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| 5 House Divided | P5.1 | Header Quote  
I believe this government cannot endure; permanently half slave and half free. I do not expect the Union to be dissolved -- I do not expect the house to fall -- but I do expect it will cease to be divided. It will become all one thing or all the other.  
Abraham Lincoln, June 16, 1858 | |
| | P5.2 | **The 1860 Election**  
**A House Divided**  
The divide between North and South over the issue of slavery in the new territories grew after the Kansas-Nebraska Act. Abraham Lincoln emerged as a leader in the Illinois Republican Party after his “House Divided” speech at the Illinois Republican Convention on June 16, 1858. Lincoln argued that the “legal machinery” of the Kansas-Nebraska Act and the Dred Scott decision had made it possible for slavery to be extended into free states. Lincoln explained that the Democratic Party, the Democratic president, the Democrats in Congress, and Supreme Court justices like Chief Justice Roger B. Taney were constructing the legal machinery that would eventually manufacture a Supreme Court decision asserting, “that the Constitution of the United States does not permit a State to exclude slavery from its limits.” Lincoln warned, “Welcome, or unwelcome, such a decision is probably coming, and will soon be upon us, unless the power of the present political dynasty shall be met and overthrown.”  
**Lincoln, the Moderate Republican**  
The Republican Party of Illinois nominated Abraham Lincoln as their candidate for the US Senate in 1858. His eloquent stance against the expansion of slavery into the new territories in the debates with Senator Stephen A. Douglas, the Democratic incumbent, elevated Lincoln in the national party. Lincoln lost the election, but his increased celebrity within the Republican Party made him a viable candidate for president. The Abraham Lincoln Foundation, which functioned like a campaign committee, was established in 1859. Within the Republican Party, Lincoln was characterized as a moderate because he did not advocate the abolition of slavery where it already existed. In May 1860, Lincoln was nominated, as the Republican candidate for president on a platform that opposed the expansion of slavery but did not propose to abolish slavery were it already existed. | |
| | | [5.2.2_YoungLincoln](LOC)  
http://www.loc.gov/pictures/item/2004664400/  
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| | [5.2.3_RepublicanBanner](LOC)  
http://www.loc.gov/pictures/resource/cph.3a05799/  
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| | [5.2.4_ElectionCartoon](LOC)  
http://www.loc.gov/pictures/item/2008661606/  
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### Notes

- **African American Civil War Museum**
- **Panels 5.1 – 5.4**
- **Header Quote**  
I believe this government cannot endure; permanently half slave and half free. I do not expect the Union to be dissolved -- I do not expect the house to fall -- but I do expect it will cease to be divided. It will become all one thing or all the other.  
Abraham Lincoln, June 16, 1858
African American workmen raise a column during the construction of the U.S. Capitol on November 6, 1860. In recognition of Abraham Lincoln’s election as the 16th President of the United States, they named it “Lincoln’s Column.” Courtesy of the Library of Congress

ELECTING SECESSION

The Democratic Party was unable to select a candidate in its 1860 convention held in Charleston, South Carolina. Northern Democrats subsequently nominated Stephen A. Douglas of Illinois, and Southern Democrats nominated John C. Breckinridge of Kentucky. John Bell of Tennessee was the nominee for the Constitutional Union Party. Without his name appearing on most Southern ballots, Abraham Lincoln was elected 16th President of the United States in the November 1860 election with 180 out of 303 electoral votes but only 39.8% of the popular vote.

The power of the slaveholders’ “political dynasty was overthrown,” and South Carolina was quick to respond. Calling for a state convention to discuss secession from the Union, the state’s leaders met initially in Columbia but were forced to change venues by a smallpox outbreak. The Convention reconvened at Institute Hall in Charleston on December 18, 1860. Citing Lincoln’s “House Divided” speech, South Carolina voted to secede from the Union. Six other states (Alabama, Georgia, Florida, Louisiana, Mississippi, and Texas) also seceded from the Union before Abraham Lincoln was inaugurated on March 4, 1861. Each of the states listed their fear that the new Republican administration would attempt to abolish slavery throughout the United States as a cause for secession.
Last Bid for the Status Quo
Before Abraham Lincoln was inaugurated, James Buchanan, the outgoing president, attempted to preserve the Union by sponsoring a resolution that resulted in an amendment to the Constitution that would protect slavery from acts of Congress. The amendment passed Congress and was signed by Buchanan on March 2, 1861. Still, the passage of the amendment – often referred to as the Corwin Amendment – did not persuade any of the seceding states to return to the Union. Like South Carolina, they argued that the incoming Lincoln administration had announced, “that a war must be waged against slavery until it shall cease throughout the United States.” The amendment was never ratified.

[5.2.8_FollyofSecession]
The Folly of Secession
South Carolina struggles against the outgoing Buchanan administration in an attempt to "smash the Union up!" The cow is emblazoned with the statement, "The Union. I have a good Constitution, and can stand a pretty strong pull!"
Courtesy of the Library of Congress

No preceding election resembles this in its issues and parties, and none resembles it in the effects it has already produced, and is still likely to produce. It was a contest between sections, North and South, as to what shall be the principles and policy of the national Government in respect to the slave system of the fifteen Southern States.
Frederick Douglass, December 1860

P5.3
Header quote (right side P5.3)
Although as yet prevented from taking up arms in defense of their rights, these colored men had banded themselves together to further the cause of freedom, to succor the escaping slave, and to furnish information to loyal commanders of the movements of the rebels...
Allan Pinkerton, Head of Union Intelligence 1861-1862

Header quote (left side P5.3)
It is clearly a right of the Government to arm slaves when it may become necessary, as it is to take gunpowder from the Enemy; whether it is expedient to do so, is purely a Military question.
Simon Cameron, Secretary of War, December 1, 1861

The Civil War Begins
A Dynasty Overthrown, A Union Dissolved
While the President-elect was en route to Washington, a plot to assassinate him was reported. The renowned railroad detective Allan Pinkerton assisted in foiling the plot, and Lincoln secretly made his way to Washington. The nation was on the brink of a civil war as the authorities in the seceding states seized federal forts and arsenals. The most contentious of these seizures was that of Fort Sumter in the Charleston Harbor. On January 9, 1861, the rebels in South Carolina prevented the delivery of supplies to the garrison at Fort Sumter commanded by Major Robert Anderson. As Lincoln’s inauguration approached, South Carolina demanded that the Federal Government surrender the fort. At 4:30 am on April 12, 1861, Confederate batteries fired on the fort. [5.3.1_Inauguration]
The First Inauguration of President Abraham Lincoln
Lincoln is standing under the wood canopy, at the front, midway between the left, and center posts at the U.S. Capitol, Washington, D.C. His face is in shadow, but his white shirt is visible. Courtesy of the Library of Congress

![Image 5.3.2_FortSumter](http://www.loc.gov/pictures/item/2002699723/)

Interior of Fort Sumter during the bombardment on April 12, 1861
Harper’s Weekly reported on April 20, 1861; “General Beauregard, in accordance with instructions received on Wednesday from the Secretary of War of the Southern Confederacy, opened fire upon Fort Sumter... kept up an active cannonade during the entire day... The damage done to Fort Sumter is stated by the Confederate authorities to have been considerable.” Courtesy of the Library of Congress

Declared a War “To Preserve the Union”
By the summer of 1861, eleven of the fifteen slaveholding states had seceded from the Union and declared their independence from the United States, forming the Confederate States of America. President Lincoln maintained that the states in rebellion had no right under the Constitution to secede. In July 1861, Congress passed a resolution stating the objectives of the Federal Government: “To maintain the supremacy of the Constitution and to preserve the Union and not to overthrow or interfere with slavery.” President Lincoln affirmed the resolution.

![Image 5.3.3_Map19(LOC)](http://www.loc.gov/pictures/item/00652332/)

Border States
The slaveholding states that did not secede from the Union were Delaware, Maryland, Kentucky, and Missouri. President Lincoln ensured the loyal slaveholders in those states that he would meet his constitutional responsibility to protect their “property.”

Seeking the Right to Fight
President Lincoln called for 75,000 volunteers from the state militias on April 15, 1861. However, the right to fight in the defense of the Constitution and the Union was denied men of African descent. They were prohibited from joining the federal militia by the long-standing Militia Act of 1792, and were also barred from most state militias. Still, men of African descent across the country petitioned for the right to fight.

In an April 23, 1861, letter to Secretary of War Simon Cameron, the African American explorer Jacob Dodson offered to raise 300 volunteers in the District of Columbia. African decent citizens of Boston petitioned the Massachusetts legislature “to remove the word ‘white’ from that part of the statutes of the Commonwealth known as the militia law.” Their petition was rejected in May 1861. An African descent physician in Michigan offered the services of five to ten thousand free men of color. All such offers were rejected in 1861.

![Battle Creek Oct 30th 1861](http://www.loc.gov/pictures/item/5.3.4_MillerLtrpg1&5.3.5_MillerLtrpg2/)

Letter to Secretary of War Simon Cameron from G. P. Miller, MD

Battle Creek Oct 30th 1861
Hon Simon Cameron
Sect of War,
Dear Sir:

Having learned that in your instructions to Gen. Sherman you authorized the enrollment of colored persons, I wish to solicit the privilege of rising from five to ten thousand free men to report in sixty days to take any position that may be assigned us (sharp shooters preferred). We would like white persons for superior officers. If this proposition is not accepted we will if armed & equipped by the government fight as guerillas.
Any information or instructions that may be forwarded to me immediately will be thankfully received and implicitly obeyed.

A part of us are half breed Indians and legal voters in the state of Michigan. We are all anxious to fight for the maintenance of the Union and the preservation of the principles promulgated by Pres Lincoln and we are sure of success allowed the opportunity.

In the name of God answer immediately,

Yours fraternally,

G.P. Miller, MD
Box 725 Battle Creek Michigan.
To the Hon Simon Cameron
Secretary of War
Washington
DC
Courtesy of the National Archives

For Light and Liberty
Allen Pinkerton as head of Union intelligence reported that men of African descent “had banded themselves together to secure their rights” in a secret organization he referred to as the “Loyal League.” Their code words, wrote Pinkerton, were “For Light and Liberty.” Frederick Douglass expressed the sentiments of this organization when he wrote, “we have good evidence of the fact – that the administration at Washington, notwithstanding appearances, stand ready to inaugurate and carry out a policy towards slavery which will most certainly eventuate in breaking down slavery in all the rebel States, just as soon as the people shall require it.”

[5.3.6_Pinkerton]

Allan Pinkerton (left) standing with President A. Lincoln and Major General John A. McClernand
Courtesy of the Library of Congress

Slavery and the War Effort

Essential Wartime Labor
The Southern labor force was predominately a slave labor force, and the Confederate army needed laborers to provide critical combat service support activities. Therefore, the Confederate government contracted with slaveholders for the services of their slaves. From the very beginning of the war, thousands of persons of African descent were impressed into military labor by the Confederacy under such contracts. Impressed laborers who escaped to Union lines became known as “contrabands” in 1861, and competent generals quickly discerned that the confiscation of persons held as property for their labor caused a serious disruption to the Confederate war effort and was an important military tactic.

[5.3.7_Fortifications]

Building Fortifications
Throughout the war, enslaved persons provided critical labor to the Confederate war effort.
A Military and Humane Necessity
In May 1861, General Benjamin Butler, commanding Fortress Monroe on the Virginia Peninsula, gave refuge to three men of African descent, Frank Baker, James Townsend, and Sheppard Mallory, who had been forced to work on Confederate fortifications. A Confederate officer requested that the three men, “held for their labor” and claimed as property, be returned. Butler refused, arguing that he was confiscating the men “claimed as property” as “contraband of war.” In August 1861, Congress passed the First Confiscation Act giving Union commanders the authority to “confiscate” enslaved persons who had been impressed into labor by the Confederacy for military purposes.

As a Military question, it would seem to be a measure of necessity to deprive their masters of their services. How can this be done? As a political question of humanity, can I receive the services of a father and mother, and not take the children? Of course, the humanitarian aspect I have no doubt. Of the political one, I have no right to judge. I therefore submit all this to your better judgment...

General Benjamin F. Butler, USA, May 27, 1861

You will employ such Persons in the services to which they may be best adapted, keeping an account of the labor by them performed, of the value of it, and the expenses of their maintenance. The question of their final disposition will be reserved for future determination.

Simon Cameron, Secretary of War, May 30, 1861

Flight to Fortress Monroe
This August 17, 1861, Harper’s Weekly print illustrates, enslaved persons escaping and making their way to Fortress Monroe. On August 6, 1861, President Lincoln signed the First Confiscation Act into law making it legal for Union commanders to confiscate enslaved persons impressed into labor for the Confederacy.

Slavery and the Union
Some lawmakers, cabinet members, and military officers understood that the federal government needed to employ persons of African descent as laborers and as soldiers in order to weaken the South and win the war. Nevertheless, many enslaved persons seeking refuge behind Union lines were turned away even after the First Confiscation Act. Some Union generals such as George McClellan made no distinction between those who were force to work in support of the Confederate war effort and those who were simply escaping slavery. McClellan ordered his officers to return all runaways. Other generals such as Henry Halleck made clear distinctions and ordered his officers to follow the law strictly.

Order No. 3 was, in my mind, clearly a Military necessity. Unauthorized persons, black or white, Free or Slaves, must be kept out of our camps; unless we are willing to publish to the Enemy everything, we do or intend to do. It was a Military and not a political order. I am ready to carry out any lawful instructions in regard to Fugitive Slaves which my superiors may give me, and enforce any law which Congress may pass. But I cannot make law, and will not violate it.

General Henry W. Halleck, USA, December 8, 1861

The principal wealth and power of the Rebel States is a peculiar species of Property, consisting of service or labor of African Slaves, or the descendants of Africans. . . . This Property has been variously estimated at the value from seven hundred million to one thousand million dollars.

Simon Cameron, Secretary of War, December 1861
Secretary of War Simon Cameron wrote in his annual report in December 1861 that arming persons of African descent was necessary if the government hoped “to maintain its existence against rebellious force.” Edwin Stanton subsequently replaced Cameron.

**Resolution for Emancipation**

With an appreciation for the military necessity on emancipating the enslaved, President Lincoln sent a message to Congress recommending the adoption of a joint resolution offering federal compensation for gradual emancipation on March 6, 1862. Both Houses of Congress passed the resolution, but none of the Border State Congressmen voted for it. The President tried to convince the Congressmen to support emancipation in order to preserve the Union. The most critical statement in the resolution read, “Resolved, That the United States ought to co-operate with any State which may adopt gradual abolishment of Slavery, giving State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public, and private, produced by such change of system.”

_In the Annual Message last December, I thought fit to say, “the Union must be preserved; and hence all indispensable means must be employed.” I said this, not hastily, but deliberately._

Abraham Lincoln, March 1862

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**Campaigns to Preserve the Union**

**Union Forces Falter**

Union victories in western Virginia in 1861 propelled General George McClellan to general-in-chief of the Union Army in November 1861. In the early spring of 1862, Union spirits were high. In the Western Theater, the Union Navy had captured New Orleans and controlled most of the Mississippi River by the first of May. However, in Virginia’s Shenandoah Valley, General Thomas (Stonewall) Jackson dampened Union spirits with five victories during the month of May. In the Eastern Theater that spring, General McClellan began his Peninsular Campaign with the largest army in the Western Hemisphere – and arguably the best-trained and best-equipped army in the world. By the first day of June, McClellan’s menacing army was within twelve miles of the Confederate capitol in Richmond. It appeared the rebellion would soon be over.

While in position to capture Richmond, McClellan was led to believe that his army of 100,000 was smaller than the army General Robert E. Lee took command of on June 1, 1862. Poor intelligence fostered McClellan’s miscalculations, leading him to accuse Washington of sabotaging his efforts by not sending him more troops. Out-maneuvered by Lee’s army, McClellan’s army was forced to withdraw from its threatening position.

[5.4.1_YorktownMcHQ]

Courtesy of the Library of Congress

[5.4.2_Map22]

_**Map of the vicinity of Richmond and Peninsular Campaign in Virginia**_  
Over a dozen battles were fought along the Virginia Peninsula and near Richmond from March to July 1862.  
_Courtesy of the Library of Congress_
### Arming Men of African Descent

After word got to Washington in early July 1862 that McClellan’s army was in full retreat, suffering a humiliating defeat, Congress passed the Militia Act of 1862, granting the President the authority to employ men of African descent in any military capacity he saw fit to do so. It had become *a military necessity* to call on the help of Americans of African descent. When Congress adjourned on July 17, 1862, the Militia Act of 1862 and the Second Confiscation Act were on President Lincoln’s desk for signature. The Second Confiscation declared forever free enslaved persons claimed as property by supporters of the rebellion and gave the President the authority to seize all property of persons in the states in rebellion. President Lincoln signed both acts into law on July 17, 1862.

![Savage Station, Va. Union Field hospital after the third day of the Seven Days Battle of June 27](http://www.loc.gov/pictures/item/cwp2003000090/PP/)

### Waiting for Success

After deliberating on his course of action for five days, Lincoln met with his cabinet and informed his cabinet members that he was going to issue an emancipation proclamation immediately; acting on the authority that Congress had granted him. However, he was advised by Secretary of State William Seward not to issue a proclamation immediately. Seward said, “Now while I approve of the Measure, I suggest, Sir, that you postpone the issue, until you can give it to the Country supported by Military success, instead of issuing it, as would be the case now, upon the greatest disasters of the War!”

![Lincoln’s Cabinet first reading of the Emancipation Proclamation July 22, 1862](http://www.loc.gov/pictures/item/96521764/)

Mr. President, I approve of the Proclamation, but I question the expediency of its issue at this juncture. The depression of the public mind, consequent upon or repeated reverses, is so great that I fear the effect of so important a step.

*William Seward, Secretary of States, July 22, 1862*

The wisdom of the view of the Secretary of States, struck me with very great force. It was an aspect of the case that, in all my thought upon the subject, I had entirely overlooked. The result was that I put the draft of the Proclamation aside, as you do your sketch of a picture, waiting for a victory.

*Abraham Lincoln, 1864*

![Cumberland Landing, Va. Group of “contrabands” at Foller’s House May 1862](http://www.loc.gov/pictures/item/cwp2003000055/PP/)

General McClellan did not welcome such enslaved Americans into his lines during his Peninsular Campaign. Many leading African Americans did not believe that General McClellan’s success on the battlefield would result in emancipation. Indeed, Frederick Douglass believed that without the intervention of Congress, McClellan would have converted his army into “the slave dogs of the rebels.”

*Courtesy of Library of Congress*