

Background

General Benjamin F. Butler, commander at Fortress Monroe in Virginia, wrote this letter to his superiors, including General-in-Chief Winfield Scott. He asks what to do about slaves who had escaped to the Union Army camp.

May 27 /61

Sir

(Duplicate)

Since I wrote my last dispatch the question in regard to slave property is becoming one of very serious magnitude. The inhabitants of Virginia are using their negroes in the batteries, and are preparing to send the women and children South. The escapes from them are very numerous, and a squad has come in this morning to my pickets bringing their women and children. Of course these cannot be dealt with upon the Theory on which I designed to treat the services of able bodied men and women who might come within my lines and of which I gave you a detailed account in my last dispatch. I am in the utmost doubt what to do with this species of property. Up to this time I have had come within my lines men and women and their children---entire families---each family belonging to the same owner. I have therefore determined to employ, as I can do very profitably, the able-bodied persons in the party, issuing proper food for the support of all, and charging against their services the expense of care and sustenance of the non-laborers, keeping a strict and accurate account as well of the services as of the expenditure having the worth of the services and the cost of the expenditure determined by a board of Survey hereafter to be detailed. I know of no other manner in which to dispose of this subject and the questions connected therewith. As a matter of property to the insurgents it will be of very great moment, the number that I now have amounting as I am informed to what in good times would be of the value of sixty thousand dollars. Twelve of these negroes I am informed have escaped from the erection of the batteries on Sewall's point which this morning fired upon my expedition as it passed by out of range. As a means of offence therefore in the enemy's hands these negroes when able bodied are of the last importance. Without them the batteries could not have been erected at least for many weeks As a military question it would seem to be a measure of necessity to deprive their masters of their services How can this be done? As a political question and a question of humanity can I receive the services of a Father and a Mother and not take the children? Of the humanitarian aspect I have no doubt. Of the political one I have no right to judge. I therefore submit all this to your better judgement, and as these questions have a political aspect, I have ventured---and I trust I am not wrong in so doing---to duplicate the parts of my dispatch relating to this subject and forward them to the Secretary of War.

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Benj. F. Butler

12/1/1861

[original draft of Secretary of War Cameron's report]

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It has become a grave question for determination what shall be done with the slaves abandoned by their owners on the advance of our troops into southern territory, as in the Beaufort district of South Carolina. The whole white population therein is six thousand, while the number of negroes exceeds thirty-two thousand. The panic which drove their masters in wild confusion from their homes, leaves them in undisputed possession of the soil. Shall they, armed by their masters, be placed in the field to fight against us, or shall their labor be continually employed in reproducing the means for supporting the armies of rebellion?

The war into which this Government has been forced by rebellious traitors is carried on for the purpose of repossessing the property violently and treacherously seized upon by the enemies of the Government, and to re-establish the authority and laws of the United States in the places where it is opposed or overthrown by armed insurrection and rebellion. Its purpose is to recover and defend what is justly its own.

War, even between independent nations, is made to subdue the enemy, and all that belongs to that enemy, by occupying the hostile country, and exercising dominion over all the men and things within its territory. This being true in respect to independent nations at war with each other, it follows that rebels who are laboring by force of arms to overthrow a Government, justly bring upon themselves all the consequences of war, and provoke the destruction merited by the worst of crimes. That Government would be false to national trust, and would justly excite the ridicule of the civilized world, that would abstain from the use of any efficient means to preserve its own existence, or to overcome a rebellious and traitorous enemy, by sparing or protecting the property of those who are waging war against it.

The principal wealth and power of the rebel States is a peculiar species of property, consisting of the service or labor of African slaves, or the descendants of Africans. This property has been variously estimated at the value of from seven hundred million to one thousand million dollars.

a rebellious war?

It was the boast of the leader of the rebellion, while he yet had a seat in the Senate of the United States, that the southern States would be comparatively safe and free from the burdens of war, if it should be brought on by the contemplated rebellion, and that boast was accompanied by the savage threat that "northern towns and cities would become the victims of rapine and military spoil," and that "northern men should smell southern gunpowder and feel southern steel." No one doubts the disposition of the rebels to carry that threat into execution. The wealth of northern towns and cities, the produce of northern farms, northern workshops and manufactories would certainly be seized, destroyed, or appropriated as military spoil. No property in the North would be spared from the hands of the rebels, and their rapine would be defended under the laws of war. While the loyal States thus have all their property and possessions at stake, are the insurgent rebels to carry on warfare against the Government in peace and security to their own property?

Reason and justice and self-preservation forbid that such should be the policy of this Government, but demand, on the contrary, that, being forced by traitors and rebels to the extremity of war, all the rights and powers of war should be exercised to bring it to a speedy end.

Those who war against the Government justly forfeit all rights of property, privilege, or security, derived from the Constitution and laws, against which they are in armed rebellion; and as the labor and service of their slaves constitute the chief property of the rebels, such property should share the common fate of war to which they have devoted the property of loyal citizens.

While it is plain that the slave property of the South is justly subjected to all the consequences of this rebellious war, and that the Government would be untrue to its trust in not employing all the rights and powers of war to bring it to a speedy close, the details of the plan for doing so, like all other military measures, must, in a great degree, be left to be determined by particular exigencies. The disposition of other property belonging to the rebels that becomes subject to our arms is governed by the circumstances of the case. The Government has no power to hold slaves, none to restrain a

slave of his liberty, or to exact his service. It has a right, however, to use the voluntary service of slaves liberated by war from their rebel masters, like any other property of the rebels, in whatever mode may be most efficient for the defence of the Government, the prosecution of the war, and the suppression of rebellion. It is clearly a right of the Government to arm slaves when it may become necessary as it is to take gunpowder from the enemy. Whether it is expedient to do so is purely a military question. The right is unquestionable by the laws of war. The expediency must be determined by circumstances, keeping in view the great object of overcoming the rebels, re-establishing the laws, and restoring peace to the nation.

It is vain and idle for the Government to carry on this war, or hope to maintain its existence against rebellious force, without employing all the rights and powers of war. As has been said, the right to deprive the rebels of their property in slaves and slave labor is as clear and absolute as the right to take forage from the field, or cotton from the warehouse, or powder and arms from the magazine. To leave the enemy in the possession of such property as forage and cotton and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, equal madness to leave them in peaceful and secure possession of slave property, more valuable and efficient to them for war than forage, cotton, and military stores. Such policy would be national suicide. What to do with that species of property is a question that time and circumstances will solve, and need not be anticipated further than to repeat that they cannot be held by the Government as slaves. It would be useless to keep them as prisoners of war; and self-preservation, the highest duty of a Government, or of individuals, demands that they should be disposed of or employed in the most effective manner that will tend most speedily to suppress the insurrection and restore the authority of the Government. If it shall be found that the men who have been held by the rebels as slaves are capable of bearing arms and performing efficient military service, it is the right, and may become the duty, of this Government to arm and equip them, and employ their services against the rebels, under proper military regulations, discipline, and command.

But in whatever manner they may be used by the Government, it is plain

that, once liberated by the rebellious act of their masters, they should never again be restored to bondage. By the master's treason and rebellion he forfeits all right to the labor and service of his slave; and the slave of the rebellious master, by his service to the Government, becomes justly entitled to freedom and protection.

The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.

[final version]

[Washington, D.C.] December 1, 1861

It is already a grave question what shall be done with those slaves who were abandoned by their owners on the advance of our troops into southern territory, as at Beaufort district, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in producing supplies to sustain the rebellion? Their labor may be useful to us; withheld from the enemy it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection, even in the rebel communities. They constitute a military resource, and, being such, that they should not be turned over to the enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The Representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.

SIMON CAMERON
Secretary of War.

Edward McPherson, *The Political History of the United States of America, during the Great Rebellion* (Washington, D.C., 1865), p. 294.

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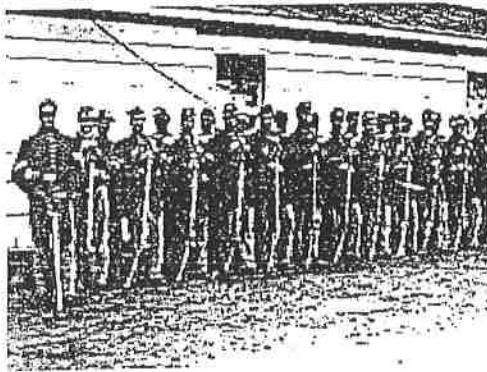
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Company E, 4th United States Colored Infantry

c. 1864.



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At the beginning of the Civil War, African Americans rushed to join the Union army, but were turned away. President Lincoln was afraid of offending the border states and the majority of northern whites, who did not want to fight alongside black people. But with the announcement of the Emancipation Proclamation on January 1, 1863, Union recruitment of African American men became legal. Segregation remained in place, however, as all-black

units, headed primarily by white officers, were formed.

The men in this picture are from Company E, 4th United States Colored Infantry. Theirs was one of the detachments assigned to guard the nation's capital.

Image Credit: From the collections of the Library of Congress



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Washington [D.C.] this nineteenth day of May,
in the year of our Lord one thousand eight hundred and sixty-two
By the President of the United States of America.
A Proclamation.

Whereas there appears in the public prints, what purports to be a
proclamation, of Major General Hunter, in the words and figures following,
to wit:

Head Quarters Department of the South,
Hilton Head, S.C. May 9, 1862.

General Orders N^o 11.--The three States of Georgia, Florida and
South Carolina, comprising the military department of the south,
having deliberately declared themselves no longer under the
protection of the United States of America, and having taken up
arms against the said United States, it becomes a military
necessity to declare them under martial law. This was accordingly
done on the 25th day of April, 1862. Slavery and martial law in a
free country are altogether incompatible; the persons in these three
States--Georgia, Florida and South Carolina--heretofore held as
slaves, are therefore declared forever free.

(Official) David Hunter,
Major General Commanding.

Ed. W. Smith,
Acting Assistant Adjutant General.

And whereas the same is producing some excitement, and
misunderstanding; therefore

I, Abraham Lincoln, President of the United States, proclaim and declare,
that the government of the United States, had no knowledge, information,
or belief, of an intention on the part of General Hunter to issue such a
proclamation; nor has it yet, any authentic information that the document is
genuine-- And further, that neither General Hunter, nor any other

commander, or person, has been authorized by the Government of the United States, to make proclamations declaring the slaves of any State free; and that the supposed proclamation, now in question, whether genuine or false, is altogether void, so far as respects such declaration.

I further make known that whether it be competent for me, as Commander-in-Chief of the Army and Navy, to declare the slaves of any State or States, free, and whether at any time, in any case, it shall have become a necessity indispensable to the maintenance of the government, to exercise such supposed power, are questions which, under my responsibility, I reserve to myself, and which I cannot feel justified in leaving to the decision of commanders in the field. These are totally different questions from those of police regulations in armies and camps.

On the sixth day of March last, by a special message, I recommended to Congress the adoption of a joint resolution to be substantially as follows:

Resolved, That the United States ought to co-operate with any State which may adopt a gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

The resolution, in the language above quoted, was adopted by large majorities in both branches of Congress, and now stands an authentic, definite, and solemn proposal of the nation to the States and people most immediately interested in the subject matter. To the people of those States I now earnestly appeal-- I do not argue, I beseech you to make the arguments for yourselves-- You can not if you would, be blind to the signs of the times-- I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partizan politics. This proposal makes common cause for a common object, casting no reproaches upon any-- It acts not the pharisee. The change it contemplates would come gently as the dews of heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done, by one effort, in all past time, as, in the providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it.

In witness whereof, I have hereunto set my hand, and caused the seal of the

United States to be affixed.

Abraham Lincoln

Proclamation by Abraham Lincoln, 19 May 1862, #90, Presidential Proclamations, ser. 23 Record Group 11, National Archives.

Published in *The Destruction of Slavery*, pp. 123-26, and in *Free at Last*, pp. 46-48.

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[Fortress Monroe, Va.] May 9, 1863.

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Question How many of the people called contrabands, have come under your observation?

Answer Some 10,000 have come under our control, to be fed in part, and clothed in part, but I cannot speak accurately in regard to the number. This is the rendezvous. They come here from all about, from Richmond and 200 miles off in North Carolina. There was one gang that started from Richmond 23 strong and only 3 got through.

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Q In your opinion, is there any communication between the refugees and the black men still in slavery?

A. Yes Sir, we have had men here who have gone back 200 miles.

Q In your opinion would a change in our policy which would cause them to be treated with fairness, their wages punctually paid and employment furnished them in the army, become known and would it have any effect upon others in slavery?

A Yes--Thousands upon Thousands. I went to Suffolk a short time ago to enquire into the state of things there--for I found I could not get any foothold to make things work there, through the Commanding General, and I went to the Provost Marshall and all hands--and the colored people actually sent a deputation to me one morning before I was up to know if we put black men in irons and sent them off to Cuba to be sold or set them at work and put balls on their legs and whipped them, just as in slavery; because that was the story up there, and they were frightened and didn't know what to do. When I got at the feelings of these people I found they were not afraid of the slaveholders. They said there was nobody on the plantations but women and they were not afraid of them. One woman came through 200 miles in Men's clothes. The most valuable information we recieved in regard to the Merrimack and the operations of the rebels came from the

colored people and they got no credit for it. I found hundreds who had left their wives and families behind. I asked them "Why did you come away and leave them there?" and I found they had heard these stories, and wanted to come and see how it was. "I am going back again after my wife" some of them have said "When I have earned a little money" What as far as that?" "Yes" and I have had them come to me to borrow money, or to get their pay, if they had earned a months wages, and to get passes. "I am going for my family" they say. "Are you not afraid to risk it?" "No I know the Way" Colored men will help colored men and they will work along the by paths and get through. In that way I have known quite a number who have gone up from time to time in the neighborhood of Richmond and several have brought back their families; some I have never heard from. As I was saying they do not feel afraid now. The white people have nearly all gone, the blood hounds are not there now to hunt them and they are not afraid, before they were afraid to stir. There are hundreds of negroes at Williamsburgh with their families working for nothing. They would not get pay here and they had rather stay where they are. "We are not afraid of being carried back" a great many have told us and "if we are, we can get away again" Now that they are getting their eyes open they are coming in. Fifty came this morning from Yorktown who followed Stoneman's Cavalry when they returned from their raid. The officers reported to their Quartermaster that they had so many horses and fifty or sixty negroes. "What did you bring them for" "Why they followed us and we could not stop them." I asked one of the men about it and he said they would leave their work in the field as soon as they found the Soldiers were Union men and follow them sometimes without hat or coat. They would take best horse they could get and every where they rode they would take fresh horses, leave the old ones and follow on and so they came in. I have questioned a great many of them and they do not feel much afraid; and there are a great many courageous fellows who have come from long distances in rebeldom. Some men who came here from North Carolina, knew all about the [*Emancipation*] Proclamation and they started on the belief in it; but they had heard these stories and they wanted to know how it was. Well, I gave them the evidence and I have no doubt their friends will hear of it. Within the last two or three months the rebel guards have been doubled on the line and the officers and privates of the 99th New York between Norfolk and Suffolk have caught hundreds of fugitives and got pay

for them.

Q Do I understand you to say that a great many who have escaped have been sent back?

A Yes Sir, The masters will come in to Suffolk in the day time and with the help of some of the 99th carry off their fugitives and by and by smuggle them across the lines and the soldier will get his \$20. or \$50.

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Excerpts from testimony of Capt. C. B. Wilder before the American Freedmen's Inquiry Commission, 9 May 1863, filed with O-328 1863, Letters Received, ser. 12, Record Group 94, Adjutant General's Office, National Archives. Topical labels in the margin are omitted.

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