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LOST ORDER, LOST CAUSE

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The month of September 1862 began as the low point of the American Civil War for the North. The South, having repeatedly proved its superiority on the field of battle, was demonstrating a spirit of resistance which boded at least an ultimate stalemate and the separation of the former United States into two rival nations. Before the month of September ended, the eventual defeat of the South became inevitable.

In August, Robert E. Lee had smashed and routed the Federal forces under John Pope at the Second Battle of Bull Run,¹ leaving a legacy of hysteria to the Federal Government. Henry W. Halleck, the recently appointed general-in-chief in command of all army operations, was stunned by the suddenness and magnitude of the defeat. Edwin M. Stanton, Secretary of War, was busy with nervous preparations for the fall of Washington. To prevent arms and ammunition from falling into the hands of the enemy, he gave orders to ship the arsenal to New York. In the War Department, important papers were placed in bundles which could be carried by men on foot or on horseback. Gunboats were ordered to stand by on the Potomac River, and a steamer was held in readiness to evacuate President Abraham Lincoln and his Cabinet.

Other areas of the United States, although not under the guns of Lee's army, were no less apprehensive than the capital. In eastern Pennsylvania, Governor Andrew Gregg Curtin begged President Lincoln for a minimum of 80,000 troops to defend Philadelphia against the 120,000 to 190,000 rebels which he believed were being massed in Maryland for an invasion of Pennsylvania. In western Pennsylvania, there were fears that Braxton Bragg somehow was going to take his western Confederate army across impassable mountains to join with Lee. In Maryland, where memories of the April 1861 riots in Baltimore against Federal soldiers were still clear and bitter, there was widespread apprehension of a rebel uprising attended by the loss of the state and the isolation of Washington.

¹ Important places in the eastern United States mentioned in the text are shown on the accompanying map.

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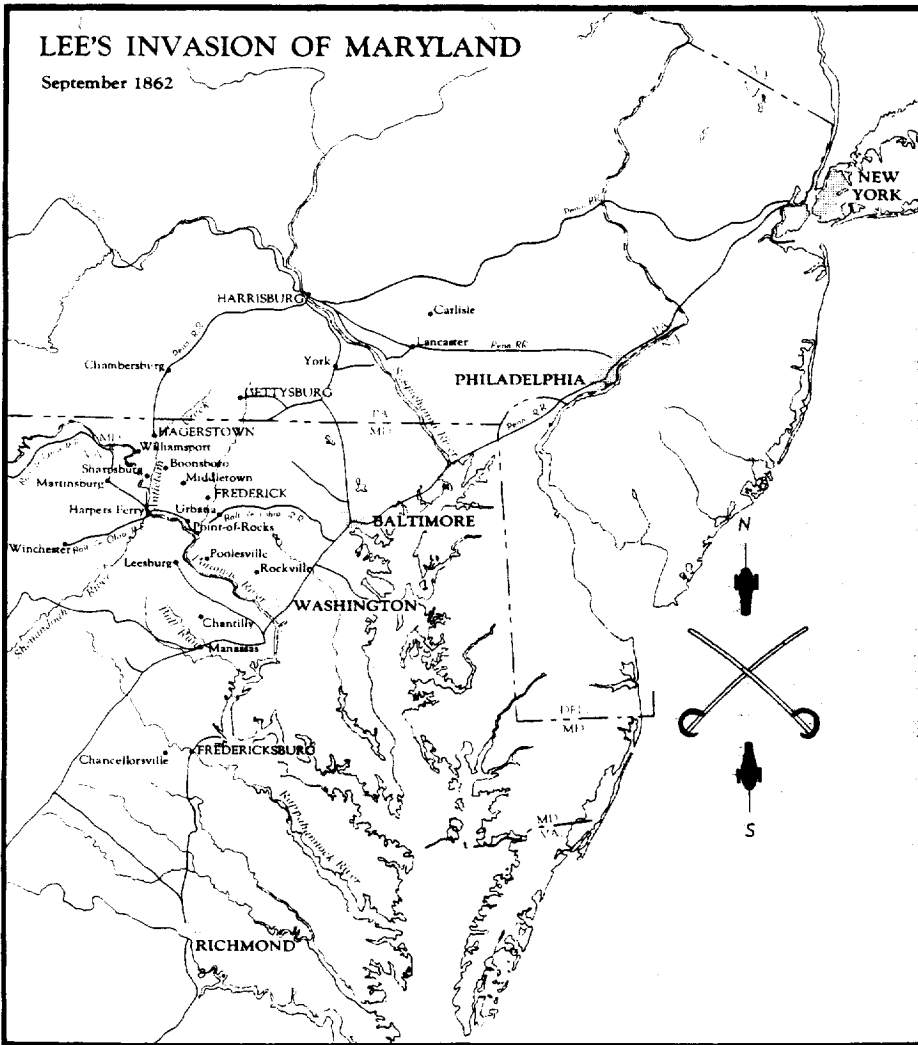
In New York and Indiana, potential Copperhead plots and sabotage terrorized both official and public opinion. Confederate armies in Kentucky under Bragg had taken Lexington and were threatening Louisville and Cincinnati, where martial law was proclaimed. In each of these places the citizens dug trenches and slept in terror when they did not actually flee to the countryside. A third major Confederate army under Earl Van Dorn, somewhere in Mississippi, conjured up additional nightmares for the frightened, who visualized this army sweeping through or around Ulysses S. Grant and eventually overrunning the western areas of the Union.

Among the European powers, sentiment was building toward mediation in the war and recognition of the Confederacy, if not toward actual intervention on its behalf. The British were provoked to these attitudes by the shortage of cotton for their textile mills, resulting in unemployment and deprivation for hundreds of thousands of workers; by a preference of the British nobility for the aristocratic, Anglo-Saxon South over the heterogeneous, "mongrelized" North; by the desire of the British Government to see two rival pygmies instead of a single united giant on the Canadian frontier; and by general national anger toward supposedly hostile Northern actions such as the blockade and the removal by a Yankee warship of two Confederate agents from a British mail steamer, the *Trent*. Subtle propaganda by Confederate agents in Great Britain provided a catalyst for these sentiments, and the rout of the Federal troops at Second Bull Run fired the retort. Recognition of the Confederacy by Her Majesty's Government and a negotiated peace on the basis of Southern independence loomed as a startling reality to the North in the shambles of its defeated army. Britain would have been followed by Napoleon III of France, who had the assurance of Confederate support and eventual recognition of any French conquests in Mexico in return for his recognition of the Confederacy — which had, in effect, already repudiated the Monroe Doctrine.

The South responded to news of the great victory at Second Bull Run with a demand that the war now be carried into Yankee territory. Newspapers in every Southern city spoke for their readers when they clamored for an immediate invasion of the North. Sentiments similar to those stirring the average Southern citizen also motivated the leaders of the Confederacy.

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Lee agreed that Southern military success had put the Confederacy in a position to state its political objectives leading to an honorable peace, but he still felt that one more victory over the Federal troops — and this one a victory north of the Potomac — would so clearly prove the strength of the Confederate position that the North must accede to any demand for peace. Such a victory might well affect the coming Congressional elections in the North as well as influence the wavering British and French Governments to recognize Southern independence. An offer of peace after a great victory would be considered a magnanimous gesture by a victorious power rather than a sign of weakness by a frightened bureaucracy.

To achieve these political ends, Lee had to gain another battlefield victory over the Federals, and a major objective of an invasion of the North was therefore the Federal Army of the Potomac itself. By taking the initiative, Lee could draw his opponents, far less skillful than he, whoever they might be, into a war of maneuver in which he could win on a field and at a time of his choosing. As another major objective of his invasion, Lee also intended to seize or to destroy the Pennsylvania Railroad bridge over the Susquehanna River at Harrisburg, Pennsylvania. The seizure or the destruction of this bridge would sever the connecting artery between Washington and the West. The only other through connection to the West was at the periphery by way of the Hudson River and the Great Lakes.

Lee had the capability of attaining his objectives. With a victorious, battle-tested army under successful veteran commanders, Lee would be able to defeat the Federals if he were permitted to select the terms of reference for the battle as he already had done at Second Bull Run and was to do again later at Fredericksburg and Chancellorsville. Lee also would be able to destroy the railroad bridge at Harrisburg if he reached it without having drawn the Federals into battle or to seize the bridge if he reached it after a victorious battle.

Although his army was relatively small, Lee divided it into several parts, with the Federal garrisons at Harpers Ferry and Martinsburg in the Shenandoah Valley as targets for three units. Two other units were to proceed toward Boonsboro and Hagerstown. In his Special Orders 191 of 9 September 1862, Lee drew up his order of march and made his troop dispositions. Each of the key commanders mentioned in the order was sent

a copy of the order. James ("Pete") Longstreet carefully read his copy and chewed it — "as some persons use a little cut of tobacco." John G. Walker pinned his copy to the inside of his jacket. Thomas J. ("Stonewall") Jackson meticulously burned his copy.

There was a certain confusion in Jackson's mind as to whether Daniel Harvey Hill was still under his command or directly under Lee. To be certain that Hill received a copy of Special Orders 191 (the Army of Northern Virginia had not yet been divided into corps), Jackson, in his own hand, sent Hill a copy. Hill admitted receiving this copy. Unfortunately, Lee, considering Hill no longer under Jackson but directly under himself, also sent Hill a copy. Hill claimed that he never received this copy.

On Saturday, 13 September, the hastily reorganized Federal Army of the Potomac under the command of George B. McClellan moved into Frederick and set up camp on the outskirts of the town. Colonel Silas Colgrove, the commander of the 27th Indiana Volunteers, Third Brigade, First Division, Twelfth Army Corps, ordered his men to stack arms in the same area which had previously been occupied by the men under the command of Daniel Harvey Hill.

While resting in this area, Private Barton W. Mitchell and Sergeant John M. Bloss, both of the 27th Indiana, found a copy of Lee's Special Orders 191 in a paper wrapped around three cigars. The order was authenticated by Colonel Samuel E. Pitman, First Division Adjutant-General, who recognized the signature of Lee's Assistant Adjutant-General as that of Colonel Robert H. Chilton, with whom Pitman had served in Detroit. The order then was brought to McClellan, who set off to destroy Lee in detail.

McClellan, dilatory by nature and convinced by his faulty intelligence that Lee had an army about 50 percent larger than the Army of the Potomac, was not likely to have attacked Lee. Even with Lee's orders before him — orders dividing Lee's army — McClellan inched cautiously forward.

Lee, informed of the loss of the copy of Special Orders 191 that he had sent to Daniel Harvey Hill, did his best to reassemble quickly his scattered units to present a united front to the Federals, and on Wednesday, 17 September 1862, the Battle of Antietam took place. Lee, forced to fight on the defensive for

the first time during the war and incapable of maneuver, was able to stop the Federal attack only with great difficulty. On 19 September, Lee withdrew into Virginia, and the North was free of the invader.

The railroad bridge at Harrisburg was not cut, and the North was able to maintain its fundamental east-west link. Maryland, eager to follow a winner, not only did not secede but even went so far as to increase its effort on behalf of the Union. With Maryland remaining loyal, Washington was neither surrounded nor isolated, and its Fifth Column remained nervously underground. The fear of invasion among Northern states proved to be groundless, and the governors of these states rather than demanding troops from Washington to defend themselves, provided troops, albeit reluctantly, to the Union army. With substantial reinforcements from the eastern states available, the Union was able to send Western recruits to Don Carlos Buell and Grant to exploit their victories at Perryville, Kentucky, and at Corinth, Mississippi.

The Copperhead movement, which needed the impetus that a Southern victory north of the Potomac could give, never received this impetus and gradually lost strength as the war progressed. Even at the polls this movement proved to be weak as Lincoln's Republicans swept the Congressional elections of 1862 to remain in power.

Lincoln, who had resolved upon the Emancipation Proclamation as a military, political, and psychological measure necessary to insure the ultimate conquest of the Confederacy by the Union, leaped upon Antietam as the victory which he needed to give meaning to the Proclamation. Even though the Proclamation was a political gesture, in victory it seemed more idealistic — and realistic — than if it had followed a defeat on Northern territory. After a Union defeat the Proclamation would have seemed to be nothing more than the empty oratory of a beaten demagogue rather than the noble gesture of a confident leader.

The recognition which the South had expected from abroad was contingent upon a Confederate victory, and the Southern retreat from Maryland could hardly be construed as a victory even by the Confederacy's most sanguine European supporters. The retreat, in turn, led to second thoughts; second thoughts, to inaction; inaction, to continued nonrecognition — right

through to the end of the war. Lincoln's Emancipation Proclamation, moreover, swayed foreign public opinion to the North, which now seemed to stand for the oppressed rather than as the oppressor of a popular revolt.

Finally, Southern hopes which had been raised to the heights with the victory at Second Bull Run and with the transfer of fighting from Southern to Northern soil ran the gamut to utter frustration in less than three weeks. Although the spirit of the South was as resolute after Antietam as before, a gnawing doubt now marched side by side with this spirit.

Lee unequivocally blamed the failure of the invasion of Maryland on the lost order. He defended the division of his army, pointing out the need to eliminate the threats to his lines of communications represented by Martinsburg and, particularly, Harpers Ferry. In addition, Jackson's investment of Harpers Ferry provided vast stores of the very treasures of food, clothing, and weapons which were some of the objectives of the invasion. At the very least, if McClellan had not obtained a copy of Lee's orders, Lee could have reunited his army long before the dilatory McClellan would have moved, and Lee could have re-equipped it with some of the hoard from Harpers Ferry and given his 10,000 or more stragglers time to rejoin his army. Thus refurbished, Lee could have gone on to Harrisburg, destroyed the bridge, and sought out McClellan.²

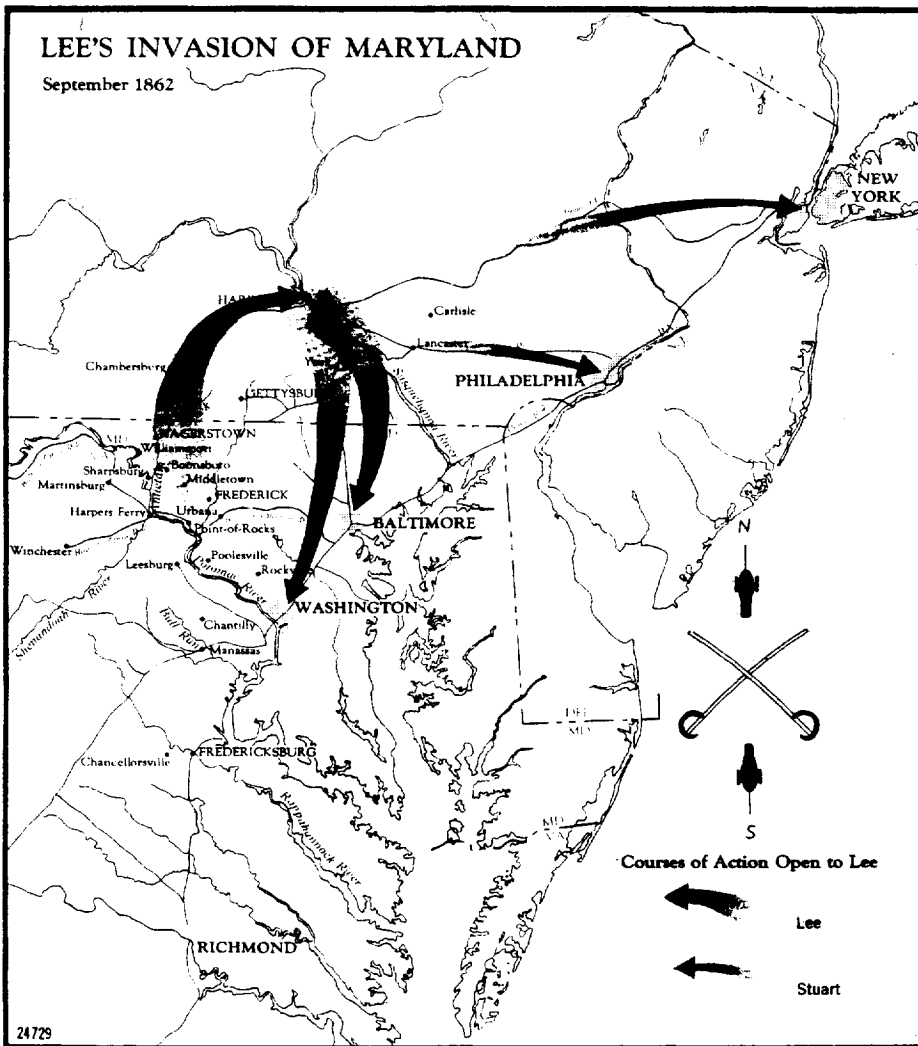
The Confederates held Harpers Ferry and had destroyed much of the Baltimore and Ohio Railroad, an important east-west link. Destruction of the railroad bridge at Harrisburg would have cut the east-west connection for Washington, Baltimore, and Philadelphia. Even if Lee had subsequently been defeated by McClellan — a most unlikely event on the basis of previous encounters between these generals — many months would have elapsed before the rail connection over the Susquehanna River could have been re-established. Reconstruction of the bridge from the heights over the river would have been, at the very least, a major engineering achievement.

The cumulative effects of a victory by Lee over McClellan in Maryland would have been devastating to the North. Lee could have moved on to Harrisburg and with his headquarters

² Courses of action open to Lee if McClellan had not gained possession of Special Orders 191 are shown on the map.

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Courses of Action Open to Lee



Lee



Stuart

in the capital of Pennsylvania, astride the rail lines to Philadelphia, Baltimore, and Washington, would have menaced all three of these terrified metropolises. During Lee's second invasion of the North in 1863, Richard S. Ewell approached within three miles of Harrisburg before he was called back because of the chance encounter at Gettysburg. The panic of the Pennsylvania countryside at that time is a slight indication of what Confederate headquarters at Harrisburg might have caused — especially if Confederate cavalry under James E. B. ("Jeb") Stuart had been permitted to raid in the direction of Philadelphia and even New York.

If Lee had chosen to commit himself early rather than to wage psychological warfare against the three cities simultaneously, he might have marched directly from a victorious battlefield against Baltimore or Washington. The very Maryland farmers who watched impassively as Lee's half-starved tattered demoralizations poured across the Potomac might conservatively have estimated that a victory by Lee on Maryland soil looked dangerously like the beginning of the end of the war on Southern terms. The number of recruits whom Lee might have picked up in Maryland, under the band-wagon steamroller, would have increased sharply, thus augmenting even more an army in which straggling had suddenly disappeared. The strong secessionist tendencies indicated by Baltimore in April 1861 might have opened that city to Lee in 1862, permitting his entry against bare token resistance.

Washington, thus isolated by a secessionist Maryland and itself swarming with a devious, opportunistic Fifth Column, could hardly have remained the capital. Previously prepared evacuation plans might have moved the Government to Philadelphia or New York while Jefferson Davis, President of the Confederacy, graciously doling out merciful terms to a stunned city, rode triumphantly down Pennsylvania Avenue. Recognition, but no longer intervention, would have been inevitable. A triumphant South would have scorned intervention.

While Lee campaigned in the North, 20,000 recruits were assembled in Richmond for his army. A victorious Lee, gathering volunteers in Maryland, would hardly have needed these recruits. Bragg, however, pressing on Buell in Kentucky, could have used the recruits, and such reinforcements might well

have balanced the numbers in Bragg's favor, giving him the opportunity of making good his intention to install a Confederate governor at Frankfort, the capital of Kentucky.

The Federals in the West would have had to withdraw troops from wherever they were available to relieve Buell, thus taking pressure off Van Dorn in Mississippi and Tennessee. Van Dorn, for his part, then would have been free to attain whatever objectives his romantic mind could perceive.

Lee on the loose in the east and Bragg in the west could have provided direct military support to the Copperheads. The fall of Baltimore would have added political dynamite to the Copperhead movement and very likely would have resulted in armed uprisings in such widespread areas as Indiana and New York, accompanied by political defeat for the Republicans in the Congressional elections of 1862.

Lincoln, with defeat on the battlefield and at the polls a haunting reality, would hardly have dared to propose the Emancipation Proclamation. An independent Confederacy, badly in need of a labor force, might have maintained the institution of slavery until the increased use of the machine made slavery an expensive economic anachronism.

If secession had become an historical fact, Great Britain could have obtained the cotton that its textile mills needed and eventually could have established a successful partnership with the Confederate States of America. In such a partnership the agrarian cotton empire of the Confederacy with its raw materials would have complemented the manufacturing maritime empire that was Great Britain. The South, led by an aristocracy with a lineage as proud if not as old as Britain's nobility, could have been accepted as a peer and an ally by its British cousins.

The Yankees, on the contrary, swaggering industrialists and traders, with their eyes to the sea, by the very similarity of their economic interests could never be a partner or an ally of the British but must always be a rival against whom war might very well erupt. Finally, although the Union had an Anglo-Saxon heritage, it was a melting pot with many social customs alien to the British, who found Southern Anglo-Saxon homogeneity more palatable.

Confederate expansionism would eventually have tangled with Yankee imperialism, and a return war, fanned by interested third powers, might have completed the cycle, leaving both North and South physically and spiritually exhausted second-rate powers.

Napoleon III, having recognized the Confederacy, would have received a *carte blanche* from the South to pursue his conquest of Mexico. The North, defeated and confused, would have been able to do very little to prevent Napoleon from succeeding.

Tradition and a considerable body of opinion have held that Gettysburg, not Antietam, is the more nearly decisive battle and the turning point of the Civil War. However, the relative positions of the North and South at both these junctures in history clearly seem to point up September 1862 as a period far more critical for the North and far more favorable for the South than July 1863.

By the spring of 1863 the Union had begun to perceive its true strategic objective in the war, not as the capture of Richmond, the Southern capital, but rather as the destruction of the Confederacy through the tightening of a ring of death and devastation about the beleaguered South. Southern arms in the West had given ground slowly but inexorably, until in one harrowing 24-hour period word came almost simultaneously of the surrender of Vicksburg and the abandonment of Chattanooga. The Mississippi Valley was lost, the Mississippi River opened to Northern commerce from St. Paul to the Gulf of Mexico, the Confederacy west of the river irretrievably written off, and most of Tennessee held in Federal hands. After such losses as these, of what small import was Lee's check at Gettysburg — a check which lost not one square inch of Southern territory nor opened one single path of invasion to the North?

But what if Lee had won at Gettysburg? His capabilities, still impressive, would have been offset by new limitations. Although Lee's army apparently was in better physical condition than in its first invasion, being better clothed and equipped and having counterbalanced Antietam with convincing victories at Fredericksburg and Chancellorsville, the source of its manpower was running low and the reservoir which replenished emptied ranks was dried up. Reserves such as those

which awaited Lee in Richmond after Antietam were no longer procurable, and the will of his gallant veterans to fight and to die was being sapped. Mere numbers, though larger than in 1862, were minus one who was worth 10,000 — Jackson was no more.

No matter how overwhelmingly Lee might have won at Gettysburg — and he would have had to pay a heavy price in lives for any victory — he could hardly have achieved more than local success. The resiliency which the Federals showed in bouncing back from crushing defeats at Fredericksburg and Chancellorsville, on enemy soil, could hardly have been expected to be less than what they would have shown on their home soil after a crushing defeat at Gettysburg.

For Lee to have exploited a victory at Gettysburg would have meant his fighting and winning two or three more Gettysburgs against the additional two or three large armies which the Union would have been capable of throwing against his depleted ranks. For the Confederacy to seek reinforcements for Lee from the West would have disastrously weakened an already exposed soft side and would have left a victorious Lee in Pennsylvania with a hinterland of the South Atlantic States and nothing more — a successful invader without a home base.

By the time of Gettysburg the Congressional elections had already been won by the Republicans. The Copperhead movement was losing momentum, and key Copperheads were in jail or on their way to jail. The secessionist tendencies exhibited by Maryland in 1861 were gone, and the Pennsylvania territory in which Lee was operating in 1863 was hostile to him, win or lose. Lee's lines of communications were long, thin, and vulnerable to the improved tactics and leadership of the Federal cavalry, which maintained a constant check on Lee's movements.

Finally, the recognition by foreign powers, which seemed so real and close when Lee invaded the North in 1862, was irrevocably lost by 1863. Napoleon III, in the process of setting up a puppet emperor in Mexico, remained eager to recognize the Confederacy. Great Britain, however, had lost interest, and Napoleon's clumsy efforts at coercing the British Government were confronted with a wave of sympathetic popular opinion for the side which had lined itself against slavery.

Although it is difficult to say whether the gallant Army of the Potomac, which sent Lee reeling back into Virginia, or the obscure little private who found the lost order played the greater part in dissolving Southern dreams of invasion, of success, of severing East from West, of recognition, and of changing the course of world history, one conclusion is clear: the intelligence information which precipitated the Battle of Antietam and set in motion forces which marked the turning point of the Civil War resulted in a different world from the one that might have been if the lost order had never been lost — and found.