freed all slaves belonging to masters supporting rebellion. Lee's retreat after Antietam permitted Lincoln to confirm that policy. White Marylanders largely greeted the Emancipation Proclamation with coolness, while Baltimore free blacks saluted the president by presenting him with an inscribed, pulpit-sized Bible. The *American* spoke for many citizens when it called slave-ownership "a fleeting interest, one that all must recognize as doomed."⁶⁸

Wartime expedients took their toll on Maryland Unionism. In May 1863, dissatisfied with "the old Bell and Everett" moderates, the leadership of the Maryland Union League met in Baltimore and formed what it called the Unconditional Union party. At the local level the league took its strength from the people who rolled bandages and sent sundries to Union troops. At the convention its spokesmen—among them Baltimore criminal court judge Hugh Lennox Bond, Henry Winter Davis, Henry Hollyday Goldsborough, and Henry Hoffman, sergeant-at-arms of the House of Representatives and a Davis man—demanded action on slavery and state constitutional reform. In part the Unionist split followed old lines. Among the Unconditionals were many former Baltimore Know-Nothings like Davis. Marylanders loyal to the established Unionist central committee, calling themselves Conservative Unionists, included Republican regulars and many former Democrats, who in places—especially the Eastern Shore and Southern Maryland—retained power at the county level. Led by Bradford Johnson, Hicks (a U.S. senator after Pearce's death in 1862), and former Baltimore mayor Thomas Swann, conservatives aligned with Montgomery Blair, whose personal differences with Davis and policy quarrels with Republican radicals were growing more serious. Union victories at Gettysburg and Vicksburg that July helped the Unconditional Unionists gain momentum as the fall elections approached. Closely following the radical Republicans in Washington, they recommended emancipation without compensation in the border states. Conservative Unionists accused them of "toadying to the administration"; they were "prisoners on duty for the cause of abolitionism." Unconditional Unionists labeled the conservatives Copperheads, rebel sympathizers, and Democrats.⁶⁹

Agreeing that slavery was doomed, Conservative and Unconditional Unionists located a divisive issue in the administration's recruitment of black

soldiers. Baltimore free blacks had offered to help defend the city after the April 1861 riot—when Mayor Brown said he would call on them if needed. Later the army had employed them in building fortifications around Baltimore, and General Schenck had urged the administration to form them into line units. The War Department established the Bureau of Colored Troops the same month as the Union League's Baltimore convention, and in mid-July 1863 William Birney, son of the Kentucky abolitionist, set up office in Baltimore. Recruiting proceeded briskly that summer, black sergeants making the pitch for army life at nineteen recruiting stations throughout the state and a band of black musicians from Hagerstown marching in parades and performing at rallies. While free blacks joined in large numbers, they knew that Negro troops received less pay than did whites in uniform, and as the pool of willing free blacks dried, Birney's enthusiasm led to excesses. Filling the ranks of the 4th U.S. Colored Infantry in about seven weeks, Birney emptied the Baltimore City jail and ostentatiously freed slaves being held in Baltimore slave pens by District of Columbia owners trying to evade the emancipation law of 1862. His civilian agents, many of them black, had no authority to accept bondsmen. Some Maryland slaves, lacking their master's permission to volunteer, nonetheless ran away that summer and left the paperwork to the authorities—as did a Howard County man named Joe Nick. His escape to Ellicott City occasioned an embarrassingly winless contest among local bloodhound owners.⁷⁰

In the early stages Lincoln's use of black troops pleased only Unconditional Unionists—most of whom were never so radical as to suggest that black and white soldiers stood equal to each another. Small farmers, suffering the usual labor shortage, favored slave recruitment; they grumbled that by taking free blacks into the army the federal government threw the little man on the mercy of slaveholders and their bondsmen-for-hire. Slaveowners supported recruitment of free blacks as one means to get rid of them and where possible used the state statute book to limit their property losses (in August 1863 a Union recruiter in Frederick went to jail for violating a law that punished anyone aiding slaves to escape). Black recruitment especially angered whites in heavily black areas. Talbot County citizens protested against black companies strutting about in their midst. A St. Mary's County slaveholder badgered his congressman to do something about the fugitive slaves who found sanctuary in the Leonardtown military hospital. Masters missing slaves alleged that their men had been impressed. Reports of irregularities in Maryland grew so numerous that Lincoln in September suspended black recruitment there and negotiated with Bradford and other state leaders. In early October, by General Order 329, the administration established a plan that became the model in other border states. Lincoln agreed not to enlist Maryland slaves unless free blacks failed to fill assigned draft quotas. After a thirty-day grace period, however, recruiting officers would

take slaves regardless of whether they had their master's permission, the federal government paying loyal slaveholders three hundred dollars a head for their lost property. To collect, they had to produce papers freeing the recruits.

That fall, in an election many Marylanders charged was influenced by the military, Unconditional Unionists won a clear majority in the General Assembly, and friction between military and slaveholders peaked—a mark of the masters' frustration as the clock of bondage wound down. Upper Marlboro slaveowners complained bitterly that black recruiters on a steamboat were "harassing us, plundering us, and abducting our negroes." Near Camp Stanton in St. Mary's County, two whites killed a black lieutenant for enticing slaves to join the army. By early 1864—with talk of manumission on the increase, the thin fabric of Maryland slavery tearing at every corner—tension between military and civilian changed dramatically. Slaveholders seized on the army as a means of avoiding financial loss. Military officers defended themselves against another excess: they often refused, they said, to accept slaves whose owners had given up trying to force them to work and wanted them put into service. In the year following General Order 329 the federal government paid more than \$14,000 for enlisted Maryland slaves. During that period nonslaveholders seemed content that ex-slaves counted toward the Maryland draft quotas. Former slaveowners complained of delays in obtaining compensation.⁷¹

Joined on the surface and in large issues, bickering behind the scenes, Conservatives and Unconditionals (forty-seven of whom had run as "Emancipationists") steered the ship of state to the end of the war. When the legislature met in January 1864, it quickly set about calling a constitutional convention. Members heard an unusual series of addresses—apparently by invitation—that were designed "to instruct them in the path of duty." Blair, Hicks, and Swann spoke on the need for a convention, Swann in particular demanding that the "steed of Emancipation" be whipped and spurred until "the whole state of Maryland, from its center to its circumference, shall be awakened to an edict of universal Emancipation." The assembly called for an election of convention delegates. Restricted to men loyal to the Union (perhaps as many as two-thirds of all Maryland electors did not vote or were prevented from casting a ballot), the vote affirmed the need for a convention and overwhelmingly selected emancipationists to attend it. The convention met in Annapolis in late April and sat until September—with interruptions for the national Republican convention in Baltimore, held in early June, and Early's raid in July. A minority of some thirty-five members, mostly Democrats from the Eastern Shore and Southern Maryland, lost every substantive issue and made sarcastic motions about suspending debate entirely.⁷²

Though enacting reforms, the new constitution contained several notoriously pungent features. The Unionist majority pushed through an article awarding House of Delegates representation on the basis, not of total popu-

OATH

TO BE ADMINISTERED TO EVERY VOTER.

"I do swear (or affirm) that I am a citizen of the United States, that I have never given any aid, countenance or support to those in armed hostility to the United States, that I have never expressed a desire for the triumph of said Enemies over the Arms of the United States, and that I will bear true faith and allegiance to the United States, and support the Constitution and Laws thereof, as the Supreme Law of the land, any Law or Ordinance of any State to the contrary notwithstanding; that I will in all respects demean myself as a Loyal citizen of the United States, and I make this oath (or affirmation) without any reservation or evasion, and believe it to binding on me."

QUESTIONS

For the use of Judges of Election

1. Service in the Rebel Army.

Have you ever served in the rebel army?

2. Aid to those in Armed Rebellion.

Have you ever given aid to those in rebellion?

Have you never given money to those intending to join the rebellion?

Have you never given money to their agents?

Have you never given money, clothing or provisions for the purpose of aiding the emigration of persons from this State to the South?

Have you never sent money, clothing or provisions to persons in the South since the rebellion?

3. Comfort and Encouragement to Rebellion.

NOTE.—Comfort or encouragement means advocacy, advice in favor of. We aid the rebellion by giving money, clothing and provisions; we give it comfort and encouragement by our words. A man who has advocated the cause of rebellion, who talked in favor of Maryland going with the South, who rejoiced over the victories of the rebel armies, has given comfort and encouragement to the rebellion.

Have you ever given comfort or encouragement to the rebellion?

Have you never in conversation, attempted to justify the course of the States in rebellion?

Have you never expressed a wish for the success of the rebellion or its army?

Have you never in conversation, discouraged the cause of the Federal Government?

Did you rejoice over the downfall of Fort Sumpter?

4. Disloyalty.

NOTE.—If the Judges are satisfied that a man is disloyal to the United States; it is their duty to refuse his vote, for such a person is not a "legal voter" of the State of Maryland.

Are you a loyal citizen of the United States?

Have you been loyal ever since the beginning of the war?

Have you ever rejoiced over the defeat of the Union army?

Have you ever rejoiced over the success of the rebel army?

When the Union army and the rebel army meet in battle, which do you wish to gain the victory.

NOTE.—After interrogating the person offering to vote, the Judges may hear other evidence to prove or disprove his statements, and must be governed by the weight of testimony.

lation (dear to heavily black counties), but of white population. The majority adopted a stringent loyalty oath and granted wide discretionary powers to election officials—they could judge for themselves whether one took the oath in good faith. An oath required of officeholders declared the U.S. Constitution and federal laws supreme in the land, “any law or ordinance of this or any other state, to the contrary, notwithstanding”—a clause striking at the states’ rights interpretation of the federal compact. Another article disqualified from voting or holding office everyone who had served in “the so-called Confederate States of America,” who had given aid or comfort to enemies of the United States, sent them “money or goods or letters or information,” even those men who “by open word or deed declared adhesion” to the South. Arguably necessary as war measures, these oaths and proscriptions applied even after war’s end—forever, unless one obtained an act of assembly restoring citizenship or served in the federal military. Finally, to seal acceptance of the new charter, the majority voted to impose these stringent election restrictions on the ratification vote itself—an irregularity that brought forth jeers of protest from the outvoted rural members. The convention succeeded in its single most important object by the end of June. It adopted a Declaration of Rights that included an article abolishing slavery and involuntary servitude: “all persons held to service or labor as slaves, are hereby declared free.”⁷³

Though the issue may have been settled at home, Marylanders like everyone else fought on until the following spring. Maryland sailors on the Union side served under Louis M. Goldsborough in the Atlantic blockading squadron; they fought on western rivers and in battles for strategic Southern coastal points. Although by the late months of the war the South virtually had no navy, Maryland natives had played conspicuous parts in the glory days of the Confederate sea service. Its ranking officer, Raphael Semmes of Charles County, skippered the celebrated sea raider *Alabama* until its sinking in June 1864, and Franklin Buchanan of Baltimore had commanded the *Virginia* (earlier *Merrimack*) when in May 1862 the ironclad challenged the *Monitor* at Hampton Roads. A brigade of Union Marylanders took part in the brutal fighting in the Spotsylvania County wilderness in late 1864. The Confederate 2d Maryland, successor to the 1st, made a name for itself in critical battles like Gettysburg but also, as the war became a matter of attrition, struggled in ugly engagements at places important only to the soldiers who lost friends there: the Weldon Railroad, Peebles Farm, Squirrel Level Road, and Hatcher’s Run. Eventually forming six regiments (8,718 men), black Marylanders made bloody assaults on Fort Fisher, North Carolina, and then, during Lee’s last defensive stand, charged into the fatal Petersburg Crater—a huge hole blasted by tons of gunpowder beneath the Confederate lines. Many of them, unable to climb out of the loose earth, were trapped and killed.

No less than other Marylanders who fought in that meaningful American

war, they knew why they were there. In October 1863 the Baltimore *Daily Gazette* published in dialect words that someone had overheard a newly enlisted black soldier saying in prayer. "King ob Kings and God ob battles," he had asked, "Help us to be able to fight wid de union sojers de battles for de Union. Help us to fight for de country—fight for our own homes and our own free children and our children's children."⁷⁴
