ENSURING LOYALTY IN KENTUCKY DURING THE CIVIL WAR

JACOB KLINGER

On April 12, 1861, troops from the Southern Confederacy opened fire on the United States Army garrison stationed at Fort Sumter, South Carolina, and this attack sparked a four-year-long conflict that consumed the lives of some 650,000 Americans. The war divided the nation and prompted the Border States of Delaware, Maryland, Kentucky, and Missouri, to consider which side best represented their interests. Though wanting to remain within the United States, they wanted assurance that slavery would continue. As a result, the loyalty of these states was guaranteed to neither the Union nor the Confederacy. Kentucky, the largest of these Border States in terms of physical size and military age male population, would prove to be essential to the Northern war effort. Because of high battlefield losses, it was imperative for the Union to maintain a source for replacements. In response to this issue, President Abraham Lincoln took a perilous risk with the Border States by allowing the enlistment of African Americans into the Union army. Kentuckians greatly resisted the measure, yet because the state did not wish to see armed black men in uniform, the decision served as an incentive to send enough white men to make black recruitment unnecessary. This fear thus compelled Kentuckians to strengthen their contribution to the Northern war effort and effectively guaranteed their loyalty to the Union.

When the war began, issues directly pertaining to slavery became prevalent and created a delicate situation between the federal government and the Border States. When Union forces advanced or held a position in a rebelling state, runaway slaves sought shelter behind their lines.[1] This placed the federal government in a tenuous situation as it was forced between either turning the fugitives away or offering them sanctuary, a measure at odds with the interests of loyal slave holding states, like Kentucky. At Fortress Monroe, Virginia, in July1861, Major General Benjamin Butler addressed this issue when he decided not to return runaways to their masters. Instead, he declared them contraband of war. In a dispatch, Butler stated:

> In a loyal State I would put down a servile insurrection. In a state of rebellion I would confiscate that which was used to oppose my arms, and take all that property, which constituted the wealth of that State, and furnished the means by which the war is prosecuted.[2]

By approaching the problem of slavery in this manner, Butler offered escapees sanctuary without freeing them or greatly offending states like Kentucky. The U.S. Senate supported his policy when it passed the Confiscation Acts of 1861 and 1862 deeming it lawful for Union commanders to take "property, including slaves, used by the Confederates in aid of the rebellion."[3] It was a strange middle ground in which blacks would no longer be considered slaves,

1 Mary Frances Berry, *Military Necessity and Civil Rights Policy: Black Citizenship and the Constitution, 1861-1868* (Port Washington, N.Y.: Kennikat Press, 1977), 37.

2 "General Butler on the 'Contraband,'" History Reference Center, EBSCOhost (January 7, 2009): 1.

3 Berry, *Military Necessity*, 38.

but they would still technically be viewed as property. In this type of understanding, the federal government tried to appease their loyal slave states by making it known that the war was not about ending slavery. Instead, seizing contraband was merely a means to hamper Southern sympathizers within rebelling states and was no different than seizing any other commodity that used to support the Confederate war effort. As the war went on, however, this concept of contraband proved to only spawn more radical applications that served to intensify suspicions between Kentucky and the rest of the Union.

Kentuckians did not immediately respond to Butler's proclamation, but its effects on other Union leaders enraged the state's inhabitants. Taking Butler's theory a few steps further, Major General David Hunter, who was operating along South Carolina's coast in May 1862, decided to handle bondage in a radical way. In General Number 11 Hunter proclaimed that all of the slaves within his department would be freed, and that he would form an all-black regiment to augment his troops.[4] By doing this, Hunter converged ideals of total abolition with his military strategy. These two acts, freeing the slaves of his district and forming a black regiment, fostered anger and discontent among the various factions represented within the North. Particularly, in the pro-slavery state of Kentucky, the backlash was evident. The *Louisville Daily Journal* declared Hunter's proclamation "[a]n outrage, not only upon humanity and the constitution, but upon the dictates of sense, both common and military."[5] This reaction reflected the anger felt by Kentuckians with regard to emancipation and arming of slaves. Similarly, in September 1862, *The Dollar Weekly Bulletin* of Maysville, Kentucky, stated: "General Hunters black brigade has fizzied [sic]. The black men did not want to fight and four hundred of them deserted . . . This ends a scheme which cost a great deal of money and made a deal of fuss."[6] The newspaper claimed Hunter's scheme fell apart because of insubordinate soldiers, but the real cause of the black unit being disbanded was a House inquiry by Kentucky Democrat Charles A. Wickliffe.[7] By claiming that African-American soldiers deserted and could not be trusted, these Kentuckians were stating that white troops were superior and that blacks were not suited for the army. This sort of thinking would become ever more prominent when Kentuckians reacted to the nationwide enlistment of colored troops.

As the war progressed, the question of Kentucky's loyalty to the Union remained an issue of concern for the U.S. Government. "I hope to have God on my side," Lincoln stated in 1861, "but I must have Kentucky."[8] He knew that Kentucky had strong ties to the South and that keeping them in the free North would be a difficult but vital affair. Kentuckians were tethered to the South through slavery, and the federal government remained aware of that relationship whenever it dealt with the state.[9] In 1862, after the Union victory at Antietam, Lincoln composed a proclamation effectively freeing slaves in the South that fell within the grasp of federal armies. Though this act applied to those slave states in open rebellion, it made Kentuckians wary of Northern intentions. "We know that there are thousands of Republicans . . . who think it would be better to abolish slavery than to dissolve the Union,"

4 William C. Harris, *Lincoln and the Border States: Preserving the Union* (Lawrence, Kan.: University Press of Kansas, 2011), 174.

5 *Louisville Daily Journal,* May 17, 1862, in Harris, *Lincoln and the Border States*, 175.

6 "Negro Soldiers," *The Dollar Weekly Bulletin* [Maysville, KY], September 4, 1862.

7 Berry, *Military Necessity*, 40.

8 Quote in William E. Gienapp, "Abraham Lincoln and the Border States," *Journal of the Abraham Lincoln Association*, 13, no. 1 (1992): 13-46.

9 Harris, *Lincoln and the Border States*, 78.

noted a Maysville writer. "I don't agree with them."[10] This shows a strong divergence among Kentuckians from their Northern contemporaries, and the tenuous relationship between a loyal slave state with the rest of the Union.

Lincoln signed the Emancipation Proclamation into law on January 1, 1863, and for the first time, all slaves dwelling within the rebelling states would be legally free upon reaching Union lines, but it did not affect loyal states like Kentucky.[11] The U.S. government would not intervene directly with their institutions, but as battlefield losses continued to mount, the emancipation order provided Lincoln with a way to refill the Union's manpower reserves. Implemented in the latter part of 1863, it permitted former slaves to enlist in the army or navy.[12] Recruitment of African Americans would prove to have both a direct and an indirect impact on the Union war effort. Conceived initially to allow the federal government to obtain a new, immediate source of military manpower, it unintentionally served as an incentive to states like Kentucky to send more white soldiers in hopes of rendering the arrangement pointless. This tension would be exacerbated only when this "great available, and yet unavailed [sic] of, force, for restoring the Union" would be drawn from Kentucky's slaves.[13]

The number of black Kentuckians admitted into the army was staggering when compared to the rest of the Northern states. Of the 41,000 men of color living in Kentucky in 1863, some 23,700, about 57 percent of the total black male population, would be inducted into the Union army. In terms of the state's population percentage, this number of black federal soldiers, was unmatched by any other state except Union occupied Louisiana where the slave masters' opinions were irrelevant because the state had seceded.[14] Accordingly, knowing the controversy it would cause in states like Kentucky, Lincoln had advocated for compensated emancipation in 1862 as a means to assuage the financial burden of abolition.[15] But not wanting to legitimize the enterprise, Kentuckians opposed the plan and it was nullified.[16] Nevertheless, as the war continued to escalate, this rejection backfired as the federal government was forced to enact recruitment of African Americans, only now there would be little or no compensation for slave owners.

Kentucky was the largest of the Border States and had the most slaves eligible for service, thus black recruitment increased the risk of driving the state to join the rebellion.[17] For this reason, it may seem more conceivable for the U.S. Government to admit fewer black soldiers so as not to provoke the rebel sympathizers within the state. The U.S. Government, however, allowed as many blacks into uniform as possible because it needed soldiers and did not have the luxury of considering sentiments of everyone in the Border States.[18] As a result, they recruited slaves from Kentucky, and because the majority of blacks within the state were

10 "The Bulletin." *The Dollar Weekly Bulletin* [Maysville, KY], November 27, 1862.

11 John T. Hubbell, "Abraham Lincoln and the Recruitment of Black Soldiers," *Journal of the Abraham Lincoln Association*, 2, no. 1 (1980): 6-21.

12 *Ibid.*

13 Abraham Lincoln to Andrew Johnson, March 26, 1863. Transcribed and annotated by the Lincoln Studies Center, Knox College, Galesburg, Illinois, Abraham Lincoln Papers at the Library of Congress, Manuscript Division (Washington, D.C.: American Memory Project, [2000-02]) http://memory.loc.gov/ammem/alhtml/alhome.html.

14 Harris, *Lincoln and the Border States*, 242.

15 Berry, *Military Necessity*, 57.

16 *Ibid.*, 57-58.

17 Gienapp, "Abraham Lincoln and the Border States."

18 Hubbell, "Abraham Lincoln and the Recruitment of Black Soldiers."

in bondage, slave owners lost millions of dollars and the question of loyalty became more problematic.

The act of removing slaves from the state affected Kentucky's economy because the state had refused the government's offer of compensated emancipation. They would now have to bear the economic repercussions of black recruitment. With 23,700 former Kentucky slaves joining the Union army, and each worth $400 by Lincoln's estimation, the total value lost to former masters was $9,480,000.[19] Kentucky's masters also bore the loss of income as a result of having a diminished workforce. In an attempt to alleviate this financial burden, yet against the wishes of Kentucky's citizens, on February 28, 1864, the U.S. government approved legislation to compensate any loyal master one hundred dollars for their former slave's service.[20] But it did little to alleviate Kentucky's overall apprehension and resistance began to mount against what some had begun to call "Lincoln's Government for niggers."[21] This act essentially accomplished two things: It placed a heavy financial burden on the state, and it increased the pool of men with which the military could draw upon for recruits. By permitting the recruitment of colored troops, and thus acting contrary to the wishes of many citizens in the Border States, Lincoln was taking a calculated gamble that proved to have an inadvertent consequence regarding Kentucky's allegiances.

During the latter part of 1863 and into 1864, Kentuckians began to resist the enlistment of black soldiers because they feared the effects it would have in the future. In 1864, Thomas E. Bramlette, governor of Kentucky, wrote to Lincoln on the issue:

> If you require a soldier we offer you a Kentuckian. -- Will nothing but a Negro satisfy the Administration? What superiority has the slave over the Kentuckian that he should be prefered [sic]? I beg you to pause, consider and weigh well the consequences, before you spring a mine the awakened thunders of which may crash upon the ear of the present and coming generations. Kentuckians will obey willingly any law requiring their services in defence [sic] of their Government.[22]

The governor expressed the opinion of many Kentuckians, beseeching Lincoln to cease the recruitment of colored men because of the repercussions that would befall the state, but it testified to Kentucky's overall loyalty to the Union.

In an effort to discourage black recruitment, Kentucky increased the number of white soldiers they would send to recruiters. According to the 1860 census, Kentucky had a white military age population (18-45) of roughly 180,580.[23] Of this number an estimated 40,000

19 Abraham Lincoln to James A. McDougall, March 14, 1862. Transcribed and annotated by the Lincoln Studies Center, Knox College, Galesburg, Illinois, Abraham Lincoln Papers, at the Library of Congress, Manuscript Division (Washington, D.C.: American Memory Project, [2000-02]) http://memory.loc.gov/ammem/alhtml/alhome.html.

20 Thomas E. Bramlette to Abraham Lincoln, March 08, 1864. Transcribed and annotated by the Lincoln Studies Center, Knox College, Galesburg, Illinois, Abraham Lincoln Papers at the Library of Congress, Manuscript Division (Washington, D.C.: American Memory Project, [2000-02]), http://memory.loc.gov/ammem/alhtml/alhome.html.

21 "The Bulletin." *The Dollar Weekly Bulletin* [Maysville, Kentucky], April 16, 1863.

22 Thomas E. Bramlette to Abraham Lincoln, March 08, 1864. Transcribed and annotated by the Lincoln Studies Center, Knox College, Galesburg, Illinois, Abraham Lincoln Papers at the Library of Congress, Manuscript Division (Washington, D.C.: American Memory Project, [2000-02]), http://memory.loc.gov/ammem/alhtml/alhome.html.

23 U.S. Census Bureau, Population of the United States in 1860 (Washington, DC, 1860).

went south to fight for the Confederacy.[24] This meant that approximately 140,000 white men were left in the state, and from these, 78,000 served in the Union army between 1861 and 1865.[25] This proportion, almost 56 percent of suitable white men, was comparable to other Northern states such as Michigan and Maine. Michigan, for example, offered 54 percent of their eligible men while Maine furnished 57 percent.[26] Even in the face of divided loyalty, Kentucky still supplied an equal percentage of troops as their Northern counterparts, and it managed to avoid having to institute the draft because it exceeded its quota because of white volunteers.[27] Kentucky did not lack for support of the Union because of open enlistment for blacks; to the contrary, it may have strengthened the state's resolve.

Because of this, it could be said that most of the white soldiers coming out of Kentucky to fight for the North were the state's most loyal men, and those that remained, as Governor Bramlette pointed out, were less reliable because of their race. "This organizing servile [a] population and arming it to battle against the once ruling element, the masters," noted the Maysville Bulletin, "is fraught with dangers and serious objections . . . . The niggers in this district who are in the military service, are becoming intolerable insolent and imperious."[28] White Kentuckians did not want African Americans to serve because of racial beliefs and from their perception of existing black troops stationed in the state. Such people were prone to acts of violence against blacks. In 1864, a band of slaveholders ambushed some African Americans on their way to enlist.[29] Despite such explosive acts and sentiments among some Kentuckians on the home front, the state remained within the Union, but with their most patriotic white soldiers serving the North, Confederate sympathizers and Peace Democrats remained to threaten the state's stability.

Responding to guerilla activity in protest of the draft and black recruitment, the U.S. government suspended the writ of habeas corpus then enacted martial law on July 5, 1864, to solidify Union control over the state and to ensure its continued support.[30] Essentially, this placed Kentucky under military occupation. Anyone violating the law went to prison without having formal charges being presented.[31] Lincoln had suspended the write of habeas corpus on September 15, 1863, "throughout the United States" for "the duration of the said rebellion"; an action to give the federal government a greater degree of agency to pursue the war.[32] Though Kentucky had some inhabitants who lashed out at the government, the entire state was not hostile as Kentuckians still generally supported the Union war effort. But it was a fragile allegiance.

When the war first began, states chose a side based on their beliefs on whether or not the federal government represented their best interests, but picking sides was not so easy for

24 Harris, *Lincoln and the Border States*, 248.

25 A. C. Quisenberry, "Kentucky Union Troops in the Civil War," Register of Kentucky State Historical Society, 18, no. 54 (1920): 13-18, http://www.jstor.org/stable/23369562.

26 Number was determined by taking the military age census records of 1860, and dividing it by the number that served. "The Civil War Michigan Answers the Call to Arms." DMVA - The Civil War, http://www.michigan.gov/dmva/1,1607,7-126-2360_3003_3009-16995--,00.html; Earle G. Shettleworth, Jr., "Maine in the Civil War," https://www1.maine.gov/msl/services/genealogy/civilwarMaine.pdf.

27 Harris, *Lincoln and the Border States*, 237.

28 "The Bulletin," *The Dollar Weekly Bulletin* [Maysville, Kentucky], March 24, 1864.

29 Berry, *Military Necessity*, 79.

30 Harris, *Lincoln and the Border States*, 248.

31 Mark E. Neely, *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 91.

32 Neely, *The Fate of Liberty*, 72.

slaveholders in Border States wanting to remain loyal to the Union. As a result, Kentucky, the largest and arguably the most important, was especially vital, and Lincoln's administration solicited the state as much as possible to obtain its backing. Such efforts, however, did not last because the necessity to recruit African Americans into the Union army challenged Kentucky's acceptance of slavery and created a paradox. How could Kentuckians remain loyal to a cause that fought for abolition? Their answer was to enlist more white soldiers, an effort that would be instrumental in reunifying the country and ending slavery.