

“THIS IS THE POINT ON WHICH THE WHOLE MATTER HINGES”: LOCATING BLACK
VOICES IN CIVIL WAR PRISONS

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ABSTRACT

Caroline Wood Newhall: "This Is The Point On Which The Whole Matter Hinges": Locating
Black Voices IN Civil War Prisons
(Under the direction of William Fitzhugh Brundage)

The story of military prisons during the Civil War is both tragic and incomplete. While a number of historians have done significant work in analyzing and revising the narratives surrounding military prisons and POWs, in depth examinations conducted from the "bottom up" have only just begun to appear in Civil War prison historiography. As a result, black POWs are largely deemphasized as participants in the conflict, consigned to a passive role as catalysts for political sparring between Union and Confederate officials. However, black POWs were active participants in resisting capture and enslavement, and vocalized their treatment in various mediums, particularly through pension file affidavits. Placing these sources in conversation with white POW narratives and various officials' discussions of prisoner policy, it is clear that prisons played a far more significant role in the conflict than is currently acknowledged, and black POWs' experiences were tragically emblematic of the Confederacy's consistent use of racial violence and subjugation to maintain its existence as a white supremacist power.

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Introduction

In early September 1865, a soldier haltingly limped forward to a chair close to the center of a large room and gingerly took his seat. Suffering gunshot wounds in his left hip and left foot, the soldier heavily favored his right leg; his external hemorrhoids made it difficult to sit up straight.¹ The room in which he now found himself had vaulted, arched ceilings with high windows; benches filled with onlookers faced toward the center of the room where a number of dignified and stern looking white men sat, occupying two large tables.² The soldier, Private Frank Mardix, Company E, 35th Regiment of the United States Colored Troops, thus found himself in a peculiar and unprecedented situation that would be shared by only three other black men that autumn of 1865. Paroled a few months earlier after nearly a year in a military prison, Mardix had been born a slave, became a soldier, suffered as a prisoner of war, and was now being called forward to testify in a hotly contested and dramatic legal case.³ In the course of only two years, Frank Mardix's life, and the world around him, had completely changed.

Mardix was being called to testify in front of a military tribunal in Washington, D.C., to present evidence against Captain Henry Wirz, C.S.A, erstwhile commandant of Camp Sumter, more commonly known as Andersonville Prison. When President Lincoln had issued the Emancipation Proclamation in January 1863, declaring that all the slaves in the rebellious state

¹ Civil War Pension file of Frank Mardix, 35th USCI, RG 15 (hereafter referred to as Mardix).

² Harper's Weekly, October 21, 1865, vol. 9 no. 460, "Trial of Captain Wirz, the Andersonville Jailer, In the Court of Claims, Washington, D.C." sketched by Jos. Hanshew.

were considered free people by the federal government of the United States, men like Mardix left their masters to join the war effort. Fleeing his master's home in the township of White Oak for the Union-occupied city of New Bern, North Carolina, Mardix joined the 1st North Carolina Colored Infantry as a Private on May 25, 1863, just three days after the Bureau of Colored Troops was officially established. Eventually, the 1st N.C.C. Infantry was transformed into the 35th United States Colored Regiment. Like many black Union soldiers, Mardix initially served as a cook in the army, working at his regiment's headquarters from October to December of 1863 and presumably seeing little action. In February 1864, however, Mardix fought in the Battle of Olustee in Florida, suffering gunshot wounds to his left hip and left foot.⁴ Mardix was captured by the rebels on the battlefield and spent a few weeks at a Confederate hospital in Tallahassee. From there he was sent with a number of his fellow black captives to the newly built Andersonville prison, a large, open stockade that would become infamous for its terrible conditions and alarming mortality rate.⁵

Arriving at Andersonville badly wounded at the end of winter made for an uncomfortable experience for Mardix, to put it mildly. With the help of his companions, however, he healed enough to participate in burial duty at the prison, suffering through months of deprivation and exposure until he was paroled in February 1865.⁶ Seven months later on September 5, Mardix

⁴ Mardix.

⁵ *Compiled Military Service Records of Volunteer Union Soldiers Who Served with the United States Colored Troops: Infantry Organizations, 31st through 35th*; Microfilm Serial: M1992; Microfilm Roll: 76. The National Archives at Washington, D.C.

⁶ Mardix; *Trial of Henry Wirz. Letter from the Secretary of War ad Interim in answer to a resolution of the House of April 16, 1866, transmitting a summary of the trial of Henry Wirz*, 40th Cong., 2nd Sess., House Exec. Doc.; No. 23, (Washington, D.C.: U.S. Government Printing Office, 1868) 176. As a black POW, Mardix did not qualify for exchange or parole because the Confederacy refused to recognize black soldiers as legitimate combatants or as prisoners of war, and therefore refused to exchange black POWs back to the Union. Instead, Mardix and his black companions were considered slaves in rebellion who were put to labor in Andersonville. Mardix was paroled in February 1865 after mass prisoner exchanges

was called in front of a military tribunal to give evidence that might prove Henry Wirz had conspired with sinister figures in the Confederate government to kill Union prisoners of war by torture, starvation, and outright murder.

Mardix's total testimony comprises about six pages out of over 800 in the abbreviated trial transcript. His last name is misspelled "Maddox." We cannot read the questions Mardix was asked on the stand, as the published version of the trial was intentionally abbreviated to cut down on length. So, the myriad details that could provide us with some clues as to why Frank Mardix in particular was called to testify, and what lines of questioning the prosecution pursued, are not easily teased out from the transcript. The men who composed the tribunal, as well as the men who recorded it, edited it, and printed it, all had agendas that determined what information the prosecution and the defense were most interested in, and thus the questions Mardix was asked. Yet despite the limitations of the Wirz trial transcript, Mardix's testimony stands out as a rare moment of insight into the experiences of a black Union prisoner of war. He is but one of many black men who fought for their freedom on the battlefield, and he is but one of many black men who became prisoners of the Confederate government. Where Mardix differs from most of these men is that he survived his captivity, and he left behind a robust paper trail that can help historians understand the experience of black prisoners of war.

* * *

Scholarship on Civil War prisons and POWs is still in its infancy. While historians have analyzed prison management and prisoner exchange policies over the course of the war, very few have expanded their examinations to understand the implications of imprisonment for POWs themselves, particularly in the postwar era. These works instead attempt to determine where the

resumed in January 1865 when the Union's continued refusal to exchange only white prisoners pushed the Confederacy to agree to exchange all prisoners without making a distinction between black and white prisoners.

blame lies for conditions in the prisons, a narrative that emphasizes the roles of politicians and military leaders while relegating POWs to the background. This trend is largely a result of presumptions regarding the veracity of POWs' testimony about their experiences. William Hesseltine, the first historian to focus on Civil War prisons, cast POWs' memoirs as largely exaggerated, bitter, and unreliable primary sources.⁷ Nearly every subsequent historian dealing with the topic of POWs and prisons has repeated this characterization. Professional historians have therefore disregarded Civil War POWs as historical actors, constricting POWs' potential to illuminate new perspectives on Civil War prisons.

Relegating POWs to a lesser place within the narrative of the war as a whole is a surprising consequence given the exceptional nature of Civil War prisons in United States history. More than 430,000 men were held as prisoners during the Civil War. Around 211,400 Union and 220,000 Confederate men passed through prison gates at some point over the course of the conflict. About 56,000 POWs perished, resulting in a mortality rate of 13%. The Union lost 30,218 men while the Confederacy lost around 26,000, resulting in respective mortality rates of 14.3% and 11.8%.⁸ POWs therefore account for 11% of all Civil War soldiers, while POW deaths account for 7.5% of all Civil War deaths. No war in American history has generated comparable numbers of POWs. The largest number of American POWs held before or since the Civil War was 130,201 during World War II. Of these, 14,072 died, resulting in a 10.8%

⁷ William Hesseltine, *Civil War Prisons* (Columbus: Ohio State University Press, 1930).

⁸ See Hesseltine, *Civil War Prisons*, 2; Lonnie Speer, *Portals to Hell: Military Prisons of the Civil War* (Lincoln: University of Nebraska Press, 1997), xiv; and Robert C. Doyle, *The Enemy in Our Hands: America's Treatment of Enemy Prisoners of War from the Revolution to the War on Terror* (Lexington: The University Press of Kentucky, 2010), 4.

mortality rate. Additionally, only 142,237 Americans have been held as POWs over the course of the twentieth century. Of those, 17,010 died in captivity.⁹

These staggering numbers go largely unremarked upon outside of scholarship on Civil War prisons. While historians such as James McPherson discuss prisons and the prisoner exchange system in comprehensive works on the war, listing the total numbers of POWs and deaths, these studies do not place the numbers within the larger context of the war or even the postwar era. Furthermore, prison conditions such as severe overcrowding and excessive mortality rates received a great deal of publicity during the Civil War, sparking demands for justice and culminating in an infamous military tribunal that resulted in the only execution of a Confederate officer, a prison commandant. When these events are mentioned, however, such details are treated as tragic incidents with little influence on the war as a whole. Thus the impact of the prisons and of POWs on national postwar reconciliation, particularly Reconstruction, has gone largely unexamined. No other group of veterans from the Civil War has had their firsthand accounts so roundly dismissed by scholars as unworthy of further examination, a depiction that has limited the impact of prisons and POWs within the larger narrative of the war.

As a result of relegating POWs to the background, a significant facet of the Civil War that is largely absent in historical scholarship is the presence of black POWs in Confederate prisons. While recent works by Ann Fabian, Roger Pickenpaugh, and Benjamin Cloyd have

⁹ U.S. Department of Veterans Affairs. "American Prisoners of War (POWs) and Missing In Action (MIAs)." Office of the Assistant Secretary for Policy, Planning, and Preparedness (OPP&P), 2006. Accessed January 1, 2016, <http://webcache.googleusercontent.com/search?q=cache:zDVSmQYS5ioJ:www1.va.gov/vetdata/docs/specialreports/powcy054-12-06jsmwrfinal2.doc+&cd=14&hl=en&ct=clnk&gl=us>. While the overall mortality rate is relatively low for World War II POWs, the numbers are quite different between the European and Pacific theaters. There were approximately 27,465 POWs in the Pacific theater, with 25,580 of those held in the Philippines alone. 11,107 died, a staggering 40.4% mortality rate. In the European theater, 93,941 American POWs were held, with only 1,121 dying in captivity, resulting in a 1.2% mortality rate.

begun to address POWs' narratives and memory cultivation, these works are largely limited to examining white POWs.¹⁰ There are no comprehensive estimates on the number of black POWs held in the Confederacy, and written accounts by black POWs are few, facts that have likely discouraged research on these men. However, black POWs were held in at least nine Confederate prisons with numbers reaching into the thousands.¹¹ Black POWs were highly contested figures in the Civil War, and their experiences do much to illuminate disputes over various issues such as the prisoner exchange system and the status of black combatants in warfare.

The Union's enlistment of black soldiers in 1863 provoked a hostile ideological battle with the Confederacy that would have widespread consequences for POWs. Jefferson Davis and the Confederate Congress declared that black soldiers would not be recognized as combatants nor treated as prisoners of war, but rather as runaway slaves committing servile insurrection, their white officers guilty of inciting slave rebellion.¹² The Union responded with demands that

¹⁰ See Ann Fabian, *The Unvarnished Truth: Personal Narratives in Nineteenth-Century America* (Berkeley: University of California Press, 2000); Benjamin Cloyd, *Haunted by Atrocity: Civil War Prisons in American Memory* (Baton Rouge: Louisiana State University Press, 2010); Roger Pickenpaugh, *Captives in Gray: The Civil War Prisons of the Union* (Tuscaloosa: The University of Alabama Press, 2009) and *Captives in Blue: The Civil War Prisons of the Confederacy* (Tuscaloosa: The University of Alabama Press, 2013).

¹¹ The official tally of black POWs is merely an estimate, numbering a scant 770. An updated total has yet to be determined, but given the numbers of captured black soldiers found throughout the Official Records, it seems that 770 is a gross underestimation. See Speer, *Portals to Hell*, 114.

¹² The Confederacy ran into problems as soon as they began taking black prisoners who were freemen, creating much confusion and bureaucratic back and forth for state officials and commanders who were unsure what to do with them. However, even freemen were subject to enslavement, a point that will be examined later. See Howard C. Westwood, "Captive Black Union Soldiers in Charleston: *What to Do?*" in *Black Flag Over Dixie: Racial Atrocities and Reprisals in the Civil War*, ed. Gregory J.W. Urwin (Carbondale: Southern Illinois University Press, 2004). Some Confederate commanders chose to forego capture altogether, instead ordering their troops to show no quarter to black regiments, i.e., take no prisoners. This order often resulted in massacres committed against black soldiers and their white officers. See Lieut. Gen. E. Kirby Smith to Gen. R. Taylor, June 13, 1863 regarding the capture of 550 black soldiers following the Battle of Milliken's Bend: "GENERAL: I have been unofficially informed that some of your troops have captured negroes in arms. *I hope this may not be so, and that your subordinates*

black soldiers and their white officers be treated as combatants or it would be forced to retaliate against Confederate prisoners. The Lincoln administration feared the consequences of the Confederacy's policy towards black regiments, particularly the risk of execution for the white officers. The adversaries could not reach an agreement, for the Confederacy could not capitulate to a policy that would undermine its basic principle of white supremacy, and the Union was obligated to protect its soldiers from execution and enslavement. Abandoning its black soldiers would be the height of hypocrisy and violate the principles of civilized warfare Francis Lieber had recently composed in General Orders No. 100. Furthermore, allowing black soldiers to be treated differently from whites would risk legitimizing the Confederacy's basis for existence. The standoff over black combatants eventually resulted in the suspension of prisoner exchanges, the consequence of which was overcrowding in prisons on both sides, resulting in fewer resources for prisoners and, eventually, high mortality rates.

Historians have tended to dismiss the Union's actions as mere propaganda. They assert that the Union's intent was actually to prevent Confederate soldiers' return to the front lines rather than protect black POWs. Evidence for this theory is usually attributed to Ulysses S. Grant's statement to Benjamin Butler that it was advantageous to the Union to keep prisoner exchanges suspended lest the Confederacy replenish its ranks on the battlefield with paroled prisoners.¹³ Robert C. Doyle and William Marvel, two leading scholars on the subject of POWs

who may have been in command of capturing parties may have recognized the propriety of giving no quarter to armed negroes and their officers. In this way we may be relieved from a disagreeable dilemma [emphasis added]." See *The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies*, Series 2, vol. 5 (United States War Department. Washington, D.C.: Government Printing Office, 1898-1899), 21 (hereafter referred to as the OR).

¹³ "It is hard on our men in Southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. Every man we hold, when released on parole or otherwise, becomes an active soldier against us at once either directly or indirectly. If we commence a system of exchange which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught they amount to no more than dead men." O.R., Series 2, Vol. 7, pp. 606-607. This statement

in the Civil War, use Grant's statement to allege that the Union's public justifications for the suspension of exchanges was therefore simply grandstanding intended to veil its true intentions.¹⁴ Focusing on what the motivations of Union officials were, however, deemphasizes the deeper significance of the exchange's suspension.

The decision to protect black combatants cannot be dismissed merely as self-serving calculus. Ending prisoner exchanges created real, severe problems with overcrowding and supplying prisoners on both sides. Mortality rates increased rapidly as a result of exposure, poor sanitation, and meager food rations caused by overcrowding throughout 1864 and 1865. Union and Confederate prisoners perished at a rapid pace while public outrage grew as newspapers reported on conditions in increasingly infamous prisons like Andersonville and Elmira. To claim that Union officials callously abandoned their men on a flimsy pretense serves to deemphasize their recognition of the inherently precarious status of black POWs.¹⁵

Union officials understood the dangerous position of black POWs, and repeatedly attempted to recover black soldiers who were enslaved upon capture or incarcerated in Confederate jails. Because the Confederacy refused to recognize its black captives as POWs, they were subjected to violence, abuse, and hard labor. While white POWs certainly suffered

made August 18, 1864 was not actual policy, but simply Grant's blunt recognition that halting exchanges would ultimately benefit the Union. The initial suspension of the exchange occurred in July 1863 after repeated disagreements over black POWs and inaccurate numbers, well before Grant assumed command of the Union army in March 1864.

¹⁴ See Doyle, *The Enemy in Our Hands*, 94; William Marvel, *Andersonville: The Last Depot* (Chapel Hill: University of North Carolina Press, 1994), xi.

¹⁵ Secretary of State Edwin Stanton wrote a letter to Benjamin Butler on November 17, 1863 in which he stated "It is known that the rebels will exchange man for man and officer for officer, except blacks and officers in command of black troops. These they absolutely refuse to exchange. This is the point on which the whole matter hinges. Exchanging man for man and officer for officer, with the exception the rebels make, is a substantial abandonment of the colored troops and their officers to their fate, and would be a shameful dishonor to the Government bound to protect them. When they agree to exchange all alike there will be no difficulty." O.R., Series 2, vol. 6, 538. Union officials such as Stanton and Halleck were sincere in their efforts to force the Confederacy to recognize black combatants and treat them humanely.

horrific conditions in prisons, they were not nearly as vulnerable because they were treated as legitimate combatants subject to the rules of warfare, nor were they at risk of becoming slaves. Black soldiers entered into battle knowing their fate could easily be enslavement (regardless of prewar status), murder, or worse, with little recourse available to the Union to recover them.

Black POWs' experiences highlight a frequently minimized side of the Civil War. They threatened the Confederacy's very basis for existence by challenging white supremacy and allegedly encouraging servile insurrection. Their experiences therefore demonstrate the sordid and often vicious nature of the Civil War. Black POWs' treatment was by no means aberrant; it was the Confederacy's standard policy. That the story of the prison system and POWs has remained so neglected indicates that not only is there a significant gap in our understanding of the nature of the Civil War itself, but black POWs are consistently overlooked when they instead should be considered a representative part of the narrative.

Numerous historians including Pickenpaugh, Joseph Glatthaar, Gregory J.W. Urwin, Dudley Cornish, and Donald Shaffer have touched upon black POWs, but the discussion is almost always centered on the suspension of prisoner exchanges resulting from the Confederacy's black flag policy.¹⁶ Any mention of black POWs is usually limited to administrative disagreements over their status as combatants, as well as recounting atrocities committed against black regiments, rather than examining black POWs who survived capture and imprisonment. A number of factors have contributed to this historiographical vacuum, most significantly a presumed absence of records written by black POWs. However, some black

¹⁶ See Joseph T. Glatthaar, *Forged in Battle: The Civil War Alliance of Black Soldiers and White Officers* (Baton Rouge: Louisiana State University Press, 2000); Gregory J.W. Urwin, ed., *Black Flag Over Dixie: Racial Atrocities and Reprisals in the Civil War* (Carbondale: Southern Illinois University Press, 2004); Dudley T. Cornish, *The Sable Arm: Negro Troops in the Union Army 1861-1865* (New York: W.W. Norton, 1966); Donald Shaffer, *After the Glory: Struggles of Black Civil War Veterans* (Lawrence: University Press of Kansas, 2004).

POWs did write and speak about their experiences. They wrote letters and reports, they gave testimonies at a controversial trial, as well as affidavits for pension applications, all of which confirm the harsh realities black soldiers faced as captives.

Black POWs have therefore been viewed as passive subjects; their exclusion from battlefields meant they could not frame their actions as a test of their bravery, humanity, and fitness for freedom and citizenship and therefore did not fit the typical narrative of the black soldier experience.¹⁷ How could the story of black POWs wasting away in dank cells and immense stockades in any way contribute to the glory of those black soldiers fighting at Fort Wagner, Milliken's Bend, Port Hudson, and Petersburg? After the war, black POWs were unable to claim a space in the story and memory of the Civil War, and so often appear solely in analyses of the black flag policy and the subsequent trials and tribulations of white POWs. It is therefore necessary to use their own words to situate black POWs within the larger narrative of the prisoner of war experience. The full picture of that experience can hardly be understood without acknowledging and accounting for black POW

¹⁷ Don Dingleline, "The Whole Drama of the War?: The African American Soldier in Civil War Literature," *PMLA*, Vol. 115, No. 5, 2000, p. 1116.

I. “From the walls of their prison they make themselves heard”

The challenge in locating black POWs’ first hand accounts stems from a dearth of traditional sources. Many white POWs published memoirs during and after the war, creating a genre of Civil War literature dedicated to preserving the memory of POWs’ bravery and sacrifice. In contrast, no POW narrative written by a black man is known to exist. Locating any black POWs who may have written for newspapers or journals (mediums regularly used by white POWs to circulate accounts of imprisonment) has thus far proven fruitless. Many survivors were illiterate and could not write about their experiences after the war’s end. The numerous prominent black writers, such as George Washington Williams and Joseph T. Wilson, who served during the Civil War and wrote about the important roles of black troops throughout the conflict in the decades following the war’s end, also failed to address the issue of black POWs in any depth.¹⁸ The fact remains, however, that black POWs did manage to leave behind records that capture their voices and experiences. While a majority of these sources are highly mediated, they can be used with care to begin the process of understanding the black POW experience.

Estimates on literacy rates among black soldiers may indicate why there is a paucity of written black POW sources. Roughly 179,000 black soldiers and 19,000 black sailors served

¹⁸ While it would be tempting to point to racism in the publishing industry as a factor in limiting black voices, this did not wipe out the existence of published black authors. White publishers certainly dominated the industry, but larger publishers such as Houghton Mifflin occasionally took a chance on black writers such as Paul Laurence Dunbar and Charles Waddell Chestnut. Additionally, black authors took to creating their own independent publishing presses and literary outlets, often through organizations such as the African Methodist Episcopal church (AME) and black newspapers. By 1890, according to historian I. Garland Penn, there were 154 black newspapers in circulation in the United States. See Maryemma Graham and Jerry W. Ward Jr., *The Cambridge History of African American Literature* (Cambridge: Cambridge University Press, 2011), 156.

during the war, but only a small percentage of black combatants were ever held in Confederate prisons. An even smaller number of those men would have been educated and/or literate, and even fewer of them would have lived long enough to write about their experiences.¹⁹ Literacy amongst black soldiers as a whole is placed at about 30% given that the majority of men in the United States Colored Troops were escaped slaves, meaning that around 54,000 black troops would have been literate. While this is a fairly substantial number of literate black soldiers, the fact that at most a few thousand black soldiers were captured alive by the Confederacy highlights the improbability that a literate black soldier would be taken prisoner by the Confederacy, survive his ordeal, and write a detailed account of his time as a POW.

Looking at the number of published narratives by white POWs underscores the difficulty in finding a published black POW narrative. Of the estimated 375,400 white POWs from both sides who survived the war, there were at least 150 Union and Confederate soldiers who wrote memoirs about their ordeals, giving us a ratio of 0.04%. While this number does not include those who published accounts in journals or newspapers, the fact remains that only a staggeringly small percentage of white POWs put pen to paper about their incarceration. James McPherson estimates that 90% of white Union soldiers were literate.²⁰ Therefore, presumably 90% of the surviving 181,182 white Union POWs were literate, giving us an estimate of 163,064 men who could have written about their experiences. Yet the vast majority did not. Taking these estimates into account reveals just how unlikely it would have been for surviving black POWs to write about their incarceration.

¹⁹ “Teaching with Documents: The Fight for Equal Rights: Black Soldiers in the Civil War,” National Archives, accessed March 10, 2015, <http://www.archives.gov/education/lessons/blacks-civil-war/>.

²⁰ James McPherson, *For Cause and Comrades: Why Soldiers Fought in the Civil War* (New York: Oxford University Press, 1997), 9.

Nonetheless, a small number of black POWs left records of their lived experiences during the war that highlighted the dangers posed for black regiments. The Official Records of the Union and Confederate Armies is a rich source for first person accounts written by black POWs. However, the vast collection of records, organized chronologically and thematically with much cross-referencing across four series containing over one hundred books, has no doubt made it difficult to systematically track down these reports. It is precisely this correspondence, however, that has preserved the voices of several black POWs during or after their capture. While few and far between, the reports and letters given and written by black men in the Official Records confirm the particular dangers of being a black Union soldier. The black flag would provide many Confederates with an official justification for committing atrocities against black regiments and their white officers, enslaving captured black soldiers regardless of prewar status, and holding black soldiers indefinitely as slaves in rebellion rather than as legitimate prisoners of war.

* * *

In December 1862, Confederate President Jefferson Davis issued a proclamation in response to Lincoln's preliminary Emancipation Proclamation of September. Davis declared that "all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong to be dealt with according the laws of said States." Additionally, Davis issued that "like orders be executed in all cases with respect to all commissioned officers of the United States when found serving in company with armed slaves."²¹ Following Davis' proclamation, the Confederate Congress passed a resolution that disagreed on the point of handing officers of black regiments over to the authority of the states.

²¹*The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, D.C., 1880-1899), Series 2, volume 6, 795-97 (hereafter referred to as OR).

Congress instead recommended that “Every person, being a commissioned officer, or acting as such in the service of the enemy, who shall, during the present war, excite, attempt to excite, or cause to be excited, a servile insurrection, or shall incite, or cause to be incited, a slave or rebel, shall, if captured, be put to death, or be otherwise punished at the discretion of the Court.”²²

White officers of black regiments were to be executed for inciting slave insurrection, for there was little more terrifying to the white southerner than the thought of armed blacks, endorsed by the Union government, returning to their former masters with murder in mind.

The Confederate Congress determined that northern white men who encouraged slaves to join the Union army betrayed their race and were no better than criminals. They would be sentenced accordingly. Additionally, black soldiers taken prisoner in war would be handled by the states to which they belonged, and punished according to the state’s laws. Thus “the Confederacy now conferred upon the States authority to make new laws upon the subject” of black prisoners of war.²³ To many, this proclamation indicated that southern state governments would execute captured black soldiers for participating in a slave rebellion, and indeed, in April 1863, Confederate Secretary of War James Seddon directed General J.C. Pemberton that the War Department had “determined that negroes captured will not be regarded as prisoners of war.”²⁴ “No quarter” would be the rallying cry of southern white troops, and captured black soldiers would not be included in prisoner exchanges, as blacks would not be recognized as legitimate combatants protected by the laws of war. The Confederate government committed to waving the black flag, a decision that would have significant repercussions.

²² George Washington Williams, *A History of the Negro Troops in the War of the Rebellion, 1861-1865* (New York: Fordham University Press, 2012), 221.

²³ *Ibid.*, 222.

²⁴ OR, Ser. 2, vol. 5, 867.

The infamous massacres of black troops and their officers at Olustee, Florida in February 1864 and at Fort Pillow, Tennessee in April 1864 demonstrated the potentially disastrous effects of the black flag upon black regiments. At Olustee, three black regiments fought Confederate forces: the 54th Massachusetts, in their first engagement since Fort Wagner, the 35th USCI, and the 8th USCI. Of the 1,861 casualties suffered by Union forces, 626 came from those three black regiments. Reports noted that 158 of that 626 were reported missing in action, and a large number of those 158 were murdered on the battlefield after Union forces retreated. Confederate soldiers writing home and newspapers such as the *Atlanta Daily Intelligencer* reported that injured black soldiers were killed where they lay, while white Union soldiers corroborated the reports with recollections of watching black soldiers die at the hands of Confederate captors.²⁵ Frank Mardix, the private from the 35th USCI who would testify at Henry Wirz's trial in 1865, was captured on the battlefield at Olustee and claimed that the soldier who captured him "told me I had better not tell my name and that I was a slave or I should be killed."²⁶ Mardix took the advice, making it to the Confederate hospital in Tallahassee before he was sent to Andersonville prison. Others were not so lucky. Of the 158 reported missing, estimates place the number killed after the battle's close anywhere between 25 and 50.²⁷ While a precise estimate is difficult to determine, the fact remains that multiple eyewitnesses stated that black soldiers were killed after

²⁵ David J. Coles, "'Shooting Niggers Sir': Confederate Mistreatment of Union Black Soldiers at the Battle of Olustee" in *Black Flag Over Dixie: Racial Atrocities and Reprisals in the Civil War*, ed. Gregory J.W. Urwin (Carbondale: Southern Illinois University Press, 2004), pg. 62-76.

²⁶ Mardix.

²⁷ Coles, 77.

the battle's end. Unfortunately, little information regarding atrocities at Olustee reached the northern public, and Union leaders appeared to downplay the news of murdered blacks.²⁸

Fort Pillow, in contrast, received a great deal of attention for the atrocities committed by Confederate soldiers against black troops and civilians, no doubt due to multiple eyewitness reports delivered soon after the fighting ended, the definitive number of dead black soldiers, and the brutality of Confederate actions. On April 12, Nathan Bedford Forrest and his troops fought 295 white and 262 black troops at the fort. Forrest informed the commanding officer of the fort, a Major Bradford, that if the Union soldiers did not surrender, Forrest's men would attack and show no quarter.²⁹ Bradford refused to submit, and the Confederates, some 1,500 strong, attacked the 557 Union soldiers. At the end of the fighting, Confederates killed about half that number, taking 168 whites and only 58 blacks prisoner. This racial divide was suspicious in and of itself, given the relatively comparable numbers of white and black soldiers at the fort. Soon, reports came in detailing that black soldiers had been buried alive, black and white soldiers alike shot down after surrendering their weapons, and that at least one soldier had been nailed to a wall and burned alive, while others were allegedly burned alive in the fort hospital.

Of the 262 black troops at the fort, the Confederates captured 58, and 18 made it back to Union lines alive to testify as to the massacres; the rest, 186 men, were killed. A Joint Committee was called to investigate the reports while northern newspapers reported the outrages, demanding retaliation for such blatant butchery. The Committee determined that atrocities had indeed occurred, but little could be done in wartime to bring the rebels to justice. Seeking justice for

²⁸ Coles, 82-84.

²⁹ Albert Castel, "The Fort Pillow Massacre: An Examination of the Evidence," in *Black Flag Over Dixies: Racial Atrocities and Reprisals in the Civil War*, ed. Gregory J.W. Urwin (Carbondale: Southern Illinois University Press, 2004), 91.

murdered and enslaved blacks in wartime would repeatedly founder due to the nature of war. Without military success in Confederate areas of control, the Union was often unable to do more than attempt to confirm accounts of murder, much less relieve its black soldiers enslaved by the Confederacy.

The Confederacy's policy of enslaving black Union soldiers is an understudied and unsavory element of the Civil War. Though few historians have studied the practice of enslaving black soldiers, David G. Smith has examined the slave raids conducted by Robert E. Lee's troops in Pennsylvania on the way to Gettysburg. Smith finds that the raids "demonstrated continuity with Confederate policies and practice aimed at maintaining the subjugation of African Americans." The raids, much like the enslavement of black soldiers, "illuminate change – a dramatic, midconflict response to an increasingly bitter and retaliatory war that...threatened the social, cultural, and economic system of Virginia and the Confederacy."³⁰ The enslavement of soldiers during the Civil War was a definitive aspect of Confederate policy devised at the highest level. Such a policy was a clear response to the unprecedented and unsettling actions of the Union in emancipating and arming slaves, and reflected the fundamental values of the Confederacy. On March 6, 1863, Jefferson Davis enacted General Orders No. 25, a policy that would be felt by hundreds, if not thousands, of black troops. This policy set up depots in every Confederate state for "recaptured" slaves; alleged owners could travel to any Camp of Instruction in any state in order to reclaim a runaway slave captured while in the Union army. The policy stated that "Free access shall be permitted to all persons desiring to inspect the said slaves for the purpose of identifying them and establishing ownership, and upon due proof they

³⁰ See David G. Smith, "Race and Retaliation: The Capture of African Americans During the Gettysburg Campaign" in *Virginia's Civil War*, eds. Peter Wallenstein and Bertram Wyatt-Brown (Charlottesville: University of Virginia Press, 2005).

shall be immediately restored to the persons claiming them.”³¹ The requirements for proof of ownership, however, must have been slight given the numerous reports that claimed freeborn blacks were also being enslaved.

One incident found in the Official Records reveals the truly tenuous status of blacks captured while serving with the Union army. As early as March 1863, Confederates in Texas enslaved two black boys working as servants to the colonel and staff of the 42nd Massachusetts Volunteer Infantry (a white regiment) only a few days following their capture. Despite protests made by the captured men and officers that the boys had been born free in Massachusetts, a Judge Wheelock of Houston allegedly claimed the adolescents. Governor John Andrews of Massachusetts took a personal interest in the matter, asking Maj. Gen. Ethan Allen Hitchcock, then the Commissioner for Exchange of Prisoners, to try to locate the boys. Hitchcock and his agents determined that unfortunately nothing could be done for the boys until the Union had some success in the war, and it would not be until after the war’s end that the boy’s case would be reopened by Hitchcock, resulting in the boy’s eventual return to Massachusetts.³²

Regardless of prewar status, *all* black soldiers faced the very real threat of enslavement following capture in battle. Joseph Buckner, a first sergeant in Company A of the 44th U.S. Colored Infantry, wrote a brief report confirming his escape after he “was delivered as a slave by rebel authorities to a man who claimed to be [his] owner” on October 18th 1864, five days after his regiment was captured at Dalton, Georgia, by General John Bell Hood’s forces. While it is highly probable that Buckner was an escaped slave when he joined the 44th USCI, the implication of Buckner’s report is that the man who claimed him was not, in fact, Buckner’s

³¹ OR, Series 2, vol. 5, pg. 844.

³² OR, Series 2, vol. 8, pg. 633-703.

owner. Buckner was therefore simply handed over to a white man; little proof was required to deprive him of his freedom.

Sergeant John S. Leach, another black soldier of the same company and regiment as Buckner, corroborated Buckner's account in a written statement, claiming that 350 black soldiers were compelled to labor on railroads after surrendering to Hood's forces. Of those 350, Leach estimated that 250 were "delivered to their former masters, or men who claimed to own them, thereby returning these men to slavery."³³ Leach managed to escape back to his company where he reported on the treatment he and his comrades had received. He provided details that he no doubt hoped would help the army locate and recover his comrades, estimating that 125 men remained in captivity in Corinth, Mississippi, laboring on railroads.

Both Buckner and Leach gave their written statements to their commanding officer, Col. Lewis Johnson, who railed against the poor treatment his men had received in a report to Brig. Gen. Lorenzo Thomas. Johnson included Buckner and Leach's accounts with his own, providing details that were based upon Johnson's own observations and interactions with Hood. Hood had demanded surrender with a warning that if his forces had to take Dalton by force, no prisoners would be taken. Johnson, hoping to avoid atrocities, surrendered to Hood's vastly superior forces on the condition that the men were to be treated humanely. Once Johnson surrendered, however, Hood told him that "all slaves belonging to persons in the Confederacy" would be returned to their masters.³⁴ Confederates robbed the black soldiers of their shoes and uniforms and put them to work tearing up railroad lines. Johnson personally observed the enslavement of his men, as well as the murder of six black soldiers.³⁵

³³ OR, Series 1, vol. 39, pp. 717-724.

³⁴ *Ibid.*, pp. 719-720.

Illiterate black POWs' reports also made it into the Official Records when commanding officers transcribed soldiers' descriptions of captivity. Joseph Howard of Company F, 110th Regiment of the USCI, reported in January 1865 that he had been taken prisoner at Athens, Alabama in September 1864, marched to Mobile, and there managed to escape by stealing a skiff and maneuvering down the Mobile River until he reached Union gunboats. The Confederates who captured Howard allegedly robbed the black soldiers of their buttons, their personal items, and even clothing. As seen with Johnson's report, a common feature of black POWs' testimony usually involved being stripped of their uniforms, possibly in an attempt to rob them of their identity as soldiers and reduce them to the level of slaves. Indeed, Howard alleged that if he and his comrades "lagged or faltered or misunderstood an order we were whipped and abused, some of our own men being detailed to whip the others,"³⁶ an act likely intended to humiliate and to reduce black POWs to their presumed prewar status.

These reports reveal that there was no system in place that could protect black combatants from enslavement and abuse upon capture. Howard and Sergeants Buckner and Leach affirmed that arbitrary enslavement was a real threat for black soldiers, and their commanding officers were ultimately powerless against the whims of Confederates. Black soldiers entered into the Union army knowing that they would not be treated as combatants by the enemy, knowing that they could be murdered as captives without consequences, knowing that they could return to a life they had risked death to escape once before. If they survived capture, black POWs were robbed of their clothes, their possessions, even their shoes, and made to work at hard labor in humiliating conditions designed to strip them of any identification with the Union army. Howard, Buckner, and Leach defied the odds and secured their place as

³⁵ Ibid., p. 720

³⁶ OR, Series 2, vol. 8, pg. 153.

historical actors by leaving accounts of the significant dangers they had faced. Johnson may have fleshed out the details, but the black soldiers ably performed roles as participants, witnesses, and chroniclers.

Black POWs often had to take matters into their own hands to secure their freedom. Confederates' refusal to recognize black soldiers as legitimate prisoners of war frequently led to inconsistencies in record keeping that resulted in imprisonment for black combatants while their white comrades went free. One prisoner who faced such obstacles was Clarence Miller, a free man of Philadelphia who served as a landsman on the *U.S.S. Columbia* until its capture in January 1863. The white crewmembers of the *Columbia* were exchanged by May; however, Miller was not.³⁷ Nearly a year later, Miller managed to send a letter to Secretary of the Navy Gideon Welles from Libby Prison in Richmond via an exchanged prisoner. Miller stated that "Being of African descent (though nearly white)" he had not been exchanged, as the Confederates "do not recognize me as a soldier entitled to treatment as a prisoner of war." Emphasizing his status as a freeman by birth, Miller entreated Welles that "If it is in your power I most earnestly request that you try and get me released."³⁸ It is not clear whether Miller was left off of the May 1863 exchange list and therefore fell between the cracks somehow, or if he was deliberately listed in the exchange only to be intentionally kept a prisoner.

³⁷ The prisoner exchange system, known as the Dix-Hill cartel, was not effectively suspended until June 1863. Thus Miller's white companions were able to walk free, while Miller was kept in prison. Gen. Benjamin Butler was able to initiate some exchanges from November 1863 until Gen. Ulysses S. Grant suspended exchanges again in April 1864. Exchanges occurred in fits and starts for the remainder of the war, with continued disagreements on the question of black prisoners. See Charles W. Sanders, *While in the Hands of the Enemy: Military Prisons of the Civil War* (Baton Rouge: Louisiana State University Press, 2005), pp. 118-196.

³⁸ OR, Series 2, vol. 7, p. 93.

Miller was not the only black sailor who managed to get a letter to Union authorities to inform them of his predicament and plead for release. Three black sailors captured on the *U.S.S. Isaac Smith* in January 1863 fell victim to a similar fate as Miller, and took similar steps to secure their freedom. The *Isaac Smith* crew was sent to the Old City Jail in Charleston where the ship's commander, Lieutenant Francis S. Conover, learned that his crew would not be exchanged because they included three black men.³⁹ Conover and the other white sailors were accused of assisting "slaves in servile war against their lawful masters," despite the fact that the black sailors were free men hailing from New York.⁴⁰ Eventually, however, the crew was exchanged in May 1863, and the matter appeared to be resolved. Then, in August 1863, Secretary of the Navy Gideon Welles received a letter written and somehow smuggled out of prison by the three black sailors. Orin H. Brown, William H. Johnson, and William Wilson claimed that while the officers and white sailors of the *Isaac Smith* had been exchanged, they alone remained imprisoned because of their skin color. The letter asserted the men's free status prior to the war, and catalogued their ill treatment by Confederate soldiers. Starving, naked, without money or "favors," the men desperately asked over and over in the letter whether anything could be done for them and whether they would be exchanged. Welles forwarded the letter to Secretary of State Edwin Stanton, who directed that three Confederate soldiers be put to hard labor and held as ransom in an attempt to keep the three black sailors alive.⁴¹

The *Isaac Smith* sailors seem to have eventually been recovered. In January 1865, two years after Brown, Williams, and Wilson were captured, Gideon Welles approved an attempt to

³⁹ *Official Records of the Union and Confederate Navies in the War of the Rebellion*, 27 vols. (Washington, D.C., 1894-1922), Series 1, volume 13, 558 (hereafter referred to as ORN).

⁴⁰ *Ibid.*, p. 561.

⁴¹ OR, series 2, vol. 6, 188.

exchange jailed Confederate sympathizers for the three sailors.⁴² It is currently unknown whether Brown, Williams, and Wilson definitely made it out of captivity, but the fact that the government kept tabs on these men until an exchange could be secured speaks to the federal government's recognition that black combatants were vulnerable to abuses and needed to be rescued whenever possible. The federal government recognized black soldiers as legitimate combatants and as prisoners of war, and a number of Union officials did what they could to try to guarantee the safety of Union men, black and white alike. That high-ranking men like Governor John Andrews, Edwin Stanton, and Gideon Welles stepped in on multiple occasions to ensure the return of black combatants suggests that black POWs were not simply forgotten or abandoned by their government.

* * *

Prior to locating these reports and letters, white POW narratives provided most glimpses into black POWs' experiences. These works offer fascinating insights into the structure and intense hardships of prison life, how white men interpreted their captivity as contributions to the war effort, and how they shaped the public memory of their sacrifices and loyalty to their country. White POWs could be held for periods lasting more than a year while the war raged on without them. Unable to fight and unable to do much more than sit around waiting for exchange or death, white POWs certainly felt a deep sense of frustration. Unfortunately for them, there was little honor to be found while festering in a prison camp in rural Georgia, and one could hardly do one's duty or show one's patriotism when one was simply trying to survive. One white POW,

⁴² OR, Series 2, vol. 8, pg. 146. Grant approved the resumption of large-scale prisoner exchanges in January 1865. It is possible that the Confederacy was in such desperate need of men that they were willing to acquiesce on the black soldier issue. More work needs to be done on understanding the intricacies of the exchange system with regard to paroling black soldiers towards the end of the war.

Allen Abbott, emphasized his desire to join his fellow soldiers and his continuing patriotism and loyalty to his country's cause in spite of his imprisonment:

We entered the fight boldly, with burning, patriotic hearts; and the inside view of the rebellion, as seen through the prison bars, has not quenched that fire, although it may have smothered a little of it in the hearts of some. Oh how much we desired to join our brave comrades who were distinguishing themselves on so many bloody fields that will be remembered in history!⁴³

Abbott attempted to take control of his story by highlighting his sense of duty and honor. The very memory of white POWs' sufferings was at risk of being overshadowed by soldiers distinguishing themselves on battlefields.

Another white former POW-turned-author, Samuel Boggs, wrote that he did not "find fault with the [Union] government for any apparent neglect; but I do think we ought to be remembered as being largely instrumental in bringing the war to a speedy termination."⁴⁴ What would Abbott's, Boggs', and the hundreds of thousands prisoners' imprisonment and sufferings mean if no one remembered them? The very manhood of POWs was at stake; in crafting their narratives, they emphasized daring attempts to escape back to the front lines, an unwavering sense of duty to one another and the Union cause (even if they questioned the actions of their government), and their suffering for the sake of men fighting on the battlefield.

White POWs also stressed the theme of enslavement in their narratives by likening themselves to slaves subject to the whims of their captors. The irony that white men should lose their freedom while the exchange cartel had been suspended over the issue of exchanging black prisoners of war was not lost on white POWs. Some, such as Abbott, felt that it was unfair for

⁴³ Allen O. Abbott, *Prison Life in the South: at Richmond, Macon, Savannah, Charleston, Columbia, Charlotte, Raleigh, Goldsborough and Andersonville During the Years 1864 and 1865* (New York: Harper & Bros., 1865), 170.

⁴⁴ Samuel S. Boggs, *Eighteen Months a Prisoner Under the Rebel Flag: a Condensed Pen-Picture of Belle Isle, Danville, Andersonville, Charleston, Florence, and Libby Prisons from Actual Experience* (Lovington, Ill.: S.S. Boggs, 1889), 62.

the white prisoners to suffer for the sake of black men: “Had not our government a sufficient number of Rebel prisoners, so that they could afford to exchange all our white soldiers, and then have a sufficient number of Rebels left as hostages for our colored soldiers?”⁴⁵ Others, such as Willard Glazier, sympathized with the plight of black soldiers who found themselves at the mercy of Confederate justice.

Glazier described a conversation he once had with a black sergeant of the 54th Massachusetts Infantry incarcerated at the same prison. The sergeant had been informed that he and his fellow black soldiers would be tried by a civil commission “on a charge of having abandoned their masters and enlisted in the United States army, and if found guilty, that they might make up their minds to stretch hemp,” meaning they would be hanged. “And why should they not be guilty?” asked Glazier. Although nearly all the imprisoned black men were free men from the North, “they knew full well that this court was formed, not to subserve the ends of justice, but to convict, for the Rebels had sufficiently illustrated their method of dealing with negro prisoners” by murdering blacks. The Confederates continued to demonstrate to all black soldiers “the narrow chances of life, should they fall into the hands of the enemy.”⁴⁶

Glazier’s account is significant for the insight he provides into the black POW experience. Many white POWs who wrote about their incarceration mentioned the presence of black soldiers. From these accounts we can glean details that suggest how black prisoners were treated, though only rarely do authors, as Glazier did, attempt to understand, much less write about, what black soldiers felt about their own imprisonment. Abbott’s narrative, though less detailed than Glazier’s regarding black POWs, still reveals certain stark truths. Abbott wrote of

⁴⁵ Abbott, *Prison Life*, 170.

⁴⁶ Willard Glazier, *The Capture, the Prison Pen, and the Escape: giving a complete history of prison life in the South* (New York: R.H. Ferguson & Co., 1870), 147-148.

meeting black soldiers in the yard of the Old City Jail in Charleston, the very same prison where the three black sailors from the *Isaac Smith* were being held. He found the black soldiers of the 54th and 55th Massachusetts to be “*intensely* loyal, only asking that they might have another opportunity to avenge their wrongs while being held as prisoners of war.”⁴⁷ Later, at Libby prison in Richmond, Virginia, Abbott described being kept in a dungeon measuring eight by twelve feet with five other officers and four black soldiers, noting with sarcasm that the inclusion of black soldiers was “doubtless [used] to throw *light* upon our condition.” He details the psychological torments visited upon the black soldiers by Confederate jailors. The black soldiers would be:

taken out and put through the manual of arms, to satisfy the curiosity of the prison officers as to whether the negro was fit for a soldier; then were informed they would be hung at nine o’clock the next morning, and were made to kneel, one after another, on the pavement of the cellar to pray, then brought back to inform us of their doom. That was a solemn night for the poor fellows. One of them sat up all night, spending the time in prayer. Morning came, but no execution. We remained in this crowded condition one week.⁴⁸

After a week of torment for the black soldiers, they were all moved to a larger cell and joined by four officers from black regiments. However, conditions did not improve much; for four and a half months, these thirteen men remained in their cell with no fire, no utensils, and an open tub in a corner of the room for a toilet. When fed, they would be lined up, alternating between black and white, “kept as a sort of menagerie for exhibition to the curious negro-breeders and negro-haters, all delighted that the Yankees had found so fit companions.”⁴⁹

From this account, quite a few things are clear. Confederates thought that placing blacks and whites together in a room would be an insult to the whites, most of whom appear to have

⁴⁷ Abbott, 104-107.

⁴⁸ Abbott, 257-258.

⁴⁹ *Ibid*, 259.

been officers. The Confederate guards also reserved a kind of psychological torture for the black soldiers, threatening them with a death sentence that never came. The white Union officers, while spared this torture, were clearly supposed to be humiliated by their inclusion with black prisoners.

Homer Sprague, another white Union POW who wrote a narrative of his sufferings, mentioned the high mortality rate of black POWs. While held at Danville prison in Virginia, Sprague learned from one of the guards that his building, Prison No. 3, had:

formerly contained about two hundred negro prisoners; but that some had died, others had been delivered to their masters or set at work on fortifications, and the number remaining just before our arrival was only sixty-four. These were removed to make room for us.⁵⁰

To prove his statement, Sprague claimed to have obtained “statistics mutually corroborative” of his numbers. He noted that “the negroes suffered most.” There had been sixty-four of them at Danville at the time of his arrival in October; fifty-seven of those had died by that February. Only seven were left, living in Prison No. 6, possibly separated from whites altogether.⁵¹

White POW narratives are not an adequate source for understanding black POWs’ experiences. The writers were definitely products of their time – often they showed surprise at meeting intelligent black men in their ranks, enough so that they were sure to remark upon it. While mostly respectful in their descriptions of black soldiers, both Abbott and Glazier made comments such as “he was a full-blooded negro, but possessed of no ordinary intelligence.” Even the simple statement “They were intelligent” is enough to indicate that these white men felt the intellect and acumen of black soldiers was worth mentioning.⁵² Often when recounting

⁵⁰ Homer B. Sprague, *Lights and Shadows in Confederate Prisons; a Personal Experience, 1864-5* (New York: G.P. Putnam’s sons, 1915), 78.

⁵¹ *Ibid*, 129.

conversations with black soldiers, white POWs would mimic racialized speech so commonly seen in nineteenth century works. Colonel Thomas Wentworth Higginson, an officer with the 1st South Carolina and an outspoken abolitionist, was certainly a practitioner of “benign racism,”⁵³ showing great amusement, and at times, condescension towards his black charges. Ultimately, these writers were white, and filtered the lived reality of black soldiers’ lives in camp, battle, and prison through a racialized lens. Whatever their limitations, however, these white POW narratives still provide insight into the emphasis black men placed on proving their capability, loyalty, courage, and manhood in war and imprisonment. Yet while white soldiers and POWs emphasized the importance of these same characteristics for themselves, for black soldiers and POWs much more was at stake. The outcome of the war would affect black soldiers’ futures in ways that white soldiers could barely begin to comprehend.

⁵² Glazier, *The Capture*, 147; Abbott, 107.

⁵³ Andre Fleche, “Shoulder to Shoulder as Comrades Tied: Black and White Union Veterans and Civil War Memory,” *Civil War History*, 51.2 (June 2005), 42.

II. “I was bucked and gagged and then stripped and whipped”

The military tribunal of Captain Henry Wirz, C.S.A., was a spectacle. At a moment in time when northern anger was high following Lincoln’s assassination, presidential Reconstruction was underway, and debates over freedpeople’s postwar status were of constant concern, Henry Wirz provided a much-needed focus for northern ire and southern protestations of victimhood. Out of about 150 witnesses, four black soldiers were called to testify against Wirz. Frank Mardix, William Jennings, John Fisher, and Lewis Dyer were all given an unprecedented platform upon which to detail their sufferings at the hands of Confederate soldiers while POWs at Andersonville, and they performed accordingly. Whippings, poisonous vaccines, burning Union soldiers’ letters, and treatment of the dead were of particular interest to the prosecutor, Judge Advocate Norton P. Chipman. Chipman was looking to paint Wirz as a callous monster who conspired with Jefferson Davis and others in the Confederate high command to destroy Union prisoners by slow death and torture. The black soldiers did not disappoint. Conferred with a degree of legal legitimacy in being called as witnesses for the prosecution, these four former slaves were specifically called upon to accuse a white man of crimes, and they were taken seriously. Their testimony provides valuable insight into the treatment of black prisoners as compared to white prisoners, and how black prisoners viewed such treatment within the larger context of their participation in the war.

As a source, the trial transcript is limited. Published 1868, it was significantly condensed to aid the reader. Questions and cross-examination were often left out, with each witness’

testimony condensed into blocks and sorted by topic. The trial also had a clear agenda, which was to determine whether Wirz was guilty of conspiring to deliberately weaken and kill Union soldiers. The trial provided a platform for the federal government to condemn the Confederate leadership, and the Southern cause as a whole, for cruelty and barbarism. Much of the evidence against Wirz was inconsistent and scattered, and the charges brought against him were vague. But Wirz could not escape conviction because the commission members' patriotism and unwavering belief in the veracity of the men held at Andersonville overrode any evidence of his innocence. Mardix, Jennings, Fisher, and Dyer all were given the benefit of the doubt by the court. That these black veterans were presumed reliable and truthful by the prosecution was demonstrated by their being called to testify in the first place, and northern newspaper coverage of the trial took their testimony at face value as well, reporting their words alongside those of white witnesses. The dramatic nature of the black soldiers' experiences, sometimes aided by sensational details, painted a terrible picture of Wirz and Confederate soldiers that reporters happily supplied to outraged northern readers.

Although as of yet there are no known documents that explain why Mardix, Jennings, Fisher, and Dyer were selected as witnesses, it seems likely they were called to testify on specific topics as evinced by the headings used to organize their testimony in the transcript. These include "THE STOCKS," "MEN BITTEN BY THE DOGS," "VACCINATION" and "TREATMENT OF THE DEAD." Mardix, the first of the black soldiers to testify, detailed the treatment that black soldiers received at Andersonville: unlike the majority of white POWs, who were left in the interior of the prison with little distraction, black POWs were treated as laborers, put to work cutting wood, burying the dead, enlarging the stockade, and digging ditches. While the physical activity may have been a welcome change from the misery of the stockade interior,

black soldiers often were left untreated by the prison hospital, made to work with unhealed wounds, and went without food. The lack of sustenance combined with untreated gunshot wounds meant that hard labor would have put a major strain upon black men. Furthermore, while white soldiers often found themselves in the stocks or the chain-gang as punishment for attempted escapes, black soldiers were often punished with whips, usually “put...across a log and whipped...half to death and put...back to work.”⁵⁴

William H. Jennings testified that he was whipped on the orders of Wirz for not going out to work. Jennings had been shot in the left thigh at the Battle of Olustee and had trouble walking. He had received no medical attention after arriving at Andersonville, and was unable to work as a result of his wounds and other illnesses. Jennings received thirty lashes on his back and was put in the stocks. After that punishment, he was unable to walk for a time and was put in the stockade. John Fisher received thirty-nine lashes for refusing to go out of the stockade and work; he apparently was naked and barefooted, and refused to do work in his condition. For his insubordination, Fisher was “bucked and gagged and then stripped and whipped.”⁵⁵ (How he managed to be stripped while being already naked is unfortunately somewhat of a mystery, and goes unremarked upon in the transcript.)

While it is certainly possible that the prosecution encouraged the black witnesses to emphasize whippings in order to prove Wirz’s cruelty, whippings did indeed happen at Andersonville. Every one of the black witnesses, as well as a few white witnesses, mentioned the same black soldier who was badly whipped while at Andersonville. On Wirz’s orders, Isaac

⁵⁴ *Trial of Henry Wirz. Letter from the Secretary of War ad Interim in answer to a resolution of the House of April 16, 1866, transmitting a summary of the trial of Henry Wirz.* 40th Cong., 2nd Sess., House Exec. Doc.; No. 23, (Washington, D.C.: U.S. Government Printing Office, 1868), 176 (cited hereafter as Wirz trial).

⁵⁵ *Ibid.*, 280.

Hawkins of the 54th Massachusetts received two hundred and fifty lashes for allegedly forging a pass. Hawkins was stripped naked, forced to lie across a log, and whipped from head to foot. Then he was shackled and returned to work in the graveyard, with a threat that if he stopped for even five minutes he would receive another two hundred and fifty lashes.⁵⁶ Hawkins later confirmed his whipping in his pension affidavits, describing ruptures on his right side that resulted from his punishment.

Lewis Dyer had the good fortune to escape the horrors of Andersonville's stockade for two of his seven months in captivity. He served the prison's head surgeon, Dr. White. Dyer's testimony is slightly different from that of his three comrades, as he was able to detail a scene that was repeated in many northern newspapers. Dyer allegedly witnessed the wife of the Andersonville provost-marshal, Captain Reed, going through letters intended for the Union prisoners. Dyer claimed, "I have seen three thousand letters... Captain Wirz brought them up to Dr. White's office for Captain Reed's wife to read over; she was to take everything in the letters, and then the letters were burned."⁵⁷ Mrs. Reed allegedly took money, postage stamps, writing paper, needles and thread, and pictures, stealing from Union soldiers who had no way of knowing their loved ones were trying to communicate with them. Then Mrs. Reed apparently committed the indecent crime of making fun of the letters, reading them out loud and laughing at the contents. Dyer's testimony was repeated near verbatim in the *New York Times*, the *Chicago Tribune*, *The Liberator*, the *Cleveland Leader*, and others. It is likely that Dyer was called to testify for this particular tidbit of information, as it helped paint Wirz, and by extension, Confederate men and women, as an unfeeling, insensitive villain with little regard for the needs and wants of his prisoners.

⁵⁶ Ibid., 177.

⁵⁷ Ibid., 409.

The Wirz trial provided black POWs with a platform upon which to tell their stories to a national audience. It was a rare occasion that allowed for former slaves with little or no education to speak to a large audience both physically in the courtroom and throughout the nation via newspaper coverage of the trial. Nor was the Wirz trial the last time these men would be able to give testimony as to their experiences as prisoners of war.

* * *

Pension applications have proven to be some of the richest sources of black POW voices. Civil War pension files are a relatively unexplored and potentially vast resource for locating black POWs' accounts of imprisonment. The depositions and affidavits included in pension files are "reductionist" by nature in that they focus on particular issues such as marriage and disability, and were often transcribed by white writers. However, the thoughts and feelings of those black POWs who testified are arguably captured in these files because affiants were read a summary of what they had said, and had to sign or make their mark after this process to confirm the affidavit's accuracy.⁵⁸ Thus there is much that can be learned through pension files about black POWs' lives before, during, and after the war, including their experiences of imprisonment.

Frank Mardix, William Jennings, John Fisher, and Isaac Hawkins all applied for pensions after the war, detailing the injuries they received in battle and the medical treatment, or lack thereof, they received in captivity.⁵⁹ As part of the application process, the veterans had to detail

⁵⁸ Elizabeth A. Regosin and Donald R. Shaffer. *Voices of Emancipation: Understanding Slavery, the Civil War, and Reconstruction through the U.S. Pension Bureau Files* (New York: New York University Press, 2008), 5.

⁵⁹ There is no pension file for Lewis Dyer. It may be that he died before he had a chance to apply, or simply never applied at all. There is, however, a pension file for Isaac S. Hawkins, the soldier who was allegedly whipped on Wirz's orders at Andersonville as reported by all four witnesses. Hawkins was an affiant for William Jennings, and vice versa, indicating that while these men came from different

their injuries and illnesses incurred during their service in the army and demonstrate whether those maladies negatively affected their ability to earn a living wage. White pension agents questioned the veterans themselves, the veterans' comrades, family members, and, when possible, commanding officers in order to corroborate the claims. Surgeons examined pensioners to locate injuries and determine whether the wounds and illnesses merited a pension, and if so, what rate a pensioner deserved based upon the severity of the wounds and/or illnesses.

Frank Mardix described in his affidavits how he was told by a Confederate soldier on the battlefield at Olustee to lie about his identity so that he would not be killed for committing insurrection. Given the number of black survivors after the Battle of Olustee, this advice may very well have saved Mardix's life. The brevity of the affidavit does not allow for much detail about this encounter between Mardix and a Confederate soldier, but it is a fascinating insight that suggests some Confederates may have saved a number of black soldiers after capture. At Andersonville, Mardix contracted piles (hemorrhoids), rheumatism, and pleurisy, an inflammation of tissue that affects the lungs. These ailments, combined with gun shot wounds to Mardix's left thigh and left foot, greatly inhibited his physical mobility, to the point that every surgeon who examined Mardix confirmed his inability to perform labor and recommended increases to his pension. The piles and gun shot wounds afflicted Mardix for the remainder of his life. Able to sign his name and described by his acquaintances as a man of "high character + generally beloved by all who know him," Mardix moved to New Bern after the war, married twice, became a minister, and died at No. 914 North John Street in Goldsboro, North Carolina on July 2, 1902 surrounded by friends and family.⁶⁰

regiments, states, and backgrounds, they could rely upon one another for support after the war's end much as they relied upon one another in prison.

⁶⁰ Mardix.

William Jennings was also shot in the left thigh at the Battle of Olustee before arriving at Andersonville. He formed a relationship with Isaac Hawkins while inside the stockade. As Jennings did not receive treatment at the prison hospital, Hawkins and another comrade would pour water on Jennings' left thigh to provide him with some relief from his gunshot wound. That wound would also trouble him for the rest of his life. Jennings lived in Baltimore, Maryland after the war, and did not marry until 1883. He had two children, Frederick and Mary, and passed away in 1899.⁶¹

John Fisher joined the Union army in September 1863 in Philadelphia, Pennsylvania. Listed as a farmer prior to the war and able to sign his name to his affidavits, Fisher was shot in the right ankle at Olustee prior to his incarceration at Andersonville, where he apparently was treated at the prison hospital. It is unclear whether he originally hailed from Pennsylvania prior to joining the war, but it is probable that Fisher was a freeman. He settled down in Philadelphia after the war, where he passed away in 1886 at the age of 42 or 43, apparently unmarried and childless.⁶²

Isaac Hawkins was born and raised in upstate New York as a freeman prior to the war, and joined up with the 54th Massachusetts in December 1863 while working in Boston. Working in Washington, D.C. after the war, Hawkins was literate, a member of the Grand Army of the Republic, and worked as a cook in various hotels. In addition to his severe whipping at Andersonville, Hawkins had received a saber wound to his right arm, and gunshot wounds to his left arm and right foot. His foot was badly mangled and he needed a cane to walk. Hawkins had married multiple times, abandoning his first wife, Sarah, in New York, and later marrying Charity Wills in 1877, who died soon after from an illness. Hawkins wed for the last time in

⁶¹ Civil War Pension file of William H. Jennings, 8th USCT, RG 15.

⁶² Civil War Pension file of John Fisher, 8th USCT, RG 15.

1880 to Ella Nolen, a freedwoman of Alexandria. Hawkins' much younger brother Charles, described by the pension agent handling Hawkins' case as a mulatto and "intelligent but his morals are not good," stirred the pot when Ella tried to secure a widow's pension. Charles alleged that Hawkins had married another woman in between Charity and Ella. While none of the other witnesses, all considered reputable, had any knowledge of this marriage, it was enough to delay securing a pension for Ella, who, unable to subsist on the \$2 per month she received from the Grand Army of the Republic, passed away in poverty. Hawkins was buried in Arlington Cemetery.⁶³

There are no photographs of these men, but the pension files provide some basic details such as age, height, weight, eye color, and skin tone. The affidavits are of particular interest, because they reveal that black prisoners of war heavily relied upon one another to corroborate their claims of disability because their black comrades were most often the ones who witnessed their struggles in captivity. Officers were kept at a separate prison in Macon, and the black soldiers at Andersonville congregated by one of the gates as a group. If an officer could not be located or identified to prove the veracity of a black POW, fellow black POWs were able to fill that need. Family members were often affiants for black POWs as well, providing specific dates and names that could corroborate names, marriages, and difficulties working. Black prisoners of war, literate and illiterate, potentially left behind multiple first-hand accounts in the form of pension affidavits that demonstrate that their experiences as soldiers were fraught with dangers that stemmed from a willful refusal to acknowledge them as legitimate combatants and as men. There is much that can be gleaned from the pension files, and it is this source base that will likely prove invaluable in teasing out further details on black POWs' experiences during the war.

⁶³ Civil War Pension file of Isaac S. Hawkins, 54th Mass. Inf., RG 15.

Conclusion

Black prisoners were subjected to psychological warfare, whippings, executions, and enslavement. Additionally, black POWs had no promise of rescue or exchange until very late in the war because of the Confederacy's refusal to recognize them as combatants. They feared erasure. How many black POWs were simply erased and forgotten by history? We can never fully know the answer. The ease with which these men could be, and were, forgotten is a tragic silence in the historical memory of the Civil War.

Black POWs' disappearance from the memory of the Civil War is a testament to an unequal distribution of what Michel-Rolph Trouillot has termed "historical power."⁶⁴ According to Trouillot, any historical narrative is a bundle of silences, and the production of history inevitably silences certain voices depending on who creates historical sources out of facts, and how certain voices influence how facts are presented. The rise of Civil War POW narratives as a literary genre, created and perpetuated by white POWs, helps explain why black voices were largely excluded from the story.⁶⁵ As the literate survivors of Civil War prisons, whites were able to create and influence public memory of who POWs were, how they contributed to the war, and what the legacy of the prisons would be. Black POWs did not get to share in that creation process, and as time passed, they were largely forgotten beyond their role in the breakdown of the exchange system.

⁶⁴ Michel-Rolph Trouillot. *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 47.

⁶⁵ *Ibid.*, 27.

Intense sectional conflict had largely receded by the Spanish American War, and mutual sacrifice made on both sides became the dominant focus of national memory. In this process, historian David Blight asserts that another process was at work, “the denigration of black dignity and the attempted erasure of emancipation from the national narrative of what the war had been about.”⁶⁶ The rise of the Lost Cause narrative, which claimed that the Old South’s motivations lay squarely in the arena of preserving states’ rights in order to deemphasize central motivation of preserving slavery, also contributed to this changing narrative of the war that downplayed the role of blacks and their treatment by Confederate soldiers. Andre Fleche contests, however, that in spite of the “reconciliationist, segregationist, and racist trends found in postwar society as a whole,” white and black veterans formed a joint vision of the war in their memoirs, publications, and memorial celebrations at odds with the larger national narrative.⁶⁷ Fleche cites white authors such as Freeman S. Bowley, Luis Emilio, and Thomas Wentworth Higginson, as well as more than forty articles written by white veterans for *The National Tribune*, the newspaper of the Grand Army of the Republic, who sought to acknowledge the efforts of black soldiers and their place in the story of the war.⁶⁸ The overwhelming attitude found in the pages of the *Tribune* was that “service in the Union army and fidelity to flag and country proved more important than the color of a man’s skin in measuring the worth of a veteran comrade.”⁶⁹

Black veterans also stepped forward to preserve the memory of black soldiers, yet largely omitted black POWs from the narrative of black manhood, courage, and glory. Veterans such as

⁶⁶ David Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: The Belknap Press, 2001), 5.

⁶⁷ Fleche, *Shoulder to Shoulder*, 61.

⁶⁸ *Ibid.*, 58.

⁶⁹ *Ibid.*, 61.

Joseph T. Wilson and George Washington Williams discussed the importance of service in the armed forces to blacks: they finally had a chance to prove themselves, claiming a rightful place not only as men, but as citizens and defenders of the Constitution as well. Yet black prisoners of war simply did not fit into this picture. Williams ostensibly dedicated a chapter to black POWs in his famous work *History of the Negro Troops in the War of the Rebellion*, yet spent the chapter recounting the Union and Confederate policies on prisoner exchanges in order to highlight the atrocities that resulted from Davis' black flag policy, particularly Fort Pillow. Black POWs remained in the shadows even in Williams' narrative.

In his work *The Black Phalanx*, Joseph T. Wilson mentions instances in which black troops were captured. But even he does so as part of his larger examination of black regiments that exhibited courage on the battlefield. The focus is never on black prisoners and their experiences, but rather on how black soldiers fought bravely and fought well despite vicious treatment and atrocities perpetuated by Confederates. Wilson and Williams both sought to emphasize the competency and fervent patriotic dedication of black soldiers. White POWs had managed to assert their courage and manhood beyond the battlefield by creating their own literary genre, but black POWs had very few platforms upon which to do the same. The black authors who crafted much of the legacy of black troops in the Civil War had not been prisoners of war themselves, and so largely ignored the plight of black POWs to highlight the aspects of black soldiers that would appeal to a broader audience.

Historians discussing the prison systems in the North and the South continue to determine where guilt lies for the breakdown of the prisoner exchange system and resulting mortality levels. Focusing on the roles of different political actors stems from the intensely vitriolic rhetoric of POWs following the war's end. The military tribunal and subsequent execution of

Captain Henry Wirz sparked sectionalist accusations as to who was ultimately responsible for the conditions at Andersonville prison, and by extension, every other military prison in the Union and Confederacy. Northerners blamed a conspiracy reaching the highest echelons of the Confederate government and carried out by evil, murderous commandants such as Wirz. Southerners blamed the cold calculus of Ulysses S. Grant, who preferred to leave prisoners unexchanged on both sides rather than risk letting Confederate POWs return to the front lines and draw out the war. Both sides cited the breakdown of the prisoner exchange system over the issue of black POWs as a direct cause for the overcrowding and resulting mortality rates of prisons on both sides, claiming that the motives of the federal government were purely political rather than ideological.

The lack of primary sources written by black POWs has no doubt been a factor in discouraging historians from engaging in an in-depth, exhaustive investigation of black POWs. Dismal statistics on black POWs surviving long enough to give an account of their captivity reveal the difficulty for black voices to be found, much less heard. Small numbers of black survivors combined with a powerful and pervasive white narrative of reconciliation likely swallowed up these voices, preventing the creation of a black prisoner narrative genre that could shed light on the plight of black soldiers held in captivity and obscurity. It has thus far been enough to acknowledge black POWs' existence, the difficulties they faced, and their role in a political and/or ideological show down between the Union and the Confederacy. But it is not enough. Black POWs *did* have voices and they spoke out as they were able. Black POWs' testimonies in all their various forms have been and will certainly continue to be part of the historical record of the Civil War, shining a small yet visible light on a dark moment in the history of black Americans.

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