Public Records in War: Toward an Archival History of the American Civil War

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ABSTRACT

The preservation of public archives and records is an important and untold chapter in the history of the Civil War. The war exposed public records and archives across the eastern United States to extreme dangers, including enemy fire, seizure, looting, and arson. While elected officials and newspaper editors proclaimed the political and legal value of archives, and took concerted actions to preserve the national and state archives within the Union and the Confederacy, county and city archives suffered great damage. Raising the specter of archival loss, politicians and editors wove narratives in which public archives figured as symbols of nationalism.

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KEY WORDS

Archival history, Public archives, Lieber code, Destruction of archives, Enemy records During the Civil War, Americans evacuated, seized, damaged, and, occasionally, destroyed public archives and government records. The officials who served the Union and the Confederacy relied upon public records and preserved national archives to make war decisions, bolster public opinion, and represent the people. Well before the fighting began, Northerners feared that the federal city and its archives would be captured. Not long after the leaders of the Confederacy began to create records, and their clerks began to develop means for saving them, Southerners worried about the physical seizure of their archives.

Not only were the two "national archives" endangered, but state legislative halls, county archives, and city repositories lay in the path of organized armies and armed civilians throughout the war. Dreading the approach of federal troops, state officials evacuated the public archives housed within the state capitols of Jefferson City, Little Rock, Nashville, Frankfort, Baton Rouge, Jackson, Milledgeville, Columbia, and Raleigh. Sometimes state papers were taken across state lines for safekeeping.¹ In at least five counties in South Carolina, county buildings were destroyed through various means.² Union soldiers damaged or stole public records from at least thirteen of Virginia's county offices.³ For their part, Confederate regiments entered Maryland and Pennsylvania, forcing locals to defend or evacuate records.

The history of public archives during the Civil War is worth telling for at least three reasons. First, decisions to preserve records of the war affect what is known and knowable about the conduct and administration of the national and state governments during the war. As the national powers of government expanded, the Union and the Confederacy created and preserved vast quantities of manuscripts and printed volumes. Records of the U.S. government accumulated more quickly as a result of the war; James Gregory Bradsher estimated that federal records quintupled from less than two hundred thousand cubic feet in 1861 to over a million cubic feet by the 1870s. Today, the archival remnants of the Confederacy's War Department alone measure over nine thousand cubic feet—nearly all of it created between 1861 and 1865.⁴ Similar growth trends occurred in the states, as various government clerks, personal secretaries, governors, and state librarians transcribed or published records in bound volumes. The organic growth of government records—as much as their legal and symbolic value—induced Americans on both sides of the war to articulate the value of records and archives.

Second, the Civil War exposed some public archives—particularly those located in states, counties, and cities contested by organized militias and national armies—to more physical harm than others.⁵ Even before the fighting started, Americans feared that manuscripts and archives located in the respective capitols of Washington and Richmond would be seized or destroyed. As a result, greater protection during the war was given to national archives

than to state or local repositories. While many county and local archives were preserved through *ad hoc* and uneven methods, the preservation of state and national archives often merited greater efforts, including the mobilization of large numbers of armed troops and the coordinated movement of railcars filled with records. The uneven protection of public archives during the war demonstrated nineteenth-century American political priorities—which some at the time deemed to be cultural imbalances.

Indeed, the preservation of public archives during the Civil War is thirdly significant because the issue became a matter of cultural dispute. Beginning in spring 1863, Southern journalists, historians, and private citizens argued that Union soldiers willfully targeted and destroyed public and private archives across the South. They could point to individuals like the Thirteenth Tennessee Volunteer Cavalry captain James B. Wyatt, who burned the courthouse of Washington County, Virginia, as a way of settling old scores in his hometown of Abingdon.⁶ However, the overall picture of archival destruction during the war was more complex. In fact, during some military operations, Confederate troops inadvertently damaged Southern county records that were hundreds of years old. Reviewing the entirety of the war, the unintentional destruction of public property was probably a more common hallmark than willful obliteration. Still, between 1865 and 1920, memoirists sympathetic to the Confederate cause continued to fashion these narratives of destruction, thereby adding lost records to the lost cause.⁷

But the war of words was not one sided. Two days after the Confederate Congress voted to move the capital to Richmond, Northern writers already were insulting Confederates as shoddy custodians of records and archives—an assessment that also may have stuck. Some professional historians at the turn of the twenty-first century continued to accept or to rely upon twinned arguments when they encountered gaps in the records: that Confederate recordkeeping was unreliable by any standard, and that Southern archives were less complete than Northern archives.⁸ Other Civil War historians acknowledged that the destruction of records in the fires that engulfed several Southern cities, including Richmond, during the final months of the war contributed to the lack of certain types of information about the Confederacy.⁹ Yet, even if they did admit that the exigencies of war affected which records from the war were preserved, few historians have considered how cultural calumnies surfaced during the war and how these affronts shaped the popular conceptions of public archives long after the war.

Historiography

Indeed, the literature on the history of public archives during wars, including the Civil War, is not extensive by any measure. Only in the 1940s were scholarly articles and works of history beginning to address the topic of archives

in war. World War II presented dangers to an unparalleled number of archives and records across the globe, and the United States once again found itself in control of "enemy records." During the war years of the mid-twentieth century, the authors who approached the topic of war's destructive influence on archives did so from the perspective that wars were either fought by nations, or conducted within nations. Thus, the state loomed large, as it did for Ernst Posner in his 1943 article, "Public Records under Military Occupation." Posner stressed the continuity of archival imperatives of great state-makers from Frederick the Great to the Nazis in the 1930s, along the way pointing out that the Union Army implemented systems to register soldiers and civilians within the occupied South that demanded rigid methods of recordkeeping. His emphasis on the synergy of state making and archives building is unsurprising given the rise of totalitarian states, not to mention Posner's former role as Prussian state archivist. Still, the state-centric view that Posner adopted effectively flattened the distinctions between periods of and places in archival history.

But if Posner provided only snippets of Civil War history, the subject received keener scrutiny from Dallas D. Irvine and Carl Lokke, two scholars who shared an interest in the captured Confederate archives. Both Irvine and Lokke worked for the National Archives, but found time to write significant historical articles. In 1939, the *American Historical Review* published Irvine's "The Fate of Confederate Archives," and, two years later, he presented, "The Archive Office of the War Department" at the SAA annual meeting in Hartford. Narrowly focusing on the final months of the war, Irvine showed how Confederates hid or destroyed records, or prevented them from falling into the hands of Union soldiers, and how some Confederate records survived, if haphazardly, through capture by the Union Army, private collectors, or thieves. Irvine sought as much to establish provenance for the scattered Confederate archives and clarify issues of ownership, leaving "the historical study of the Confederate government and its manifold relations to Confederate life" to other researchers.¹²

Unlike the works of Posner and Irvine, Lokke's postwar article "The Captured Confederate Records under Francis Lieber" appeared in the pages of *The American Archivist* in 1946. Lokke speculated that the assassination of President Lincoln elevated the importance and value of captured Confederate records, as Union officials suggested links between Jefferson Davis and the Lincoln assassins. Only in the immediate moments after Lincoln's death were army officials scrupulous about collecting the records of the former Confederacy. More conclusively, Lokke showed that once Confederate records entered the hands of War Department officials, notably the head of the Archive Office (from 1865 to 1867), Professor Francis Lieber, they became a political football, utilized by both staunch Unionists and former Confederates to bolster defenses of their actions during the war, such as the treatment of prisoners. Lokke's insightful history of

the short-lived Archive Office exposed the unintended consequences when the U.S. government became custodian of the wartime records of former enemies who had claimed national ambitions.¹³

Given the overlap between archives and libraries in nineteenth-century America, the history of public archives can also be found in the works of historians who wrote about libraries that were seized or destroyed during the Civil War. David Kaser's excellent if brief *Books and Libraries in Camp and Battle: The Civil War Experience* (1984) provided solid evidence that Civil War soldiers sought out reading and writing materials of all sorts, even if that meant pilfering public archives to obtain papers to read or write upon. Still, Kaser's cultural study of literacy during the Civil War failed to launch extensive work on libraries and archives during the war.¹⁴

Thus, this article attempts a history of the distresses that government archives faced during the Civil War, one that accounts for the contingent and changing character of archives, libraries, and cultural institutions. Historicizing the archives has recently become popular in the academy.¹⁵ Heeding James O'Toole's advice to take a "broad cultural approach to archival history," archives should not be considered as timeless sources of raw material, but rather as historical subjects in their own right.¹⁶ The new cultural interpretation of archives also suggests that past attitudes toward archives have the power to shape their present and future.

Nineteenth-century elected officials, soldiers, historians, journalists, and informed citizens thought differently about archives than professional archivists do today. Notably, many nineteenth-century Americans conflated the idea of archiving with the collecting and publication of printed materials and sometimes failed to distinguish clearly between public and private archives. For commentators in both the Union and Confederacy, the national archives had greater, perhaps out-sized, symbolic importance to local repositories groaning with more common records, such as birth, marriage, and death records. By including the destruction of state and local archives in the same narrative as threats to national archives, this story deepens historical understanding of the war and expands the knowledge base of practicing archivists and historians today.

Methodology

Building on the historical literature of Posner, Irvine, Lokke, and Kaser, this paper examines public archives within the United States by interrogating the political and cultural attitudes of Americans toward public records and archives. To do so, I have searched two major databases—ProQuest's Historical Newspapers and Readex's America's Historical Newspapers—for references to archives in newspapers of the late 1850s and 1860s. I also mined the

word-searchable database entitled The American Civil War: Letters and Diaries, a product of Alexander Street Press, that contains hundreds of primary sources.¹⁷ GoogleBooks and the Internet Archive provided digitized copies of other useful texts from the nineteenth century.

Defense of the National Archives: A Problem Common to the Union and the Confederacy

Even before the start of America's bloody conflict, Americans who worried about political threats of sectionalism or disunion simultaneously expressed concern about damage to or capture of the archives in the federal city. As early as 1856, the *New York Daily Times* mused about the threat of South Carolina representative "Preston S. Brooks' proposed invasion of the capital by the South, for the purpose of 'stealing the Government archives and treasury.'" Some Southerners were as eager as Northerners to protect, albeit to accomplish different ends, the United States government and its archives. Months before Virginia voted to secede, citizens in Madison County, Virginia, resolved in late December 1860 that "Virginia ought by all means if possible, to obtain the co-operation of Maryland so as to prevent the Black Republican President and Government from getting possession of the public buildings at Washington and the Archives and Machinery of the Federal Government."

Some Northern newspapers and generals took credibly rumors of Southern aggression against the federal city. In January 1861, the New York Times advised that "any attempt that may be made by the Disunionists to seize the Capital at Washington and possess themselves of the archives of the Government, will be resisted by a million of men in arms."20 The Boston Traveler worried that Washington without its archives could no longer claim to rival London or Paris.²¹ Some Northerners proposed to remove the federal capital north to Pennsylvania or New York City, while some in the South boasted that Republicans would have to make a new capital in Pittsburgh or Springfield, Illinois.²² A month before Lincoln's inauguration, General Winfield Scott began to take defensive measures, culminating in his April 26 order for the assembled Northern units to cooperate in "the defence of the Government, the peaceable inhabitants of the City, their property, the public buildings, and public archives."23 By the end of April, about 25,000 troops were guarding the national archives, which were housed mainly in the U.S. Capitol and the buildings for the State, Navy, War, and Treasury Departments, located near the White House.²⁴

As Southern states seceded and joined the Confederacy, perceived threats to the archives of the United States were couched in visceral and symbolic terms.²⁵ "We are not only being forced to the painful conviction that the government will tamely submit to all the present exactions of the Southern Confederacy,"

Illinois physician Daniel H. Whitney warned Lincoln, "But . . . the capitol and archives of the Government will be surrendered to them without a struggle, and the twenty millions of Northern Freemen forced to the feet of Southern ar[r]ogance and power, humbly begging, and Gratefully purchasing copies of their National Records."26 The perennial seeker of patronage, James Watson Webb, went further, forewarning Lincoln that if the Southern Confederates captured Washington, they would take possession of the archives and "become the Government de facto; and of course, ev[e]ry foreign Representative must & will acknowledge them."27 Northerners had taken up arms in a defensive manner, diplomat-historian John Lothrop Motley argued, to protect the capital city and to prevent "the seizure of the national archives, the national title deeds, and the whole national machinery of foreign intercourse and internal administration."28 The governor of New Jersey, Charles S. Olden, pointed to the threatened attack on the nation's "insignia and archives" as reasons for loyal New Jerseyans to mobilize.²⁹ As late as July 1861, Senator Solomon Foot of Vermont used the seizure "of the public archives" as a rallying cry.30

What constituted the archives that Americans on both sides of secession thought would be threatened if war violently erupted? On the eve of the Civil War, archives in the United States referred most closely to collections of government documents, regardless of whether they were in their original formats, bound in volumes for better access, or even transcribed and published as books for preservation. In other words, the concept of "archives" had a range of meanings somewhat different from those applied to the term today. *Archives* could include "original records" stored according to original order, provenance, or *respect des fonds*, but they were not restricted to manuscripts or handwritten documents. Published works or compilations of transcribed works—like James Mease's *Archives of Useful Knowledge* (1810–1813) and Peter Force's *American Archives* (1833–1853)—constituted "archives" in popular parlance. Working in so many fire-prone wooden buildings, politicians and clerks at all levels of government saw publication as the primary and most reliable means of preserving the written word.³¹

The *national* archives of the United States referred to public bills, orders, memoranda, and letters, though not the personal papers of office holders, as well as many books, pamphlets, seals, and flags created at government expense. In 1859, Senator William K. Sebastian, later expelled from Congress for his support of the rebellion, used "archives of the country" to refer mainly to published items—"the laws, journals, and public printed documents." Certain departments of the federal government depended upon records and invested in archiving more than others. The Departments of State, Navy, War, and Treasury, and the Land, Patent, and Post Offices, had a relatively long tradition, if not yet legal responsibility, of keeping the official government records of the United

States. For instance, in March 1861, "the archives of the Government in the Department of the Interior, in the document office" were constantly referred to "by the other branches of the Executive and others, since in its keeping now, by law, are all the documents."³⁴

By comparison, the nascent "national" government that established itself first at Montgomery and later in Richmond started producing and retaining its own records in early 1861. Much of the historiography on the Confederacy—including the works of professional historians—suggests that a lack of interest in recordkeeping and archives was endemic to the organizations that constituted the national government of the Confederate states.³⁵ These accusations may have started as early as 1861, when Northern journalists began to mock the secretary of state of the Confederacy, former U.S. senator Robert Toombs, for keeping the "archives of the Department, embracing all its letters and State papers, in his hat."³⁶ Though lawyers and politicians, including Lincoln, often stored documents in the lining of their top hats, Northerners dismissed the "rebel government" as inconsequential because "it has no archives, no baggage, which may not be carried in the hats of its chiefs and clerks."³⁷

Yet, many of the leaders of the Confederacy already had some personal experience with or basic awareness of public archives. President Jefferson Davis had been secretary of war in the U.S. government during the mid-1850s. Vice President Alexander H. Stephens benefited from good recordkeeping during multiple terms in the U.S. House of Representatives from 1843 to 1859. Though Confederate cabinet member Judah P. Benjamin was later known for burning secret wartime messages and much of his personal correspondence, most Confederate officials did not fear the consequences of creating or preserving written records of their activities on behalf of the Confederacy.

Contrary to the rhetoric, Confederate officeholders and administrators acknowledged the need to defend their archives early in the Civil War. In mid-May 1861, President Jefferson Davis was "authorized to cause the several Executive Departments, with the archives thereof, to be removed at such time between this and the twentieth day of July next, as he may determine, to Richmond." Davis was referring to the records of the executive departments which had been created in February and March 1861: State, Attorney General, Treasury, War, Navy, and Post Office. Some of these departments were so new that they probably had not yet generated much in the way of archives. A few Southerners who left their government posts in Washington in the early months of 1861 cleverly had spirited away printed forms and instruction books from the U.S. Treasury Department. But it is also likely that some government papers would have had to be shipped by train from Montgomery to the new capital. Soon, Chief Clerk of the Treasury Henry D. Capers established a Confederate Guard to protect the "Government archives and the Capitol." On July 20, President Davis addressed

the Confederate Congress in Richmond and directed "the removal of the several Executive Departments, with their archives, to this city."⁴¹

The Battle of Bull Run in July 1861 tested the military strength and defenses of each side, and the proximity of the archives in Washington and Richmond remained particularly troubling to defensive strategists. Six days after the battle, the *New York Times* worried about the movements of Generals Lee and Beauregard and still thought that "Washington and its archives must fall into the hands of the insurgents." Later in the war, the *New York Times* opined that protecting the federal infrastructure had been a strategic distraction from attacking the armies of the Confederacy head-on. 43 Yet the Confederacy took similar defensive moves to protect its capitol and its archives, evacuating the latter by railcar. In early August 1861, various reports indicated that Raleigh, North Carolina, would be the destination of the archives should Richmond have to be abandoned. 44

Along with their defenses, the size and character of the Union and the Confederate archives changed during the war. In the wake of First Bull Run, national leaders on either side recognized that marshaling troops and commandeering supplies required extraordinary government actions, which in turn produced public records in ever greater numbers. The expansion of the United States Government Printing Office, to point to just one example, attested to the increasing production of government publications. The taking of written loyalty oaths, such as Lincoln's "Proclamation of Amnesty and Reconstruction," needed to "be registered for permanent preservation," and some Union officers took them down in manuscript books.45 Nineteenth-century government records could be substantial. At the beginning of the war, the United States had seventy thousand employees (including military), who produced about 20,000 cubic feet of records each year.⁴⁶ The numbers for the Confederacy were also voluminous, as officials evacuated Richmond with eighty boxes of War Department records in two railroad cars.⁴⁷ As a result of the organic growth of recordkeeping as much as from the symbolic value of national records, government entities representing the Union and the Confederacy took up the protection of public archives.

Public Archives under Enemy Control

Though most of the concern devoted to defending archives from seizure or destruction focused on *national* archives (defined largely by their location in the respective capitals), the first public archives to be seized as a result of the secession movements were actually located far away from Montgomery, Richmond, or Washington. The Louisiana Convention responsible for that state's secession from the Union decreed in February 1861 that the surveyors and registrars in five U.S. Land Offices surrender to "the Governor of the State, or to some person authorized by him, all of the public moneys in their hands, and all of the books,

records, papers and archives of, and belonging to, their respective offices." The surveyors could continue their jobs if they swore allegiance to Louisiana.⁴⁸ A week later, the legislature of Louisiana, which had just seceded from the Union, adopted a resolution to take over the archives of the District Court of the United States in New Orleans. All consideration for the safety of these arrogated archives was not lost, as the legislature soon approved a bill that allowed the governor "to appoint a keeper of the archives of the late District Court of the United States." ⁴⁹

As each Southern state adopted resolutions of secession, the question of who retained control over archives, both state and federal, became a subject of more or less contention. New York merchants were incensed that the bonds and goods that had been registered at the port of entry of New Orleans on their behalf were being held for ransom by the "revolutionists." A merchant who inquired about his goods was told "that the government of the Southern Confederacy is in possession of the archives of the custom house and of his bond, which, on his remitting five thousand dollars, will be returned to him, accompanied by the required permit."⁵⁰ In the neighboring state of Texas, the archives changed hands when secession loomed. Governor Sam Houston and Secretary of State Eber Worthington Cave "retired from their offices and surrendered the archives," rather than join the secession movement.⁵¹ Watching from afar, the *Alexandria Gazette* blared: "Later from Texas—The State Archives Surrendered."⁵²

Occasionally, however, Union forces were swift enough to prevent certain federal records from being captured or destroyed by the local population or its representatives. Despite the immense destruction of ships, ordnance, and naval armament at the Gosport Navy Yard, a U.S. installation at Norfolk, in April 1861, reports indicated that once the U.S.S. *Pawnee*, a steamer, arrived at the yard, "all the books and papers, the archives of the establishment were transferred to the Pawnee." Some gold originally in the Custom House in Norfolk was recovered from the scuttled U.S.S. *Cumberland*.⁵³ Nevertheless, some captured archival records provided geographic and military information that could aid supporters of secession. Though the *Norfolk Argus* published "air line distances" between various tidal inlets near Norfolk cribbed "from the charts of the [U.S.] Coast Survey," the newspaper assured "captious readers" that the military intelligence was already publicly available and known to enemy Northerners.⁵⁴

Sometimes archives were seized only to be recaptured, as occurred in a series of events in Missouri in the middle of 1861 that echoed the better-known 1845 Texas Archive War.⁵⁵ The governor of the state of Missouri, Claiborne F. Jackson, who had supported Douglas in the presidential election of 1860, refused to send troops to aid either the federal government in Washington or the one newly assembled in Montgomery. Though Jackson attempted to maintain Missouri's neutral status, he plotted to capture the federal arsenal at St. Louis. When Brigadier General Nathaniel Lyon and a volunteer force finally had

had enough of the duplicity of Missouri's elected officials, they marched on the capitol in Jefferson City in early June. Fearing for their safety, Governor Jackson and others fled to Boonville, but not before pausing to gather the state archives, which they carried with them to Boonville.⁵⁶

As a result of Governor Jackson's intrigues, the archives of Missouri had become as sought after as fugitives. On June 17, 1861, General Lyon successfully engaged Jackson's armed supporters at the battle of Boonville. As a result, Governor Jackson and some state guardsmen fled to the southwestern corner of Missouri, presumably leaving the state archives behind Union lines. The *St. Louis Republican* cheered that the discredited Governor Jackson was "powerless" to compel others to follow him without the Great Seal. ⁵⁷ The *New York Herald* claimed that "Missouri is now without a government, all the executive officers having fled from the State, and left the archives to take care of themselves. ⁷⁵⁸ Filling this vacuum, Unionists elected a new provisional governor, Hamilton R. Gamble.

However, the deposed Missouri governor Jackson did not surrender; instead, he issued a proclamation of secession and called for troops to fight the federals. In September, pro-Confederate Missourians under General Sterling Price converged on the federals holding the river bluffs at Lexington, Missouri, where Colonel James A. Mulligan of Chicago defended the archives, Great Seal, and some \$900,000 confiscated from a Lexington bank, among other property. At the battle of Lexington, some of Price's state guardsmen hid behind hemp bales, marched uphill, and overpowered Mulligan's forces. Later, Price told deposed governor Jackson that he had "recovered" the state archives and the Great Seal after they had been "stolen from their proper custodian."59 Price's "glorious acts" won the acclaim of the Confederate Congress, which made him a major general and placed his record of service "in the archives of the Confederate nation."60 For the following eighteen months, the state archives of Missouri remained sequestered in Arkansas. After Jackson's death in late 1862, his hand-chosen successor, Thomas C. Reynolds, became Missouri's governor-in-exile. Reynolds took responsibility for Missouri's archives at Camden, Arkansas, until Union forces retook them later in the war.⁶¹

As state offices took on new administrative burdens during the war, the archives of states grew in size and were politicized in new ways. For example, military engagements utilized hundreds of battle flags that, as early as 1862, were readied for honorific display and deposit in state capitols and archives. Georgia passed a law that required "the Adjutant General to prepare, and deposite [sic], in the Archives of the State, Registries of all persons from this State who have entered or may hereafter enter the Military Service during this war, and of those who have been wounded and killed in the war, and died from the effects of their wounds." As records of battles accumulated, state archives took on the difficult task of maintaining records of military activity in a politically charged atmosphere.

Public Archives in War Zones: To What Extent Were Records Destroyed?

By the end of 1861, Americans in government had come to realize that the war would be more destructive to human life and civilian property than originally admitted and that the war threatened the physical integrity of public archives. The capture of territory by volunteer armies on both sides could lead to the pillaging of archives, records, and personal papers. Notwithstanding the increasing discipline and training of the soldiers in the Union and the Confederate armies, soldiers and their leaders began to take part in actions that damaged or destroyed archives. Sometimes, archival destruction was malicious, carried out with the hope of disrupting the lives of the civilian population. Other times, the destruction of documents occurred simply to acquire information about the enemy forces and disloyal civilians. In sum, public archives were instruments or evidence of political actions, though not always worthy of physical protection by the generals, legislators, executives, and jurists who created, used, or preserved them.

The presence of armies resulted in the unintentional destruction of records, and not only those located in enemy territory. Indeed, inadvertence may have played the greatest role in the partial damage of county records, some two hundred years old, in Hampton, Virginia. The burning of Hampton in early August 1861 by Confederate general John B. Magruder took with it at least one life and the houses of some five hundred former inhabitants. Afterward, the county clerk's office was found apparently "strewn with books and papers, in the utmost confusion." All was not lost though, as a Unionist, Dr. Noyes, had saved "some portion of the public records of the county" and stashed them at Old Point at the southern tip of Hampton, which federal troops were guarding.⁶⁴ And, in Richmond by 1862, it was "no longer possible to be lawfully married" because "the removal of precious documents of various sorts by those entrusted with their custody" had placed the papers "where they think the hands of the invading vandals cannot reach them."65 The counties of western Virginia that had broken away from the eastern counties faced existential threats to their records since the start of the war.66 Under worsening conditions and shifting battle lines, Confederates damaged or dispersed some records that were of Southern origin.

Each side's claim to civility and nationhood was based in part on its capacity to preserve its own history and archives, and victory in the war hinged in part on capturing the archives of the other. In January 1862, Governor Edwin Morgan of New York recognized that only the presence of armed soldiers preserved "the public archives." Another Northern commentator described the federal city as an inelegant trifle, but acknowledged that "the only reason . . .] why Washington should be called the *National Capital* is because the national archives happen to be stored here." Boosters for the Metropolitan Railroad

petitioned Lincoln to extend a line from Annapolis and the District to Harpers Ferry with federal largesse, arguing in part that it would "protect the City which is the depository of the Archives of the Government." Confederates held similar views. By the Virginia peninsula campaign in the spring and summer of 1862, the seizure of Confederate records was twice anticipated when Union troops under General McClellan reached the outskirts of Richmond.

State archives, while not a direct target of the embattled national armies, demanded protection, and wartime evacuations of state archives became more common across much of the Confederacy as Union armies won victories along the Mississippi. In May 1862, the state archives at Baton Rouge were "removed to a place in the interior where the enemy is by no means likely to find them," while all the cotton and sugar in the city were torched.⁷¹ The following month, the state archives in Jackson were removed and secreted in Columbus, Mississippi.⁷² Of the capitals of states that seceded, only Austin and Tallahassee remained unaffected by military confrontations that endangered most Southern state archives.⁷³

The archives in and of the border states—especially those located on terrain contested by the armies in the field—remained vulnerable for nearly the entirety of the war. In Indian Territory, Colonel William F. Cloud of the Second Kansas volunteers moved the archives and the chief of the Cherokee Nation, John Ross, behind Union lines purportedly to protect them. ⁷⁴ Unionists in Hagerstown, Maryland, evacuated local records to Greencastle, Pennsylvania, in the autumn of 1862. ⁷⁵ The state archives in Union-held Frankfort, Kentucky, were imperiled twice by Morgan's Confederate raiders, first in July 1863 and then in June 1864. ⁷⁶ During the second scare, conflicting reports indicated either that Kentucky's archives were removed to a fort in federal hands or that Governor Thomas E. Bramlette had transported the state archives on "a special train" bound for Lexington. ⁷⁷ In the summer of 1864, officials in Annapolis prepared to remove Maryland's state archives as Jubal Early approached the defenses of Washington. ⁷⁸

In contrast, the archival custodians of most Northern states had relatively less to fear from armed Confederate raids. In Pennsylvania, though, rumors had circulated since before the Antietam campaign that Confederate regiments that reached Pennsylvania would damage the capital city. By early June 1863, the governor of Pennsylvania was preparing to evacuate Harrisburg, including the powder in the state arsenal, bank specie, and "the archives of the State," prior to the arrival of General Lee's massive army. It was not long before that emergency order went into effect. After the "original charter of the State and other prized papers together with the portraits of the different Governors" were removed from the city, the state librarian, Wein Forney, directed "a large force of assistants this morning in the various offices of the Capitol" to pack up the "archives, reports, State library and other valuable papers. While Harrisburg went unscathed, the town of Chambersburg, Pennsylvania, and its more than



FIGURE 1. Rebels under Brigadier General John McCausland destroyed the courthouse in Chambersburg, Franklin County, Pennsylvania, on July 30, 1864. Source: Library of Congress http://www.loc.gov/pictures/resource/cph.3b21423/.

five thousand inhabitants endured three Confederate raids.⁸² The 1864 raid resulted in the worst damage, as Confederates torched over five hundred buildings, including the Franklin County Courthouse, which more than likely still contained local records (see Figure 1).⁸³

In nineteenth-century America, maintaining public archives was considered to be one of the traits not only of civilized peoples, but of republican governments. The political value of archives was particularly evident to politicians hoping to wear the mantle of military governor. One such politician was Andrew Johnson, who insisted in early 1862 that "victory in Tennessee" would be complete only when Nashville, the capital, was taken. For in Nashville, "the archives of the State are preserved, there a false Governor presides over a people he has betrayed, and there the Union flag must be unfurled, the Union men entrenched." Unfortunately for Johnson, the archives of

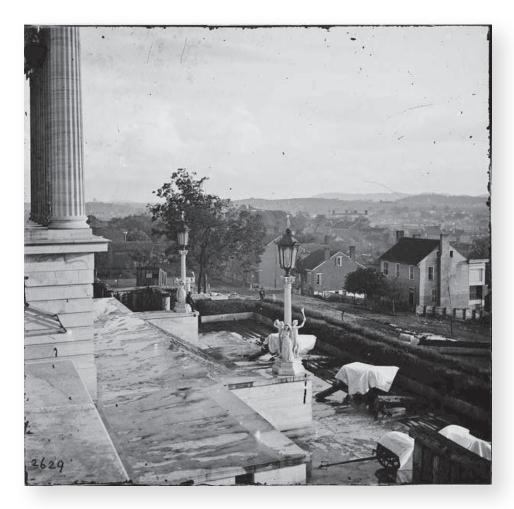


FIGURE 2. Guns occupy the steps of the capitol in Nashville, Tennessee, in 1864. Source: Library of Congress: http://www.loc.gov/pictures/resource/cwpb.02069/.

Tennessee proved quite movable. Even though Union forces captured the city of Nashville, secessionist governor Isham G. Harris and the legislature of Tennessee had evacuated the state archives, along with bank specie, by rail to Memphis in advance of the Union occupation of the capital in February 1862 (see Figure 2).⁸⁵ The following month, Johnson was appointed military governor of the state without its archives intact. In western Virginia, the absence of an archives was part of the debate over the political fate of thousands of loyal Unionists. In late 1862, U.S. Navy secretary Gideon Welles wondered if federal recognition of the provisional government, then meeting in western Virginia, should be held up because it was not in possession of the long-standing archives of Virginia. Lincoln disagreed and signed the act granting state-hood to West Virginia.⁸⁶

In fact, the Civil War challenged the sanctity of archives, libraries, and records, particularly as armies began to occupy enemy soil for months at a stretch. Local records, never protected with the same attention as that given to "national archives," suffered perhaps the greatest injuries during the war. When Union surgeon Alfred Lewis Castleman encountered the Warwick County Courthouse in April 1862 after the battle of Yorktown, he thought little of taking a few souvenirs:

Visited Warwick Court House to-day, and spent much of the afternoon in musing over the musty records of two hundred years ago. . . . Brought away a few sheets, over which I expect to while away many otherwise lonely hours. This country presents subjects of study and reflection, as well for the moral as for the physical historian.⁸⁷

Other Northern soldiers reacted differently to what amounted to despoliation of Virginia's colonial past. Union surgeon Thomas T. Ellis found the county office building in Charles City, Virginia, in a chaotic state after it had been used as a Union cavalry stable. Even documents two hundred years old "had been pulled about and torn to pieces and scattered all about the building and adjoining grounds." Ellis understood that "great confusion must arise from this wanton destruction of valuable papers, and litigation in the future be largely increased thereby. By such conduct friends and foes are injured indiscriminately, and without any accompanying advantage to compensate for the injury inflicted."88

Though Ellis's concern for Virginia's county records was mainly legal and fiduciary, his inclination to protect archives regardless of their creators hinted at the need for a military code that could prevent the destruction of an enemy's archives. In 1863, the Berlin-born jurist Francis Lieber (see Figure 3) produced a code of wartime conduct that forbade a "conquering state or nation" from "wantonly" destroying "works of art, libraries, collections, or instruments belonging to a hostile nation or government."89 However much Lieber's code made the legal case for the preservation of "collections" qua archives, few military leaders acknowledged archives as a separate cultural institution worthy of protection. In early 1865, for example, General William T. Sherman instructed General Howard to invade Columbia and "destroy the public buildings, railroad property, manufacturing and machine shops" while sparing "libraries and asylums and private dwellings"-a directive that might well have encouraged the burning of archives if found in "public buildings." Oonfederates were even less encompassing in their explicit rules of conduct; General Lee formally only forbade "wanton destruction of private property." Indeed, almost no one on either side of the conflict differentiated between records of an enemy state that could be seized during hostilities and archival heritage unalienable from its place of origin.92

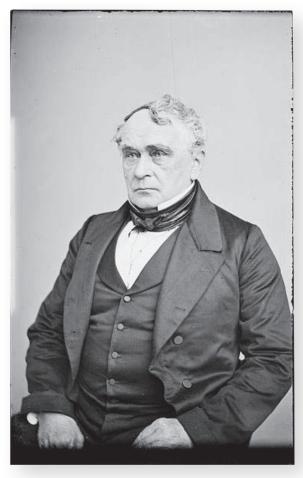


FIGURE 3. Professor Francis Lieber, between 1855 and 1865. Source: Library of Congress: http://www.loc.gov/pictures/resource/cwpbh.01400/.

Still, for all of the inadequacy of military legal theory, by the middle of the Civil War, Americans' views of public archives became part of a charged political commentary on the progress of civilization. As early as 1863, Confederate congressmen investigated evidence of federal troops destroying artifacts of Southern history and culture on purpose in their attempt to win total victory. The "Report of the Select Committee in Relation to Outrages of the Enemy," presented by Alabama Confederate senator Clement C. Clay, described how Union soldiers had entered the states of Alabama, Arkansas, North Carolina, and South Carolina. Besides destroying private property, the "invaders" had

burned or battered down public edifices devoted to civil and religious purposes—school-houses, court-houses and churches—and have either destroyed or taken off the public records, the books and the sacramental vessels, thereby displaying a desire or intention to destroy our monuments of property, our evidences of marriage and legitimacy, our history, and the very bonds of society.⁹³

Northern and Southern newspapers reprinted these words multiple times for dramatic effect.⁹⁴ To the extent that there were specific instances of callousness toward public archives on the part of Union forces—like those in which surgeons Castleman and Ellis were observers or participants—the narrative of aggrieved victimization was accurate.

The scorched earth policy, adopted by the Union armies as they sliced across large swaths of territory in late 1864 and 1865, led to several incidents in which state and local records suffered. Governor Joseph Brown recounted the march of the Union army across a four-hundred-mile belt of Georgia, within which "most of the public property, including several court houses with the public records, and a vast amount of private property . . . have been destroyed" and the capital at Milledgeville "has been occupied and desecrated by the enemy." However, contrary to some assessments, General Sherman's march through Georgia did not catch the state's legislators completely off guard, as Lafayette Carrington, "the efficient and indefatigable Clerk of the House, succeeded in saving the records of his department, having removed them via Savannah, Thomasville, Albany and Macon" prior to the arrival of the Union Army. However, at Sandersville, Georgia, on November 27, 1864, some superior court records were burned when Sherman ordered the torching of the courthouse as retaliation, though Washington County's probate records were salvaged.

Damage to local archives in the two Carolinas was fairly substantial, though uneven. Courthouses in several counties, including those in Charleston and Columbia, were damaged.⁹⁸ By comparison, state archives were prioritized for evacuation. Ninety boxes of South Carolina records were shuttled out of Columbia before the major fire of February 1865.⁹⁹ When Raleigh fell in April, the governor of North Carolina and others entreated Sherman to protect the capitol and its furnishings, a plea that was largely followed outside of damage to some documents, a few museum cases, and a marble bust of Calhoun. Still, a Union soldier may have stolen North Carolina's official copy of the Bill of Rights.¹⁰⁰

The fiery capture of Richmond in April 1865 resulted in perhaps the greatest loss of archives in the South. Along with the burning of the city archives, fires in Richmond consumed records of at least eight county courts that had been relocated to the city for safekeeping. Fire also burned records of the Confederate Surgeon General, Commissary General, Signal Office, and the Army Intelligence Office. Mobs carried away unburned papers.

But fire did not incinerate all public records in Richmond. Hundreds of boxes of Confederate records had been shipped south or west prior to the arrival of Union regiments.¹⁰³ As Confederate private Peter Helms Mayo noted in

his diary, special trains had moved from Richmond "the gold and other many valuables of the Treasury and the archives of all the other departments." ¹⁰⁴ Though Confederate officials fleeing Richmond destroyed or abandoned portions of the records of the Navy Department at Charlotte; the Treasury Note Bureau at Anderson, South Carolina; and the Post Office Department at Chester, South Carolina, ¹⁰⁵ diarist Mary Boykin Chestnut was inaccurate to write that "everything is lost in Richmond, even our archives." It was wrong to imply that Union soldiers were the only ones responsible for the archival destruction. ¹⁰⁶ When Union forces finally seized the Confederate archives (or the parts of it that escaped destruction), the *New York Times* conjectured that the capture had brought an end to the Confederacy almost as much as the formal military surrender of Lee, Johnston, and the rest of the Confederate generals. ¹⁰⁷

Indeed, the U.S. War Department went to a great deal of trouble when it ordered on April 7, 1865, that the scattered "rebel archives" be rounded up in a multistate and international search. The creation of the Archive Office within the U.S. War Department was a seminal moment in American archival history, even if the department kept the materials restricted from the public. The hope if not the outright intent of its chief, the aforementioned Francis Lieber, was to indict specific members of the rebel leadership for treason and conspiracy to assassinate Lincoln. But the evidence amassed by Lieber was not enough to indict Jefferson Davis, at least not according to the U.S. Committee of the Judiciary assembled in April 1866. Still, Lieber took seriously the act of saving 499 boxes and barrels of the enemy's records, as well as the possibility for replevin. He presided over the return of some Southern records to their original owners, as when he transferred North Carolina court records to the U.S. Attorney General, who was then free to return prewar books and documents to the agent of the governor of North Carolina.

The Confederate papers that the War Department did not deem worthy of at least short-term retention were dispersed to other federal agencies or fell into private hands. Between the late 1860s and 1940s, state and private repositories—the Mississippi Department of Archives and History, the New York Public Library, and the Confederate Museum in Richmond—acquired Confederate papers that had fallen into private hands in the months and years after the war. 111

For fifty years after the Civil War, memoirists and other narrators continued to publicize the destruction of Southern archives that occurred during the war, as well as the efforts to save them. In 1903, Sara Aldrich Richardson's memories of her father helping the governor "to save the State archives" were published in *South Carolina Women in the Confederacy*. In 1911, Constance Cary Harrison transcribed and printed a family letter written in Richmond in 1865 that described how "soldiers in blue were picking out letters and documents that caught their

fancy" from the burning piles of "the different departments' archives of our beloved Government." Turn-of-the-century accounts of Southern archives drew on a deep well of sympathy.

Even with many tales of ruin retold after the war, the narratives of archival destruction that impugned the reputations of Union soldiers and Confederate recordkeepers were hardly so one sided or unambiguous. For example, in 1896, Captain Morris C. Runyan wrote about the days in 1865 when his New Jersey volunteers took hold of the city of Charlotte and seized a part of the Confederate archives from the clutches of the fleeing Confederates-thereby casting the capture (and simultaneous defense) of the enemy's papers as an act of personal honor.¹¹³ Unexpected narratives could also emerge. In 1913, Mississippi's first professional state archivist, Dunbar Rowland, was surprised to admit that Union soldiers had just slightly damaged the state's Civil War-era records, perhaps because that state's leaders had moved them five times during the war.¹¹⁴ Regardless how much or specifically what was destroyed, clearly the physical preservation of public archives had become an issue of cultural self-definition that could unite as well as divide Americans. Those on both sides of the war affirmed the symbolic value of national and state (if not always local) archives, as much as they valued the legal and administrative uses of public archives.

Conclusion: Public Archives Reflected a Nation at War

As Randolph Starn suggested, archives are subject "to dismemberment, damage, and destruction" even when the hand of war is held at bay. Still, the contingencies of history matter, and the American Civil War was an important moment of exigency in nineteenth-century archival history. While the war did not radically transform the keeping of archives and records in the United States, it did demonstrate that public archives were a subject of political concern and cultural controversy.

First, the war opened public archives to war-related perils not seen in the United States since 1814 when the British burned the Library of Congress, along with some government records of the War, Navy, and Treasury Departments. Though the total number of linear feet of paper or printed materials lost or damaged in the Civil War cannot be easily estimated, few Americans on the eve of the war could have anticipated neither how much was destroyed nor the lengths to which a few individuals would go to avert archival destruction.

Second, the war encouraged some newspaper editors, political figures, and army generals to be concerned about the physical state and political use of public archives. As some Americans seized government archives maintained by those defined as the political enemy, others pointed out that damage to archives would hurt both associates and adversaries. Throughout the Civil War,

custodians of records—be they Treasury Department officials, state librarians, or county clerks—preserved written records in ways that accorded with nine-teenth-century values of civility, honor, and nationalism. Even soldiers and army medical officers took time from their war work to pen letters and diaries that expressed a range of concerns about the safekeeping of public archives.

Third, notwithstanding all the wartime anxiety about destroyed records, the war generated and preserved far more records than were captured or destroyed. Indeed, the war did not leave all public archives in a state of utter devastation. For example, as early as May 19, 1864, the U.S. government proposed a publication effort that would bring together the official records of the Civil War, which ultimately totaled 128 books published between 1881 and 1901. The conflict increased the volume of records produced by both the federal and state governments. Though not all state papers created during the war were archived (or archived to today's standards), many items would be recorded and preserved in various printed collections.

Fourth, the war led to the preservation of various collections of Confederate records by the federal government and private collectors—an effort of archival reconstitution that lasted three-quarters of a century and perhaps still continues today. The creation of an entirely separate "national" archives of the Confederacy signaled a shift in the keeping and use of records within the federal government for purposes secondary to their original creation. The U.S. War Department preserved and made available the confiscated Confederate records—generally to designated civilian officials and the wider public, often for purposes of criminal justice, civil litigation, and historical fact finding. Though there was little desire to resurrect the Confederacy, the War Department's Archive Office effectively revived the archives of the Confederacy, giving pro-Confederate apologists like Jefferson Davis as much fodder for autobiographies as it would to pro-Union sympathizers seeking to find evidence of Southern secessionist conspiracies.

In part, the Civil War raised the question of how a civilized nation should protect the records of other nations from the ravages of a war of its own creation. Keeping with centuries of tradition, most Civil War generals and soldiers treated both archives housed in local cultural institutions *and* the state archives of the enemy equally as spoils of war—hardly the most forward-thinking approach. Still, the promulgation of the Lieber code within the Union Army in 1863 pointed to innovations in the laws of war, even if generals in the field continued to skirt these written rules. Indeed, the Civil War may have influenced how civilian and military leaders in the second half of the nineteenth century approached the capture or return of cultural patrimony in subsequent wars.

The physical effects of war on public archives continue to shape the views of Americans who seek to preserve archives, regardless of provenance, in and out of areas affected by war today. Stories of archival evacuation,

seizure, and destruction remind practicing archivists and historians of the many fates that can befall cultural heritage during times of civil strife, military occupation, or open warfare. The ways that archives are protected or neglected during war point to vulnerabilities in the human record that transcend time and place.

Notes

The author would like to thank Craig Harman, Will Kurtz, and Jonathan Powell for their editorial assistance. He also thanks Dr. Michael Vorenberg (associate professor, Brown University) for introducing him to the raids on Chambersburg, Pennsylvania.

- ¹ In 1865, twelve boxes of Tennessee records were recovered in Georgia. Dallas D. Irvine, "The Archive Office of the War Department: Repository of Captured Confederate Archives, 1865–1881," *Military Affairs* 10 (Spring 1946): 93–111, 96.
- ² Robert H. Woody, "The Public Records of South Carolina," The American Archivist 2 (October 1939): 255.
- ³ For a county-by-county account of record losses in Virginia, see the Library of Virginia's "Lost Records Localities: Counties and Cities with Missing Records," https://www.lva.virginia.gov/public/guides/rn30_lostrecords.pdf.
- James Gregory Bradsher, "An Administrative History of the Disposal of Federal Records, 1789–1949," Provenance, Journal of the Society of Georgia Archivists 3, no. 2 (1985): 2; "Overview of Records Locations: Record Group 109," National Archives, http://www.archives.gov/research/guide-fed-records/index-numeric/101-to-200.html#RG109.
- ⁵ Physical ruin during the Civil War has been addressed by Megan Kate Nelson, *Ruin Nation: Destruction and the American Civil War* (Athens: University of Georgia Press, 2012), though without mention of destruction of archives.
- ⁶ For the story of Wyatt, see Samuel W. Scott and Samuel P. Angel, History of the Thirteenth Regiment, Tennessee Volunteer Cavalry U.S.A. (Philadelphia: P.W. Ziegler & Co., 1903), 221–22, https://goo.gl/ RNYAes.
- ⁷ David W. Blight's otherwise comprehensive *Race and Reunion* lacks mention of the role of public archives in the construction of Confederate memory after the war. David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press, 2002). The omission is particularly evident in chapter 8: "The Lost Cause and Causes Not Lost."
- For instance, Allen Guelzo writes that "the quality of Confederate record keeping (not unaffected by the amount of Confederate destruction in the last year of the war) is even less reliable than its Union counterpart." Allen Guelzo, Fateful Lightning: A New History of the Civil War and Reconstruction (New York: Oxford University Press, 2012), 515.
- ⁹ Noting the paucity of good information on the number of Southern soldiers who served from each state, or the numbers of those injured or fallen sick, Harris D. Riley Jr. acquiesced that "in the spring of 1865 the Confederate Surgeon General's Office was burned in a fire that destroyed much of Richmond." Harris D. Riley Jr., "Medical Activities," in *The American Civil War: A Handbook of Literature and Research*, ed. Steven Woodworth (Westport, Conn.: Greenwood Press, 1996), 435.
- Oclias Harris, "The Protection of Federal Records against Hazards of War," The American Archivist 5 (October 1942): 228–39; Philip Brower, "The U.S. Army's Seizure and Administration of Enemy Records up to World War II," The American Archivist 26 (April 1963): 191–207; Michael J. Kurtz, America and the Return of Nazi Contraband: The Recovery of Europe's Cultural Treasures (Cambridge, Mass.: Harvard University Press, 2006).
- Ernst Posner, "Public Records under Military Occupation," American Historical Review 49 (Jan. 1944): 213–27.
- Dallas D. Irvine, "The Fate of Confederate Archives," American Historical Review 44 (July 1939): 823–41; Irvine, "The Archive Office of the War Department," Military Affairs 10 (Spring 1946): 93–111. Irvine's main effort was the production in 1966 of the multivolume Military Operations of the Civil

- War: a Guide-Index to the Official Records of the Union and Confederate Armies, 1861–1865 (Washington, D.C.: National Archives).
- ¹³ Carl Lokke, "The Captured Confederate Records under Francis Lieber," *The American Archivist* 9 (October 1946): 277–319. See also James A. Hayt, "The Confederate Archives and Felix G. DeFontaine," *The South Carolina Historical Magazine* 57 (October 1956): 199–203; Harold E. Mahan, "The Arsenal of History: The Official Records of the War of the Rebellion" *Civil War History* 29 (March 1983): 5–27.
- ¹⁴ David Kaser, Books and Libraries in Camp and Battle: The Civil War Experience (Westport, Conn.: Greenwood Press, 1984).
- ¹⁵ Jacques Derrida, Archive Fever: A Freudian Impression (Chicago: Chicago University Press, 1998); Antoinette Burton, ed., Archive Stories: Facts, Fictions, and the Writing of History (Durham, N.C.: Duke University Press, 2005); Francis X. Blouin Jr. and William Rosenberg, eds., Processing the Past: Contesting Authority in History and the Archives (Oxford: Oxford University Press, 2011).
- ¹⁶ James O. Toole, "The Future of Archival History," Provenance, Journal of the Society of Georgia Archivists 13, no. 1 (1995): 19.
- Where "ProQuest" is cited, the item has been retrieved from ProQuest Historical Newspapers, http://www.proquest.com/products-services/pq-hist-news.html. Where "Readex" is cited, the item has been retrieved from Readex: America's Historical Newspapers, http://www.readex.com/content/americas-historical-newspapers. Where "Alexander Street" is cited, the item has been retrieved from Alexander Street Press, The American Civil War: Letters and Diaries, http://alexanderstreet.com/products/american-civil-war-letters-and-diaries.
- "Invasion and Capture of Washington," New York Daily Times, September 8, 1856, ProQuest; "How the Deed Is to Be Done," New York Daily Times, September 5, 1856, ProQuest. One Massachusetts newspaper in 1861 hearkened back to Preston Brooks's idea of seizing "the public archives and the public treasure." Though Brooks had died in 1857, the writer warned that "disunionists" might still attempt the deed. "Seizure of the Capital," Lowell Daily Citizen and News, January 16, 1861, 2, Readex.
- "The National Crisis. The Voice of the People of Virginia. Madison County," Richmond Whig, January 1, 1861, 2, Readex.
- ²⁰ "The Progress of the Rebellion," New York Times, January 4, 1861, 4, ProQuest.
- ²¹ "The Mode of Coercion," Boston Traveler, January 23, 1861, 2, Readex.
- ²² "Letter from Washington," *Times-Picayune*, January 31, 1861, 1, Readex. As late as June 1861, a rumor circulated that "the Government archives" had been "removed to Philadelphia" in "sealed" train cars "by order of the Administration." "Preparing to Evacuate Washington," *Columbus Daily Enquirer*, June 28, 1861, 3, Readex.
- ²³ "Defence of the Capitol," *Philadelphia Inquirer*, February 7, 1861, 1, Readex; Winfield Scott, letter to Abraham Lincoln, April 26, 1861, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division, https://memory.loc.gov/ammem/alhtml/malhome.html.
- ²⁴ "Give Us a Decisive Policy," *Wisconsin Daily Patriot*, ed. Stephen D. Carpenter and George Hyer, April 26, 1861, 2, Readex.
- ²⁵ For the symbolism of archives, see James O'Toole, "The Symbolic Significance of the Archives," *The American Archivist* 56 (Spring 1993).
- ²⁶ Daniel H. Whitney, letter to Abraham Lincoln, April 2, 1861, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division.
- ²⁷ James Watson Webb, letter to Abraham Lincoln, February 6, 1861, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division.
- ²⁸ John L. Motley, *The Causes of the American Civil War: A Letter to the London Times* (New York: James Gregory, 1861), 4, retrieved from Making of America, University of Michigan, http://quod.lib.umich.edu/m/moa/ack9297.0001.001/4?page=root;size=100;view=image.
- ²⁹ "Governor's Message," Newark Daily Advertiser, May 1, 1861, 2, Readex.
- ³⁰ "Remarks of Senator Foot, of Vermont," Vermont Journal, July 20, 1861, 4, Readex.
- ³¹ In 1856, Congress debated a plan to print and distribute government publications to the states. "Editorial Correspondence of The N. Y. Tribune," *New York Tribune*, March 26, 1856, Readex.

- 32 "Thirty-Fifth Congress. Second Session. In Senate," Daily Globe (Washington, D.C.), February 5, 1859, 4, Readex.
- ³³ In 1861, a banker complained about the "confused archives of the Treasury Department." "Our National Statistics," *Boston Daily Advertiser*, September 23, 1861, 2, Readex.
- ³⁴ "Congressional Chart," Daily National Intelligencer, March 20, 1861, 2, Readex.
- 35 Three quotations from the professional historiography demonstrate the point: "Because of poor Confederate record keeping," Joseph L. Harsh, Taken at the Flood: Robert E. Lee and Confederate Strategy in the Maryland Campaign of 1862 (Kent, Ohio: Kent State University Press, 1999), 506; "The non-chalant Confederate approach to military record keeping," Robert Krick, The Smoothbore Volley that Doomed the Confederacy: The Death of Stonewall Jackson and Other Chapters on the Army of Northern Virginia (Baton Rouge: Louisiana State University Press, 2004), 243; ". . . . perhaps by then [1864] Confederate record keeping had fallen victim to a wartime clerical manpower shortage," Charles H. Russell, Undaunted: A Norwegian Woman in Frontier Texas (College Station: Texas A&M University Press, 2006), 113.
- ³⁶ Editor James J. Faran may have been the one who mused: "What a loss to the country if Toombs' hat should be blown off in a gale of wind. Would not treason be scattered to the winds?" *Cincinnati Daily Enquirer*, May 23, 1861, 2, Readex. Fiery congressman-turned-editor Chauncey L. Knapp edited the newspaper that claimed that Toombs rejected an office seeker by asking: "What need for a clerk? Why, I can carry the whole state department in my hat." "Rebel Archives," *Lowell Daily Citizen and News*, July 12, 1861, 2, Readex.
- ³⁷ "The Prospect," Lowell Daily Citizen and News, January 23, 1862, 2, Readex.
- ³⁸ "A Resolution to Provide for the Removal of the Seat of Government," *Columbus Daily Enquirer*, May 30, 1861, 2, Readex.
- ³⁹ E. Merton Coulter, *The Confederate States of America* 1861–1865 (Austin: University Press of Texas, 1994), 150.
- 40 "Letter from Richmond," Daily Constitutionalist, July 2, 1861, 3, Readex.
- ⁴¹ Letter from Jefferson Finis Davis, July 20, 1861, in A Compilation of the Messages and Papers of the Confederacy, Including the Diplomatic Correspondence, 1861–1865, comp. James D. Richardson (Nashville: United States Publishing Company, 1905), 117, Alexander Street.
- 42 "Washington in Danger," New York Times, July 27, 1861, ProQuest.
- ⁴³ "Our Army Correspondence," New York Times, January 22, 1863, ProQuest.
- ⁴⁴ "A Panic at the Rebel Capital. The Enemy Very Much Disgusted—Jeff. Davis Packing up the Public Records," *Chicago Tribune*, July 31, 1861, ProQuest; "A Panic at Richmond," *American Traveller*, August 3, 1861, 3, Readex.
- 45 "The Proclamation of Amnesty and Reconstruction," Freedmen and Southern Society Project, University of Maryland, http://www.freedmen.umd.edu/procamn.htm.
- ⁴⁶ James Gregory Bradsher, "A Brief History of the Growth of Federal Government Records, Archives and Information, 1789–1985," Government Publications Review 13 (July/August 1986): 492.
- ⁴⁷ See Irvine, "The Fate of Confederate Archives," 828.
- 48 "State Convention. Eleventh Day's Proceedings," Daily Advocate (Baton Rouge, La.), February 8, 1861, 2. Readex.
- ⁴⁹ All of the following are Readex: "Louisiana Legislature," Daily Advocate, February 16, 1861, 2; "Louisiana Legislature," Daily Advocate, March 1, 1861, 2; "Louisiana Legislature," Daily Advocate, March 3, 1861, 2; "Louisiana Legislature. Official Journal of the Senate. Fifth Legislature—Second Session," Daily Advocate, March 14, 1861, 1.
- ⁵⁰ "Revolution and Commerce," Commercial Advertiser, March 25, 1861, 2, Readex.
- 51 "The News," New York Herald, March 24, 1861, 4, Readex. The Texas secession convention instructed Secretary of State Cave "to turn over and deliver to his successor in office, the great seal of the State, all papers, archives, or other property belonging, or in anywise appertaining to the State Department of State, upon demand made by said officer." "Texan Convention," Times-Picayune, March 24, 1861, 5, Readex.
- ⁵² "Later from Texas—The State Archives Surrendered," Alexandria Gazette, March 25, 1861, 3, Readex.
- ⁵³ "Destruction of the Gosport Navy Yard," Salem Register, May 6, 1861, 1, Readex.

- ⁵⁴ "Distances around Norfolk. [From the Norfolk Argus]," Charleston Courier, July 25, 1861, 1, Readex.
- 55 Dorman H. Winfrey, "The Texan Archive War of 1842," Southwestern Historical Quarterly 64 (October 1960): 171–84.
- ⁵⁶ "The Flight of Gov. Jackson," *New York Tribune*, June 18, 1861, 7, Readex. It is hard to tell if Governor Jackson had the public records taken to Boonville or Arrow Rock. The latter destination was given by a St. Louis paper, which announced that "the archives and records of the State were being removed by steamboat to Arrow Rock, in Saline county." "Affairs in Missouri," *Daily National Intelligencer*, June 19, 1861, 3, Readex.
- ⁵⁷ "Secession in Missouri," Commercial Advertiser, June 28, 1861, 1, Readex.
- ⁵⁸ "The News," New York Herald, July 4, 1861, 4, Readex.
- ⁵⁹ "Telegraphic News...Jefferson City, Sept. 29," *Plain Dealer*, September 30, 1861, 2, Readex; "Progress of the War," *New York Observer and Chronicle*, October 3, 1861, 318, ProQuest.
- 60 "The War in the West. Affairs at Springfield, Mo," Philadelphia Inquirer, March 1, 1862, 2, ProQuest.
- ⁶¹ Albert Castel, General Sterling Price and the Civil War in the West (Baton Rouge: LSU Press, 1993), 50–55, 165.
- ⁶² "Latest Washington News. The Steamship Pirates," *Philadelphia Inquirer*, March 8, 1862, 1, Readex; "Trophies and Memorials of the War," *New York Times*, March 8, 1863, ProQuest.
- 63 H. C. Wayne, "State of Georgia," Southern Cultivator 21 (March 1863): 1, ProQuest.
- ⁶⁴ "From Fortress Monroe. The Burning of Hampton. Why the Act of Vandalism was Committed. Some of the Public Records Saved," *New-York Daily Tribune*, August 13, 1861, 6, Readex; "Matters at Fortress Monroe," *Commercial Advertiser*, August 13, 1861, 2, Readex.
- 65 "Latest News from the South," The Sun, May 23, 1862, ProQuest.
- 66 "The Rebellion in northwestern Virginia. A Rebel Account—Whom they call Traitors," New York Herald, July 23, 1861, 2, Readex.
- 67 "Governor's Message. Annual Message of Governor Morgan," Evening Post (New York), January 7, 1862, 2, Readex.
- 68 "The War Winter at Washington-No. 1," Jamestown Journal, January 10, 1862, 2, Readex.
- ⁶⁹ Richard Wallach et al., letter to Abraham Lincoln, October 28, 1862, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division.
- On May 19, 1862, Baltimore-born war clerk and diarist, John Beauchamp Jones, noted that the Confederate archives had been packed up and sent to Lynchburg, Virginia, and Columbia, South Carolina, "Diary of John Beauchamp Jones, May 19, 1862," in A Rebel War Clerk's Diary at the Confederate States Capital, vol. 1 (Philadelphia: J.B. Lippincott & Co., 1866), 126, Alexander Street. See also "Trial of McDowell," Detroit Free Press, December 12, 1862, ProQuest; "A Panic at the Rebel Capital. The Enemy Very Much Disgusted–Jeff. Davis Packing up the Public Records."
- "Latest News from the South. [From New Orleans Picayune]," The Sun, May 23, 1862, ProQuest. In June 1864, some of Louisiana's state archives were reportedly "found buried in the earth near Baton Rouge." "Telegraph News. From New Orleans," Plain Dealer, June 30, 1864, 3. See Faye Phillips, "Build upon the Foundation': Charles Gayarré's Vision for the Louisiana State Library," Libraries and the Cultural Record 43, no. 1 (2008): 63–68.
- ⁷² "Substance of the Late News," San Francisco Bulletin, June 27, 1862, 2, Readex.
- ⁷³ See the Florida Department of State's "Florida Facts: Florida History: The Capitol," http://dos.myflorida.com/florida-facts/florida-history/the-capitol/.
- "4" "William F. Cloud to the Cherokee Nation," August 3, 1862, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division.
- ⁷⁵ Richard R. Duncan, "Marylanders and the Invasion of 1862," *Civil War History* 11 (December 1965): 370–83.
- 76 "The War," Philadelphia Inquirer, July 10, 1863, 4, Readex; "From Kentucky. Preparations to Defend Frankfort," Albany Evening Journal, June 13, 1864, 2, Readex.
- ⁷⁷ "From the Louisville Journal," Philadelphia Inquirer, June 15, 1864, 1, Readex.
- ⁷⁸ "From Baltimore Telegraph Communication Re-Opened," [The Daily] Age, July 12, 1864, 2, Readex.

- 79 "Our Harrisburg Letter. The Citizens Drilling-A Cruel Report-News from Hagerstown, Md.– Excitement at York," Philadelphia Inquirer, September 9, 1862, 1, Readex.
- **The New Rebel Movement. Map Showing the Position of Winchester, Martinsburg, Hagerstown, Chambersburg, and Others," *Philadelphia Inquirer*, June 16, 1863, 1, Readex; "The Defence of Pennsylvania. Preparations at Harrisburg," *Daily National Intelligencer*, June 17, 1863, 2, Readex.
- ⁸¹ A *New York Herald* correspondent sent reports and telegrams on the situation in Harrisburg, which Southern papers reported: "The Movements on the Border," *Charleston Mercury*, June 25, 1863, 1, Readex; "Further by the Cahawba. Call for 100,000 Volunteers," *Times-Picayune*, June 27, 1863, 2, Readex.
- 82 Describing the aftermath of the 1863 raid, William H. Boyle wrote that "M L [illegible] and Stumbaugh's offices are destroyed. The safes are broken open—yours among the rest—the book cases thrown down all the books carried off or scattered about, the papers strewn over the floor and tramped in the mud." For a digital facsimile and transcription of Boyle's letter, see Gilder Lehrman Institute of American History, "Civilian Describes Pillaging near Gettysburg, 1863," https://www.gilderlehrman.org/history-by-era/american-civil-war/resources/civilian-describes-pillaging-near-gettysburg-1863.
- ⁸³ Everard Smith, "Chambersburg: Anatomy of a Confederate Reprisal," American Historical Review 96, no. 2 (1991): 432–55.
- 84 "More Victories Necessary," Boston Traveler, February 22, 1862, 4, Readex.
- **Latest from Tennessee," *Times-Picayune*, February 20, 1862, 1, Readex; "Latest Reliable News. From the Memphis Avalanche," *Daily True Delta*, February 20, 1862, 2, Readex; "Gov. Harris' Proclamation . . . February 19, 1862," *Macon Telegraph*, February 26, 1862, 4, Readex. A writer in the *Sun* of Baltimore criticized Governor Harris "for the precipitate removal from Nashville of the archives and treasures of the State." "Latest News from the South. The Position at Columbia," *Sun*, March 5, 1862, 1, Readex.
- 86 Welles told Lincoln on December 29, 1862, that "the fragment of the State which, in the revolutionary tumult, has instituted the new organization, is not possessed of the records, archives, symbols, traditions, or capital of the commonwealth. Though calling itself the State of Virginia, it does not assume the debts and obligations contracted prior to the existing difficulties. Is this organization then, really and in point of fact, any thing else than a provisional government for the State?" Gideon Welles, letter to Abraham Lincoln, December 29, 1862, The Abraham Lincoln Papers at the Library of Congress, Manuscript Division.
- 87 "Diary of Alfred Lewis Castleman, April, 1862," in The Army of the Potomac, Behind the Scenes: A Diary of Unwritten History: from the Organization of the Army... to the Close of the Campaign in Virginia, About the First Day of January, 1863 (Milwaukee: Strickland & Co., 1863), 118, Alexander Street. The National Park Service's 1988 architectural report on the Warwick Courthouse confirmed this history of destruction, http://www.dhr.virginia.gov/registers/Cities/NewportNews/121-0001_Warwick_County_Courthouses_1988_Final_Nomination.pdf.
- **Biary of Thomas T. Ellis, July, 1862," in Leaves from the Diary of an Army Surgeon: or, Incidents of Field, Camp, and Hospital Life (New York: John Bradburn, 1863), 191, Alexander Street. The National Park Service's 1937 architectural survey confirmed this history of destruction, as seen in a copy from the Virginia Department of Historical Resources, http://www.dhr.virginia.gov/registers/Counties/CharlesCity/018-0005_Charles_City_County_Courthouse_1969_Final_Nomination.pdf.
- 89 For two years after the war, Lieber became the chief of the War Department's Archive Office, a bureau of the military responsible for reassembling, inventorying, and managing the confiscated archives of the Confederacy. Lokke, "The Captured Confederate Records under Francis Lieber," 277–319.
- ⁹⁰ [By Order of Maj. Gen. W.T. Sherman], Special Field Orders, No. 26, February 16, 1865, The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, series 1, vol. 47, part 2: Correspondence, etc. (Washington, D.C.: GPO), 444–45, https://goo.gl/8BEc5R.
- ⁹¹ For a digital facsimile of Lee's General Order 72, see Civil War Talk, http://civilwartalk.com/threads/r-e-lee-general-order-no-73-6-23-1863.106259/. For a transcription of General Order 73, see IGN, http://www.ign.com/boards/threads/lees-general-orders-number-73.41978595/.
- ⁹² Bruce P. Montgomery, "Reconciling the Inalienability Doctrine with the Conventions of War," The American Archivist 78 (Fall/Winter 2015): 301.

- ⁹³ [Confederate States of America. Congress. Senate], "Outrages of the Enemy—Report of the Select Committee by Mr. Clay," Richmond, n.p., May 1, 1863, Duke University Libraries, Confederate Imprints, https://archive.org/details/outragesofenemyr00conf.
- 94 The Richmond Sentinel was reprinted in the New York Times: "From the Rebel States," New York Times, May 10, 1863, ProQuest.
- 95 Joseph Emerson Brown, letter to James Alexander Seddon, January 6, 1865, in Official Correspondence of Governor Joseph E. Brown, 1860–1865 (Atlanta: C.P. Byrd State Printer, 1910), 698, Alexander Street.
- 96 "Incidents of Sherman's March," New York Times, December 18, 1864, ProQuest. For identification of Lafayette Carrington, see Journal of the Senate of the State of Georgia, at the Annual Session of the General Assembly, Begun and held in Milledgeville, the seat of Government, in 1863 (Milledgeville, Ga.: Boughton, Nisbet, Barnes & Moore, 1863), 6, in a transcribed copy at Documenting the American South, http://docsouth.unc.edu/imls/gasen63/gasen63.html.
- ⁹⁷ This "Record Loss" is noted in Guide to Washington County, Georgia Ancestry, Family History, and Genealogy, Family Search, https://familysearch.org/learn/wiki/en/Washington_County,_Georgia_ Genealogy#cite_note-PKG-2.
- ⁹⁸ After the Charleston courthouse was imperiled, someone "had brains enough to secure a small though choice collection of historical, literary and autographic curiosities, such as will be the future envy of many a maniac in such matters. . . . These literary and legal documents literally carpeted the floors of the old Court House." "Materials for History," *Boston Daily Advertiser*, May 2, 1865, 2, Readex.
- 99 Woody, "The Public Records of South Carolina," 254–55.
- 100 See North Carolina Historic Sites, "State Capitol: The Capitol in the Civil War," North Carolina Department of Cultural Resources, http://www.nchistoricsites.org/capitol/stat_cap/civwar.htm.
- 101 The eight counties that lost records in the Richmond fires were Elizabeth City, Gloucester, Hanover, Henrico, James City, Mathews, New Kent, and Warwick. See "Lost Records Localities: Counties and Cities with Missing Records."
- 102 Irvine, "The Fate of Confederate Archives," 829, fn. 20.
- ¹⁰³Irvine, "The Fate of Confederate Archives," 828-41.
- 104 Ken Bivin, "The Fall of Richmond," originally published in America's Civil War (May 1995), retrieved from HistoryNet, http://www.historynet.com/americas-civil-war-the-fall-of-richmond.htm.
- ¹⁰⁵Irvine, "The Fate of Confederate Archives," 832–34, 837.
- 106 Mary Boykin Chesnut, April 1865, in A Diary from Dixie, ed. Isabella D. Martin and Myrta L. Avary (New York: D. Appleton & Co., 1905), 377, Alexander Street.
- ¹⁰⁷The *New York Times* argued that "next in consequence to the surrender of the great rebel armies, is the surrender of the vast mass of the records of the rebel Government. We are not sure that the last event is not in fact of the greater importance." "The Acquisition of the Rebel Archives," *New York Times*, May 24, 1865, 4, ProQuest.
- 108 As early as 1864, Northern newspapers excited readers by predicting the whereabouts of Jefferson Davis and the Confederate archives. Newark Daily Advertiser, October 3, 1864, 2, Readex.
- ¹⁰⁹Lokke, "The Captured Confederate Records under Francis Lieber," 317. It is reasonable to wonder if any documents that the United States forces confiscated from state, county, or city archives in the South could (or should) be returned to the institutions that originally created them.
- ¹¹⁰ Beginning in the 1930s, the National Archives in Washington tried to make accessible this single largest collection of Confederate records confiscated by the federal government. In the 1990s, the National Archives estimated the "War Department Collection of Confederate Records" (Record Group 109) at 5,730 cubic feet of materials, while in 2016 it appears to total over 9,286 cubic feet. For these numbers, see Robert B. Matchette et al., comps., Guide to Federal Records in the National Archives of the United States, vol. 1 (Washington, D.C.: GPO, 1998), 109-1, and National Archives Guide to Federal Records: Record Group 109, http://www.archives.gov/research/guide-fed-records/groups/109.html. See also National Archives Guide to Federal Records, "Treasury Department Collection of Confederate Records," Record Group 365, http://www.archives.gov/research/guide-fed-records/groups/365.html .
- III Irvine, "The Fate of Confederate Archives," 825–27, 836–38, 840. The U.S. Treasury and Post Office purchased items that were later deposited at the Library of Congress, which eventually

processed them as the "Confederate States of America Records," http://findingaids.loc.gov/db/search/xq/searchMfer02.xq?_id=loc.mss.eadmss.ms003052&_faSection=overview&_faSubsection=eadheader&_dmdid=d2796e2. For the collecting of Confederate materials by the state archives of Mississippi, see Lisa Speer and Heather Mitchell, "'The Mississippi Plan': Dunbar Rowland and the Creation of the Mississippi Department of Archives and History," *Provenance* 22 (2004): 60–61.

- ¹¹² Sara Aldrich Richardson, "Memoir of Sara Aldrich Richardson," in South Carolina Women in the Confederacy, vol. 1, ed. Mrs. Thomas Taylor and Sallie Enders Conner (Columbia: State Company, 1903), 414; Constance Cary Harrison, Recollections: Grave and Gay (New York: Charles Scribner's Sons, 1911), 386, Alexander Street.
- ¹¹³ Morris C. Runyan, Eight Days with the Confederates, and Capture of their Archives, Flags, &c. By Company "G" Ninth New Jersey Vol. (Princeton: William C.C. Zapf, 1896), 39–41, https://goo.gl/5ytyc0.
- ¹¹⁴ Patricia Galloway, "Archives, Power, and History: Dunbar Rowland and the Beginning of the State Archives of Mississippi (1902–1936)," *The American Archivist* 69 (Spring/Summer 2006): 95–98.
- ¹¹⁵Randolph Starn, "Truths in the Archives," Common Knowledge 8 (Spring 2002): 387–88.
- ¹¹⁶See National Archives, Archives Library Information Center, "War of the Rebellion: Official Records of the Union and Confederate Armies," http://www.archives.gov/research/alic/reference/military/civil-war-armies-records.html.

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