



THEIR MARYLAND

The Army of Northern Virginia from the
Potomac Crossing to Sharpsburg in September 1862

Alexander B. Rossino



Savas Beatie
California

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FOR MY FATHER, ALLEN ROSSINO,
WHO FIRST TOOK ME TO ANTIETAM.

(Confidential)

H^d Qrs Army of Northern Va
Sept 17th 1862

Special Order }
No 191 } 3

~~III~~ The Army will resume its march to-morrow taking the Hagerstown road. Gen Jackson's Command will form the advance and after passing Middletown with such position as he may select take the route toward Sharpsburg. Cross the Potomac at the most convenient point & by Friday morning take possession of the Baltimore & Ohio R.R. capture such of the Enemy as may be at Martinsburg and intercept such as may attempt to escape from Harpers Ferry.

~~IV~~ Gen Longstreet's Command will pursue the main road as far as Brownsville where it will halt, with reserve supplies and baggage trains of the Army.

Gen McLaws with his own division and that of Gen R.H. Anderson will follow Gen Longstreet. On reaching Middletown will take the route to

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Historical research is an arduous process under normal circumstances. When conducted amidst a global health emergency such as that attending the novel coronavirus (COVID-19) it becomes nearly impossible. Archives and libraries closed for months (some are still shuttered) as I was completing the final stages of research for this book, potentially eliminating the chance that I might get to see several key sources and collections before going to press. It is only due to the service provided by several key individuals that I found it possible to retrieve important materials and access some collections.

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Alexander B. Rossino, Ph.D.
Boonsboro, Maryland
May 2021

Introduction

THIS book grew out of research I started in 2011 for my first work of historical fiction, *Six Days in September* (Savas Beatie, 2017), a novel about Lee's Army in Maryland in 1862. *Six Days* explored two dimensions of the September 1862 Maryland Campaign via the medium of a first-person narrative: the experience of Rebel soldiers in the run-up to the clash at Sharpsburg, and the reasons why Robert E. Lee chose to fight such a dangerous battle there despite the weakness of his army. My original research uncovered information I never had the opportunity to use in *Six Days*; ongoing research conducted after the book's publication added to the unused source material.

Faced with this growing collection of material, it occurred to me that an audience interested in the history of Lee's army in Maryland might want to read some of my findings in a non-fiction format rather than in a work of historical fiction. Many readers hold biases in both directions: some will not read historical fiction under any circumstances, no matter how closely it is sourced, while others prefer fiction over footnoted scholarly accounts. Being a historian by training and inclination, I can relate to each type of reader. Finding myself with a foot in both worlds, I decided to write this set of loosely related chapters about the Confederate experience in Maryland. They focus equally on General Lee and on the men of his army. I hope they satisfy non-fiction readers I have not yet had the opportunity to reach.

In addition to examining the usual sources (the *Official Records*, *Battles and Leaders*, *Southern Historical Society Papers*, and so on), my research included extensive collections of accounts written by men in the Army of Northern Virginia. This

body of material grew over time into hundreds of pages of notes on different aspects of the Southern experience. It soon became clear that the histories of the campaign published thus far captured only a portion of the rich story found within these sources. Sometimes these sources offered very different takes on a variety of aspects of the campaign than those related in the aforementioned histories. As a result, I found myself questioning some of the premises and conclusions penned by other historians.

These seven chapters represent my findings on specific aspects of the Confederate experience during the Maryland Campaign. My hope is that my interpretation of these sources enhances our knowledge on some subjects, and corrects the record on others. My intent is not to supplant the work of those who have come before me. It is simply to offer a different take on specific topics based on what I believe these sources tell us.

Interpreting the past using contemporary documents is the historian's fundamental task, but it is not always as simple as it sounds. Over time, every historical subject accumulates what I call the intellectual equivalent of moss. This "moss" manifests itself in the persistence of timeworn, but poorly documented, ideas. For example, it has long been accepted that Lee's army camped almost exclusively in the area between Frederick City and John T. Best's rented farm on the west bank of the Monocacy River. Newly examined evidence suggests otherwise. Historians and others add fresh layers of this interpretive "moss" based on their flawed readings of sources. For instance, a major newspaper article claimed (incorrectly) that a recent examination of the famous photograph of Confederate troops on the march in Frederick concluded the photo depicts Jubal Early's men in July 1864 rather than Thomas J. "Stonewall" Jackson's men in September 1862. Both types of information—the poorly documented and the poorly interpreted—continue to plague the history of Robert E. Lee's Maryland Campaign. These chapters attempt to set the record straight on a number of issues, be it correctly identifying where the various portions of Jeb Stuart's cavalry crossed the Potomac River on September 5, establishing where Lee's army camped several days later near Frederick, Maryland, or explaining what Lee sought to accomplish by fighting at Sharpsburg.

Four of the chapters in this book focus exclusively on the first week of the Confederate operation, specifically the dates of September 4-10, 1862. Chapter 1, "Rebel Revolutionary: Did Robert E. Lee Hope to Foment Rebellion in Maryland in September 1862," explores the general's motives for embarking on the campaign. His reasons for doing so have long been described as the result of a pragmatic dilemma: because of a lack of viable options, Lee was forced to do so in

order to supply his army. In fact, I believe the sources show that Lee sought to achieve both a political aim (i.e., Maryland's secession from the Union) and a military objective (i.e., defeating Federal forces above the Potomac) at the same time. Feeding his men loomed large in Lee's thinking, but the general considered it secondary to the potentially war-winning blow that successfully encouraging rebellion in Maryland could have struck against the Northern foe. What might have happened to Washington, D.C., if Maryland seceded? Would the Lincoln administration have been forced to vacate the capital? Lee was playing for high stakes. Achieving such an outcome could have ended the war in 1862.

The next chapter, "High Hopes for Liberating Maryland: The Army of Northern Virginia Crosses the Potomac River, September 4-7, 1862," examines the opinions of the campaign held by Lee's men while documenting their movements across the Potomac into Maryland. The more I have studied this period, the more I have come to realize its uniqueness in the history of the Civil War. Entering Maryland represented the first time that Lee pressed an offensive beyond the boundaries of Virginia, and it was the first time a Confederate army actively sought by its presence to encourage rebellion against the national government in a fellow "Southern" state. The result was a series of exceptional experiences that captured the attention of Southern troops who never imagined they would see such things—events rendered even more extraordinary because they were not battle-related.

Most soldiers who wrote about the war tended to focus on two types of experiences: their daily life in the army, and the engagements in which they fought. As might be expected, many Confederates who participated in the Battle of Sharpsburg/Antietam wrote about it in some fashion. The same cannot be said for many of the campaign's other mundane experiences—except for the army's march into Maryland. These events were so unique that many Southern troops felt compelled to write about them. In doing so, they revealed little distance between what they believed about the campaign and what General Lee hoped to achieve by embarking on it.

The third chapter, "Four Days on the Monocacy: Confederate Encampments Near Frederick City and the Implications for the Lost Orders Debate," follows the Confederate army's columns to the doorstep of Frederick, Maryland, the first city that Rebel troops visited outside of their own country. Only two scholars, Joseph Harsh and D. Scott Hartwig, have tried to determine specifically where Lee's men camped around Frederick. I noticed discrepancies between where these historians placed some of the Army of Northern Virginia's formations, and where the sources say about where those men actually camped. I also discovered that no scholar

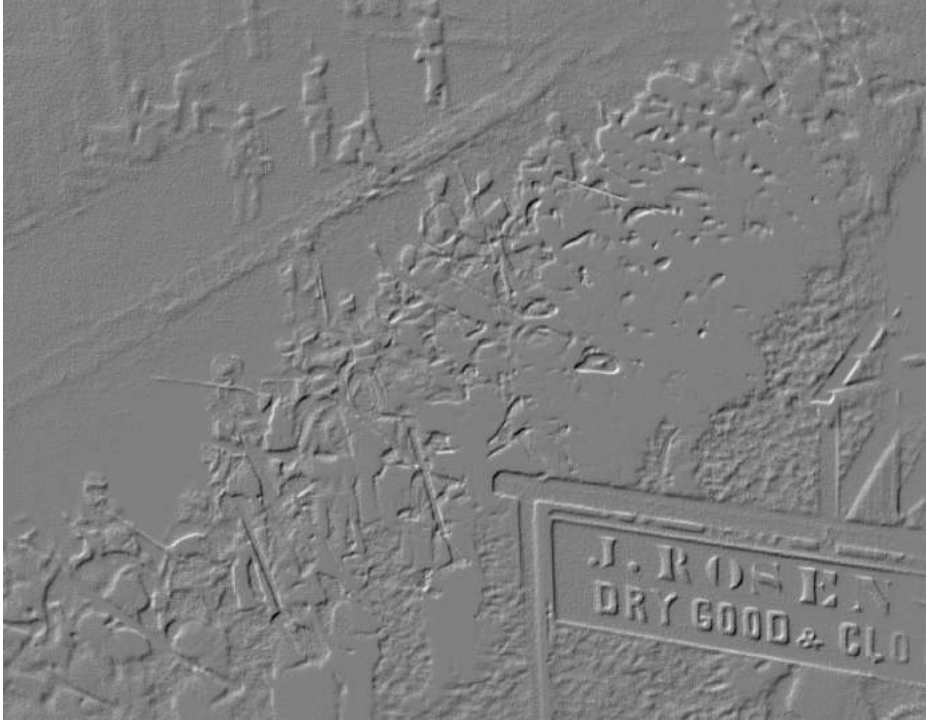
seems to have questioned whether evidence exists that Maj. Gen. D. H. Hill's division camped at the place where men with the 27th Indiana later found the lost copy of Lee's Special Orders No. 191. This seemed especially significant because historians have long debated the importance of the "Lost Orders," as they have come to be known, without confirming if Hill's men ever camped at that location. As it turns out, Hill's men did not camp where the "Lost Orders" were discovered, which forces us to contemplate other possibilities regarding who may have lost them where they were eventually found.

Chapter 4, "Dreams Dashed On The Rocks of Reality: The Army of Northern Virginia's Mixed Reception in Maryland," delves into the subject of relations between Lee's men and Maryland's people during the Rebel army's two weeks in the state. Entering Frederick caused many in Lee's army to openly wonder at the material plenty they encountered in a city located so close to the desolation that was war-torn northern Virginia. Lee's troops dreamt of a Confederate Maryland waiting to greet them with open arms; some people in Frederick and elsewhere did indeed offer such warmth. But in an example of just how politically divided Maryland was at this time, an even larger portion of the populace either shunned their Rebel "saviors" or aggressively insulted them. Confederate troops recorded both experiences. The delusions that many of Lee's men carried with them evaporated in the face of hard evidence that, in general, most Marylanders wanted nothing to do with the new Confederacy.

Almost a sub-part of the previous chapters, Chapter 5, "Rebels Photographed in Frederick, Maryland: The Case for September 1862," investigates the historical context surrounding the well-known photograph of a column of Confederate troops halted in the streets of Frederick, Maryland. Poorly documented claims surfaced in 2018 that this image may have been taken on July 9, 1864, when Jubal Early's Valley Army marched through Frederick en route to the fighting along the Monocacy River. The Internet helped circulate this claim far and wide. It continues to be argued by enthusiasts without anyone offering real proof for the later date. Unwilling to allow such an extraordinary claim to pass unexamined, and thereby turn into yet another example of the "moss" previously described, I review the available evidence for both dates in an effort to get to the truth. The existing sources do not definitively prove one date or the other, but they more firmly place the photograph in 1862 rather than 1864.

The final two installments—Chapter 6, "The Army of Northern Virginia Makes A Stand: A Critical Assessment of Robert E. Lee's Defensive Strategy at Sharpsburg on September 15-16, 1862," and Chapter 7, "A Very Personal Fight: The Role of Robert E. Lee on the Field at Sharpsburg, September 17, 1862"—

explore Robert E. Lee's actions and decision-making during the run-up to, and fighting at, Sharpsburg. These chapters evolved from my efforts in producing *Six Days* to understand Lee's motives for fighting north of the Potomac, and to discern where the general was during the battle. A deep dive into the questions of timing and motivation demonstrate that Lee decided to stand and fight very early on the morning of September 15. He never wavered in his decision or tried to move his army from its position, and once the battle commenced, he played an important personal role in ensuring that George McClellan's troops did not drive his army from the field. These findings, particularly those outlined in Chapter 6, offer a new interpretation of Lee's intentions that combines larger strategic considerations with developments on the tactical level, providing in the process an explanation for the long unanswered questions of why Lee fought at Sharpsburg and what he hoped to accomplish there.



REBEL REVOLUTIONARY



Did Robert E. Lee Hope to Foment Rebellion
in Maryland in September 1862?

FEW songs have exercised as much influence over the beliefs of an army as John Ryder Randall's *Maryland! My Maryland*. Written in the aftermath of the April 1861 riots in Baltimore, when Federal troops threatened by a secessionist mob opened fire on the crowd, Randall's anthem captured the outrage of pro-Confederacy Southerners while spreading the idea that one day the downtrodden Old Line State would rise up and claim its independence from the despotic rule of Abraham Lincoln's presidential administration.¹

The despot's heel is on thy shore, Maryland!
His torch is at thy temple door, Maryland!

1 An anonymous author using the pseudonym "Baltimorean" provided this description of the night when John R. Randall composed *Maryland! My Maryland*: "In April 1861, Colonel Randall read in the *New Orleans Delta* news of the attack on the Massachusetts troops as they passed through Baltimore. 'This account greatly excited me,' said Randall. 'I had long been absent from my native city, and the startling event there influenced my mind. That night I could not dismiss what I had read in the paper. About midnight I arose, lit a candle, and went to my desk. Some powerful influence seemed to possess me, and almost involuntarily I proceeded to write the song of 'My Maryland.' Some wild air that I cannot now recall took shape, and the whole poem was dashed off rapidly. No one was more surprised than I was at the widespread and instantaneous popularity of the poem I had been so strangely stimulated to write. The poem 'wrote itself.' Randall died on Jan. 15, 1908. See Baltimorean, "Great War Song Was Cheap," in *Confederate Veteran*, Vol. 16, No. 5 (May 1908), 231-232.

Avenge the patriotic gore
 That flecked the streets of Baltimore,
 And be the battle queen of yore,
 Maryland! My Maryland!

Hark to an exiled son's appeal, Maryland!
 My mother State! to thee I kneel, Maryland!
 For life and death, for woe and weal,
 Thy peerless chivalry reveal,
 And gird thy beauteous limbs with steel,
 Maryland! My Maryland!

Dear Mother! burst the tyrant's chain, Maryland!
 Virginia should not call in vain, Maryland!
 She meets her sisters on the plain—
 "Sic semper!" 'tis the proud refrain
 That baffles minions back amain,
 Maryland! My Maryland!

I hear the distant thunder-hum, Maryland!
 The Old Line's bugle, fife, and drum, Maryland!
 She is not dead, nor deaf, nor dumb—
 Huzza! She spurns the Northern scum!
 She breathes! She burns! She'll come! She'll come!
 Maryland! My Maryland.²

Little did it matter that most of Maryland's people remained steadfast in their support of the national government. Many in the ranks of Robert E. Lee's Army of Northern Virginia thought Randall's hymn expressed the belief that Maryland remained a lost sister state that belonged in the new Confederacy—a destiny prevented only by onerous Federal military occupation. Marylanders in Lee's army encouraged this impression among their comrades, and many who served with them accepted it as the truth. This, in turn, fired the rank and file's desire to cross the Potomac River in September 1862, and may have provided some motivation for Lee's decision to launch the expedition.

Of course, to speak of the Confederate offensive in Maryland as an "invasion" would have been anathema to Lee and his men. Liberation was their watchword at

2 *Maryland! My Maryland* (abridged version) by James Ryder Randall, 1861.

the time and, following a long summer of hard marching and severe clashes that some in the Army of Northern Virginia referred to as the Green Corn Campaign, the victorious Rebel general found himself at the end of August with an opportunity to test the sentiment expressed in Randall's lyrics.³

Any analysis of the Maryland Campaign must begin with an exploration of what Lee intended to do at the beginning of September 1862. The moment when he decided to turn his army north and cross the Potomac has been a matter of some debate. The lengthiest discussion to date is that provided by Joseph L. Harsh, who argues that Lee faced a "strategic dilemma" after his victory at Second Manassas.⁴ Unable to directly attack the fortifications of Washington, D.C., Lee could not remain where he was due to a dearth of food for his men and fodder for the army's animals. Withdrawing south to the Rapidan River remained an option, but doing so would have relinquished all of the territory Lee's men had shed blood to free from Federal occupation. A shift west into the fertile Shenandoah Valley offered yet another option, but making that choice would have left uncovered a direct route for the enemy to advance on Richmond.

According to Harsh and several other authors, Lee contemplated each of these possibilities before deciding as late as September 4 to move north across the Potomac. It is Harsh who makes the most of the "strategic dilemma" thesis, claiming Lee pondered multiple alternatives after speaking with Maj. Gen. Thomas J. "Stonewall" Jackson, "who advised him to move north through the Valley and cross the Potomac at or above Harpers Ferry, clearing out the [enemy's] forces at Winchester &c." Lee opposed this movement "because it took him too far from McClellan, and might not induce the latter to cross over [the river], which was his main object," an aim he confirmed in his post-campaign report of August 1863.⁵

3 William M. Owen, *In Camp and Battle with the Washington Artillery of New Orleans* (Boston, MA, 1885), 130.

4 See Chapter 2 of Joseph L. Harsh, *Taken at the Flood: Robert E. Lee and Confederate Strategy in the Maryland Campaign of 1862* (Kent, OH, 1999), and Appendices A-F, Joseph L. Harsh, *Sounding the Shallows: A Confederate Companion for the Maryland Campaign of 1862* (Kent, OH, 2000).

5 Stephen W. Sears, *Landscape Turned Red: The Battle of Antietam* (Boston, MA, 1983), 64 and Lenoir Chambers, *Stonewall Jackson, Vol. II: Seven Days to Last March* (New York, NY, 1959), 178, each pay lip service to the idea by sparing a page for the subject. Neither cites any source; Harsh, *Sounding the Shallows*, 137. Harsh points out Lee's poor memory here, as Pope, and not McClellan, was still the commander of the Federal field army in Virginia at the time. The quote is from a memorandum written by William Allan of a conversation with Gen. Lee on Feb. 15, 1868. See William Allan, "Memoranda of Conversations with General Robert E. Lee," in Gary

Elsewhere, Harsh quotes a second conversation on April 15, 1868, between Lee and former Confederate officer William Allan concerning the potential for a movement to the northwest. Telling Allan that “To have retired up into Loudoun [County] was giving the enemy possession of Fairfax &c.,” Lee argued pursuing such a course was “inviting him to flank towards Richmond.” Similarly, on February 15, 1868, during an earlier conversation with Allan, Lee stated flatly “that after Chantilly [about Sept. 1] he found he could do nothing more against the Yankees unless he attacked them in their fortifications around Washington, which he did not want to do, and therefore [he] determined the cross the river into Maryland.”⁶

Nowhere in these statements does one find Lee discussing strategic alternatives beyond those supporting his intention to maintain direct pressure on Washington. Jackson urged moving through the Shenandoah Valley as an alternative to advancing above the Potomac east of the Blue Ridge, which is not the same thing as retiring to feed the army or moving west to await the next enemy advance because it still involved a northward offensive. Lee’s comment about moving into Loudoun County made no sense and perhaps should be considered the statement of a man with declining mental faculties; advancing to Leesburg, the seat of Loudoun County, was in fact precisely the decision the Confederate commander eventually made.

The discussion of a strategic dilemma facing Lee seems to have originated with the general’s aide-de-camp, Col. Charles Marshall, whose papers did not appear publicly until 1927.⁷ As Sir Frederick Maurice, the English editor of the papers,

W. Gallagher, ed. *Lee the Soldier*, (Lincoln, NE and London, 1996), 7. Lee confirmed in his post-campaign report that he crossed his army east of the Blue Ridge “in order, by threatening Washington and Baltimore, to cause the enemy to withdraw from the south bank, where his presence endangered our communications and safety of those engaged in the removal of our wounded and the captured property from late battle-fields.” Robert E. Lee, “Report of the Capture of Harper’s Ferry and the Operations of the Army in Maryland (1862),” Aug. 19, 1863, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 128 vols. (Washington, DC, 1880-1901), Series 1, Vol. 19, Part 1, 145. Cited hereafter as *OR*.

6 Allan, “Memoranda,” in Gallagher, ed., *Lee the Soldier*, 7. Allan later summarized these statements in his unfinished history of the war. At no time did Allan suggest Lee faced a strategic dilemma similar to that described by Charles Marshall. William Allan, *The Army of Northern Virginia in 1862* (Boston, MA, 1892), 322.

7 Marshall died in 1902. Sir Frederick Maurice, ed., *Charles Marshall: An Aide-De-Camp of Lee, Being the Papers of Colonel Charles Marshall Sometime Aide-De-Camp, Military Secretary, and Assistant Adjutant General on the Staff of Robert E. Lee, 1862-1865* (Boston, MA, 1927). Not all students of

explained, Marshall wrote his thoughts on Lee's post-Second Manassas strategic situation in the early 1870s as part of a response to the Prince Philippe of d'Orléans, otherwise known as the Comte de Paris, who had written Marshall for information he intended to publish in the second volume of his history of the American Civil War.⁸ The Count, stated Maurice, "questioned the wisdom of Lee's first invasion of Maryland," prompting Colonel Marshall to "correct" the count's impression by launching into a passionate defense of Lee's decision. Marshall noted the lack of provisions around Manassas and Lee's fear of a second water-borne Federal invasion of eastern Virginia. Lee also assessed the detrimental "moral effect" that a southward withdrawal by the Virginia army would have had following the successful campaign that summer. "General Lee," Marshall concluded, "had nothing left to do after the battle [Second Manassas] except to enter Maryland."⁹

Subsequent scholars picked up Marshall's exposition, ensuring it would have a lasting effect on at least some interpretations of Lee's motives for the Maryland Campaign. The most important of these was Douglas Southall Freeman, who incorporated Marshall's theme in his exhaustive four-volume biography of Lee published in 1934. Freeman summarized the situation thusly:

If manoeuvre had to be undertaken promptly in a country where the army could be subsisted, whither should it be directed? Not eastward, for that would carry the army under the very shadow of the Washington defenses. Not southward to any great distance, for that would take the army into a ravaged land and would bring the war back toward Richmond. Withdrawal a slight distance southward, to Warrenton, for instance, might be considered. That would put the Army of Northern Virginia on the flank of any force advancing to Richmond, and would give it the advantage of direct rail communication with the capital, once the bridges across the Rapidan and the Rappahannock were reconstructed. Carrying

the Maryland Campaign agree that Lee faced a strategic dilemma at the beginning of Sept. 1862. James V. Murfin, *The Gleam of Bayonets: The Battle of Antietam and the Maryland Campaign of 1862* (New York, NY, 1965) dedicated no space to Lee's dilemma, and D. Scott Hartwig, *To Antietam Creek: The Maryland Campaign of September 1862* (Baltimore, MD, 2012), 50 placed much less emphasis on it than Harsh, harkening back to Ezra A. Carman, *The Maryland Campaign of September 1862: Volume 1, South Mountain*, Thomas G. Clemens, ed. (El Dorado, CA, 2010), and Francis W. Palfrey, *The Antietam and Fredericksburg* (New York, NY, 1893), neither of which discussed the subject.

8 Louis Philippe d'Orléans-Comte de Paris, *History of the Civil War in America*, Louis F. Tasistro, trans., 2 Vols. (Philadelphia, PA, 1876).

9 Maurice, *Charles Marshall*, Chapter VII. Available online at <https://leefamilyarchive.org/reference/books/marshall2/07.html>.

the army westward would put it in the Shenandoah Valley, a terrain of many strategic possibilities, but one in which a retreat would force the army steadily back toward the line of the Virginia Central Railroad. By elimination, then, destiny beckoned northward, across the Potomac.¹⁰

The authority Freeman lent to Marshall's conjecture ensured that the notion of Lee pragmatically pondering strategic alternatives prior to the invasion of Maryland would remain in at least a portion of the historical literature. The problem is that no documentary evidence has surfaced confirming it. The closest Lee himself came to expressing anything similar to Marshall's thoughts appeared in his August 1863 report on the Maryland Campaign: "To prolong a state of affairs in every way desirable, and not to permit the season for active operations to pass without endeavoring to inflict further injury upon the enemy, the best course appeared to be the transfer of the army into Maryland."¹¹ Lee's mention of a "best course" suggests other alternatives existed, but he used the phrase strictly within the context of maintaining pressure on the Federals and not of moving the army elsewhere.

Another detail that militates against the notion of Lee pondering a strategic dilemma after Second Manassas is the fact that before he moved his army north to confront John Pope, Lee consulted with Jefferson Davis about the place of Maryland in Confederate military and diplomatic strategy. Joseph Harsh notes that a "third Confederate war aim, also present from the start, was the expansion of national boundaries. The Southern founding fathers envisioned their country stretching north to the Mason-Dixon Line."¹²

Accordingly, in its May 6, 1861, declaration of war upon the United States, the Confederate Congress did not name Maryland as a belligerent state because Southerners believed Northern military occupation had forced it to stay in the old Union. President Davis himself even informed Great Britain and France in

10 Douglas Southall Freeman, *R. E. Lee: A Biography*, 4 Vols. (New York, NY, 1934), 2:351.

11 OR 19, 1:144.

12 Joseph L. Harsh, *Confederate Tide Rising: Robert E. Lee and the Making of Southern Strategy, 1861-1862* (Kent, OH and London, 1998), 9. The works referenced by Harsh concerning Confederate war aims are E. Merton Coulter, *The Confederate States of America, 1861-1865: A History of the South* (Baton Rouge, LA, 1950), and Emory M. Thomas, *The Confederate Nation, 1861-1863* (New York, NY, 1979).

February 1862 that Richmond would not accept any peace treaty “which does not secure the independence of the Confederate States, including Maryland.”¹³

Therefore, concluded Harsh, “Lee knew, when he entered field command, that Jefferson Davis expected him to go on the offensive to save Richmond and to reclaim Virginia. He also knew Davis was ready for even wider applications of the offensive, if the opportunities presented themselves.” To that end, Lee proposed sending Stonewall Jackson reinforcements on June 5, 1862, so that Old Jack might “cross Maryland into Pennsylvania.” Such an action, wrote Lee, “would change the character of the war” by forcing McClellan to abandon his fortified works outside of Richmond and fight a battle out in the open where Lee’s army could get at him. “Lee chose the offense,” declared Harsh, “because he wanted to win the war, and he thought it offered the only chance. He believed the defensive was the sure path to defeat.”¹⁴

By Harsh’s own reckoning, if Lee intended (with Davis’s blessing) to pursue an offensive policy from June 1862 onward, then as of the end of August Lee knew he must either move north to draw the Federals out of their works around Washington, or he must attack those works directly. And those are the two options we find Lee pondering before he makes the decision that his army should enter Maryland. Choosing a movement in any other direction represented the defensive tactics that he and Davis had already rejected. Therefore, not only does the suggestion that Lee faced a dilemma about what to do before September 2 make no sense, the idea that the Rebel commander would even consider retreating in the wake of a major victory also flies in the face of stated Confederate war aims. A victorious general on the verge of accomplishing objectives established by the civilian authorities simply does not contemplate withdrawal unless duress forces him to choose it.

The only authoritative sources outlining Lee’s thoughts prior to his army’s crossing of the Potomac are his three letters to President Davis. Contrary to Marshall’s assertions, these missives reveal the general’s singular focus on entering Maryland following a brief hiatus in Loudoun County to gather provisions. Writing to Davis on September 3, 1862, Lee stated “the present seems to be the most

13 *Official Records of the Union and Confederate Navies in the War of the Rebellion*, 31 vols. (Washington, DC, 1922), Series 2, Vol. 3, 333.

14 Harsh, *Confederate Tide Rising*, 62.

propitious time since the commencement of the war for the Confederate Army to enter Maryland,” and argued the moment had come to “give material aid to Maryland and afford her an opportunity of throwing off the oppression to which she is now subject.” Continuing on, Lee pointed out how

the two grand armies of the United States that have been operating in Virginia, though now united, are much weakened and demoralized. Their new levies, of which I understand 60,000 men have already been posted in Washington, are not yet organized, and will take some time to prepare for the field. [Moreover,] after the enemy had disappeared from the vicinity of Fairfax and Washington, I did not think it would be advantageous to follow him farther. I had no intention of attacking him in his fortifications, and am not prepared to invest them. If I possessed the necessary munitions, I should be unable to supply provisions for the troops. I therefore determined, *while threatening the approaches to Washington, to draw the troops into Loudoun, where forage and some provisions can be obtained, menace their possession of the Shenandoah Valley, and, if found practicable, to cross into Maryland* [emphasis added].¹⁵

Nowhere in this letter does one find Lee considering any move other than one preparatory to an advance north of the Potomac. Like a wrestler grappling with an opponent, the Confederate chieftain sought nothing less than to maintain as much pressure on Washington as his army could bring to bear.

Lee hammered the point home for a second time in a letter he dictated to Davis on the following day. Writing from his new headquarters in Leesburg, Virginia, Lee emphasized the salutary impact that entering Maryland could have on the Southern cause. “Since my last communication to you, with reference to the movements which I propose to make with this army, I am more fully persuaded of the benefit that will result from an expedition into Maryland,” declared the general, “and I shall proceed to make the movement at once, unless you signify your disapprobation.”¹⁶

Lee initially pointed to securing subsistence as the primary benefit his army would derive from entering Maryland, and to that end he requested “the services of someone known to, and acquainted with, the resources of the country;” a man like the secessionist ex-governor of Maryland, Enoch Louis Lowe, who resided at the time in Richmond, Virginia. Lee’s request for Lowe is fascinating because the

15 OR 19, 2:590. According to Lee’s former military secretary, the general composed this letter on Sept. 2. See Armistead L. Long, *Memoirs of Robert E. Lee* (New York, NY, 1886), 204.

16 OR 19, 2:591-592.

general seems to have thought the presence of the ex-governor would make his army's stay in western Maryland more palatable to the local populace upon which the Confederates would depend for food. Lee may have also wished to lend the expedition political credibility. "As I contemplate entering a part of the State with which Governor Lowe is well acquainted," he wrote, "I think *he could be of much service to me in many ways* [emphasis added]." This vague expression of his expectations suggests that Lee had more in mind for Lowe than to have him act as the Army of Northern Virginia's chief commissary officer. It reveals that the general knew Lowe hailed from Frederick County and that Lowe had made regular public appeals for "the young men of Maryland . . . to rally in support of the Confederacy."¹⁷

It was no coincidence, therefore, that when his army arrived in the vicinity of Frederick on September 6, Lee made his headquarters in a grove of trees on the grounds of the Hermitage (also known as the Best farm) where Lowe had been born. There, Lee could wait for Lowe to join him and lend political clout to the secessionist cause in Maryland. The Confederate commander was subtly leveraging the symbolic continuity between Enoch Lowe's prewar governorship and the situation as it stood in September 1862 to help fan the flames of rebellion. As Lee wrote to President Davis in his final pre-Potomac crossing letter on September 5: "I have already had the honor to inform you [that] this army is about entering Maryland, *with a view of affording the people of that State an opportunity of liberating themselves* [emphasis added]. Whatever success may attend that effort, I hope, at any rate, to annoy and harass the enemy."¹⁸

Lee's latter statement probably referred to plans for an eventual advance into Pennsylvania, but at this point his immediate objective for the campaign appeared to be convincing Marylanders to secede, a development that would have taken the state out of the Union and cut off Washington from the North. Had such an event come to pass, it would have created immense difficulties for the Lincoln administration's continued prosecution of the war. Above all, a Confederate

17 Lowe's father, a Mexican War veteran, is mentioned by name in the fourth verse of John Ryder Randall's *Maryland! My Maryland*. "Come! 'tis the red dawn of the day, Maryland! Come with thy panoplied array, Maryland! With Ringgold's spirit for the fray, With Watson's blood at Monterey, With fearless Lowe and dashing May, Maryland! My Maryland!"; *The Rome* (GA) *Weekly Courier*, Sept. 5, 1862.

18 Thomas J. C. Williams and Folger McKinsey, *History of Frederick County, Maryland*, 2 Vols. (Baltimore, MD, 1997), 2:1338; OR 19, 2:593.

Maryland might compel the national government to abandon the District of Columbia in favor of Philadelphia, Boston, or New York, thereby achieving one of Lee's cherished goals: to remove the war from Virginia by pushing the fight north. In addition, bringing Maryland into the Confederate states might draw Great Britain and France into the conflict, strike a blow at the will of the Northern populace to continue prosecuting the war, and give the South the breathing space it needed to recover from the taxing campaigns of that year. Lee may have imagined he could accomplish all of these things without his men firing another shot if his plan to foster rebellion in Maryland, something James Ryder Randall had promised would occur, proved successful. Facing no real dilemma, Lee determined on September 2 to carry the war north to whatever beneficial outcome he might be able to achieve, be it political, military, or a combination of both.¹⁹

Despite Lee's own statements affirming it, the fact that he sought to encourage revolt among Maryland's people is not a commonly accepted hypothesis. Indeed, various other interpretations have appeared over the years. Francis W. Palfrey argued in the 1890s, for example, that while Lee did not anticipate "'My Maryland' would breathe or burn in any exceptional fashion, or 'be the battle-queen of yore,'" he might "Without indulging in the illusions of audacious hope . . . fairly count upon great and certain gains from transferring his army to the soil of Maryland."²⁰

Stephen W. Sears echoed Palfrey a century later by briefly noting Lee's statement to Davis about helping Marylanders "throw off the Yankee yoke" before laying aside the issue in favor of discussing the general's plans to invade Pennsylvania.²¹ Douglas Southall Freeman, on the other hand, cautiously expressed the belief that Lee at least entertained the idea of fomenting of rebellion in Maryland: "The presence of a large Confederate force above the Potomac . . .

19 That Lee could have entertained such an idea is not idle speculation, for it appears to have been a commonly held opinion. For instance, according to David Clough, a Maryland man, "Some said that within a short time the armies of the South would enter Maryland and then Maryland would secede and the war would have to come to an end, because Washington would then be within the Confederacy." Leighton Parks, *Turnpikes and Dirt Roads* (New York, NY, 1927), 250. President Lincoln's general-in-chief, Henry Halleck, voiced exactly this concern in a message to George McClellan on Sept. 13: "You attach too little importance to the capital. I assure you that you are wrong. The capture of this place will throw us back six months, if it should not destroy us." *OR* 19, 2:280. Armistead Long notes that the general decided to enter Maryland "On the 2d of September succeeding Pope's defeat." See Long, *Memoirs*, 204.

20 Palfrey, *The Antietam and Fredericksburg*, 16-17.

21 Sears, *Landscape*, 65.



would not assure revolt against Federal authority, but it would give the people of Maryland what they had never had—a chance to express their will.” Joseph Harsh devoted even-handed attention to the subject as well, granting, “It may be that at this early stage in his thinking, [Lee] did somewhat naively believe Marylanders would rise up in large numbers to cast off the ‘despot’s heel.’ . . . Yet, it may be doubted that such a political aim would have held much weight with Lee had it not coincided with his assessment of both military objectives and realities.”²²

Elsewhere, Harsh describes Lee’s September 4 “I am more fully persuaded” statement to Davis as expressing the general’s tentativeness rather than as evidence of his growing conviction. Regarding a September 5 conference in Leesburg with Jackson and Col. Bradley T. Johnson, a native Marylander in Confederate service and former resident of Frederick City who allegedly warned Lee of western Maryland’s divided loyalties, Harsh concluded, “It is doubtful Lee was much dismayed by what he heard, *since his primary reason for entering the state had always been*

22 Freeman, *R. E. Lee*, 2:351; Harsh, *Taken*, 58.

military and not political [emphasis added] . . . it is even less likely he placed much reliance on substantial support from the state.”²³ Scott Hartwig agreed for the most part with this depiction of Lee as the ultimate pragmatist, arguing “No doubt, Lee hoped his invasion might stir trouble for the Union government among dissenters in Maryland, but he was not so naive as to think the brief entry and exit of his army across the state would trigger an uprising.”²⁴

Perhaps, but prior to entering Maryland, Lee voiced no doubt about the potential for attracting popular support—a fact that aligned his sentiments with those held by observers both north and south of the Potomac. The notion of a Maryland patiently waiting its chance to revolt manifested itself not only in the lyrics of James Ryder Randall’s poem, it also appeared regularly in Confederate political discourse and newspapers. Even the Confederate Congress famously declared, “never to cease this war until Maryland has the opportunity to decide for herself, her own fate, untrammelled and free from Federal bayonets.”²⁵

Similarly, historian William A. Blair noted that newspapers like the *Richmond Examiner* argued “entering Maryland would not be an invasion at all ‘but, on the contrary, going where we shall meet hosts of warm and true friends.’”²⁶ Such rhetoric continued during the Confederate incursion itself. On September 17, while the Army of Northern Virginia fought for its life near Sharpsburg against the Army of the Potomac, the *Edgefield Advertiser* of South Carolina published an opinion piece replete with references to the secessionist myth:

The hopes and expectations of the Confederacy cluster for the moment around the people of Maryland; because upon their course in a measure depends the success of the new onward movement. Surely there cannot be a doubt of Maryland’s southern affinities. And if not, we shall soon hear that she has ‘burst the tyrant’s chain,’ and that her sons by tens of thousands are flocking to the standard of Lee. How glorious her opportunity of disenfranchisement and of revenge! It is the turning point in the destiny of a noble people. Will they sink to the degradation of slaves or will they ‘remember Howard’s warlike thrust,’ and

23 Harsh, *Taken*, 75, 82.

24 D. Scott Hartwig, “Robert E. Lee and the Maryland Campaign,” in Gallagher, ed., *Lee the Soldier*, 334.

25 Clement A. Evans, ed., *Confederate Military History*, 12 Vols. (Atlanta, GA, 1899), 2:90.

26 William A. Blair, “Maryland, Our Maryland: Or How Lincoln and His Army Helped to Define the Confederacy,” in Gary W. Gallagher, ed., *The Antietam Campaign* (Chapel Hill, NC, 1999), 86.

while they 'Avenge the patriotic gore that flow'd the streets of Baltimore,' place another bright and glowing star in the Southern Cross.²⁷

A voracious reader of newspapers, General Lee must have been exposed to these opinions as frequently as any of his other literate countrymen. Many in the North held them as well, with some writing openly of their suspicion that Marylanders sought merely an opportunity to erupt against the national government. The *New York Herald* published precisely this opinion on August 26, 1862, claiming, "The condition of affairs in Maryland is not satisfactory to loyal Union men. It is well known that the rebels there are openly organized in every county in the State, and there is reason to believe they are fully prepared with arms, and only wait an opportunity to raise the black flag of rebellion. The military authorities are strongly urged to require the disarming immediately of all who will not take the oath of allegiance."²⁸

The Baltimore correspondent of the *Philadelphia Ledger* believed the same, writing in an article published after the Confederate advance had already begun: "private accounts from Maryland are not such as the loyal men of the nation would desire, for it is boldly stated that, should Jackson succeed in getting his army into the State, he will be joined at once by no less than 60,000 of its inhabitants. The aim is said to be to make Baltimore the Headquarters of the Confederate army, cut off the northern communication with Washington, and maintain a threatening attitude towards that city to result finally in its capture and destruction."²⁹

Returning specifically to General Lee, his few statements before crossing the Potomac reveal the hope, if not the outright belief, that Maryland's people would rally to the Confederate cause. Some historians of the campaign have nevertheless tended to minimize this fact in favor of the view promoted by Lee and others after the reverse at Sharpsburg that they had never expected Maryland's people to rebel. Gary W. Gallagher has identified the motivation behind this revisionist tendency. "Maryland's anemic response to Lee's army," he wrote, "engendered feelings of

27 *Edgefield Advertiser*, Sept. 17, 1862. Readers will note the language borrowed from Randall's *Maryland! My Maryland*.

28 *New York Herald*, Aug. 26, 1862.

29 *Philadelphia Ledger* text reprinted in the *Mobile Advertiser and Register*, Vol. XXX, No. 141, Sept. 12, 1862. Northerners commonly believed that Jackson commanded his own army independent of Lee.

disappointment and anger. Many Confederates were torn between an inclination to criticize Maryland for not doing more, and a desire to give residents of a sister slave state the benefit of the doubt. . . . Conditioned by newspaper accounts to believe that only Federal bayonets held Maryland in the Union, many Confederates had invested considerable hope in the prospect of wooing another state to their slaveholding republic.”³⁰

General Lee’s post-campaign writings display after-the-fact excuses along these lines, which is why his comments must be scrutinized with some care. Achieving clarity is problematic because of exculpatory rationalizations written by certain ex-Confederates after the war. The most famous of these is an address given by former general Bradley Johnson before the Reunion of the Virginia Division Army of Northern Virginia Association in October 1884.³¹ Both Joseph Harsh and D. Scott Hartwig rely heavily on Johnson’s comments as evidence that Lee could not have entered Maryland with the hope of sparking a rebellion within the state. What they do not point out is that the veracity of Johnson’s remarks is highly suspect.³²

A native Marylander and a son of Frederick City, Johnson had risen to the rank of colonel by the time of the Maryland Campaign. Stonewall Jackson trusted him implicitly, and prior to the campaign Johnson was one of those in Lee’s army who perpetuated the myth of a Maryland ready to burn with secession. Johnson commanded the brigade of Jackson’s troops that entered Frederick City as the army’s vanguard, an action pregnant with symbolic meaning. He established the provost marshal’s office in Frederick, an assignment intended to not only smooth relations between the army and Frederick’s inhabitants, but also to demonstrate that Maryland’s leading secessionists had returned to rescue their allegedly oppressed countrymen. Johnson also retained the authority to publish a proclamation to the people of Maryland on September 8 (the same day that Lee

30 Gary W. Gallagher, “The Net Result of the Campaign Was in Our Favor: Confederate Reaction to the Maryland Campaign,” in Gallagher, ed., *The Antietam Campaign*, 15.

31 Bradley T. Johnson, “Address on the First Maryland Campaign,” at the Reunion of the Virginia Division Army of Northern Virginia Association, Oct. 23, 1884, in *Southern Historical Society Papers*, 52 Vols. (1884), 12:503-509. Referred to hereafter as *SHSP*.

32 Other scholars have also used Johnson’s comments uncritically. See, for example, James I. Robertson, Jr., *Stonewall Jackson: The Man, The Soldier, The Legend* (New York, NY, 1997), 586.

issued a proclamation of his own) calling on them to “rise at once in arms, and strike for liberty and right.”³³

Johnson performed all of these duties in the belief that Marylanders would rebel against the national government, and yet in his 1884 comments claimed to have advised Lee in Leesburg on September 5 that “a large portion of the people [of Maryland] were ardent Unionists; that perhaps an equal number were equally ardent sympathizers with the Confederate cause, still, they had been since June, 1861, so crushed beneath the overwhelming military force, that they could not be expected to afford us material aid until we gave them assurance of an opportunity for relief, by an occupation promising at least some permanence.” What is more, Johnson claimed rather ambiguously, “I believe that I know that the Maryland campaign was not undertaken by General Lee under any delusive hope that his presence there would produce a revolution in Maryland, and such a rising as would give a large force of reinforcements to him.”³⁴

Believing that one knows something, and actually knowing it, are not the same thing, and in this case amount to little more than speculation along the same lines of Charles Marshall’s comments concerning Lee’s alleged strategic dilemma before the campaign. Did Johnson truly tell Lee not to count on rebellion in Maryland, or is this a case of a former Confederate officer and native Marylander covering his hindquarters after claiming before the campaign that the people would rise? Would Jackson have selected Johnson to lead the advance into Frederick, and then allow him to issue exhortations for revolution, if Johnson had told his senior commanders that they should not count on popular support? Johnson himself provided the answer to this question in his 1884 address:

This incident I relate to prove what, *in my judgment* [emphasis added], was the real objective of General Lee in the Maryland campaign. It was not as the Count of Paris states in his history of the civil war, or as General Palfrey, in his well-considered and elaborate memoir of Antietam says, that by the transfer of the seat of war to the north banks of the Potomac

33 Jackson named Johnson commander of the Second Brigade in the Stonewall Division after a wound at Malvern Hill knocked John R. Jones out of action. Upon his return to the army on Sept. 7, 1862, Jones retook command of Jackson’s old division, while Johnson returned to Richmond to take a post as provost marshal. Captain John Edmund Penn took command of the Second Brigade at Frederick and led it until being wounded and captured at Sharpsburg. See Johnson’s proclamation in Evans, ed., *Confederate Military History*, 2:90-91.

34 Johnson, “Address,” 503-504.

the secessionists of Maryland would be afforded an opportunity to rise, and by revolution, supported by Lee's army, transfer Maryland to the Confederation of States. General Lee knew perfectly well that a people who had been under military rule for fifteen months, who had been subjugated by every method known to military and relentless force, could not organize resistance or revolution until confidence in themselves and their cause was restored by the presence of an abiding and permanent power. Therefore it seems beyond dispute that the first Maryland campaign was undertaken by General Lee solely and *entirely as part of his defensive operation for the protection of Virginia* [emphasis added].³⁵

Here we see the Comte de Paris causing trouble for another ex-Confederate officer as the mythology of the Lost Cause is in the process of being constructed. Johnson's comments, which he admitted were based on his judgment alone and not on any real knowledge or cited document, absolved himself of the failure to stoke rebellion in Maryland, and of Robert E. Lee for ever having hoped to achieve such an outcome. The Comte de Paris, by contrast, wrote that Lee

did not look upon Maryland as a hostile country. Being a slave State, Southern politicians considered her as belonging by right to their Confederacy, and military men relied upon meeting with the same sympathy which had so powerfully aided them in Virginia. Emigrants from Maryland who had taken refuge in the ranks of Lee's army had induced [the general] to believe, notwithstanding his perspicacity, that thousands of volunteers would rally around him as soon as he should appear on the soil of their State, and that this region, yet untouched by the horrors of war, would revictual his army much more effectually than the distant depots of Richmond.³⁶

Johnson took issue with these claims because they cast his and Lee's failed expectations in a poor light, a fact that should raise suspicions about Johnson's motives. His comments about the Comte de Paris's analysis also differ significantly from those of Charles Marshall, himself a Maryland man, who never denied the potential importance of rebellion and recruiting to Lee even though the colonel had plenty of opportunity to take issue with the Comte de Paris's characterization of those issues. Could this be because the Comte de Paris was right and it embarrassed men like Johnson, whose efforts during the war had resulted in failure, but who

35 Ibid., 504.

36 Comte de Paris, *History of the Civil War in America*, II:310.

sought after the conflict's end to maintain their reputations by posing as the prophets of that failure rather than as its instigators?³⁷

There is credible evidence to support the view expressed by the Comte de Paris as opposed to the “we never expected to succeed” perspective offered by Bradley Johnson. Take, for instance, what Armistead Long, Lee's military secretary during the Maryland Campaign, wrote in his *Memoirs of Robert E. Lee*, published in 1886:

On the 2d of September succeeding Pope's defeat, Colonel Long wrote from the dictation of General Lee to President Davis in substance as follows: As Virginia was free from invaders, the Federal army being within the defences of Washington, shattered and dispirited by defeat, and as the passage of the Potomac could now be effected without opposition, the present was deemed a proper moment, with His Excellency's approbation, to penetrate into Maryland. The presence of the victorious army could not fail to alarm the Federal authorities and make them draw forces from every quarter for the defence of their capital, thus relieving the Confederacy from pressure and—for a time, at least—from the exhaustion incident to invasion. *The presence of a powerful army would also revive the hopes of the Marylanders, allow them a free exercise of their sympathies, and give them an opportunity of rallying to the aid of their Southern friends* [emphasis added]. Above all, the position of the army, should it again be crowned with victory, would be most favorable for seizing and making the best use of the advantages which such an event would produce. . . . In anticipation of the President's concurrence, General Lee immediately began the preparation for the invasion of Maryland.³⁸

Here is Long, a man who often wrote out the general's correspondence and therefore as good a witness as one could hope for, confirming that Lee never faced a strategic dilemma, and that by September 2 the general had already decided to enter Maryland. Long also states that Lee made his decision for two reasons: to draw Federal forces out of war-weary Virginia, and to encourage secessionist tendencies among Maryland's people. James Longstreet also agreed with this

37 The English editor of Charles Marshall's papers shared the Comte de Paris's understanding of Gen. Lee's motives, writing “A success gained in Maryland might have the effect of making decisive the influence of those in the North who thought that the attempt to maintain the Union by force was not worth the cost, and would almost certainly bring considerable reinforcements from that State to the Confederate cause. Sir Frederick Maurice, *Robert E. Lee the Soldier* (New York, NY, 1925), 147. It is instructive to note that foreign writers not influenced by Lost Cause literature offer a more dispassionate view of how Maryland fit into Lee's plans than do American authors.

38 Long, *Memoirs*, 204-205.

assessment. A leading participant in the campaign and a close confidant of Lee, Longstreet described no strategic dilemma entertained by Lee in the days leading up to the Maryland operation. Instead, he asserted: “The commercial, social, and blood ties of Maryland inclined her people to the Southern cause. A little way north of the Potomac were inviting fields of food and supplies more plentiful than on the southern side; and the fields for march and manoeuvre, strategy and tactics, were even more inviting than the broad fields of grain and comfortable pasture-lands. *Propitious also was the prospect of swelling our ranks by Maryland recruits* [emphasis added].”³⁹

Additional proof may be found in the pages of contemporary newspapers. The *Philadelphia Inquirer* reported in October 1862 that during the stay of Lee’s army near Frederick City,

A number of rebel officers, among them the Adjutant General of General Lee’s staff . . . took lodging with a very worthy Union farmer, by the name of [Joseph] H. Finney, residing some three miles below Frederick. While here, they conversed freely among themselves . . . [and] came to the conclusion that they had no friends in Maryland. This was a positive fact, as the very men who had invited them turned their backs to them. One of Gen. Lee’s Aides took a paper from his pocket with over one hundred names thereon, at the same time stating, ‘these men wrote to us, and *it was by their assurances we came here* [emphasis added], and now they are our worst enemies, they will do nothing for us.’ . . . Most named were residents of Baltimore, a few were from Hagerstown, and eleven from Frederick. A pin hole had been placed opposite each Fredericktonian. The officer was particularly severe about these men.⁴⁰

The *New York World* also reported after the war, based on the comments of a former (and unnamed) member of Lee’s staff, that sources in Maryland specifically told the general that a move by the Southern army into the state would generate “untold numbers of recruits.” Likewise, the *Baltimore American* wrote that just before Lee’s army began traversing the Potomac River, “a number of prominent secessionists had whispered to some of their loyal relatives and acquaintances that

39 James Longstreet, *From Manassas to Appomattox: Memoirs of the Civil War in America* (Philadelphia, PA, 1886), 279.

40 *Philadelphia Inquirer*, Oct. 6, 1862. Also quoted in Paul and Rita Gordon, *Frederick County, Maryland: Never the Like Again* (Frederick, MD, 1995), 41.

Frederick would be in possession of the Confederate troops before twenty-four hours; that they had positive information of the fact.”⁴¹

Finally, there is the statement of a “Virginia captain” alleged to have “told a relative in Leesburg, during the passage of Lee’s army through it, that the Rebel force was eighty-four thousand, though *Lee expected it would be increased thirty or forty thousand by Secessionists of Maryland* [emphasis added].” Taken together, these stories support the idea that secessionists north of the Potomac made efforts to induce Lee to enter the state with his army by giving him the impression that its people would revolt and flock to the Army of Northern Virginia’s standards.⁴²

Other prominent veterans echoed this belief in their postwar writings. Robert L. Dabney, a personal acquaintance of General Lee and a major on the staff of Stonewall Jackson until the end of August 1862, wrote the following in his wartime biography of Old Jack: “Wise policy dictated that the soil of Virginia should, if possible, be relieved of the burden of the invading and the patriot armies, which it had so long borne, and that their ravages should be retorted upon the aggressor. Maryland, it was known, had succumbed reluctantly to his yoke, and *the hope was entertained that the presence of the southern army would inspire its people to attempt something in aid of their own liberation* [emphasis added].”⁴³

Fitzhugh Lee, Robert E. Lee’s nephew and the commander of a brigade of cavalry in James Ewell Brown “Jeb” Stuart’s division, published a biography of General Lee in 1898 in which he claimed that his uncle

believed if he could win a decisive victory the fall of Washington and Baltimore would follow, with far-reaching results. Second, because it (crossing into Maryland) would relieve

41 *Baltimore American* quoted in *Alexandria Gazette*, Sept. 8, 1862. Also see the *Frederick Examiner*, Sept. 24, 1862. “Friday, Sept. 5th. After noon rumors became rife that the Rebels had crossed into Maryland. . . . Their coming was undoubtedly known beforehand to the Secession sympathizers in our midst, some of whom had admonished their particular Union friends to leave.”

42 Marylanders crossing the Potomac to encourage a northward march by the Confederate army appears to have been a relatively common occurrence. For example, in Aug. 1861, Pvt. Robert A. Moore of the 17th Mississippi, then stationed near Leesburg, recalled meeting a gentleman from Maryland who swam the river to say that fifty thousand Marylanders were waiting to revolt. Robert A. Moore and J. W. Silver, eds., *A Life for the Confederacy, as Recorded in the Pocket Diaries of Pvt. Robert A. Moore. Co. G. 17th Mississippi Regiment, Confederate Guards, Holly Springs, Mississippi* (Wendell, NC, 1987), 55.

43 Robert L. Dabney, *Life and Campaigns of Lieut.-Gen. Thomas J. Jackson* (Richmond, VA, 1866), 543. Dabney completed this biography during the war.

Virginia and the Confederate quartermasters and commissary departments at Richmond of the support of his army for a time. Third, because *it was hoped that large accessions to his decimated ranks would be obtained from those who sympathized with his cause in Maryland*. . . . The sons of Maryland in the Confederate army were splendid soldiers, enthusiastic in the cause, and brave in battle; and *they knew, as the Southern commander did, that a battle fought and won in western Maryland, followed by a rapid march in the direction of Baltimore and Washington, would be attended with immense results* [emphasis added], and that nothing would be accomplished, so far as Maryland was concerned, till then.⁴⁴

Fitz Lee conflated General Lee's military and political goals, hinting that a rapid march on Baltimore would have achieved "immense results." He did not clarify what these results might have been, but Confederate troops and politicians imagined that Maryland's people would "breathe and burn" per Randall's lyrics if a victorious Southern army moved among them. In short, should the mere presence of the Army of Northern Virginia on Maryland's soil prove insufficient to prompt rebellion, then securing a military victory north of the Potomac might accomplish the same result.

Prussian-born Major Heros von Borcke, Jeb Stuart's chief of staff, held a similar view of General Lee's objectives in Maryland. In his memoirs, published in 1866, von Borcke wrote,

General Lee had now decided not to attack the enemy in their strong fortifications around Alexandria, but boldly to carry the war into the enemy's territory, or at least into the fertile plains of Maryland. Many advantages, it was hoped, might be secured by this policy. For a considerable period he would be able there to subsist his army, relieved from the necessity of protecting his lines of communication for supplies. *The confident belief was also entertained that our army would be increased by 20,000 to 25,000 recruits, who were supposed to be only awaiting the opportunity of taking up arms against the Federal Government* [emphasis added]. Being so reinforced our commander-in-chief doubted not that he might easily strike a blow against Baltimore, or even Washington, or transfer the theatre of military operations across the border into the rich agricultural region of Pennsylvania.⁴⁵

Clearly, von Borcke believed that Lee thought advancing into Maryland would be attended by both military and political benefits, including vast numbers of

44 Fitzhugh Lee, *General Lee* (New York, NY, 1898), 197, 200.

45 Heros von Borcke, *Memoirs of the Confederate War for Independence*, 2 Vols. (Edinburgh and London, 1866), 1:181-182.

recruits for the Army of Northern Virginia derived from a populace supposedly seething with anger against the national government. No less authoritative a source than Lee's own aide, Maj. Walter H. Taylor, also wrote in the later years of his life that, "In his proclamation to the people of Maryland, General Lee clearly shows . . . he hoped for some movement of the people to the Confederate standards, with the view of regaining the rights of which they had been despoiled. This view was also held by the authorities at Richmond."⁴⁶

James Murfin picked up this theme of fomenting rebellion in his classic *The Gleam of Bayonets*: "Lee labored under the false impression that the central and western counties [of Maryland] . . . shared these same sentiments" of Southern sympathy as the eastern portions of the state. William Blair concurred, writing in 1999, "Besides the military and logistical value of an offensive, [Lee] understood the potential political gain and warmed to this thinking as he corresponded with [Davis] . . . The march of the liberators was on."⁴⁷

Convincing evidence points to General Lee pursuing political and military goals in Maryland that he saw as closely aligned. While noting his logistical and military objectives to Jefferson Davis before the campaign, and elaborating on them after his army had returned to Virginia in late September, Lee also gave ready expression to political considerations, especially during the early phase of his operation. It could be said in this sense that Lee pursued parallel courses—the political, centered on fostering secession, and the military, focused on drawing the Federal army away from Washington for a final, decisive clash in western Maryland or southern Pennsylvania. Fitzhugh Lee claimed that his uncle thought of those goals as one and the same—try first to stoke the smoldering coals of rebellion into a conflagration or, failing that, blow them into life by winning a decisive military victory and moving on Baltimore. Most modern scholars, however, have chosen to leave aside the political considerations in order to give predominance to Lee's military goals. This makes sense given the general's position as the commander of the Confederacy's largest army in the east, but it also overlooks the evidence that Lee pursued demonstrable secessionist goals as military objectives. Indeed, Lee

46 Walter H. Taylor, *General Lee: His Campaigns in Virginia, 1861-1865 with Personal Reminiscences* (Norfolk, VA, 1906), 119.

47 Blair, "Maryland, Our Maryland," in Gallagher, ed., *The Antietam Campaign*, 88.

appears to have believed that encouraging rebellion and fighting the Federal army were complementary, not competing, aims.

In addition to his letters to President Davis, there are the orders Lee issued concerning the desired conduct of his troops within the state. On September 4, as his plans evolved in Leesburg, Lee wrote out General Orders No. 102: "This army is about to engage in most important operations," he explained, "where any excesses committed will exasperate the people, lead to disastrous results, and enlist the populace on the side of the Federal forces in hostility to our own." The general ordered that "quartermasters and commissaries will make all arrangements for the purchase of supplies needed by our army, to be issued to the respective commands upon proper requisitions, thereby removing all excuse for depredations." He also noted that Brig. Gen. Lewis A. Armistead, who would suffer a mortal wound in the Pickett-Pettigrew-Trimble Charge on the third day at Gettysburg, would act as provost marshal of the army with the power to arrest and punish stragglers (i.e., men who left their commands without authorization). On the following day, Lee issued Special Orders No. 188, which stated that "Brigade commanders will arrest all stragglers, without regard to their commands, who may fall back from preceding commands, retaining them until arrival in camp, where they may be restored to their respective commands."⁴⁸

Straggling on the march to forage across the countryside had long presented a discipline problem for Lee. Now, with his men in Maryland and dependent on what they could procure from the locals for food, the general sought to mitigate the friction that could arise from hordes of Southern troops taking as they pleased from fields, barns, and chicken coops. As one witness who passed through Frederick during the Confederate occupation explained to readers of the *Washington Republican*, "The soldiers are not allowed, under a penalty of death, to touch a thing or take articles without the consent of the owner, and then pay liberally for it (in Confederate scrip). The orders are strictly enforced," he continued, "and as a consequence, not an ear of corn or a fence rail is disturbed. This forbearance is shown because, as they say, Maryland belongs to the Confederacy, and is a part of their country."⁴⁹

48 OR 19, 2:595.

49 Letter to the *Washington Republican* reprinted in the *Rockingham Register and Advertiser*, Harrisonburg, Virginia, Sept. 19, 1862.

Lee shared this opinion, fully believing that measures against straggling were essential in a state whose supposedly restive populace was said to await the opportunity to rise up against the national government. Of this he effusively reminded his men in General Orders No. 103: “Soldiers, press onward! Let each man feel the responsibility now resting on him to pursue vigorously the success vouchsafed to us by Heaven. Let the armies of the East and the West vie with each other in discipline, bravery, and activity, *and our brethren of our sister States will soon be released from tyranny* [emphasis added], and our independence be established upon a sure and abiding basis.”⁵⁰

The first elements of Lee’s army, belonging to the infantry division of Maj. Gen. Daniel Harvey Hill, crossed the Potomac River on September 4 to cut the Chesapeake and Ohio Canal and secure a bridgehead at Noland’s Ferry. Jackson’s divisions began crossing the next day at White’s Ford with Jeb Stuart’s cavalry brigades screening their right flank from Poolesville to Urbana. James Longstreet’s command followed these columns, bringing up the army’s rear. For the next two days, Confederate infantry marched toward Frederick with Jackson and Hill in the lead. “From the Potomac, General Lee advanced to Frederick, at which place he arrived on the 6th, and established himself behind the Monocacy,” recounted Armistead Long. Furthermore,

As the principal object of the present advance into Maryland was to create a diversion in her favor in order that if so disposed she might array herself beside her sister Southern States [emphasis added], General Lee determined to remain at Frederick a sufficient time to allow the Marylanders to rally to his support. At the commencement of hostilities many brave Marylanders had flocked to the Confederacy, and there were soon seen in the Southern ranks [Arnold G.] Elzey, G. H. Steuart, Bradley Johnson, McLean, Marshall, Andrews, and a host of others of a like noble and generous spirit. Many of these gallant gentlemen were now with the army, anxious to assist in rescuing their State from the Federal authority.⁵¹

On the afternoon of September 6, General Lee arrived at the rented farm of John T. Best about four miles south of Frederick City. After establishing his headquarters in a grove of oaks to watch for Enoch Lewis Lowe, Lee had himself

50 OR 19, 2:596. Mention of an army in the West refers to a force under the command of Gen. Edmund Kirby Smith that had won a victory at the Battle of Richmond, Kentucky, on Aug. 30, 1862.

51 Long, *Memoirs*, 207.

driven by ambulance into Frederick City to attend dinner that evening. Major Heros von Borcke, who also happened to be in Frederick, described the city as being “in a tremendous state of excitement” at the time, recalling how

The Unionists living there had their houses closely shut up and barred, but the far greater number of the citizens, being favourably disposed to the Confederate cause, had thrown wide open their doors and windows, and welcomed our troops with the liveliest enthusiasm. Flags were floating from the houses, and garlands of flowers were hung across the streets. Everywhere a dense multitude was moving up and down, singing and shouting in a paroxysm of joy and patriotic emotion, in many cases partly superinduced by an abundant flow of strong liquors.⁵²

If von Borcke’s account is to be believed, a good number of Fredericktonians greeted Confederate troops with open arms. It was into this jubilant setting that Robert E. Lee and his staff traveled. Fortunately, a corporal in the Rockbridge Artillery and aide to General Jackson, James Powers Smith, also happened to be a friend of the family hosting the meal to which Lee had been invited.⁵³ Smith had the uncomfortable experience of joining the event in his tattered uniform. “I found myself seated in the parlor I had known in childhood,” recalled Smith many years later, when to “my surprise and chagrin . . . there came in to dine no less a party than General Robert E. Lee and his staff, well-dressed and toileted. The private soldier made an effort to escape, but was captured and brought back; and, seated for

52 Lee was unable to ride a horse at this time due to injuries to his hands. James P. Smith, “With Stonewall Jackson in the Army of Northern Virginia,” in *SHSP*, Vol. 43, No. 5 (1920), 16; Von Borcke, *Memoirs*, 189.

53 According to Leighton Parks, “What a Boy Saw of the Civil War” in *The Century Magazine*, Vol. 70, No. 2 (1905), 259, Lee received multiple invitations to dinner from prominent sympathizers in Frederick. He declined all of them save one, allegedly out of concern that the host family would face persecution after the Army of Northern Virginia left the vicinity. Why he chose to accept one of the invitations is not known. The host family in question was probably that of Reverend Dr. John B. Ross, the pastor of Frederick’s First Presbyterian Church. A well-known Southern sympathizer, Ross now led “the church where my father had once been pastor,” recalled Smith, “and where, in my childhood, I had slept with my head in my mother’s lap.” The night of the dinner Smith also remembered sitting “in the parlor I had known in childhood,” suggesting Ross’s family lived in the parsonage (i.e., the residence of the pastor) next door to the First Presbyterian Church, the same house where Smith’s family had lived when his father was minister. Smith, “With Stonewall Jackson in the Army of Northern Virginia,” 15-16.

protection by the side of the lady of the home, he permitted the generals and colonels to do the talking and ate a dinner not yet forgotten.”⁵⁴

Details of the night’s conversation have been lost, but it is probable that those in attendance suggested Lee announce his army’s intentions to Maryland’s populace. As the general admitted in a missive to Davis dated September 12, upon reaching Frederick he found “the citizens embarrassed as to the intentions of the army.” Lee referred the president to the proclamation to the people of Maryland that he composed on September 7 (the day after the dinner) and which he had printed and distributed on Monday morning (September 8). Lee confessed to Davis that he had “waited on entering the State for the arrival of ex-Governor Lowe; but finding that he did not come up . . . I determined to delay no longer in making known our purpose.” Lee had hoped Lowe would join him to further Confederate political objectives during this early stage of the expedition, but when the ex-governor did not arrive, Lee was forced into the awkward position of issuing the proclamation himself.⁵⁵

As of September 6, Lee still hoped that his army’s march into Maryland would spark a secessionist rebellion in the state, but after discussing the issue with a sympathetic audience in Frederick he began to see the situation in a different light. This change in Lee’s thinking is evident in the letter he dictated to Davis on September 7. “Notwithstanding individual expressions of kindness that have been given,” he wrote, “and the general sympathy in the success of the Confederate States, *situated as Maryland is* [emphasis added], I do not anticipate any general rising of the people in our behalf. Some additions to our ranks will no doubt be received, and I hope to procure subsistence for our troops.”⁵⁶

Here, for the first time, Lee expressed doubt that a spontaneous uprising in favor of the Southern cause would take place in Maryland. This did not mean that he believed a rebellion could not be provoked. Rather, Lee’s thinking on the subject

54 Smith, “With Stonewall Jackson in the Army of Northern Virginia,” 16. Smith told this same story thirteen years earlier, adding then that General Lee had “put a crippled hand on his shoulder and spoke with pride of the fine service the boy’s battery had rendered.” Freeman, *R. E. Lee*, 2:356, and the *Richmond Times-Dispatch*, Jan. 20, 1907.

55 OR 19, 2:605; “Monday, 8th inst. Lee’s, Johnson’s, Philpot’s, White’s, Heard’s and Kilgour’s pronunciamientos were published in handbill form.” *Frederick Examiner*, Sept. 24, 1862.

56 OR 19, 2:596. This dispatch to Davis is of particular interest because it illustrates how Lee sometimes withheld information from the Confederate president until he could present that information in the desired light.

moved in a different direction. Until the dinner he attended on September 6, the general seems to have assumed that the mere presence of his troops in Maryland would be sufficient to incite revolt. Now he concluded that fomenting a rebellion against the Union would be possible only after his army had won another battle. The key phrase “situated as Maryland is” reveals the change in Lee’s thinking. Thanks to the opinions expressed by well-wishers in Frederick, Lee came to understand that Maryland, hemmed in between fortified Washington and much larger pro-Union Pennsylvania, faced invasion at multiple points. This hard reality intimidated the pro-Southern portion of its populace into believing that they alone could never free themselves through armed rebellion. The Army of Northern Virginia would need to fight for their support.

That Lee reached this conclusion on September 7 comes through clearly in his August 1863 report on the campaign:

The condition of Maryland (i.e., occupied by Federal troops and under martial law) encouraged the belief that the presence of our army . . . would induce the Washington Government to retain all its available force to provide against contingencies (i.e., popular rebellion) which its course toward the people of that State (i.e., military occupation) gave it reason to apprehend, *it was [therefore] hoped that military success might afford us an opportunity to aid the citizens of Maryland in any efforts they might be disposed to make to recover their liberties* [emphasis added].⁵⁷

Lee and other staunch Confederates believed that martial law in Maryland caused public outrage, generating the fear of a popular uprising that forced the Lincoln administration to keep large numbers of troops in the state. It followed that pro-secession Marylanders might be prompted to revolt if a military success, meaning a victory by the Confederate army, could reassure the people of protection from Federal retaliation. As Lee explained to Davis, he “fully appreciated . . . the difficulties that surrounded Maryland’s people,” and as a result he did not expect any “active demonstration on the part of the people, *unless success should enable us to give them assurance of continued protection* [emphasis added]. Influenced by these considerations, the army was put in motion.”⁵⁸

57 OR 19, 1:144.

58 OR 19, 2:596. I have rewritten some of Lee’s tortured language to clarify his point and avoid the passive voice as much as possible. Here is the original passage: “The condition of Maryland

There is an additional piece of evidence that suggests Lee shared his new sense of things with others. Shortly after a visit to Lee's headquarters in mid-October 1862, Lt. Col. Garnet Joseph Wolseley, an Irishman and observer from the British Army, recorded the following: "It is generally stated that the Confederate authorities calculated upon a rising in Maryland directly after their army entered that State [but] everybody to whom I spoke on the subject ridiculed the idea of ever having thought that any such rising would take place, until either Baltimore was in their hands, *or they had at least established a position in that country* [emphasis added]."59

Despite being rife with the kind of post-campaign revisionism identified by Gary Gallagher, Wolseley's comment betrays the fact that some of Lee's senior officers, and perhaps even the general himself, had voiced the belief that a rebellion in Maryland might have resulted if the Army of Northern Virginia had proven its ability to remain north of the Potomac. Some thirty years later Wolseley concluded, "Lee thought his best plan to accomplish the end he had in view was to invade Maryland, where the Southern cause had thousands of sympathizers."60

September 6 thus proved to be a pivotal date in the history of the Maryland Campaign. That evening, Lee learned from sympathetic Fredericktonians that the only way Maryland's people could be induced to revolt was if the Army of Northern Virginia won a signal victory in the state or in Pennsylvania. Lee apparently agreed with this reasoning and dutifully reported the change in his thinking to Davis on September 7. It was then that he began planning the operation against Harpers Ferry, which he needed to capture before the Army of Northern Virginia could move farther north. In short, the nebulous military and political objectives that Lee had pursued since the beginning of the month came fully

encouraged the belief that the presence of our army . . . would induce the Washington Government to retain all its available force to provide against contingencies, which its course toward the people of that State gave it reason to apprehend. At the same time it was hoped that military success might afford us an opportunity to aid the citizens of Maryland in any efforts they might be disposed to make to recover their liberties. The difficulties that surrounded them were fully appreciated, and we expected to derive more assistance in the attainment of our object from the just fears of the Washington Government than from any active demonstration on the part of the people, unless success should enable us to give them assurance of continued protection. Influenced by these considerations, the army was put in motion."

59 James A. Rawley, ed., *The American Civil War: An English View, The Writings of Field Marshal Viscount Wolseley* (Mechanicsburg, PA, 2002), 32.

60 *Ibid.*, 143.

together on the night of September 6; after this date he began working toward their accomplishment with a reinforced sense of purpose.

Clarifying the connection between military victory and winning popular support made it doubly important to Lee that he nurture confidence in the Confederate cause among Maryland's people. Hence his effort to deal with the scourge of straggling. In a second letter to Davis composed on September 7, Lee again raised the issue of discipline in his army while linking it directly with the objectives of his campaign. Arguing that most stragglers left the army "by design," Lee called them "cowards . . . [who] desert their comrades in times of danger." He requested the formation of a "military commission of men known to the country" to handle disciplinary actions as quickly as possible, and advised Davis of the need for an Inspector General. "I assure you some remedy is necessary," he concluded, "especially now, when the army is in a State *whose citizens it is our purpose to conciliate and bring with us* [emphasis added]. Every outrage upon their feelings and property should be checked."⁶¹

Lee also began writing his proclamation to Maryland's people that same day, which he published on Monday, September 8. This announcement sought to convince Marylanders of the righteousness of the Confederate cause and explain why the Army of Northern Virginia had crossed the Potomac. Lee appears to have instructed Maryland officers under his command to issue proclamations of their own at the same time, resulting in a coordinated release of calls for support and recruits. Beginning his proclamation with "It is right," a phrase lifted straight out of the Episcopal Church's *Book of Common Prayer*, Lee contended that the people of Maryland

should know the purpose that has brought the army under my command within the limits of your State, so far as that purpose concerns yourselves. The people of the Confederate States have long watched with the deepest sympathy the wrongs and outrages that have been inflicted upon the citizens of a Commonwealth allied to the States of the South by the strongest social, political, and commercial ties. They have seen with profound indignation their sister-State deprived of every right and reduced to the condition of a conquered province. Under the pretense of supporting the Constitution, but in violation of its most valuable provisions, your citizens have been arrested and imprisoned upon no charge and contrary to all forms of law; the faithful and manly protest against this outrage made by the

61 OR 19, 2:597-598.

venerable and illustrious Marylander to whom in better days no citizen appealed for right in vain was treated with scorn and contempt; the government of your chief city has been usurped by armed strangers; your legislature has been dissolved by the unlawful arrest of its members; freedom of the press and of speech has been suppressed; words have been declared offences by an arbitrary decree of the Federal executive, and citizens ordered to be tried by a military commission for what they may dare to speak.⁶²

In a telling turn of phrase, and in terms that revealed no daylight between his beliefs and those of his men, Lee went on to explain the rationale behind his decision to march north of the Potomac River:

Believing that the people of Maryland possessed a spirit too lofty to submit to such a government, the people of the South have long wished to aid you in throwing off this foreign yoke, to enable you again to enjoy the inalienable rights of freemen and restore independence and sovereignty to your State. *In obedience to this wish our army has come among you, and is prepared to assist you with the power of its arms in regaining the rights of which you have been despoiled* [emphasis added]. This, citizens of Maryland, is our mission, so far as you are concerned.⁶³

Coercion would not be employed, explained Lee in conclusion, juxtaposing the operations of his army to those of the old national government against which it struggled:

No constraint upon your free will is intended; no intimidation will be allowed. Within the limits of this army at least, Marylanders shall once more enjoy their ancient freedom of thought and speech. We know no enemies among you, and will protect all, of every opinion. It is for you to decide your destiny freely and without constraint. This army will respect your choice, whatever it may be; and, while the Southern people will rejoice to

62 As a practicing Episcopalian, Robert E. Lee would have been intimately familiar with the administration of the Holy Eucharist. A portion of the language during that rite involves a type of call and response interaction between the minister and his congregation with the minister saying, "Let us give thanks unto our Lord God," which the people respond to with, "It is meet and right to do so." Some editions of the *Book of Common Prayer* record the phrase as, "It is right to give him thanks and praise." *The Book of Common Prayer, and Administration of the Sacraments* (New York, NY, 1854), 296.

63 OR 19, 2:601-602.

welcome you to your natural position among them, they will only welcome you when you come of your own free will.⁶⁴

Bradley Johnson published his proclamation on the same day, using high-sounding language that bore little or no resemblance to his supposed September 5 warning about Maryland's unionist tendencies. Calling explicitly for Marylanders to rise up and rebel against the tyranny of the national government, Johnson claimed

After sixteen months of oppression more galling than the Austrian tyranny, the victorious army of the South brings freedom to your doors. Its standards now wave from the Potomac to Mason and Dixon's line. The men of Maryland, who during the last long months have been crushed under the heel of this terrible despotism, now have the opportunity for working out their own redemption, for which they have so long waited and suffered and hoped. The government of the Confederate States is pledged by the unanimous vote of its Congress, by the distinct declaration of its President, the soldier and statesman Davis, never to cease this war until Maryland has the opportunity to decide for herself, her own fate, untrammled and free from Federal bayonets. The people of the South, with unanimity unparalleled, have given their hearts to our native State, and hundreds of thousands of her sons have sworn with arms in their hands that you shall be free. You must now do your part. We have the arms here for you. I am authorized immediately to muster in for the war, companies and regiments, the companies of one hundred men each, and the regiments of ten companies. Come, all who wish to strike for their liberties and homes! Let each man provide himself with a stout pair of shoes, a good blanket and a tin cup. Jackson's men have no baggage. Officers are in Frederick to receive recruits, and all companies formed will be armed as soon as mustered in. Rise at once. Remember the cells of Fort McHenry! Remember the dungeons of Fort Lafayette and Fort Warren! The insults to your wives and daughters! The arrest! The midnight searches of your houses! Remember these wrongs! and rise at once in arms, and strike for liberty and right.⁶⁵

Captain Elijah Viers "Lige" White, the owner of the land along the south bank of the Potomac River containing White's Ford, and the commander of a battalion of cavalry serving as scouts and Brig. Gen. Alexander Lawton's bodyguard during the Maryland Campaign, published a call of his own on September 8. Crying "Marylanders to the rescue!" White identified himself as a Maryland man in

64 Ibid.

65 Evans, ed., *Confederate Military History*, 2:90-91.

“service eighteen months opposing the tyranny which would have made of the South a subjugated and ruined country.”⁶⁶ White announced that he had resolved to do what he could to carry Maryland “where she belongs—to the Southern Confederacy,” and asked patriotic Marylanders to join him in raising a regiment of cavalry. “I have no recruiting office,” explained White, and “can be found at General Lawton’s headquarters, where I will be happy to receive recruits. Come at once, or make up your minds to be slaves to the Northern despotism forever.”⁶⁷

Sergeant J. Mortimore Kilgour, the quartermaster of White’s battalion, also published a recruiting handbill stating he had been “detailed to recruit for Captain White’s Cavalry Regiment . . . All persons desiring to join this far-famed corps will apply to me at the Provost Marshal’s.”⁶⁸

Lastly, John W. Heard, the former editor of the *Frederick Herald*, a secessionist newspaper, made a desperate plea for recruits:

Men of Old Frederic Arouse—Defend your Homes! Under the authority of the Confederate Government, I am now engaged in raising a company of infantry. The great Army of the South, unconquered and unconquerable, is now in your midst, and has determined that Maryland shall be free. What say you, Marylanders? Are you willing to fight for the liberties for which you have so long been clamorous, or are you so abject as to accept them as a boon at the hands of others? No! no! sons of Maryland—inheritors of her revolutionary glory—by your own right arm achieve the independence of your own State. Falter not, hesitate not, now that the opportunity is offered you—but rally at once and vindicate your history. Recruiting-Office next door to the Provost Marshal’s, where there will always be found an officer in attendance.⁶⁹

66 White was born in Poolesville, Maryland, in 1832. Frank M. Myers, *The Comanches: A History of White’s Battalion, Virginia Cavalry* (Baltimore, MD, 1871), 8.

67 Reprinted in *Report of Lewis H. Steiner, Inspector of the Sanitary Commission Containing a Diary Kept During the Rebel Occupation of Frederick, MD, and an Account of the Operations of the U.S. Sanitary Commission During the Campaign in Maryland, September, 1862* (New York, NY, 1862), 16. Referred to hereafter as the *Steiner Report*.

68 *Steiner Report*, 16. G. B. Philpot also recalled being asked by Gen. John R. Jones to enlist recruits on the grounds that he hailed from Maryland, writing, “Jack West and I were invited by an old gentleman to be his guests while in the city, and we gladly accepted. I had been detailed by General Jones to recruit for my company, which had been very much depleted. I had circulars distributed calling on the young men to rally to our flag, in which I quoted a line from the Maryland song, ‘She bleeds, she burns; she’ll come, she’ll come, Maryland, my Maryland.’” I recruited fifteen men, who were ever after called the “Bleeders.” See G. B. Philpot, “A Maryland Boy in the Confederate Army,” in *Confederate Veteran*, Vol. 24, No. 7 (July 1916), 314.

69 *Steiner Report*, 16-17.

Although reports about the success of Confederate recruiting efforts varied at the time, in the end Marylanders did not respond to these calls, either in state-wide rebellion or in large numbers as volunteers for the army. At that moment, however, no one could fully judge the success or failure of the appeals because the Army of Northern Virginia did not linger at Frederick City.

By September 8, Lee had set aside proclamations in order to focus on achieving the military objectives that might help him realize the Confederacy's political aims. This planning resulted in the distribution of Special Orders No. 191 on September 9 outlining the operation against Harpers Ferry. On September 10, Lee set the army in motion. Nothing more remained for him to accomplish in Frederick City. Ex-Governor Enoch Lowe had not materialized, some of Frederick's shopkeepers had proven themselves "unwilling, while overrun by members of this army, to open their stores," the populace of Maryland remained quiescent, and recruits only trickled in. More important, reports had arrived that the Federal army was advancing toward Frederick, once again under the command of George McClellan. This was a development Lee had not expected given his assumption that it would take weeks after Second Manassas for the enemy to field another army against him.⁷⁰

Joseph Harsh has argued "there is no contemporaneous evidence that Lee knew as early as the 9th [of September] it would be McClellan" in command of Union forces. It is true that only three questionable sources specifically mention Lee knowing of McClellan's return, but this does not mean the general had not heard of it, especially because evidence abounds that Fredericktonians, Southern newspaper correspondents, and the men in Lee's army had already learned the news.⁷¹

70 On Sept. 9, "I was sent from Frederick City Maryland to meet his Ex. the President & Ex Govr Lowe. Failing to meet them at Leesburg, I proceeded to Winchester & there learned that his Ex. had returned to Richmond & the Govr had left for this place." See Lockwood Tower, ed., *Lee's Adjutant: The Wartime Letters of Colonel Walter Herron Taylor, 1862-1865* (Columbia, SC, 1995), 43. Special Orders No. 191, Sept. 9, 1862, reprinted in Dowdey and Manarin, eds., *The Wartime Papers of Robert E. Lee*, 301. "From reports that have reached me, I believe that the enemy are pushing a strong column up the Potomac River by Rockville and Darnestown, and by Poolesville toward Seneca Mills. I hear that the commands of Sumner, Sigel, Burnside, and Hooker are advancing in the direction above mentioned." OR 19, 2:602.

71 Harsh, *Taken*, 130, 141. One of the sources is John G. Walker, "Jackson's Capture of Harper's Ferry," in Robert Underwood Johnson and Clarence Clough Buel, eds., *Battles and Leaders of the Civil War*, 4 Vols. (New York, NY, 1885), 2:605. The second source is Lee himself, who stated to William Allan after the war: "Stuart reported McClellan near Rockville. . . . He

In its attempt to appeal to the Southern patriotism of Maryland's people, the Army of Northern Virginia allowed visitors to come and go from Frederick with relative freedom.⁷² As a result, information passed from travelers to Confederate troops and from Confederate troops to the outside world. One story originating in this fashion appeared in the September 18 pages of the *Cumberland, Maryland, Civilian and Telegraph* recounting the experience of a man who had stayed in Frederick from September 6 to September 9. This gentleman, who preferred to remain anonymous, reported:

when I left Frederick on Tuesday evening (September 9) it was under the conviction that they (the Rebels) were about to leave. . . . There was every indication that they had become alarmed to the systematic movements General McClellan, and were looking to secure a safe line of retreat back to Virginia. The starting of Jackson with his immense division, estimated at from 15,000 to 20,000 men of all arms towards Hagerstown was looked upon as the first indication of a backward movement. There were also evidences of trepidation among the troops who began to think they were not on safe ground.⁷³

(Lee) then retired from Frederick as McClellan advanced." Allan, "Memoranda," in Gallagher, ed. *Lee the Soldier*, 9. It is impossible to conclude from Lee's comments if he recalled the events accurately, or if he simply inserted McClellan's name into his memory after the fact. The third source is Dabney, *Life and Campaigns of Lieut.-Gen. Thomas J. Jackson*, 549 which stated that as of Sept. 7, "Two . . . plans remained [to Lee]: the one was to leave Harper's Ferry to itself for the present, and fight McClellan as he advanced. The other was to withdraw the army west of the mountains, as at first designed . . . and then to re-assemble the whole at some favorable position in that region for a decisive struggle with McClellan. The former was advocated by Jackson; he feared lest the other system of movements should prove too complex for realizing that punctual and complete concentration which sound policy required." Dabney did not cite a source for these comments. An indefatigable collector of material for his biography of Jackson, he likely picked it up from those who had known the general, particularly during a visit he made to the Army of Northern Virginia in Aug. 1863. Thomas C. Johnson, *Life and Letters of Robert Lewis Dabney* (Richmond, VA, 1903), 282. Additionally, the newspaper in small and far-away Milledgeville, Georgia, reported on Sept. 9 that "General McClellan . . . is now actually performing the duties of General Commanding." *Southern Recorder*, Sept. 9, 1862. Similarly, a correspondent from Georgia traveling with the Army of Northern Virginia reported home on Sept. 1, "McClellan, who, it is reported has been assigned chief command in the field. . . . It is not improbable that McClellan, who is now in command, will seek to conduct the retreat as he did at Richmond." *Savannah Republican*, Sept. 10, 1862.

⁷² A report from the *New York Tribune* reprinted in the *Richmond Dispatch* noted of the Confederate occupation, "So far as we can ascertain they (the Rebels) allowed free ingress and egress to and from the town. The pickets on the road appear to have been stationed merely to watch military movements, and paid no attention to civilians." *Richmond Dispatch*, Sept. 15, 1862.

⁷³ "Four Days Experience with the Rebels in Frederick," in the *Civilian and Telegraph*, Sept. 18, 1862.

John Robson of the 52nd Virginia, part of General Lawton's division, expressed this unease in his reminiscences of the war, writing that while near Frederick, "we soon learned . . . 'Little Mac' was again at the head of the army, and then the idea occurred to 'us generals' that our Maryland business had better be attended to promptly."⁷⁴

A letter Brig. Gen. Dorsey Pender wrote to his wife on September 7 inferred that John Robson's information had probably come from the people of Frederick. As Pender explained, "It was rumored here before we came that four of the six members of the [Lincoln] Cabinet were against McClellan's being again placed in command of the army, but that the soldiers refused to fight unless he was."⁷⁵

William McClendon, a soldier with the 15th Alabama, also learned of McClellan's return to command, recalling, "in a few days it was known that . . . McClellan had been placed in command of his old army again." In other words, Fredericktonians already knew as of September 6 that McClellan had returned to command the Army of the Potomac, and within days, if not hours, afterward so did the lowliest Rebel private.⁷⁶

The spread of this news inspired sufficient disquiet in the Confederate ranks for a civilian bystander to have learned of it. How likely is it, then, that the commanding general of the army did not also catch wind of George McClellan's return, particularly given his visit to the city on September 6? In this respect at least Brig. Gen. John G. Walker's notoriously skewed postwar writing may have been correct when he recalled Lee asking him on September 8 whether he was "acquainted with General McClellan."⁷⁷

74 John S. Robson, *Reminiscences of the Civil War* (Durham, NC, 1898), 119.

75 William W. Hassler, ed., *One of Lee's Best Men: The Civil War Letters of General William Dorsey Pender* (Chapel Hill, NC, 1965), 172.

76 After initially being placed in command of the Washington defenses on Sept. 2, McClellan received verbal authorization from President Abraham Lincoln on Sept. 7 to take the forces around Washington into the field. This differentiation of responsibility meant nothing to observers from afar. They knew only that McClellan's name had been discussed in connection with returning to command at the beginning of September, information that had clearly reached Frederick City by Sept. 7. Two days earlier on Sept. 5, for example, the men of the 10th Maine "were told that the entire army of the Potomac, with McClellan again in command, was moving to drive Lee out of Maryland." John M. Gould, *History of the First-Tenth-Twenty-Ninth Maine Regiment* (Portland, ME, 1871), 223. Also see Hartwig, *To Antietam Creek*, 703, Note 4, and OR 19, 1:25.

77 Walker, "Jackson's Capture of Harper's Ferry," 605.

Eleven days later, the battered Army of Northern Virginia re-crossed the Potomac River with Lee's hope of fomenting Maryland's rebellion shattered. The general wrote a letter shortly after this to Confederate Secretary of War George W. Randolph expressing frustration that his army's stay "in Maryland was so short as to *prevent receiving the aid I had expected from that State* [emphasis added]. Some few recruits joined us, and others are finding their way across the river to our lines."⁷⁸

This telling statement reveals that one of Lee's key assumptions for embarking on the campaign—receiving material support from the people of Maryland, including supplies, recruits, and even civil unrest—had never left his mind. The Confederate commander thought that as of September 3 he would have sufficient time to turn Marylanders in his favor. After all, as he had written Jefferson Davis, "The two grand armies of the United States . . . are much weakened and demoralized. Their new levies . . . are not yet organized, and will take some time to prepare for the field."⁷⁹

George McClellan's impressive success in quickly re-constituting the Army of the Potomac, followed by the chance discovery of a copy of Special Orders No. 191 near Frederick on September 13 prompting him to attack the fragmented Rebel force at South Mountain, had thoroughly thwarted Lee's devices, dooming his effort to pry Maryland from the Union.⁸⁰

As for the Old Line State's failure to revolt, Lee blamed martial law for cowering the populace. "Maryland," he wrote Davis on October 2, "is so tightly tied that I fear nothing but extraneous aid can relieve her." Lee nevertheless still believed that thanks to "recent proclamations of President Lincoln," a clear reference to the preliminary Emancipation Proclamation of September 22, 1862, "and civil liberty so completely trodden under foot," the fires of revolt smoldered among Maryland's people just waiting to be stoked into life.⁸¹

78 OR 19, 2:636-637.

79 Ibid., 590.

80 For a detailed treatment of McClellan's handling of Lee's orders on Sept. 13, 1862, see Gene M. Thorp and Alexander B. Rossino, *The Tale Untwisted: George McClellan and the Discovery of Lee's Lost Orders, September 13, 1862* (El Dorado, CA, 2019). See also the first chapter in Steven R. Stotelmyer, *Too Useful to Sacrifice: Reconsidering George B. McClellan's Generalship in the Maryland Campaign from South Mountain to Antietam* (El Dorado, CA, 2019).

81 "The conservative portion of that people, unless dead to the feelings of liberty, will rise and depose the party now in power," concluded Lee. See OR 19, 2:644.

Given this evidence, Robert E. Lee's decision to stand and fight at Sharpsburg on September 16-17 must be seen as the culmination of his design to incite a secessionist revolt in Maryland. As Lee explained to Davis in August 1863, "it was hoped that military success might afford us an opportunity to aid the citizens of Maryland in any efforts they might be disposed to make to recover their liberties." Lee's reference to a "military success" could mean nothing other than fighting and winning a battle north of the Potomac River. By September 7, Lee had come to believe it essential that he deliver a military victory to solve the crippling geographic position of pro-Confederate supporters in Maryland. Difficulties surrounded them, he wrote in 1863, meaning Marylanders would not rise to recover their liberties and offer support for the Southern cause "unless success should enable us to give them assurance of continued protection." Overwhelming Federal military power in Washington, Baltimore, and Pennsylvania threatened Maryland's would-be rebels, but if the Army of Northern Virginia could win a victory north of the Potomac River, those secessionist forces might be encouraged to revolt. Hence Lee's willingness to risk everything at Sharpsburg when the more prudent military course would have been to retire to Virginia and defend the line of the Potomac River. As Jackson's friend Robert Dabney put it, "The battle of Sharpsburg was fought by the Confederates . . . to redeem their offers of aid to oppressed Maryland."⁸²

With all this in mind, Lee cannot rightfully be criticized for fighting an unnecessary or vainglorious battle in Maryland. He knew exactly what he was doing and he did everything in his power to accomplish the objective he set out to achieve in early September. That Lee failed was due more to his misunderstanding of popular sentiment in Maryland and to the competence of George McClellan than to any shortcoming on the part of himself or of his army. Fitzhugh Lee understood this about his uncle when he argued that he knew "a battle fought and won in western Maryland, followed by a rapid march in the direction of Baltimore and Washington, would be attended with immense results, and that nothing would be accomplished, so far as Maryland was concerned, till then."⁸³

Artillerist Edward Porter Alexander agreed. Lee's September 8 proclamation, he argued, "compelled [him] to appear as a deliverer who had come to free the

82 OR 19, 1:144; Dabney, *Life and Campaigns of Lieut.-Gen. Thomas J. Jackson*, 570.

83 Fitzhugh Lee, *General Lee*, 200.

Marylanders from a yoke. [Days later,] there was an opportunity for him (Lee) to avoid a great risk of grave disaster by withdrawal into Virginia, without serious loss of men or impairment of prestige. . . . In his decision to stand his ground and fight, his attitude as deliverer probably had a large share.”⁸⁴

Colonel (later lieutenant general) John Gordon of the 6th Alabama entertained a similar notion. “[T]here was still a prevalent belief among Southern leaders [in 1862] that Southern sentiment was strong in Maryland,” he wrote after the war, “and that an important victory within her borders might convert the Confederate camps into recruiting-stations, and add materially to the strength of Lee’s army.”⁸⁵

Regardless of where he had imagined the war’s next battle might be fought, one thing seems clear: Robert E. Lee stood at Sharpsburg in the hope that a victory won by his army would spark Maryland’s secession from the Union. Securing Maryland for the Confederacy and deriving the benefits that might attend such an outcome were the true objectives of his campaign.

Lee the revolutionary thought the Old Line State a potentially war-ending prize and he believed himself to be the man who could win it.

84 Edward Porter Alexander, *Military Memoirs of a Confederate: A Critical Narrative* (New York, NY, 1907), 224.

85 John B. Gordon, *Reminiscences of the Civil War* (New York, NY, 1904), 138.