On 24 July 1863, Major General William S. Rosecrans, commander of the Union Army of the Cumberland, concluded his after-action report of the Tullahoma Campaign to the War Department in Washington DC with justifiable pride: “Thus ended a nine days' campaign, which drove the enemy from two fortified positions and gave us possession of Middle Tennessee, conducted in one of the most extraordinary rains ever known in Tennessee at that period of the year, over a soil that becomes almost a quicksand.” Although Mother Nature prevented the army from gaining possession of the enemy’s communication and forcing a major, decisive battle, the “results were far more successful than was anticipated and could only have been obtained by a surprise as to the direction and force of our movement.” Rosecrans’ success hinged on several factors: audacious maneuver to dislodge his opponent; deception through feints and rapid marches; command and control; and organizational ingenuity. But, far away from army, corps, division and even brigade headquarters, the soldiers on the ground experienced a different war; a conflict difficult to define and discern. Rapid invasion into hostile territory and the subsequent occupation of towns and had altered the very nature of the war as early as 1862. But as the Federal government took an increasingly harder approach to the war, both through official policies and unofficial responses to specific issues, it was the commanders on the ground who enforced Union rule.

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In narrating the campaign to his brother, an unidentified Ohioan vividly detailed invasion, degradation, occupation, and devolved command and control as the Army of the Cumberland captured Tullahoma and forced the Confederate army’s withdrawal to Chattanooga. The soldier writes his brother Cord that the army was giving Confederate General Braxton Bragg hell, and that his squad of 13 men was delegated the task of guarding tools in Tullahoma with the remainder of the regiment 18 miles to the front. The rebel army may have been on retreat, but rations were “scarce as hell,” and “all we get to eat we have to steal and I am damn good at that too,”2 recalls the soldier. The squad was not simply stealing food to subsist as the army outpaced its supply trains; there was a monetary profit to be made. The soldier divulged the depredations to his brother:

I stole my canteen full of whisky last night and got tight as ass and we stole about a half a barrel of sugar and a box of cornmeal and we traded them off for skin at the whore house. We can sell sugar here for 200 dollars per pound and coffee for 5 dollars per pound and Stogas boots from $35 to 50 per pare and whisky 5 dollars per pint. That is what the rebel prisoners tell us and every thing else sells accordingly.

The soldier’s candid detail and justification for his squad’s action provides an insight to the pragmatic action and response of an army on campaign and the immediate occupation of captured territories and towns.

Command and control of the army devolved to front-line soldiers at the regimental level and far-below (company, squad, pickets, forage-details). For the men, every decision made had its consequences. This breakdown of command was both deliberate and a practical reality to the situation at hand. The organization of Civil War armies necessitated decentralized command to

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effectively move and supply men. On campaign and occupation duty the breakdown of command was necessitated by the need to guard bridges, supply routes, railroads, and garrison captured territory and towns—as the letter from the Ohio soldier to his brother affirmed—as the army continued to move toward its objective.

The thesis examines issues pressing Federal soldiers—their responses, both practical and in accordance to an evolving Federal policy—during the Tullahoma Campaign and the subsequent occupation of enemy territory as the army prepared its invasion of Georgia in fall 1863. The work will emphasize the army’s experience during invasion as their rapid movement destabilized the boundary between the battlefront and home front, and blurred the tenuous relationship between civilian and soldiers. Further, the army’s incursion and subsequent occupation of southern Tennessee generated an opportunity for thousands of enslaved African Americans to seek refuge and employment within Union forces. Detached commanders and their front-line soldiers were forced to make decisions (food, shelter, medical support) often without the authorization and oversight of superiors.

Lastly, invasion dissolved the already fluid and tenuous issues of waging war against a hostile populace. The experience during the Mexican War provided a blueprint on how to properly conduct a grand campaign of invasion and occupation. Army Regulars comprised the main force as undisciplined volunteers were sent home, and the strict orders protected civilian life and property. That was not applicable during the Civil War as civilian turned temporary soldiers comprised the massive armies. Combat was irregular and intermittent. Soldiers spent a large percentage of their time in garrison and occupation duty, and their responses to events and contact with civilian and irregular forces varied from. By examining the campaign—invading, occupation, intermittent combat—at the division and brigade level, commanders and their men
reveal the Civil War far more complicated than the wide-flanking marches, maneuver and the
march to Chattanooga and Chickamauga. Rather, it divulges war and devolved command far
from the grand battlefields recorded in history, one centered on the life and death decision
making of detached commanders and citizen soldiers.

Scholarship of the Union armies, strategies, campaigns, and commanders in the Western
Theater abounds. The emergence of commanders named Halleck, Grant, Sherman and
Sheridan—notably the latter three—and their fundamental leadership in directing the Union war
strategy after 1863 compelled historians to reexamine the conflict between the Mississippi River
and Appalachian Mountains. Included in the historical assessment are studies regarding the
battles and campaigns of the western armies. The Army of the Cumberland, an amalgamation of
the first-Army of the Ohio, played second-fiddle in respects to the Union Army of Tennessee,
commanded by U.S. Grant and later William T. Sherman. Nonetheless, histories of the
Cumberland Army, both primary and secondary, align with that of the major Federal forces
organized during the war in their scope and abundance. But, beyond the traditional military
interpretation of Civil War armies that examine commanders, campaigns and pitched-battles, lies
a conflict which pitched citizen soldiers into hostile country surrounded by people of unknown
loyalty and motivations.

The historical literature examining the Union armies’ invasion, occupation, and
destruction of the Confederacy “began in the shadow of World War II when writers on the Civil
War tended to see in the nineteenth-century conflict the beginnings of the economic production,
technological innovation, and heartless doctrines of destruction that characterized the great ‘total
“wars’ of the twentieth century,” contends historian Mark E. Neely Jr. In his work, *The Civil War and the Limits of Destruction*, Neely correctly asserts that the Civil War armies did not possess the technological, motivation, or standard doctrine to inflict total war on the enemy and populace. He argues that America’s involvement in the Vietnam War was critical to the proliferation of total war scholarship and fueled interest in guerrilla warfare. Further, Neely states that the “zeal for studying the guerrilla conflict in the Civil War persisted” after the conflict in Southeast Asia due to interest in the home front. “What drove further studies toward the subject of guerrilla conflict in the Civil War was essentially a methodological imperative: the interest and methods of the New Social History.”

While Neely’s argument on the war’s destructiveness is accurate, his dismissal of guerrilla warfare “having much of an effect on Union conduct” does not reflect the reactions and responses from Union soldiers. Their experience demonstrated invasion and occupation did shift the war’s character and direction. Clay Mountcastle describes the transition as one “centered on the Union’s willingness to abandon conciliatory policies and include civilians in the hardships of war.” Mountcastle terms Federal response as punitive war due to the complexity of defining guerilla warfare by the combatants and historians, writing: “the war’s most blatant displays of aggression toward noncombatants and their property little to do with feeding soldiers

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4 Neely, Jr., *The Civil War and the Limits of Destruction*, 204.

5 Neely, Jr., *The Civil War and the Limits of Destruction*, 204.


or starving the opponent;” rather “there were about punishment.”

He continues, “The Union waged a punitive war against the people of the South in conjunction, if not always in concert, with its effort to defeat the Confederate Army on the battlefield.”

The Army of the Cumberland’s operations in 1863 reflect the dual objectives of punitive war: defeat the Confederate armies and subdue irregular warfare and hostile citizens.

Mark Grimsley contends that the Union’s “conciliatory and hard war policies both possessed a strategic dimension.” In The Hard Hand of War: Union Military Policy Toward Southern Civilians, 1861-1865, Grimsley dissects the dimension into three parts. “Each sought to detach Southern civilians from their allegiance to the Confederate government—the first through respect and magnanimity, the second through intimidation,” and third, “a pragmatic interlude in which Union policy toward noncombatants had little strategic purpose.” Grimsley’s assessment of guerrilla warfare’s effect aligns with Mark Neely. He contends that the during the interval, “Union commanders sought victory exclusively on the battlefield; their stance toward civilians tended to be whatever seemed best calculated on the battlefield.” They retaliated against guerrillas when necessary, “but otherwise viewed civilians peripheral to their concerns.”

Mountcastle acknowledges the “contentious issue with Civil War historians” concerning the influence of irregular war on Union policies, but argues that there is a common link between “the

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8 Mountcastle, Punitive War: Confederate Guerrillas and Union Reprisals, 2.

9 Mountcastle, Punitive War: Confederate Guerrillas and Union Reprisals, 2.


11 Grimsley, The Hard Hand of War, 3.

12 Grimsley, The Hard Hand of War, 3.
most influential leaders and events in evolution of Union military policy . . . experience with facing a guerrilla threat.”

Anne Marshall argues that the war must be expanded to include a broad dissemination of invasion in “The Future of Civil War Era Studies: The Southern Home Front,” for the Journal of the Civil War Era. Marshall moves beyond Neely’s description of the “great social movement” that “brought the comment and the whole pluralist community in the pages of the academic history books,” with a critique of home front scholarship. Marshall states that “historians of the Civil War era are beginning to argue that there was no such thing as a southern home front and that any sort of easy distinction between military and civilian Civil War participants may not be useful or even valid anymore.” The historiography has moved past hard war or Sherman’s March to the Sea. Rather, historians are now looking in detail at how invasion set in motion several factors. Further, Marshall references several Civil War historians—Stephanie McCurry, LeeAnn Whites, Alecia P. Long, and Lesley A. Schwalm—who contend “that groups of people (white and black women or slaves, for example) historians traditionally considered ‘civilians’ on the southern home front were actually full-fledged combatants.” Historians’ reframed the home front to include government recognition, both Federal and Confederate. Marshall defined it as the blur “between the home front and battlefront and between the political and private dimensions of civilian life.” Lastly, Marshall describes the growth in scholarship of four major

13 Mountcastle, Punitive War: Confederate Guerrillas and Union Reprisals, 5.

14 Neely, Jr., The Civil War and the Limits of Destruction, 204.


issues that will be address in the work: irregular warfare, retaliatory guerrilla warfare, localized combat, and the destabilization of the battlefront/home front boundary.  

Anne Marshall describes historians’ focus on the four issues as a reversal “within the so-called new military history that, in the past thirty or so years has tried to integrate the military aspects of war within society’s larger social, political, and economic, and cultural context.” Instead, “the recent scholarship of the southern Civil War experience does the opposite,” and “turns everyone into a combatant.” By 1862, the Federal incursion into Tennessee transformed immediate invasion into extended occupation. The situation placed Union soldiers into dual roles as pacifiers/occupiers and subjugators exposed to hostile civilians, irregular warfare, and guerrilla attacks. Marshall describes the predicament facing soldiers and civilians alike in a conflict where everyone was a combatant, “It reveals that every town, home, and personal interaction was a potential stage for conflict to which both Union and Confederate military and governments were forced to respond with policy, threats, and even force.”

The work’s focus will expand the historical scholarship of the so-called new military history. The Army of the Ohio (later Cumberland’s) experienced the “blurring between home front and battlefront” as invasion transformed into extended occupation. Federal soldiers quickly realized that the Union would not be restored by their mere presence. Occupation meant pacification of towns and the countryside. Further, commanders were detached from the main

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Union post, Nashville, and directed to occupy towns from the state capital south to Alabama. Command and control devolved from army headquarters to officers at the division and brigade level. The garrison commanders, often detached miles away from support or direct guidance, experienced and responded to the issues triggered by occupation on a base by base, person by person basis. Lastly, the work explores both static and active occupation in-the-midst-of invasion during Federal campaigns into southern Tennessee and Northern Alabama in 1862 and 1863.
Chapter 1

Conciliatory or Rigid

“Secessionist[s] have so degraded their sense of honor that it is next to impossible to find one tinctured with it who can be trusted.”22

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

On the crisp, cold morning of January 5, 1863, the Union Army of the Cumberland entered and captured in Murfreesboro, Tennessee. Two infantry divisions from Major General George H. Thomas’ Center Wing occupied the town while a brigade of cavalry probed the Confederate retreat on the Shelbyville and Manchester Pikes.23 Thus ended Major General William S. Rosecrans’ first major offensive. The strategic victory along the banks of Stones River reestablished Federal presence in Middle Tennessee at the cost of 13,000 casualties.24 The army’s rapid invasion from Nashville forty miles southeast cleared the Confederate Army of Tennessee from Murfreesboro, reduced an immediate threat to the state capital, and brought a morale-boosting victory for the Union cause. But, invasion and victory complicated an underlying issue: extended occupation in hostile territory. Murfreesboro and the surrounding environs were fortified and garrisoned, with the former set as a supply depot (Fortress Rosecrans) and launch point for future campaigns.25 Federal forces had occupied Murfreesboro

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

The Union’s active movement and occupation of Middle Tennessee was not a novel
assignment for the vast-majority of the men comprising the Army of the Cumberland. There was
one major exception: General Rosecrans. General Orders No. 168, issued October 24, 1862,
placed Rosecrans in command of the state “east of the Tennessee River and such parts of
Northern Alabama and Georgia,” constituting the newly minted Department of the Cumberland.
The organized military forces were designated the Fourteenth Army Corps. Rosecrans’
commanded the main elements of the former Army of the Ohio. The old department was
expanded, renamed and designated as the Department/Army of the Cumberland (Fourteenth
Corps). The same order removed the unpopular Major General Carlos Buell from command. The
command change was a sharp rebuttal to Buell’s conciliatory, soft-handed approach to the war
that was rejected by a large faction of the army, notably the volunteer officers and enlisted men.
Buell’s philosophy reflected conservative Regular Army training that forbade the men from
living off the land, appropriating private property, or subverting the institution of slavery. Rosecrans’
ascension generated excitement for the men. His skills as an innovator and organizer
were displayed. But, the general’s embrace of hard war—a policy already adapted by the
men—was fully applied in 1863.

This chapter examines both the origins of the soldiers’ turn against conciliation during
invasion and occupation under Buell and Rosecrans, and the distinction between extended and
rapid invasion as the armies maneuvered through space. The soldiers’ experience under Buell is

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27 Gerald J. Prokopowicz, All for the Regiment: The Army of the Ohio, 1861-1862 (Chapel Hill and London: The
central to understanding why hard-war measures were quickly adopted and later embraced by officers. The post-Stones River extended occupation of Middle Tennessee—January to June 1863—will be emphasized in the chapter. Invasion and occupation revealed the major issues pressing Union soldiers: discerning the difference between hostile civilians, southern Unionists, and disloyal noncombatants; protecting supply lines and transportation avenues; subjugating guerrillas and other irregular forces; and contending with the large influx of enslaved African Americans and contraband of war. It is important to note that the large percentage of the officers at the division and brigade level possessed traditional military training. Their background was critical to their interpretation of the war as they determined the action necessary to defeat the Confederacy, both civilians and combatants.

The Don Carlos Buell Era

On February 26, 1862, two days after the capture of Nashville, Major General Buell issued General Orders No. 13a. The general commanding congratulated the men for restoring Union rule. Buell believed the presence of Federal soldiers restored law and order, and “that thousands of hearts in every part of the State will swell with joy to see that honored flag reinstated in a position from which it was removed in the excitement and folly of an evil hour; that the voice of her own people will soon proclaim its welcome, and that their manhood and patriotism will protect and perpetuate it.”28 He deemed it necessary, though, to remind the men that their purpose was to “maintain this integrity of the Union and protect the Constitution under which its people been prosperous and happy.”29 Therefore, peaceable citizens were not to be

molested; soldiers were forbidden to enter residences or grounds without authority; property requisition required fair compensation and receipts; and arrests required direct authorization from headquarters. Foraging from the countryside was not necessary as the government supplied the “wants of the soldier.”\(^{30}\) Buell’s directive reflected the strategy and policies of his superior, Major General George B. McClellan. The general-in-chief advised Buell that the army was “fighting only to preserve the Union,” and he must preserve “the strictest discipline, among the troops,” by “employing the upmost energy in military movements,” and “be careful to treat the unarmed inhabitants as to contract.”\(^{31}\) Most important, Buell was not to “widen the breach existing between [the Union] and the rebels.”\(^{32}\)

Buell’s stringent orders revealed both his traditional military training and the state of the war in 1862. The Regular Army officers emphasized proper training and discipline to transform civilian volunteers from an armed mob to a functioning, cohesive force. The old guard’s experience in the Mexican War “vindicated their faith in professional military expertise.”\(^{33}\) Wayne Wei-Siang Hsieh described the tension between the career soldiers and volunteers in Mexico that was echoed in 1861, “The regulars saw the volunteers, enlisted men and officers alike, as inefficient, incompetent, undisciplined and even barbaric in their conduct toward Mexican civilians.”\(^{34}\) Their former experience with volunteers lead to strict discipline, training


\(^{31}\) Ethan S. Rafuse, *McClellan’s War: The Failure of Moderation in the Struggle for the Union* (Bloomington and Indianapolis, 2005), 147.

\(^{32}\) Rafuse, *McClellan’s War: The Failure of Moderation in the Struggle for the Union*, 147.

\(^{33}\) Wayne Wei-Siang Hsieh, *West Pointers and the Civil War: The Old Army in War and Peace* (Chapel Hill: The University of North Carolina Press, 2009), 54-5.

\(^{34}\) Hsieh, *West Pointers and the Civil War*, 72-3.
and policies as the Union dissolved. Buell wrote to McClellan two days after issuing G.O. 13a asking the general-in-chief “to induce the President to pursue a lenient course, and as far as possible to reconstruct the machinery of the General Government out of material here, of which an abundance can be found that this truly loyal, though for some time overpowered and silenced.” Federal troops needed to defeat Confederate armies by benevolently liberating southern cities and towns, and respect private property for the rebellion to disintegrate.35

The soldiers quickly rejected conciliation and inaugurated what Colonel John Beatty described as “the true policy, and the only one that will preserve us from constant annoyance.”36 The annoyance was irregular warfare directed at Union soldiers. Beatty, an abolitionist politician from Ohio, vividly described the officers’ turn toward a rigid war policy in order to mitigate bushwhacking and guerrilla attacks against Union garrisons, supply routes, and trains. In response to an attack that wounded eight soldiers on a train near the village of Paint Rock in Northern Alabama, Beatty returned with a detachment of troops and clear message. He called the citizens together and announced repercussions for further attacks. “I said to them that the bushwhacking must cease. The Federal troops had tolerated it already too long. Hereafter every time the telegraph wire was cut we would burn a house; every time a train was fired upon we should hang a man; and we would continue to do this until every house was burned and every man hanged between Decatur and Bridgeport.”37 Beatty admonished the “assassin-like” cowardly assaults, and “proposed to hold the citizens responsible for these cowardly assaults,


and if they did not drive these bushwhackers from amongst them,” the soldiers would “make them more uncomfortable than they would be in hell.”

Beatty had the town fired and arrested three citizens. The colonel’s striking response revealed two major issues that turned Union soldiers away from conciliation: their rightful perception that guerrilla warfare was dishonorable, and its support by local civilians who were regarded and protected as non-combatants.

Beatty’s action was approved by his superior officer, and “created a sensation” that was “spoken of approvingly by the officers and enthusiastically by the men.” Beatty, writing during the midst of Union military debacles in December 1862, believed the Confederacy’s rising star would “continue to ascend until the rose-water policy now pursued by the Northern army is superseded by one more determined and vigorous.” He continues the entry: “We should visit on the aiders, abettors, and supporters of the Southern army somewhat of the severity which hitherto has been aimed at that army only.” Beatty believed the proper policy was “one that will march boldly, defiantly, through the rebel States, indifferent as to whether this traitor’s cotton is safe, or that traitor’s negroes run way; calling things by their right names; whether in the army or not. In short, we want a policy that will not tolerate treason; that will demand immediate and unconditional obedience as the price of protection.” The colonel’s emphasis on unconditional loyalty was critical to the end of conciliation. Beatty argued that a nation of treason had been created. The soldiers were quick to discern that southern civilians claimed


conditional loyalty in return for protection of their property. Any sense of honor soldiers held toward the white southern populace was lost with the harboring of guerrillas.

John Fitch, the Army of the Cumberland’s Provost Judge, was also critical of Buell’s policies. Fitch served at headquarters from Buell through Rosecrans, and was one of the Army of the Cumberland’s original historians. No admirer of Buell, he described the general’s “rose-water system” as “tender, and [a] forgiving policy.”\footnote{John Fitch. \textit{Annals of the Army of the Cumberland} (Philadelphia: J.P. Lippincott, 1883), 99-100.} The soldiers’ quick abandonment of conciliation was vividly traced through his service and writing. Fitch notes the army’s turn centered on their response to hostile citizens and guerrilla depredations during Union occupation of towns and villages in 1862. Fitch’s work, \textit{The Annals of the Army of the Cumberland}, begins with succinct details of the officer corps, and provides a window into the soldiers’ view of the war.

Fitch’s description of Major General James S. Negley exemplifies the officer corps’ turn again conciliation. The division commander—a capable, Regular Army veteran—mirrored Beatty’s attitude on how to conduct the war. During the Union occupation of Columbia, Tennessee, August-October 1862, “General Negley ruled with an iron hand,” in response to a countryside that was “infested with guerrillas.”\footnote{Fitch, \textit{Annals of the Army of the Cumberland}, 99.} He authorized the arrest of suspected men, broke-up bands, and soon “became distasteful to the citizens.” But, in Fitch’s estimation, Negley justifiably used fear, energy, and the “daily determination to punish the guilty” to keep the country free of guerrillas.

Negley’s iron-handed occupation strategy was censured and reversed by General Buell. As a result, “The screws were taken off; and the natural result followed,” wrote Fitch. The
countryside was quickly overrun with guerrillas, citizens formed bands in every country and caused “an almost inconceivable amount of trouble.” Fitch described the soldiers’ inability to discern civilian from guerrilla, in many cases interchangeable, as most agitating. In response, Negley, “no respecter of rebel rights or property,” directly attacked the peculiar institution and southern infrastructure. He was the first general officer in Buell’s Department of the Ohio to employ enslaved people as teamsters. Negley also levied taxes against disloyal civilians, confiscated their property for use as horse pastures, and required everyone “who applied for a pass, oaths of allegiance, fortified by bonds.” Negley was active during occupation. He directed expeditions against guerrilla bands in Mount Pleasant, Williamson, Hillsborough, and Spring Hill. Negley’s command was ordered to abandon Colombia and withdraw to Nashville as Buell pursued the Confederate Army into Kentucky, ending with the Battle of Perryville in October 1862. But, the Federal abandonment of Middle Tennessee was temporary. Buell’s replacement returned with the Union army at the end of 1862.

The civilian cadre that comprised the army’s regimental, battalion, and company level officers mirrored the animosity toward General Buell’s administration of the war. Major James Austin Connolly of the 123rd Illinois Infantry remarked that the army was disheartened to follow “a leader whose sole aim appears to be ‘how not to do it’”. The lawyer turned volunteer officer desired a commanding general that did not protect slavery, appease neutrality (Kentucky), and “one who will not guard rebel wells and springs to keep our thirsty soldiers from slaking their

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thirst—one who will hang every rebel guerilla in Kentucky, drive every cowardly sympathizer out of the state and confiscate his property for the use of his soldiers.”

Connolly considered resigning his commission rather than “protecting rebels and their property.”

John McCandish King Jr., 92nd Illinois Volunteer Infantry, echoed Connolly’s assessment of the policy protecting civilian property, notably enslaved people. Raised in a family with strong abolitionist sentiment, King effectively described the dilemma facing Union soldiers with regards to the peculiar institution: “We believe slavery to be a wrong from a moral point of view and that ought not exist, but [we’re] sworn to uphold the Constitution that permitted slavery.”

As African Americans entered Union lines in increasing numbers, King’s regiment did not return the enslaved people to their owners. “We all swore we were not slave hunters who captured men and returned them to their aristocratic masters,” writes King. Congress’ passage of the Second Confiscation Act covered “some of the growing difficulties” with new regulations that prohibited the army “from employing any of the forces under their respected commands for the purpose of returning fugitives from service or labor who may have escaped from any person who such service or labor is claimed to be due,” writes King.

Colonel Beatty’s journal revealed the massed incursion of enslaved people into Federal lines and Buell’s policy prior to confiscation. “We have much troubled with escaped negroes. In some way we have obtained the reputation of being abolitionists, and the colored folks get into

49 Connolly, *Three Years in the Army of the Cumberland*, 27.

50 Connolly, *Three Years in the Army of the Cumberland*, 27.


52 King, *Three Years with the 92nd Illinois*, 25.

53 King, *Three Years with the 92nd Illinois*, 25.
our regimental lines. Their masters . . . made a complaint to General Buell. An order [was] issued requiring us to surrender to the claimants, and to keep colored folks out of our camp hereafter.”

But, as the Union forces moved deeper into the south, the men encountered African Americans at every plantation, and their response steadily altered.

Union soldiers elicited and received assistance from African Americans during their occupation of Tennessee. Major General Orsmby M. Mitchell, Third Division, Army of the Ohio, wrote Secretary of War Edwin Stanton on July 26, 1862 with justifiable fear that General Buell had ordered the return “to their masters slaves to whom I promised the permanent protection of the Government of the United States.”

The enslaved people “had rendered valuable services and had obtained for me most important information, and to these negroes I offered protection under authority received from you in your telegram dated May 5.” Their service included observing any movement by the enemy on the Tennessee River as Mitchel’s division was spread along a 120 mile front. For Union commanders, assistance to the army made African Americans more loyal and worthy of protection than the white rebels were.

Mitchel feared reprisal from their masters if the promise of protection was not sustained. The telegram of the 5 May was written from Huntsville, Alabama. Mitchel’s division, detached from the Army of the Ohio, had marched south from Nashville to protect the army’s vulnerable left flank and the Memphis & Chattanooga railroad along the Tennessee-Alabama border as Buell moved the remainder of army to support Ulysses S. Grant at Pittsburg Landing (Shiloh).

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58 Bradley and Dahlen, *From Conciliation to Conquest*, 91-3.
Mitchel’s report revealed a population whose loyalty was more-often-than-not, split down racial lines.

The Union invasion and occupation of Northern Alabama “seems to have produced among rebels the bitterest feeling,”59 writes Mitchel. Federal officers’ description of the people as rebels oppose to Southerners was critical to the turn again conciliation. The Third Division commander continues his stunning report to Stanton:

Armed citizens fire into the trains, cut the telegraph wires, attack the guards of bridges, cut off and destroy my couriers, while guerrilla bands of cavalry attack whenever there is the slightest chance of success. I have arrested some prominent citizens along the line of the railway and in this city. I hold some prisoners (citizens) against whom the negroes will prove charges of unauthorized war. Am I to convict on the testimony of the blacks? Have I your authority to send notorious rebels to a Norther prison? May I offer the protection of the Government to the negroes who give valuable information? Is it not possible to give me re-enforcements to cross the Osage at Grates' Ferry and march against Rome? That entire region is now comparatively unprotected and very much alarmed.60

General Mitchel’s request to authorize the arrest of white civilians using the testimony of African Americans demonstrates how quickly and unequivocally the goal to restore the Union through conciliation had failed.

Colonel Beatty’s Third Ohio Volunteer Infantry was part of Mitchel’s excursion into hostile country, and affirmed the division commander’s report of African American support. Beatty stated that as the Third Division approach the Alabama border, they found “fewer, but handsomer, houses; larger plantations, and negroes more numerous,” and “droves of women working in the fields.”61 Most important, Beatty remarked on the


difference between secessionists and blacks supporting the reports of Fitch and Mitchel: “The white rebel, who has done his utmost to bring about the rebellion, is lionized, called a plucky fellow, a great man, while the negro, who welcomes us, who is ready to peril his life to aid us, is kicked, cuffed, and driven back to his master, there to be scourged for his kindness to us.” The soldiers were able to obtain knowledge of where stores were kept and procure local, informative guides. Beatty too remarked on providing protection for their services before the army “shall be worthy of success.”

The Union excursion into Northern Alabama tested the officers’ turn against conciliation in aftermath of the infamous Union plunder of an Alabamian town. On July 5, 1862, Buell issued Special Orders No. 93: “A general court-martial is hereby ordered to assemble at Athens, Ala., at 10 a.m. on the 7th of July or as soon thereafter as practicable, for the trial of Colonel J. B. Turchin, Nineteenth Illinois Volunteers, and such other persons as may properly be brought before it.” One of the officers appointed to the court-martial was Beatty. The colonel details the case in his journal, writing: He [Turchin] is charged with permitting his command, the Eight Brigade, to steal, rob and commit all manner of outrages.” The incident occurred during the Union army’s occupation of Athens, Alabama in May 1862. General Mitchel’s command, 7,400

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67 Bradley and Dahlen, From Conciliation to Conquest, 90.
strong, had departed Nashville in late March and spent the next month methodically marching, repairing bridges, and pacifying hostile towns and villages. Most important, the campaign brought Federal soldiers into the deep south where “the front line became a blur.” The irregular warfare directed at Mitchel’s men, namely guerrilla attacks against Union supply lines, “invited reprisal,” and Colonel John B’ Turchin’s men were more than willing to oblige.

The Union retaliation against citizens of Athens owed to the simmering caldron that boiled over between uniformed soldiers against irregular forces and their non-combatant support system. On the morning of May 2\textsuperscript{nd}, Turchin’s brigade seized an “opportunity to vent their frustration” within view and supervision of the colonel commanding. Athen’s was a strategic location near the Nashville & Decatur rail line that supported the advanced Union position; consequently, Federal troops garrisoned the town for over a month. Mitchel instructed Turchin that the “utmost vigilance is required, and anything less than prudent foresight, rigid discipline, perfect order, and thorough soldiership will end in disaster. All public property captured must be placed at once in the hands of the quartermaster. No violence will be permitted nor property destroyed until the facts are reported to me and the destruction is ordered under my own hand.”

Upon arrival, Turchin’s men entered civilian homes in search of Union army property captured and seized during the campaign. But, the soldiers’ behavior quickly devolved as civilian

\begin{footnotes}
\item[68] Bradley and Dahlen, \textit{From Conciliation to Conquest}, 92-3.
\item[69] Bradley and Dahlen, \textit{From Conciliation to Conquest}, 93-4.
\item[70] Bradley and Dahlen, \textit{From Conciliation to Conquest}, 95.
\item[71] Bradley and Dahlen, \textit{From Conciliation to Conquest}, 100-01.
\end{footnotes}
property—dry food, merchandise, money—was taken or destroyed. The plundering lasted over six hours. Turchin’s passive role allowed his men to ransack the town without reprimand. The pending court-martial and findings revealed the war’s evolution from conciliation toward action.

In a report to headquarters dated June 30, Mitchel acknowledged the incident at Athens “as a matter of great notoriety,” and sought to remedy the issue by ordering “a search to be made of the knapsacks and baggage of all enlisted men in the brigade.” The search found articles authorized by army regulations. The general did confirm that forty-five citizens sought damages exceeding $50,000. Mitchel ended the report with Colonel Turchin’s declaration “that he did his utmost to prevent his troops from pillaging and from every irregularity. It is certain he has been unsuccessful.” Turchin was brought-up on three charges: “Neglect of duty, to the prejudice of good order and military discipline; Conduct unbecoming an officer and a gentleman; Disobedience of orders (specifically General Orders No. 13a).” Turchin was found Guilty on all three charges; the court “therefore sentence[d] him . . . to be dismissed the service of the United States.” The colonel’s career appeared to be over, but “Six members of the court have recommended the prisoner to clemency, on the ground that ‘the offense was committed under exciting circumstances, and was one rather of omission than of commission.’ The general commanding [Buell] has left constrained nevertheless to carry the sentence into effect.”

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The case against Turchin was successful in its findings, especially from Buell’s perspective, but ended with a paradoxical reversal. Buell rejected the court’s recommendation of clemency and Turchin was slated to be cashiered from the army, finalized on August 6, 1862. But, to Buell’s shock, Turchin was promoted and confirmed to the rank of brigadier general, issued by the War Department on August 2. In an ironic twist, Buell was relieved of command at the end of September; Turchin served with distinction through October 1864. Colonel Beatty was one of the six officers that recommended clemency. Beatty defended the recommendation that expressed the sentiment of not only the court but the army: “Turchin has gone to one extreme, for war can not justify the gutting of private houses and the robbery of peaceable citizens, for the benefit of individual officers or soldiers; but there is another extreme, more amiable and pleasant to look upon, but not less fatal to the cause.” The general commanding, Beatty attest, “is inaugurating the dancing-master policy . . .”. He continues the uncompromising salvo, writing: “Turchin’s policy is bad enough; it may indeed be the policy of the devil; but Buell’s policy is that of an amiable idiot.” In absolving Turchin and dismissing Buell, the Federal government “had charted a new course for its war to reunify the country.”

Mitchel’s expedition into the Tennessee-Alabama border area revealed a populace strongly opposed to Union control and occupation. On their march south toward Shelbyville, halfway between Murfreesboro and Fayetteville, the Third Division entered an area invested

80 Bradley and Dahlen, From Conciliation to Conquest, 219.
81 Bradley and Dahlen, From Conciliation to Conquest, 220; Official Records, Ser. 023, Vol. XXVIII, Pt. 1, 277.
84 Bradley and Dahlen, From Conciliation to Conquest, 220.
with guerrilla bands. Portions of the Union supply lines, tenuously tied to Murfreesboro, were attacked, burned and captured. Mitchel responded with detachments of soldiers “set out every day to capture or disperse these citizen cut-throats,” writes Beatty. Union forces arrived in Huntsville on April 11, 1862. But, rebel attacks on the supply train were not as destructive as they intended. Beatty boasted that the “bread and meat we fail to get from the loyal States are made good to us from the smokehouses and granaries of the disloyal. Our boys find Alabama hams better than Uncle Sam’s sidemeat, and fresh bread better than hard crackers.” As Turchin led the vanguard into Fayetteville on April 8, rebel sympathizers threatened and insulted the Union flag of truce. A correspondent for the Cincinnati Gazette reported the Federal response:

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

The report plainly illustrates General Mitchel’s observation and response to the treatment his soldiers. By referring the people as savages, the division commander views them as dishonorable and subject to reprimand. The correspondent noted that there was a strong Unionist sentiment as the army entered Alabama, but “it was mingled with many false notions concerning State sovereignty and the duty of submission thereto. The negroes that we saw were kind and friendly.

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and generous and benevolent, even when their masters were most strongly ‘Secesh’".\textsuperscript{89} The sentiment was contrary to Mitchel’s report to Buell on May 24, 1862 that the “inhabitants on the line of Chattanooga and Nashville Railroad are extremely hostile.”\textsuperscript{90} \\

Unsurprisingly, Beatty provided a frank description of the army’s stay in Alabama a day prior to Mitchel’s report, writing: “The men of Huntsville have settled down to a patient endurance of military rule. They say but little, and treat us with all politeness.”\textsuperscript{91} To the Ohioan’s surprise, it was southern women that exhibited open hostility and bitterness toward the occupiers. In Beatty’s estimation, it was the women’s “foolish, yet absolute devotion . . . to the Southern cause [that] does much to keep it alive.”\textsuperscript{92} The colonel’s assessment proved to be prophetic as the fall of 1863 brought a redefined department, a reorganized army, and a new commander to “meet the emergency.”\textsuperscript{93}

**The William S. Rosecrans Era**

The Army of the Cumberland’s triumph at Stones Rivers set the tone for 1863. The tactical victory was costly but not pyrrhic. Victory was measured both on the battlefield and by the political exigencies set in Washington D.C. that reverberated throughout the Union. Major General William S. Rosecrans was keenly aware of the pressure that had forced the relief of his predecessor. Fitch described the general “as a far-seeing statesman with military power, located


\textsuperscript{90} Official Records, Ser. 011, Vol. XXII, Pt. 1, 212.

\textsuperscript{91} Beatty, The Citizen-Soldier: The Memoirs of a Civil War Volunteer, 144.

\textsuperscript{92} Beatty, The Citizen-Soldier: The Memoirs of a Civil War Volunteer, 144.

\textsuperscript{93} Fitch, Annals of the Army of the Cumberland, 25.
in the midst of a rebellious and socially diseased community“94 upon his arrival to Louisville from Corinth, Mississippi to assume command in October 1862. As ever, Colonel Beatty stated a forewarning opinion of the new commander: “I predict that in twelve months Rosecrans will be as unpopular as Buell.”95 Beatty’s opinion hinged on the belief shared by many in the Union armies: unrealistic expectations from civilians at home, notably politicians. “A man from whom the people are each day expecting some extraordinary action, some tremendous battle, in which the enemy shall be annihilated, is unfortunately situated, and likely very soon to become unpopular.”96 Beatty’s practical skepticism aside, Rosecrans’ arrival did not generate a rigid application of war toward the Confederate soldiers and civilians, it simply affirmed the strategies already set by generals at the division and brigade level.

On February 10, 1863, Major General Joseph J. Reynolds, commanding Fifth Division, Fourteenth Corps, delivered to corps’ headquarters a searing report on the state of war in Tennessee. On the 3rd instant, Reynolds’ Division embarked on an expedition to Auburntown, 22 miles southeast Murfreesboro. The town was nearly deserted, mostly unoccupied, and forage for man and animal was gone. When the army came upon any farm that “presented any appearance of life and prosperity, forage, animals, and people,” Reynolds’ concluded that “the property [belonged] to rebels and the forage and animals spared by the rebel army.”97 The division continued to Liberty, ten miles to the northeast, where they encountered enemy scouts, both armed and unarmed. Reynolds directed troops to them drive off and after accomplishing the task,


the weaponless men rushed toward the Union soldiers. Reynolds states that the “men had been
 driven to the hills to escape conscription, and were daily being hunted up by the conscription
 agents, aided by mounted men.” 98 From Liberty, the division marched northwest to Alexandria.
 Reynolds that the two towns “exhibited much loyal feeling.” 99 Most important, he reached an
 observation that served “as a sample for all—the property of loyal men despoiled, that of rebels
 protected.” 100

 General Reynolds responded to the treatment of Union loyalist by answering a
 hypothetical question he posed in the report: “Can this state of things be changed? Very
 simply.” 101 The rebel inhabitants’ possessed forage, animals, and provisions that were needed by
 the Union army. Reynolds’ solution was two-fold: seize supplies for the army and redistribute a
 portion for Unionists’ families. If seizure of their home was not accepted in retaliation to
 depredations directed at their neighbors, Reynolds advised that the army “let these rebels go
 farther south in quest of their rights, and where they will be with their friends.” 102 In searing
 renunciations of conciliation that aligned with John Fitch’s description of Negley’s experience in
 Columbia the previous summer, Reynolds’ slammed the rose-water policy and advised one
 centered on the practical experience faced by soldiers on the ground:

 It has been very strongly advocated in the loyal States that the suppression of the
 rebellion can best be accomplished by cultivating, encouraging, and developing
 the Union sentiment in the disloyal States…If the white population of the rebel
 States were a homogeneous one, like that of the loyal States, the idea would be
 reasonable, but as facts actually exist it amounts to nothing, because there is no
 Union sentiment in the rebel States (with here and there a noble exception) among

that class of men who wield the political power of these States, and the only effectual mode of suppressing the rebellion must be such a one as will conquer the rebellious individuals now at home as well as defeat their armies in the field; either accomplished without the other leaves the rebellion unsubdued. 103

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

Reynolds’ superior officer, Major General George H. Thomas—head of the Fourteenth Corps and Rosecrans’ second in command—forwarded the report to the headquarters with the heading: “Respectfully referred for the consideration of the Government.” 104 The native Virginian upheld Reynolds’ report and expanded it to include the state of Kentucky. Like his division commander, Thomas posed and answered the theoretical question of what policy to adopt: “the conciliatory or the rigid.” 105 The general who later gained the sobriquet as the Rock of Chickamauga believed harsher measures were required. “The conciliatory has failed, and however much we may regret the necessity, we shall be compelled to send disloyal people of all ages and sexes to the south, or beyond our lines. Secessionist[s] ha[ve] so degraded their sense of

honor that it is next to impossible to find one tinctured with it who can be trusted.”

Major General Henry W. Halleck responded to the forwarded reports with a detailed message to William Rosecrans, dated March 5. The general-in-chief “approved a more rigid treatment of all disloyal persons with the lines” of the Department of the Cumberland. Halleck previously commanded all Union forces in the West before replacing McClellan as general-in-chief and understood the issues pressing commanders in the theater. He reminded Rosecrans that he had previously been urged to procure subsistence, forage, and means of transportation [horses], and as “the commanding general in the field,” had “power to enforce all laws and usages of war, however rigid or severe these may be, unless there be some act of Congress, regulation, order, or instruction forbidding or restricting such enforcement.” The ambiguous instructions allowed commanders to interpret the laws and usages of war at their discretion. The army’s the occupation of Middle Tennessee demonstrated the men’s clear understanding of rigid treatment.

General Halleck’s extensive background in the legal theories and policies of war was evident in the message as he succinctly divided the populace into three classes. The first class were loyal citizens “who neither aid nor assist the rebels, except under compulsion, but who favor or assist the Union forces.” These people, whenever possible, “should not be subjected to military requisition,” and be afforded protection. Halleck defined the second group as those

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who have taken “no active part in the war, but belong to the class known in military law as non-combatants. Unlike a war between belligerent nations, a civil war meant that this class “sympathize[d] with the rebellion rather than with the Government.”110 A choice must be made by the non-combatant: “There can be no such thing as neutrality in a rebellion.”111 The people who commit no hostile act will be treated on-line with the first class. But those who “rise in arms against the occupying army, or against the authority established by the same, are war rebels, or military traitors, and incur the penalty of death. They are not entitled to be considered as prisoners of war when captured. Their property is subject to military seizure and military confiscation.”112 Halleck believed the current “treatment of such offenses and such offenders has hitherto been altogether too lenient.’ Halleck described the third class as those “who are openly and avowedly hostile to the occupying army, but who no bear arms against such forces; in other words, while claiming to be non-combatants, they repudiate the obligations tacitly or impliedly incurred by the other inhabitants of the occupied territory.” The army should treat such persons as the other non-combatants described in the first class, but there was one major difference: violators may be treated as prisoners of war, subjected to confinement, or expelled from the territory.113

General Halleck concluded the message to Rosecrans by affirming the army’s discretion in determining the proper enforcement of the laws of war. Rosecrans was “permitted to decide where it [was] best to act with rigor and where best to be more lenient.”114 But, Halleck also

included a caveat that a “broad line of distinction must be drawn between friends and enemies, between the loyal and the disloyal.” The statements personified an army and government adjusting to define a devolving conflict. Beatty, promoted to brigadier general in November 1862,\textsuperscript{115} did not struggle to distinguish between friend and foes. Beatty, like Reynolds and Thomas, posed and answered rhetorical questions that captured the mindset of soldiers “They say: ‘You would not disturb peaceable citizens by levying contribution?’ Why not? If the husbands, leaders and guardians, do not care for them, why should we? If they disregard and trample upon that law which gave all protection, and plunge the country into war, why should we be perpetually hindered and thwarted in or efforts to secure peace by our care for those whom they have abandoned?’”\textsuperscript{116} The war waged against the Confederacy may affect non-combatants, including loyalists, but it was necessary “for the present to suffer.”\textsuperscript{117} For the Union to gain ultimate success, Beatty advised the government to “lay its mailed hand upon treasonable communities, and teach them that was no holiday pastime.”\textsuperscript{118}

The correspondent between Rosecrans’ senior officers and the War Department in Washington revealed the interplay between thought and practice. The officers interpreted what they saw and experienced on the field to dictate Union policies. Their actions, guided by the Halleck and the War Department, affirmed the ambiguous, situational responses initiated by commanders under Buell in 1862. The examination of the Union invasion and occupation in 1862, notably Mitchel’s excursion into Northern Alabama—provides an insightful parallel to


Rosecrans’ operations in 1863. Mitchel’s Division was detached deep into enemy country far from support and supervision. He sought support from the people Union soldiers could trust, African Americans. Mitchel’s commanders responded to guerrilla warfare and its benevolent support from the civilian populace with force. Rosecrans occupied Middle Tennessee for six months prior to launching the Tullahoma Campaign in June 1863. The actions of his commanders during extended occupation reflected Mitchel’s on a grandeur scale.

Dr. Hunt advised that I stop the section here.

The Army of the Cumberland’s occupation of Middle Tennessee in the first-half of 1863 was comparable to the previous year, but as Rosecrans’ centered his position around Murfreesboro and the surrounding environs, static occupation became active. Rosecrans immediate problem was the army’s advanced position from the department’s main supply base—Louisville was 212 miles (railroad) and 250 miles (turnpike) from Murfreesboro.\textsuperscript{119} The tenuous rail line from Louisville to Nashville had been targeted by enemy raiders; the relentless attacks on the supply lines became a major thorn to Rosecrans as pressure from the War Department to advance increased.\textsuperscript{120} Andrew Johnson, Military Governor of Tennessee, believed victory at Stones River “inspired much confidence with Union men of the ultimate success of the Government, and has greatly discouraged, but increased their bitterness,”\textsuperscript{121} in a message to Abraham Lincoln, dated January 11, 1863. The future vice president wanted Rosecrans’ army to


expel the rebel army from the state which would develop Union sentiment “without fear or restraint.”\(^{122}\)

Rosecrans needed time, supplies, and reinforcements to replenish his battered army. On the same day, Johnson wrote Lincoln, Rosecrans detailed the army’s situation to Secretary of War Stanton: “Our lines of communications and our depots absorb much force, and that increases as we advance. They are in great straits to hold Tennesseans and Kentuckians by holding Tennessee. The country is full of natural passes and fortifications, and demands superior force to advance with any success. What can you send?”\(^{123}\) Rosecrans’ message revealed a critical issue invasion and occupation imposed on an army: the lack of men to garrison towns, cities, and protect major avenues of transportation and military positions. The Confederate army possessed interior lines, and the “pressure of public opinion will induce them to draw every available man from other points to defend Middle Tennessee.”\(^{124}\) Rosecrans was correct in his assessment that extended occupation drained manpower an army that was expected to initiate an offensive campaign, but it was his questioning of what the government could send that sparked a growing fissure with the War Department. But, the general was viewed favorable in early January following the victory at Stones River. For the moment, Rosecrans had time to secure his supply line with constant cavalry expeditions, expand the army’s base of operations from Murfreesboro to the surrounding area, and plan a camping to drive the Confederate army from Tennessee.


From January 12-14, 1863, General Rosecrans issued a flurry of orders from headquarters as the Army of the Cumberland methodically tightened its hold on Murfreesboro and the surrounding area. Colonel George D. Wagner’s brigade was ordered to scatter enemy cavalry threatening the supply train along the Nashville and Murfreesboro road, and secure the army’s right flank at Triune, Franklin, and Nolensville.\(^{125}\) Brigadier General David Stanley’s cavalry division operated between Nashville and Murfreesboro, and was ordered to post troops at La Vergne on the 13th.\(^{126}\) George Thomas was instructed to send reconnaissance parties, two full brigades, down the Shelbyville Pike to Middleton then Versailles, and if the enemy appeared, was to engage and cut off their retreat near Shelbyville. Wagner was directed to march from Nolensville to support Thomas’s brigades, commanded by Beatty, “‘to cut up the rebels.’”\(^{127}\) As his subordinates executed the orders, Rosecrans continued to press Washington for horses, saddles, and arms to secure supply lines and expand Union occupation of Middle Tennessee.

Rosecrans’ actions reveal an army commander attempting to maintain the initiative far advanced from his supply lines and the Union stronghold at Nashville. By ordering reconnaissance expeditions in force, fortifying Murfreesboro, and securing the army’s vulnerable flanks by posting units in surrounding towns, the Federal army was actively occupying Middle Tennessee. In the coming months, Rosecrans’ reorganized and refit the army in preparation for the summer campaign season.


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Secondary


**Databases**

Tennessee Civil War Sourcebook (Tennessee State Library and Archives)