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J A M E S E . P O T T E R

Standing Firmly
by the Flag

Nebraska Territory
and the Civil War,
1861–1867



University of Nebraska Press | Lincoln & London

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Set in Swift.

To my colleagues at the Nebraska State Historical Society

The patriotism of those who assist our country now, when she is defending the Constitution and the Union against traitors and rebels, and who stand firmly by that flag and those institutions which have descended to us from the hands of *Washington*, will be held in grateful remembrance by the great and good everywhere.

—Nebraska governor Alvin Saunders, Message to the Territorial Legislature, December 2, 1861

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PREFACE



I had originally intended this book to focus on the First Nebraska Regiment of volunteers, Nebraska's primary military contribution to Civil War history. Beginning in the 1960s with the advent of the Civil War centennial, and periodically since then, part of the regiment's story has been told via *Nebraska History* articles and in *Marching with the First Nebraska: A Civil War Diary* (University of Oklahoma Press, 2007), a book I coedited with Edith Robbins. The latter presents the diary and letters of Pvt. August Scherneckau, a German immigrant who served in the First Nebraska from 1862 to 1865. Despite these efforts, I thought there was still a place for a comprehensive history of the regiment from its acceptance into the Union army in the summer of 1861 until its soldiers were finally discharged from federal service in July 1866.

As I mined newspapers and other documents for information and insights about the First Nebraska, it became clear that the regiment's contribution was only part of a more complex and interesting story. Aside from their military aspects, the Civil War years had a significant effect on Nebraska's political,

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social, and economic development and its transition from territory to state, the first to be admitted after the war was over. Yet what happened in Nebraska between March 4, 1861, when President Abraham Lincoln was inaugurated, and March 1, 1867, when President Andrew Johnson issued the statehood proclamation, has not received much attention. Hence I decided to forego the detailed history of the First Nebraska Regiment in favor of a broader look at Civil War Nebraska, a project I hope will appeal to a wider audience.

Those with a good grasp of American history will recognize the May 30, 1854, act of Congress creating the territories of Nebraska and Kansas as a signal event in the intensifying sectional crisis that led to civil war some seven years later. By repealing the Missouri Compromise of 1820 that had banned slavery in the region and authorizing the people living in the new territories to decide for themselves whether or not slavery would be permitted (“popular sovereignty”), the “Nebraska Act” reopened the divisive question of slavery’s westward extension, sparked the rise of a Northern-based party dedicated to halting slavery’s spread, and made the Union’s breakup virtually inevitable. When it comes to the Civil War itself, however, I suspect there is less understanding of Nebraska’s place in the story of the four-year conflict and its immediate aftermath.

Perhaps that’s because what happened in Nebraska Territory between 1861 and 1867 may have seemed peripheral to the great national drama playing out on battlefields in the East and South, in the White House and the halls of Congress, and in the arena of American politics. No massive armies clashed on Nebraska’s soil, no gunboats plied the Missouri River along its eastern shore, no towns were occupied or sacked within its borders, and the only Confederate soldiers to set foot here had been released from federal prison camps as Union “volunteers” to fight Indians or were deserters escaping the war. Some Ne-

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Nebraskans acted as though the war had never come, traipsing off to search for gold in Colorado or Montana, speculating in real estate, eking a living from the soil, or supplying travelers moving west. During the war years many “Nebraskans” were here barely long enough to leave their footprints.

Although Nebraska Territory was distant from the Civil War’s major theaters, its people were not unmindful of the war’s issues, uninvolved in its prosecution, or insulated from its effects. One concern was how the settlements and the lines of communication and commerce to the west were to be protected after U.S. Army garrisons at Forts Kearny, Laramie, and Randall were withdrawn to fight Confederates. As the war continued, it disrupted the territorial economy, delayed statehood, brought conflict with the indigenous peoples, and deferred the anticipated benefits of the 1862 Pacific Railroad and Homestead Acts. It also reshaped territorial politics, and its legacy was reflected in the leadership and institutions of the new state of Nebraska for decades to come.

Despite its status during the war years as a federal dependency with a modest population and a fragile economy, Nebraska Territory made a remarkable contribution to the Union war effort, furnishing more than three thousand soldiers from a pool of barely nine thousand men of military age in 1860. Unlike the states that provided the majority of Union troops, Nebraska Territory had little manpower to spare if it were to maintain and develop its fledgling agricultural and urban economy, which had barely gained a foothold when the war broke out. Nevertheless, and often contrary to the wishes of those they left behind, Nebraska’s volunteer soldiers stepped forward to risk their lives and livelihoods to help save the Union.

Nebraskans fought Confederates on Tennessee and Missouri battlefields, carried on a “bushwhacker’s” war with partisans in Arkansas, skirmished with Indians in Nebraska and Dakota

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Territories, and garrisoned forts and tiny outposts along the Platte Valley transportation and communications corridor. They endured physical hardship and harsh discipline and ate bad food or sometimes nothing at all. Many died from disease or accidents or saw the service ruin their health. A few were killed, wounded, or taken prisoner in battle. Most served faithfully, fought bravely, and completed their enlistment; others malingered, got drunk, committed crimes, or deserted. Although they left behind a rich record in the form of letters, diaries, and official documents, their story has never been fully told.

The war also had important consequences for Nebraskans who stayed home. Economic hardship, the loss of family members to military service, and the stresses of coping with the harsh Great Plains environment all took their toll. With Nebraska's soldiers serving in distant theaters, who would protect the territory if the Native peoples resisted the increasing white encroachment upon the homelands they had occupied for generations? Even if there were no conflict with the Indians, "Jayhawkers" and other lawless bands periodically swept through southeastern Nebraska, and footloose migrants from east of the Missouri River, often suspected of being Rebels, fled to the territory to escape their war-torn firesides or conscription by the contending armies.

National debates about who was to blame for bringing on the rebellion, the policies the government should pursue to put it down, and what kind of nation should emerge once it was over were echoed here. As the fighting dragged on, journalists and politicians on both sides of the aisle, as well as citizens in the street, spoke out with passion and often with invective. Was the war being fought only to restore the Union or was it also a war to end slavery, the divisive issue that all efforts at political compromise had failed to resolve? Lincoln's Emancipation Proclamation and his decision to enlist black

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men in the Union army sparked particularly heated opinions. Epithets branding Lincoln's supporters as "black Republicans" or "radical abolitionists," along with those labeling his critics as "secession sympathizers," "Copperheads," or even traitors were frequently invoked.

In some ways Nebraska Territory benefited from the Civil War. Platte Valley road ranches prospered, along with several of the Missouri River towns, by serving emigrants, Mormons, military expeditions, miners, or those simply fleeing the war. Nebraska City and Omaha saw a freighting boom when the war diverted military transportation northward from Kansas. The boom increased with a gold rush to the Idaho/Montana mountains beginning in 1862. The buildup for a campaign against Indians in Dakota Territory in 1863 brought military contracts to Nebraska firms. The economic boost continued when in 1865 the army mounted an expedition into the Powder River country against Indians who had resisted the ever-increasing trespass on their prime hunting grounds brought on by the war and the gold rush to the mountains. The secession of the slave states removed from Congress representatives and senators who had long blocked the passage of acts providing for a transcontinental railroad and free homesteads, both considered keys to Nebraska's future.

The war's conclusion brought new debates about the place of the freed slaves in American society, how the broken Union should be restored, and the scope of political and social change that would validate the four-year sacrifice of blood and treasure. These issues would have a major impact upon Nebraska's transition to statehood. An examination of Nebraska politics during the years from 1865 to 1867 reveals that residents of the territory were far from oblivious to these debates and issues. Through territorial newspapers, personal correspondence, campaign rhetoric, and legislative maneuvering Nebraskans

gave voice to their views on Reconstruction, loyalty, the political role of the freedmen, and the relationship between the states and the federal government. Their opinions were often propounded using language and revealing attitudes that today we find racist and offensive.

What's more, Nebraska was unique in being the only territory admitted to statehood after the war was over but before the ratification in 1870 of the Fifteenth Amendment to the U.S. Constitution, which extended black male suffrage to every state where it was still being denied. Consequently only Nebraska was required to assent to a specific congressional mandate that a "whites only" voting restriction be removed from its state constitution as a condition of its admission in 1867.

Despite the Civil War's significance to the territory of Nebraska that was and to the state of Nebraska that was to be, the years from 1861 to 1867 have been accorded uneven coverage in general state histories. The experiences and contributions of Nebraska soldiers have been mostly overlooked. Territorial politics have been more fully covered, though the early histories lack balance. Journal articles about Nebraska's military and political history and book-length studies of overland freighting or the Indian wars on the northern and central plains often omit a broader context. Nebraska is barely mentioned in surveys of the Civil War in the American West, though significantly more has been written about its role in the Reconstruction years of 1865 to 1867.

By contrast, many books and articles have addressed Nebraska's story during the 1870s and 1880s, when railroads extended across the state, thousands of Civil War veterans and European immigrants came for land, the Indians were finally defeated by overwhelming force and confined to reservations, and Nebraskans old and new focused on adapting their lives and institutions to the Great Plains environment. All this em-

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phasis on the years of rapid settlement may prompt the notion that statehood in 1867 is really the genesis event from which Nebraska history has unfolded.

As one of the key chapters in our national narrative, the Civil War years hold an enduring fascination for many Americans. That fascination helps explain the steady stream of related books, articles, and memoirs that continue to pour forth 150 years after the war began. With the Civil War sesquicentennial having arrived in 2011, the time seems right to offer a new and more detailed look at Civil War Nebraska, the enterprising and energetic people who lived here, and the territory's transition to statehood, an era in our history that has been only vaguely understood and too little appreciated.

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I am grateful to the Nebraska State Historical Society, where I have spent my entire career, for providing me with the knowledge, resources, and support necessary to undertake this book. The society's decades of commitment to collecting and preserving the histories all Nebraskans share, including collections documenting the attitudes and experiences of Nebraskans during the Civil War years, have inspired me to want to tell more fully the story of this fascinating and crucial period in our past.

While the research for this book has spanned many years and has been aided throughout by the society's staff, both past and present, I particularly want to thank Director/CEO Michael J. Smith and Associate Director for Publications David Bristow for their encouragement and helpful suggestions and for allowing me time to work on Civil War Nebraska. During my research for the book, State Archivist Andrea Faling and her staff in the reference room let me check out microfilm to use in my Chadron office. As the society's first telecommuting historian, not having to make the four-hundred-mile

Acknowledgments

trip (one way) to the library and archives in Lincoln to read newspapers and other microfilmed materials aided me immeasurably. That courtesy left me free to spend my Lincoln time consulting the archives' holdings of original military records, government documents, and manuscripts and benefiting in other ways from the society's skilled and helpful staff.

Had Edith Robbins of Grand Island not discovered Pvt. August Scherneckau's Civil War diary at the Oregon Historical Society while researching the history of the Grand Island German settlement of the 1850s, the story of the First Nebraska Regiment would be far less complete. The Scherneckau diary held such promise that Robbins not only urged its publication and invited me to collaborate in editing it, but she volunteered to translate it from the German. The Oregon Historical Society in Portland kindly granted permission. The result is *Marching with the First Nebraska: A Civil War Diary*, published in 2007 by the University of Oklahoma Press.

Eli Paul, formerly my colleague in the NSHS Research and Publications Division, was instrumental in arranging for the society in 1999 to purchase the Civil War letters of Pvt. Thomas Edwin Keen of the First Nebraska. These letters, too, enriched the story. Lori Cox-Paul, archivist at the National Archives-Central Plains Region in Kansas City and also a former colleague, alerted me to the Civil War records of the provost marshal general for Kansas and Nebraska in the archives there and made them available. John D. McDermott of Rapid City, South Dakota, lent his eye to those parts of the manuscript dealing with the Indian war of 1864 and 1865, about which he is an expert, and also provided several documents from his own research files. NSHS archeologist John Ludwickson, who has long studied the First Battalion, Nebraska Veteran Volunteer Cavalry, kindly shared documents and insights. James A. Hanson of the Museum of the Fur Trade, who knows what

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makes a good history book and how to write one, read the entire manuscript and offered helpful comments. Professor Will Thomas of the University of Nebraska–Lincoln history department, along with two anonymous readers for the University of Nebraska Press, likewise weighed in with thoughtful suggestions. Despite all this help, I take full responsibility for errors, omissions, or misinterpretations that remain.

Turning a manuscript into a book requires expertise well beyond what most authors can claim. For that, I'm grateful to the staff of the University of Nebraska Press, particularly acquisitions editor Bridget Barry, associate project editor Sabrina Stellrecht, and publicity manager Cara M. Pesek. I also thank NSHS assistant editor Patricia M. Gaster for compiling the index, former NSHS exhibits designer Steve Ryan for producing the maps, and Joy Margheim for editing the manuscript.

My wife, Gail, director of the Museum of the Fur Trade in Chadron, is so busy with her own work that I am neither surprised nor disappointed that she has not paid much attention to mine. She would freely admit that Civil War history is not among her primary interests. Nonetheless, she has always encouraged my research and writing, has indulged my passion for traveling to obscure sites in Missouri and Arkansas connected with the First Nebraska, and will be delighted to see the book completed.