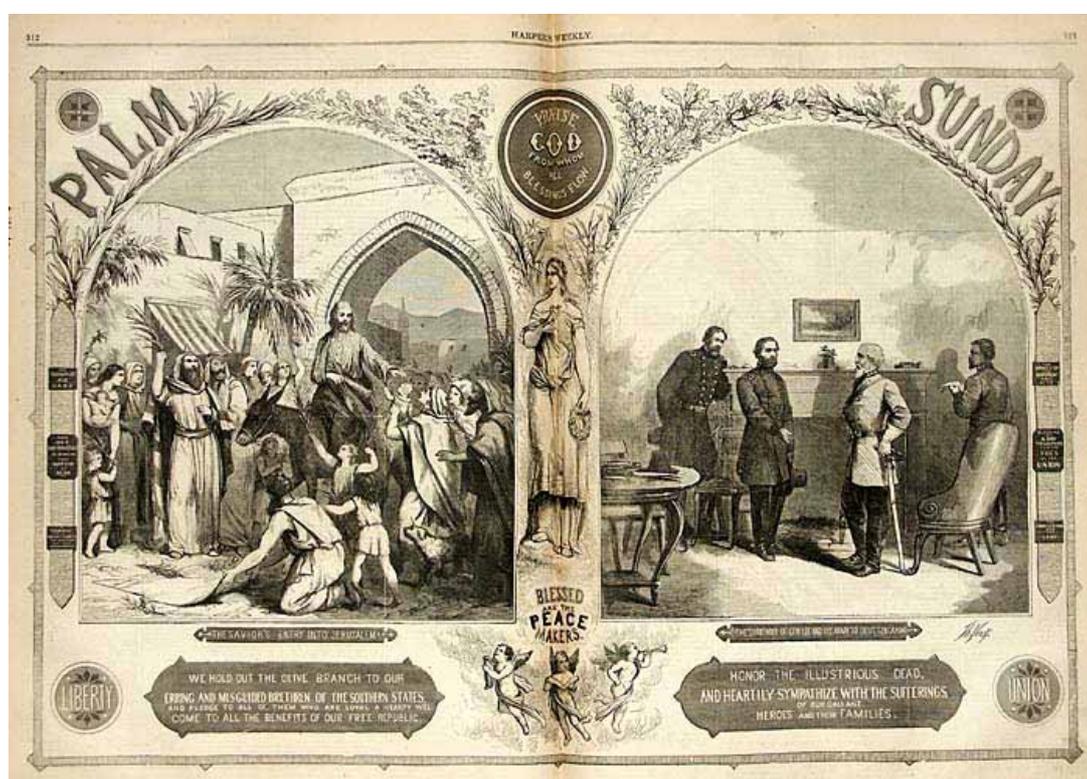


THE SURRENDERS

In this paper, the Confederate surrender, or rather surrenders, to the Union forces are examined with a view to establishing some context for the subsequent political, cultural and social changes that were to occur in the post-bellum era of America.

Although there were a number of Confederate surrenders, most people consider the first of these at Appomattox Court House on Palm Sunday, April 9, 1865, signalled the end of the Civil War. Here, General Robert E Lee surrendered the forces remaining of the once all-powerful Army of Northern Virginia¹ to Lieutenant General Ulysses S Grant. Immaculately attired in a full-dress uniform with sash and sword, the 6ft Lee presented an imposing figure and was in sharp contrast to the shorter 5ft 8in Grant who had just returned from a lengthy inspection of the troops and the Union lines. Dressed in a dusty and mud-splattered uniform, Grant looked more like a private soldier than the commander-in-chief of all Union armies.

An interesting contemporaneous representation of the significance of this surrender was presented in an edition of *Harpers Weekly* at that time with the detailed illustration by Thomas Nast:



The generosity of Grant's surrender terms, which had been worked out with Lincoln at City Point in late March,² and the spirit in which they were given, were matched by Lee's acceptance of them and the

¹ The Army of Northern Virginia (ANV) had been reduced in number through both combat losses and significant numbers of desertions in the last months of the War and could muster only 27,000 – 28,000 men for the actual surrender ceremony.

² Interestingly, in the light of later circumstances surrounding the problems encountered with the terms of the Sherman/Johnston surrender, Sherman was at this meeting and would have been aware that Lincoln's parameters for any surrender of Confederate forces was governed by a "let 'em up easy" principle. In this regard, Lincoln had refrained from dictating the precise terms of surrender observing that "...Let them once

gratitude for the rations that were to be provided to his men. Essentially, the terms of the surrender reflected Lincoln's determination to get Reconstruction moving without heavy disabilities for everyone. In summary, these terms of surrender were:

- No Confederate soldier would be taken into custody; they simply would have to sign a parole and be allowed to go home. In this regard, "...the officers (were) to give individual paroles not to take up arms against the Government of the United States until properly exchanged and each company or regimental commander sign a like parole for the men of their commands"³ ;
- Their journey homewards was "...not to be disturbed by US authority so long as they observe their paroles and the laws in force where they may reside"⁴;
- Officers and Other Ranks would be allowed to keep their horses – Grant had been unaware until advised by Lee that Confederate cavalymen and artillerymen were required to buy their horses – and Grant added this provision to the terms of surrender at their meeting, stating that this would allow them "...to put in a crop to carry themselves and their families through the next winter"⁵
- Officers were allowed to keep their side arms.

With the completion of the signing of the instruments of surrender, the commanders of the opposing armies saluted and parted with Grant returning to Washington the next day after meeting again with Lee forward of the Union lines preceded by a bugler and a staff officer carrying a white flag. This meeting, which lasted about half an hour, was the last time that Grant would meet with Lee as commanding generals of opposing armies.⁶

As the news of the surrender spread throughout the Union lines, artillery batteries began firing joyful salutes until Grant stopped them declaring:

*"The war is over...the rebels are our countrymen again and the best sign of rejoicing after the victory will be to abstain from all demonstrations."*⁷

Having, in effect, given birth to a reunited nation, Grant was later to write about the Confederate surrender in quite melancholy terms when he said:

"I felt... sad and depressed at the downfall of a foe who had fought so long and valiantly, and had suffered so much for a cause though that cause was, I believe, one of the worst for which a people had ever fought"

surrender and reach their homes, they won't take up arms again...Let them have their horses to plow (*sic*) with...give them the most liberal and honorable (*sic*) terms"

³ Grant Ulysses S, ***The Personal Memoirs of Ulysses S Grant (Two Volumes in One)***: New York, Smithmark Publishers Inc, 1994, p 631.

⁴ This clause had particular significance as it served as the model subsequent Confederate surrenders and, as McPherson points out, guaranteed them immunity from prosecution for treason.

⁵ Grant Ulysses S, ***op cit***, p 632

⁶ Grant and Lee were to meet subsequently, when on May 1, 1869, Lee visited the White House at President Grant's invitation. At this meeting, Grant presented his young secretary, the son of Stephen A Douglas, who observed that their meeting "...revived memories that saddened both of them." Concluding this meeting some fifteen minutes later, the two former foes shook hands for the last time.

⁷ Grant Ulysses S, ***op cit***, p 632

The actual official surrender ceremony was held three days later on April 12, four years to the day when Confederate forces opened fire on Fort Sumter in Charleston Harbour. Neither Grant nor Lee took part in this formal surrender ceremony, but contrary to the commonly recounted story, Joshua L Chamberlain did **not** command the Union forces at this ceremony.⁸ This responsibility fell on Chamberlain's divisional commander, Major General Joseph J Bartlett, who was commanding the 1st Division of the Union's V Corps. Chamberlain commanded one of the three brigades in Bartlett's Division and it was probably his brigade that the Confederates first encountered as they marched to face the Union forces and give up their arms. Although there is no mention of it in the contemporaneous reports of the ceremony, historian James McPherson asserts that "... it does seem true that it was Chamberlain's decision to order his men to Carry Arms"⁹ as a salute to their former enemy as was Gordon's response of bringing his horse to down on its front knees in acknowledgment of this salute.¹⁰

In the days and months following Lee's surrender other Confederate forces throughout the South surrendered and were disbanded. Some of these were formal ceremonies whilst others were quite informal in nature. One of the earliest Confederate leaders to cease operations following the Appomattox surrender was the man who had been a thorn in the side of Union forces for more than two years, John Mosby. On April 21, 1865, Mosby disbanded his Rangers, applied for parole and went back to practising law in what had been, in Shelby Foote's words, the "Mosby Confederacy".

The second major surrender occurred near Durham Station, N.C., when Joseph E Johnston concluded an armistice with William Tecumseh Sherman on April 18, 1865. The terms of their initial agreement were not acceptable to the Federal Government in Washington as it included "... matters of a political nature that were considered beyond the scope of responsibility of the military commander".¹¹ Notwithstanding Lincoln's non-specific requirements for Confederate surrenders, he was not willing to allow his generals a free hand in this matter. What Sherman initially had negotiated with Johnston involved Confederate state legislators and officials, once they took the oath of allegiance, being restored to power. This would push aside any newly established provisional governments until the Supreme Court ruled on which of these were the legitimate governments in these Southern states. In proposing this as part of the surrender terms, Sherman believed he was putting into effect Lincoln's plan for commencing the Reconstruction era. This provision was clearly within the political rather than the military domain, however, and, in particular, did not refer to the implications it might have for emancipation. If implemented, the restoring of "rights of person and property" to Southerners could be interpreted as reinstating the institution of slavery.

Grant saw immediately that this would be unacceptable to the Federal Government and when he took to the Cabinet it was immediately rejected with both President Johnson and Secretary for War, Stanton denouncing Sherman's action as treasonable. In Grant's view, however:

"...Sherman's terms were unacceptable and improper, but he was no traitor ... at worst, he had broadly construed Lincoln's lenient sentiments expressed on the River Queen – a meeting that neither Stanton nor Johnson had been present".¹²

Grant sought to forestall a blunt rebuke to Sherman by requesting, and Johnson agreeing to, his notifying his subordinate personally of the Government's rejection of the initial terms and his overlooking the

⁸ Chamberlain, aided by his former foe John B Gordon, did much to "help along" this story and their reputations at the same time. They had obviously learned from Dan Sickles the finer points of "spin-doctoring", laying a great foundation for the later "Lost Cause devotees!"

⁹ Contained in private correspondence to the author and subsequently quoted in ACWRTA Newsletter, *Sumter to Appomattox*, No.11, September 2003.

¹⁰ See Footnote # 2.

¹¹ Holberton William B, *Homeward Bound – The Demobilization of the Union & Confederate Armies, 1865 – 66*: Mechanicsburg, PA, Stackpole Books, 2001, p 2.

¹² Simpson Brookes D, *Ulysses S Grant –Triumph Over Adversity 1822 1865*: Boston, Houghton Mifflin Company, 2000. p 445.

necessary changes to the agreement. Within hours of this Cabinet meeting, Grant, Hitchcock¹³ and a number of staff officers were on their way to North Carolina to “fix” the problem. The revised agreement was worked out, the terms of which were essentially the same as the terms agreed to by Lee and Grant at Appomattox, with the actual surrender occurring on April 26. At this time, Johnston had assumed command of three departments of the Confederacy’s military organisation and was to surrender over 31,000 men of the Army of Tennessee and other commands.

The next important command to surrender was that of General Richard Taylor, who had command of the Departments of the Military Divisions of Alabama, Mississippi and East Louisiana. On May 2, 1865,¹⁴ in Citronelle, Alabama, Taylor accepted the terms presented by General Edward R S Canby for the 42,293 men of his command. These terms of surrender were essentially the same as those Grant offered Lee in the previous month. Interestingly, Taylor was offered the use of the railroads and available transport ships to facilitate the return of his men to their homes.

Although technically under Taylor’s command and included as part of Taylor’s surrender, the following day (May 9), General Nathan Bedford Forrest disbanded the troops of his independent command. Forrest, who had been defeated in his final battle near Selma, Alabama on April 2, addressed his men in a final message from Gainesville, Alabama saying:

“You have been good soldiers, you can be good citizens”

Next to formalise surrender proceedings was Major General Samuel Jones, who commanded the Department of South Georgia and Florida. On May 10, at Tallahassee, Florida, Jones surrendered his forces to Brigadier General Edward M McCook, who was commanding a cavalry division in the Military Division of Mississippi. Subsequently, surrender ceremonies were held in both Alabama and Florida.

After a protracted series of questions, proposals and counter-proposals, on May 11, 1865, at Chalk Bluff, Arkansas, Brigadier General Merriwether Jeff Thompson ended the war service of his brigade by surrendering to Major General Grenville M Dodge, Commander of the Department of Missouri, under the same terms as those granted to Lee at Appomattox a month earlier.

At this time, the series of surrenders was interrupted by what has been called the *“last significant land battle of the War”* when, on May 12 and 13, at Palmito Ranch near Brownsville in Texas, Union and Confederate forces engaged in two days of skirmishes. On both days, the Union forces commanded by Colonel Theodore Barrett first prevailed but were later beaten back by the Confederate counter-attacks by a force commanded by Colonel John S Ford. It is ironic, therefore, that the last battle of the Civil War resulted in a Confederate victory. This last battle involved the 62nd Colored Infantry Regiment and, thus, the last man wounded in a Civil War land battle was an Afro-American sergeant named Crockett.

In mid-May 1865, not all troops of the Trans-Mississippi Department had surrendered and the governors of Arkansas, Mississippi and Louisiana directed General E Kirby Smith, commander of this department, to formalise a surrender agreement. The situation was such that according to one member of the 3rd Texas Cavalry, that at this time “... the Trans-Mississippi Department’s command began a spontaneous disintegration”.¹⁵ Lieutenant General Simon B Buckner, acting on behalf of Kirby Smith entered into a “military convention” with Major General Osterhaus, who was acting on behalf of Major General Canby. The terms of this military convention were agreed to in New Orleans on May 26, with Kirby Smith signing the terms of the agreement in Galveston, Texas on June 2, 1865.

In June 1865, following the Trans-Mississippi Department’s formal surrender, Brigadier General “Jo” Shelby told his small force of some 200 troops that he would never surrender and headed for Mexico

¹³ Hitchcock was to be promoted to the rank of major general and, in December 1865, was the Union Commissary General for Prisoners.

¹⁴ The paroles relating to this surrender were signed on May 8, and, for some reason, Taylor always referred to that date rather than the earlier date when he agreed to Canby’s terms when writing about his surrender.

¹⁵ Hale Douglas, *The Third Texas Cavalry in the Civil War*: Norman, University of Oklahoma Press, 1993, p275.

where, on the way the numbers in his command dwindled even further. Abandoning his Confederate battle flag Shelby and his men crossed into Mexico and allied themselves to Maximilian. As payment for their services, they were given land near Vera Cruz where they established a short-lived settlement called Carlota. Eventually, Shelby and some of his men returned to the United States.

Others in Kirby Smith's command refused, also, the terms of surrender and scattered, some to Mexico, some to the Far West and the Pacific coast, while others just went home.

Finally on June 23, 1865, some two and a half months after the Appomattox surrender, the last formal surrender of a significant body of Confederate troops took place. Here, a minor "player" in the Confederate command, in this case Brigadier General Stand Watie, the highest ranked native-American officer on either side, surrendered his command at Fort Towson in the Indian Territories (now Oklahoma). Watie's command comprised Cherokee, Creek and Seminole tribes as well as the Osage Battalion. This surrender was accepted on behalf of the Federal Army by an equally minor "player" in the Union command structure, Lieutenant Colonel Asa Matthews.

The statistics of Confederates troops paroled and exchanged was prepared for the Union's Commissary of Prisoners in December 1865 and a summary of these statistics is presented, below:

Total Number of Troops Surrendered

Army of Northern Virginia	... 27,805
Army of Tennessee	... 31,243
Departments of South Georgia/Florida	... 7,978
Departments of Alabama, Mississippi and East Louisiana	... 42,293
Trans-Mississippi Department	... 17,686
Other smaller Units/Detachments	... 47,218
Total Surrendered	... 174,223
Paroled During the War	... 155,740
Total Surrendered / Paroled	... 329,963

The Federal Government declared the War to be officially at an end on August 20, 1865, such a declaration being a legal requirement as an end point for various wartime measures, contracts and regulations. It was then that the demobilisation could be completed and the Reconstruction Era begin in earnest ... but that's another story.

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