



**THIS UNION GENERAL HAD IT ALL: WEALTH. WOMEN. ONE ARM. HE DIED AT 47, REFUSING TO SURRENDER.**

**Born with a silver spoon in his mouth, Phil Kearny died with a single bullet to the spine.**

By Gordon Berg HistoryNet 9/1/2022

Gen. Philip Kearney's gallant charge during the Battle of Chantilly (Ox Hill), Virginia. Kearny mistakenly rode into the Confederate lines and was killed. (Alamy)

Phil Kearny was born on a dark and stormy night in June 1815. He died on one, too. A major general in the Union Army, Kearny was out conducting his own reconnaissance, something he had done many times before. But in a driving thunderstorm on the evening of September 1, 1862, he and his escort rode into a Rebel ambush during the Battle of Ox Hill (Chantilly), a sharp encounter following the Confederate victory at the Second Battle of Bull Run. When Kearny cavalierly ignored an order to surrender and tried to ride away, a single bullet to the spine ended the life of a true fighting general.

Despite his untimely death, this fearless, feisty warrior had managed to live 47 action-packed years. A career military officer—though he never attended the U.S. Military Academy at West Point—Kearny was destined to die in battle because of his reckless courage and determination always to lead from the front. Former General-in-Chief Winfield Scott, an old friend, called him “the bravest man I ever knew and the most perfect soldier.” Yet war was an environment he could have avoided altogether. Not only had Kearny lost his left arm in combat during the [Mexican War](#)—a disability that could have kept him out of the Civil War if he desired—he was one of the richest men in the nation in 1861.

**FUTURE PROSPECTS, GREAT WEALTH**

If his socially prominent parents had had their way, Philip Kearny Jr. would have never set foot on a battlefield, much less died on one. They wanted their son to be a lawyer, so he studied law at New York's Columbia College (now Columbia University), graduated with honors and a law degree in 1833, enjoyed a European grand tour, and joined a prestigious New York law firm. Then fate extended him a golden handshake. When Kearny's maternal grandfather died in 1836, he left the 21-year old attorney \$1 million (\$25 million today). Now financially independent, Kearny could pursue his childhood passion, a career in the U.S. Army.

Although a child of privilege, soldiering was clearly in Kearny's genes. His uncle, Colonel Stephen Watts Kearny, was a hero of the War of 1812, considered one of the finest officers in the Regular Army. With Uncle Stephen's backing, young Kearny was

commissioned a second lieutenant in the 1st United States Regiment of Dragoons—the regiment in which his uncle had served. When he arrived at Jefferson Barracks, Mo., in June 1837, Colonel Kearny promptly sent the new shavetail to prove himself at Fort Leavenworth on the bleak Kansas frontier.



Portrait of Gen. Phil Kearny. (Alamy)

An expert horseman since childhood, Lieutenant Kearny thrived on the rigors of active field service. Among the troopers, he was known as a “hunky-dory shoulder strap” (Army slang for a good officer). Throughout his career, Kearny always made sure his men were well-fed, well-equipped, and well-cared for, even if he had to dip into his own deep pockets to do it.

Selected for special detached service in August 1839, Kearny set sail for France to attend the Royal School of Cavalry at Saumur. When he arrived, he was granted an audience and several dinners with King

Louis Philippe I at Fontainebleau. To most officers, this would have been the assignment’s highlight. For Kearny, however, it was just a prelude for an adventure dearer to his soldier’s heart.

In addition to his military assignments, Kearny paid for gala dinners and dress balls for his admiring French hosts. The Duke d’Orleans, a frequent guest, invited him to join the *1st Chasseurs d’Afrique* on an expedition against Arab insurgents in Algeria. Kearny accepted without receiving permission from Washington. In his first battle, Kearny rode with his sword in one hand, pistol in the other, and the reins in his teeth, earning him the nickname “Kearny the Magnificent”—the first of his many sobriquets.

Kearny’s first action made a lasting impression. To his lawyer, Courtland Parker, he wrote: “I have seen and tasted combat in Africa. It is an abomination.... Yet, unlike others, I am thrilled by the charge.... It brings me an indescribable pleasure.” The intensity of battle would always thrill him, but the agony of death always made him value the men he led.

## AT WAR WITH LOVE

Phil Kearny’s private life was as tumultuous as his military career. A lion in combat, he fought his “affairs of the heart” with the same fierce abandon he showed on the battlefield.

An inheritance from his grandfather had made Kearny financially independent at an early age, allowing him to pursue his dream of a military career. (He inherited a second grand fortune, becoming one of the nation’s wealthiest men, when his father — a founder of the New York Stock Exchange — died in

1849.) While serving in Missouri in 1840, he met Kentucky-born Diana Bullitt, the military district commander's sister-in-law. They became inseparable and everyone, including Diana, expected a proposal of marriage. Detached service in France, however, proved more attractive to Kearny and he left with barely a goodbye.

Kearny returned from France to Washington in 1841 and again encountered the still-smitten and still-single Diana Bullitt. They renewed their courtship, which this time led to a lavish wedding. Diana would settle comfortably into Washington society. Not so her temperamental husband, who rarely hesitated in making his displeasure known to his family and the Army.

In 1844, Kearny returned to the frontier and Fort Leavenworth, while his wife moved with their two children to his estate in New York. Kearny quickly became disenchanted out West and, anxious to repair his marriage, returned in October 1845 to resign from the Army. Diana now hoped for happiness and an attentive husband. Events in Texas would deny her both.

When a shooting war broke out along the Mexican border in April 1846, Kearny couldn't resist the lure of action. He rushed to Washington to reinstate his commission. "I believe that it matters not to Phil whether I am in New York, return to Paducah, or live among the Hottentots," Diana wrote to her sister. "He cares only for the Army and to participate in the war."

Kearny did more than participate. Assigned to raise a troop of cavalry for his old regiment, the 1st Dragoons, Kearny recruited the finest men and bought the finest horses. But once again he got a staff assignment under Scott, this time in Mexico.

"Honors are not won at headquarters," he complained. "I would give my arm for a brevet."

Just a few weeks later, he got his wish. On August 20, 1847, after marching from Veracruz, Scott's army arrived at the village of Churubusco, a suburb of Mexico City. Finally allowed to fight, Kearny led about 100 cavalymen across a causeway to a gate to the city. Outnumbered, they nevertheless charged into the Mexican forces. Ignoring a call to retreat, Kearny, swinging his sword "chasseur style," fought on with some of his men. About to be overwhelmed, Kearny ran back over the causeway and mounted another horse, ready to charge again. Then a piece of grapeshot tore into his left arm.

Although the wound cost Kearny the arm, he was promoted to brevet major and returned to the United States a bona fide hero with a reputation for reckless courage under fire.

Reunited with the family in December 1847, however, Kearny again chafed under the constraints of a growing family and peacetime Army routine. In August 1849, Diana—as arrogant and prideful as her famous husband—left New York for her family's Kentucky home. Ostensibly, she had done so to give birth to their fifth child in her hometown, but the relationship evidently was beyond repair.

She never lived with her husband again, yet didn't divorce him either. Her recalcitrance didn't seem to bother Kearny, but serving in the Army with little chance for promotion injured his pride. In October 1851, he resigned his commission and embarked on a world tour. While in Paris, more than the city caught his fancy. He fell passionately in love with Agnes Maxwell, a socially

prominent New Yorker—18 years his junior and already engaged to be married.

Their liaison created a sensation back home, so Kearny returned to New York in February 1854 to get a divorce. Diana refused. When Kearny suffered a near fatal riding accident, Agnes appeared to nurse her lover back to health. To avoid prying, disapproving New York society, they lived at Kearny's baronial estate in New Jersey, "Bellegrove." But when Agnes became pregnant in 1855, they again decamped for Paris where the more tolerant Second Empire society welcomed them and their new daughter, Susan. When they returned to New York in 1857, Kearny again demand a divorce from Diana.

Fully aware of her husband's adulterous life, Diana agreed—but only after Kearny threatened a custody battle over their son. He married Agnes in April 1858 and they returned to Paris, expecting to live the life of wealthy ex-patriots. Gathering war clouds at home inevitably changed their plans. When Kearny learned of the April 1861 firing on Fort Sumter, he exclaimed, "My God! They have all gone mad."

Kearny loathed slavery and abolitionists in almost equal measure, but his devotion to the Union was unequivocal and the lure of action was too strong to resist. The couple closed up their Paris home, expecting to come back after Kearny fought in his fifth war. Neither of them ever returned.

### **POPULAR WITH HIS MEN**

Kearny offered his services to his home state of New York but was refused a commission, probably because of his scandalous personal life. His "adopted" state, New Jersey, quickly stepped in and appointed him

brigadier general of its first brigade of volunteers. He took command at Alexandria, Va., on August 4, 1861, and promptly moved the regiments to a better bivouac on the grounds of the Fairfax Seminary. From his headquarters in an elegant mansion, accommodations he paid for from his own pocket, Kearny enthusiastically began to turn clerks and farmers into soldiers.

Historian Bruce Catton has described Kearny as "all flame and color and ardor with a slim, twisted streak of genius in him." The war would bring out all these characteristics and many more. In addition to personal courage, Kearny was a natural leader of men. He had a highly personalized command style and instinctively understood the importance of unit cohesion. Private Charles Hopkins of the 1st New Jersey Infantry remembered "his commands were religiously attended to as to food, clothing, proper medical aid, and best of equipment possible."

In one instance, when Kearny learned that his troops were being fed spoiled rations, he confronted the quartermaster and raged: "You gave my men rotten pork and it was your place to see that it was good. Off with it, I say, and bring good meat or I'll put you in here under guard, till you eat the whole six barrels of the damned stuff yourself..." The men got good pork and "One-Armed Phil" became a hero to his men.

After the Union defeat at First Bull Run, Maj. Gen. George B. McClellan kept the Army of the Potomac drilling endlessly in its Northern Virginia camps. But Kearny, restless for action, sent his troops out to probe for the enemy. Encounters with Confederate pickets sometimes produced casualties, and when Lieutenant Harry B.

Hinden of the 1st New York Cavalry was killed on March 9, 1862, Kearny sent a heartfelt letter of condolence to his mother. “With whatever fortitude you may alleviate your sorrow,” he wrote, “for you as a mother there can be no diminishing by his public glory, the anguish of a parent.”

Kearny understood a parent’s anguish firsthand. His youngest son, Archie, had died of typhoid fever the month before.

McClellan finally moved his army to the Virginia Peninsula in April 1862 for his long-delayed drive on the Confederate capital of Richmond. During the Peninsula Campaign, Kearny wrote a series of remarkable letters to his wife and attorney—full of praise for himself and his men and replete with low opinions of many subordinate officers and virulently critical his army commander. Many of the letters, in fact, sound remarkably similar to the vainglorious epistles McClellan wrote to his wife throughout his military career.

The May 5, 1862, Battle of Williamsburg was typical. It revealed Kearny to be a courageous fighting officer and a petty, jealous man. Now a division commander, he was ordered to support the troops of Brig. Gen. Joseph Hooker, who were almost out of ammunition and in danger of being routed. After an arduous march through heavy mud, Kearny deployed his troops, directed their fire, and undoubtedly saved the Union flank from being turned.



*Kearny was originally buried at Trinity Church in his native New York. Fifty years later, in 1911, his remains were reinterred at Arlington — above — in the eastern part of the Officers’ Section (Section 2). (Library of Congress)*

His official report lavished praise on his officers and staff, from the brigade commanders “whose soldierly judgment was only equaled by their distinguished courage,” down to his volunteer aide, who “bore himself handsomely in this his first action.” Kearny even issued a supplemental report because he had failed to report “the distinguished acts of individuals not serving in my presence...who so ably sustained my efforts by their gallantry.”

But on May 15, Kearny vented his spleen in a letter to his lawyer, Courtland Parker, that resounded with insubordination. “General McClellan is the first Commander in history, who has either dared, or been so unprincipled as to ignore those under him,” he wrote, “who not only have fought a good fight, but even saved his army, himself, and his reputation.” He declared that McClellan “fears to admit the services of my Division, lest he, thereby, condemns himself for a want of Generalship, which gave rise to the dangerous crisis.”

Kearny's division fought tenaciously throughout the Peninsula Campaign. His battlefield decisions were sound and his personal courage unquestioned. To the Rebels, he became known as "The One-Armed Devil." In his report of the May 31-June 1 Battle of Seven Pines (Fair Oaks), he proudly reminded McClellan that his troops "have again, within a very short period, paid the penalty of daring and success, by the marked and severe loss of near one thousand, three hundred men."

### **'NEVER BE FRIGHTENED'**

Privately, Kearny continued to rail against his commander, partly because he believed McClellan slighted his exploits in official reports to Washington. A June 7 letter to his wife reeked of jealously verging on paranoia. "This is a strange army," he wrote, "our battles come haphazard, and after every battle, it seems, as we all went to sleep, fearful, and stupid mismanagement on the part of McClellan, who is timid, ignorant of the nature of soldiers, and utterly incapable....In his last report, he with Cunning introduces me Lukewarmly in his Report, for at the late Battle, I was again sent for from a distance to turn the tide of battle."

After the [Battle of Malvern Hill](#) on July 1, 1862, McClellan pulled his army back to Harrison's Landing. Kearny found McClellan's actions reprehensible. "I fear McClellan's treason and mismanagement has thrown us in a great many fearful battles of much severity which he could have spared us," he wrote to his wife on July 12. "But all of which he invited by his own bad management."

Throughout the campaign, the tone of Kearny's letters swung wildly from petulant

complaint to genuine tenderness and concern. "You must be certain to go and see your school friend," he wrote his wife from Harrison's Landing. "I hope that you will make yourself as gay as you can, or else you will have a fearful hard time." Kearny repeatedly reassured his wife not to worry about him and that he was safe and comfortable. "You ought to look once inside my tent," he wrote, "and see my French camp bedstead, my rich furs; my braided cloak and shining velvet carpets; and a nice bottle of port at my side..."

Besides being an expert battlefield tactician, Kearny fancied himself a master of political policy, too. Claiming to understand the Southern mentality, he declared it time to deny the Rebels the use of slaves as a military resource. In a rambling letter to Parker, he opined: "As the blacks are a rural military force of the South, so should they indiscriminately be received, if not seized and sent off...I would use them to spare our whites needed with their colours—Needed to drill." He also came to believe that McClellan's failure before Richmond meant "this war is no longer one of mild measures...Peace with the rebels on their own terms would only mean time to recommence."

After nearly two months at Harrison's Landing, Kearny's division returned to Alexandria. From there, it joined Maj. Gen. John Pope's Army of Virginia just in time for a second decisive battle on the plains of Manassas. On August 29, Pope found Stonewall Jackson's Corps lined up behind an unfinished railroad cut above the Warrenton Turnpike, a position as good as a fort, and ordered an ill-advised attack.

Positioned on the far right of the Union line, Kearny's division joined the fray late in the day and, in the battle's most successful Union action, stormed out of a wood and almost turned the Confederate left flank. But without reinforcements, his decimated troops fell back. Watching the retreat of the 3rd Michigan, Kearny wept as the regiment went by, crying, "Oh what has become of my gallant old Third." The next day, fresh Confederate troops under James Longstreet crashed into the Federal left and sent Pope's regiments fleeing over Bull Run's stone bridge toward the defenses of Washington.

Late that night, while his troops covered the Union retreat, Kearny sat down to write his after-action report. A young aide tried to steady the writing pad, but it quivered. When Kearny looked up, the young man confessed that the day's events frightened him. Kearny gave him a sober, fatherly stare and said, "You must never be frightened of anything."

The bombastic general's ire had not abated when he wrote to Agnes: "It is tiresome to have one's victory ignored...and to be ignored, though fighting hard and unsuccessfully; and exposing myself, as my nature unfortunately is, in other people's defeats."

When the defeated Pope learned that Jackson's wing was on the move, looping around his flank to try to cut off his line of retreat, he ordered Kearny's and Brig. Gen. Isaac Stevens' divisions out of their muddy camps to intercept the Confederate column. They found Jackson on Little River Turnpike near a mansion called Chantilly. In the rain-lashed confusion, the two forces fought ferociously. Learning of a possible

break in the Union lines, Kearny ventured forth, as he always had, to see for himself.

Over the years, there have been many versions of the events surrounding Phil Kearny's death. By the light of a lantern, according to one, Confederate Maj. Gen. A.P. Hill recognized the body after it was laid out on the porch of Jackson's headquarters. Hill purportedly said, "You've killed Phil Kearny, he deserved a better fate than to die in the mud."

Kearny might have disagreed. If judged by his motto "*Dulce et decorum est pro patria mori*" ("It is a sweet and fitting thing to die for one's country"), Kearny likely died a happy man.

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## **American Battlefield Trust Celebrates Transfer of 7.6 Acres Into Antietam National Battlefield**

### **Announcement comes amid events commemorating battle's 160th anniversary**

Mary Koik ABT, September 16, 2022

**(Sharpsburg, Md.)** — The national park unit honoring the 1862 battle that remains the bloodiest day in American history has grown by 7.6 acres, thanks to the efforts of the nonprofit American Battlefield Trust. The property, purchased by the Trust in 2016 and stewarded until the transfer process was completed in recent weeks, sits directly across from the Antietam National Battlefield visitor center and encompasses the southern tip of the famous West Woods, scene of fierce fighting on the morning of September 17, 1862. Now that it is part of the park, non-historic structures on the property will be removed to better

approximate the area's wartime appearance with the assistance of a grant from the Maryland Heritage Areas Authority and the Heart of the Civil War Heritage Area.

"There is nothing quite like standing on the same ground where history unfolded and the National Park Service brings such places to life through access and interpretation," said Trust President David Duncan. "We are proud to partner with Antietam National Battlefield and numerous other historic parks across the nation to safeguard and grow these special places for generations of Americans to explore."



*Antietam National Battlefield Matt Brant*

Since 1991, the Trust has secured 11 properties on the Antietam Battlefield, a total of 463 acres of hallowed ground valued at more than \$3.5 million. Two properties initially purchased by the Trust have previously been transferred into the park, notably a 44-acre parcel south of the Miller Cornfield that acclaimed historian of the Maryland Campaign Dennis Frye, himself among the founders of the modern battlefield preservation movement, called "the bloodiest ground of the bloodiest day in American history."

Antietam National Battlefield remembers the September 17 engagement that witnessed more than 22,000 casualties and spurred President Abraham Lincoln to issue

the preliminary Emancipation Proclamation, making it a critical turning point in the course of the conflict, as it transitioned from a war to preserve the Union to one seeking to end slavery.

Encompassing the southern tip of the West Woods and just south of the iconic Dunker Church, the site saw fierce combat in the battle's morning phase. Confederates under command of Brig. Gen. Joseph B. Kershaw crossed this tract, where they slammed into Union soldiers in the woods. Becoming a no-man's-land for a short while, the land was then occupied by Maryland and Pennsylvanian soldiers from the Union XII Corps until they were driven out by North Carolina and Arkansas troops. The land is prominently featured in one of the famous images taken in the battle's immediate aftermath by photographer Alexander Gardner and exhibited to public fascination in New York City.

The American Battlefield Trust is dedicated to preserving America's hallowed battlegrounds and educating the public about what happened there and why it matters today. The nonprofit, nonpartisan organization has protected more than 55,000 acres associated with the Revolutionary War, War of 1812 and Civil War. Learn more at [www.battlefields.org](http://www.battlefields.org).

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## **Grant Enables American Battlefield Trust to Elevate Black, Indigenous Connections to Virginia Battlefields**

**Funding from the American Battlefield Protection Program will launch study to better integrate under-told narratives connected to Virginia's battlefield landscapes**



Mary Koik & Colleen Cheslak, ABT  
September 2, 2022

**(Washington, D.C.)** — From Arlington to Abington and the Blue Ridge to Chesapeake Bay, nearly every corner of Virginia bore witness to military conflict, from the earliest days of the American Revolution in 1775 through the end of the Civil War in 1865. For the Native American and Black communities in the Commonwealth, connections to these battlefield landscapes can open the door to fascinating stories previously lost to history.

Following receipt of a National Park Service American Battlefield Protection Program (ABPP) 2022 Preservation Planning Grant, the American Battlefield Trust is poised to launch a strategic study to document the material culture of Native tribes and Black communities on Virginia's battlefields. In this process, a more complete depiction of its early wartime history will emerge, increasing public understanding of the three conflicts' impact on these groups.

“Perspective is vital to the study of history, and this project will highlight the multifaceted significance of Virginia's hallowed grounds,” said American Battlefield Trust President David Duncan. “We remain grateful for our wonderful partner in the American Battlefield Protection Program (ABPP), as we work together to advance our many preservation and education initiatives.”

Applicable to a broad array of battlefields and related sites, Preservation Planning Grants lay the groundwork for important preservation and interpretation initiatives. Awards typically range from \$30,000 to \$150,000. This year, ABPP

disbursed a total of \$1.2 million in Preservation Planning Grants. “Through a community-driven approach, these grants protect these significant places, providing an opportunity for all Americans to explore the impacts of these conflicts on who we are as a nation,” noted National Park Service Director Chuck Sams in announcing the grants on August 23.

Equipped with a \$94,000 Preservation Planning Grant, the Trust will conduct primary source research, oral history interviews, and non-invasive field surveys at three regionally varied battlefields in the Commonwealth of Virginia. This data will be used to fill gaps in the state's wartime history, so that the public may experience battlefields as indigenous landscapes and settlements, sites of enslaved agricultural and industrial labor, and freedmen's post-war settlements, as well as sites of our nation's defining conflict.



*William Terrill Bradby was a member of the*

*Pamunkey Nation who served as a river pilot, land guide, and spy for the Union army during the 1862 Peninsula Campaign. De Lancey W. Gill. National Anthropological Archives, Smithsonian Institution*

“Discoveries made through this process will enrich our understanding of the Civil War, providing depth and nuance not previously available,” said E. Renee Ingram, president and founder of the African American Heritage Preservation Foundation, who has partnered with the Trust creating content for its Road to Freedom initiative, which ties together Virginia sites relevant to the Black experience during the Civil War era. “Scholars, descendants and even casual site visitors will benefit from this work for years to come.”

In the Greater Richmond Area, for example, the study looks to more fully detail the contributions of Tribal members of the Pamunkey Nation in battles that unfolded on and near their ancestral lands in King William, Hanover and Henrico Counties. Other targeted areas include the Shenandoah Valley, Central Piedmont and Southwest Virginia.

Expressing his belief in the value of the Trust’s initiative, U.S. Rep. Donald McEachin, a Henrico County native, stated, “As the representative of a Congressional district with many historic Battlefields, I am committed to preserving the full history of our nation’s battlefields and the stories of service men and women of color.”

Support for the project proposal was widespread. In addition to Representative McEachin and Ingram, proponents included U.S. Senators Tim Kaine and Mark Warner, the Virginia Department of Historic

Resources (DHR), Preservation Virginia, Civil War Trails, Inc., Virginia’s United Land Trusts (VaULT), Richmond National Battlefield Park, Cedar Creek and Belle Grove National Historical Park, Virginia Board of Historic Resources, and the Shenandoah Valley Battlefield Foundation.

Over more than two decades, ABPP’s Preservation Planning Grants have funded more than 600 projects, arming recipients with the funds to save, improve and advocate for more than 100 battlefields. This year’s 14 recipients hail from 10 states and represent projects covering a span of 338 years and eight conflicts. One awardee, Little Big Horn College (Crow Agency, Mont.), will be hosting a multi-day symposium that analyzes the myths and realities of battlefields explored in the 1970 parody Western, Little Big Man. Other recipients include: Camp Douglas Restoration Foundation (Ill.); Town of Montague (Mass.); Heart of the Civil War Heritage Area (Md.); Regents of the University of Michigan (Mich.); University of New Mexico (N.M.); County of Ocean (N.J.); Lake Champlain Maritime Museum (N.Y.); Research Foundation for the State University of New York – Binghamton (N.Y.); Braddock’s Battlefield History Center (Pa.); Juniata College (Pa.); Capital Region Land Conservancy (Va.); and St. Mary’s College of Maryland (Va.).

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War of 1812 and Civil War. Learn more at [www.battlefields.org](http://www.battlefields.org).

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## The Ruling of the Court

Tim Mulligan, [blueandgrayeducation.org](http://blueandgrayeducation.org)  
September 16, 2022,



*The First Maryland Battery position at Gettysburg | courtesy of author*

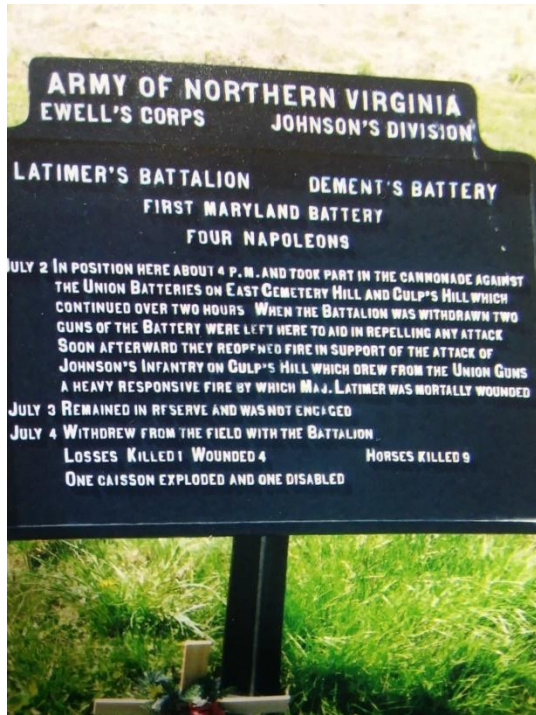
As with most units of the Army of Northern Virginia, the First Maryland Artillery (C.S.A.) compiled a distinguished combat record during its service in the Eastern theater, during which it did not lose a gun to Federal forces. What marked the unit as unique, however, was its effective termination months before Appomattox.

Organized in July 1861 at Fredericksburg, Virginia, the First Maryland drew its 100 personnel among Confederate recruits from Baltimore, the Eastern Shore, and the state's southern counties. The largest contingent consisted of a cavalry unit from Charles County, among them gentleman farmer William F. Dement, who would eventually command the unit. The original commander of the First Maryland Artillery was Capt. R. Snowden Andrews, a Baltimore-based architect who had designed the Governor's

Mansion in Annapolis. Dement was elected first lieutenant and Andrews's cousin Charles S. Contees second lieutenant as the recruits signed on for three years.

Initially equipped with four 12-pd. Napoleons and four Parrott rifles (the latter soon lost to the expanding Confederate artillery arm), the battery passed a relatively quiet winter along the Potomac. The arrival of the main Federal Army on the Virginia Peninsula in the spring of 1862 resulted in the unit's shift there, and its participation in the battles of Yorktown, Seven Pines, and the Seven Days. Andrews suffered a severe wound at Mechanicsville on June 26, 1862, and Dement (promoted Captain in July) assumed the command he would retain for the war.

Thereafter, the First Maryland's guns sounded in virtually every engagement of Robert E. Lee's army. In its peak performance at Stephenson's Depot on June 15, 1863, the battery played a pivotal role in halting Union general Robert's Milroy's attempted breakout from Winchester, Virginia, at a cost of two killed and 13 wounded. Less than three weeks later, the First Maryland endured a severe pounding from their Union counterparts at Benner's Hill outside Gettysburg, Pennsylvania, losing another man killed and four wounded. More fights and casualties followed from Mine Run through Cold Harbor in June 1864.



*Historical plaque: Dement's Battery at Benner's Hill | courtesy of author*

In July, however, 30 men of the First Maryland considered their service terminated with the conclusion of their three-year enlistment. Dement duly appealed for their discharge to the Confederate War Department, which promptly rejected the request, citing the 1864 Conscription Act that required men in Confederate service to remain for the war's duration. The men took their case to a Richmond court, suing their commander under the writ of habeas corpus. In a trial that lasted well into September 1864, the Confederate judge ultimately agreed with them. At a time of critical manpower shortages for the South, the Richmond court ordered the Marylanders released from service.

Those who remained with Dement, too few to function as an artillery battery, lost their guns to other units and were sent to man the heavy guns at Drewry's Bluff outside

Richmond. Dement and the last survivors fought their last action at Sailor's Creek and surrendered two days later at Appomattox.

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## THE CONFEDERACY REJECTED HIM — SO HE BECAME A UNION HERO INSTEAD

**Herman Heath served valiantly in the Union cavalry, but his old sympathies came back to haunt him.**

By Frank Jastrzembski HistoryNet 9/8/2022



Herman H. Heath was not, of course, the only Civil War general to flirt with the idea of serving the Confederacy before siding with the Union. He had even gone so far as to write President Jefferson Davis in 1861 offering to serve in a civil or military position. “[A]lthough a northern man by birth,” he told a friend, “I have never been anything but southern in my feelings.” Yet Heath not only fought as a Union cavalryman the entire war, he was wounded twice and brevetted brigadier general for “gallant and meritorious” service. Did he have a legitimate change of heart in 1861 or

was he merely an opportunist willing to serve the side promising him the best chance for glory? We likely will never know.

Born in New York in 1823, Heath started a pro-Southern newspaper before the war while working as a clerk in Washington, D.C. After moving to Iowa, he began editing the Democratic newspaper *Weekly North-West*, and supported John C. Breckinridge during the 1860 presidential election. On April 9, 1861, Heath wrote to St. George Offutt in Montgomery, Ala., congratulating him for accepting a position with the Confederate government. “I, too, would have been there, where my heart ever is, had your president responded as promptly to me as my proffer of service was tendered to the new government,” he wrote. “Before I would march against my brothers of the South, I would suffer myself to be hanged on the first tree before the eyes of my own wife.”

By June, however, Heath was with the 1st Iowa Cavalry as a first lieutenant. In August 1862, he broke his left hip and had an elbow shattered during a skirmish against Confederate guerrillas at Clear Creek, Mo. Three months later, he joined Maj. Gen. Samuel R. Curtis’ staff, and in May 1863 became a major in the 7th Iowa Cavalry and the regiment’s colonel in May 1865. The 7th spent the war campaigning against American Indians in the Nebraska Territory and the Dakotas.

Though elected to the Nebraska Legislature in November 1866, Heath was still enlisted in the Army and couldn’t serve. But in January 1867, Andrew Johnson appointed him New Mexico Territory’s secretary of state, and in 1870, President Ulysses S. Grant nominated him as the territory’s

marshal. Heath’s 1861 letter came back to haunt him, however. Found in Confederate archives, along with his business card, it had been turned over to the War Department and made its rounds in Congress. Heath claimed it was a forgery, but Grant was criticized in the papers for appointing Heath and other Confederate sympathizers to government positions out West and withdrew Heath’s nomination.



*Thanks to Shrouded Veterans, the veteran headstone to Heath shown in the rear was recently installed at his formerly unmarked Lima gravesite. (Courtesy of Frank Jastrzembski)*

Heath left to pursue business enterprises in Lima, Peru. He became editor of the city’s first English newspaper and worked in the packing and meat preservation business. He would die in Lima on November 14, 1874 and is buried in an unmarked grave at the

Cementerio Británico Antiguo Bellavista. Shrouded Veterans recently worked to have a U.S. government-issued veteran headstone crafted and sent to cemetery. Heath is the first Civil War general with a headstone installed in South America.

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## **‘OUR AMERICAN COUSIN’: THE PLAY THAT LURED LINCOLN TO HIS DOOM**

**It was the "Friends" of its day, but it took decades for this lighthearted play to emerge from the curse of the Lincoln assassination.**

By Daniel B. Moskowitz , HistoryNet,  
9/13/2022



*Hiya, Cousin! Actor Joseph Jefferson, in costume in the late 1850s as the ever clever Asa Trenchard.*

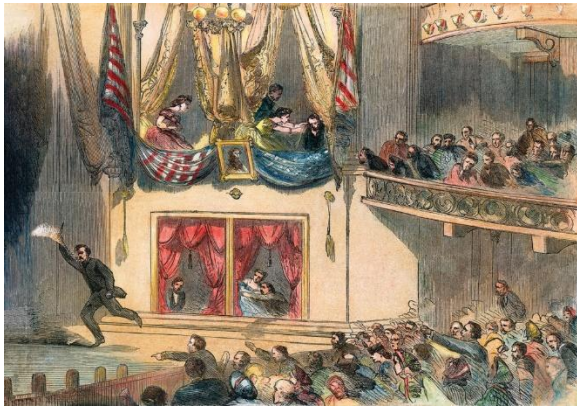
**JAMES AND HENRY CLAY FORD** had a problem. Their brother John had booked into the theatre he owned in Washington, D.C., a two-week run by famous actress Laura Keene and her touring repertory company. Keene and fellow players had done well with popular classics such as “She Stoops to Conquer and School for Scandal,” but ticket sales were sluggish for the final offering of the Washington stand—a popular comedy, “Our American Cousin” — the night of April 14, 1865. John Ford had decamped to Richmond, leaving his brothers in charge, having overlooked the fact that April 14 was Good Friday, not an evening on which the pious would attend a theatrical performance—or one on which the less pious would want neighbors to see them attending the theatre.

James and Henry Ford had an inspiration. They had hand delivered to the White House a personal note to Mary Todd Lincoln, inviting the first lady and her husband to be guests that Friday night. The Civil War had ended with Robert E. Lee’s surrender on April 9, and the president was exhausted, trying to find the strategy to reassemble the nation. He just wanted to stay home, but his wife persuaded him that an evening of laughter was the tonic he needed. Her acceptance in hand, the Fords circulated a handbill trumpeting that the Lincolns would be attending “Our American Cousin”; the news made the early edition of that day’s Washington Evening Star. Ticket buyers rushed the box office and filled the 1,700-seat house.

The president might have needed a lighthearted respite after the tribulations of the Civil War, but the first couple’s decision to see this particular play would prove tragic. The pull of “Our American Cousin,” in fact,

would lead to the most notorious assassination in American history.

Halfway through Act Three, actor John Wilkes Booth, 26, an ardent supporter of the Confederacy, entered the Lincolns' box and shot the president. Pandemonium broke out, but Keene came onstage, managing both to calm the audience and organize an orderly emptying of the theater. Booth got away and was not captured until April 26. Lincoln died of his wounds at 7:22 the morning after the shooting, the first time an American president had been assassinated.



*“Sic semper tyrannis!” After shooting Lincoln, Booth leaped to the stage, injuring his leg and quoting a phrase from Roman times before making his getaway down an alley behind Ford’s. (Granger, NYC)*

#### FROM FLOP TO FRANCHISE

The tragedy made “Our American Cousin” a footnote in American history. But the play had already achieved a noteworthy spot in popular culture as arguably the best-loved script of its era.

“Cousin” was a mid-career work by prolific British writer Tom Taylor, for decades a regular contributor to Punch and author of some 100 plays. “Our American Cousin” debuted as a serious drama in London in 1852 — and flopped. But Keene saw the

show, recognized the humor hidden in the story, and grasped how to recast “Cousin” as a comedy that would tickle American audiences. She bought the U.S. rights for \$1,000.

Keene reopened her comedic reboot in New York in October 1858. Critics rated “Cousin” as formulaic but with much to please less-discriminating theatergoers. Fitz-James O’Brien, reviewing the opening performance in Saturday Press, found much fault but ended his assessment, “‘Our American Cousin,’ in spite of all these drawbacks, was greatly relished by the audience, and may be pronounced successful.”

Successful indeed. The authoritative multi-volume Annals of the New York Stage published by Columbia University in 1931 observed, “The show set new standards for New York theatre and theatrical success.” The reworked version’s two-week run stretched to 150 performances. Multiple successful productions came and went for the next seven years.

“It was one of those plays that showed American ingenuity,” notes Noreen Brown, a theatre professor at Virginia Commonwealth University. “It said something positive about the American spirit.” Within a year popular playwright Charles Gayler had penned a rip-off that he called “Our Female American Cousin,” in time unveiling “Our American Cousin at Home.”

#### WHAT’S THE STORY OF ‘OUR AMERICAN COUSIN’?



***The Woman to See.** Laura Keane had a full house of theatrical cards that she did not hesitate to play: skilled and seasoned performer, deft and dedicated impresario, theater owner. (National Portrait Gallery)*

The real “Our American Cousin” takes place at the English country estate of Sir Edward Trenchard. The baronet’s guests include Lord Dundreary, a rather befuddled sort, and widowed Mrs. Mountchessington, towing two daughters for whom she is relentlessly hunting husbands.

Problems abound: Sir Edward is busted, and Richard Coyle, his estate agent, is threatening to plunge him into bankruptcy if he does not repay an old loan. Coyle offers an out: he will destroy the loan document provided Sir Edward lets Coyle marry Sir Edward’s daughter, Florence. Florence, of course, not only detests Coyle, but is in love with Navy Lt. Harry Vernon. The couple cannot marry until Vernon gets his own ship; Lord Dundreary has the connections to make that happen but refuses to help.

The play begins with the Trenchard family absorbing startling news. Sir Edward’s Uncle Mark, who had quarreled with his children years before and moved to the United States, has died. In the States, Mark reconnected with a Vermont branch of the Trenchard family that had moved to the New World in the mid-1600s. Still angry at a now deceased daughter for marrying without his consent, Uncle Mark, rather than let his British holdings — now worth some \$400,000 — go to the dead daughter’s child, has left the inheritance to a young man from the American branch. And that fellow, Asa Trenchard, is at that moment on his way to collect the fortune.

Asa, described by one writer as “noisy, coarse, and vulgar, but honestly forthright and colorful,” arrives and throws everyone into a tizzy with his peculiar vocabulary and apparently complete ignorance of the manners of society.

#### NOT-SO-UGLY AMERICAN

But over the next two acts his inventiveness and good heart manage to solve the Trenchard family problems.

“I’m a rough sort of character, and don’t know much about the ways of great folks,” Asa muses. “But I’ve got a cool head, a stout arm, and a willing heart, and I think I can help.”

Asa finds and filches Dundreary’s hair dye, holding the goop hostage until the peer gets Florence’s beloved command of a Royal Navy ship. He sneaks into Coyle’s office and finds documentation that the debt Coyle has been holding over Sir Edward’s head has long since been retired. He threatens to expose Coyle’s skullduggery unless the estate agent covers all of Sir Edward’s debts



and then resigns so Coyle's much put-upon clerk can become Sir Edward's estate agent.

And to cap the evening, Asa even aids Mrs. Mountchessington in getting one of her daughters betrothed to Dundreary.

There's one more character: Mary Meredith, Uncle Mark's shortchanged granddaughter. She's living on the estate too, as a milkmaid, tending a small herd of cows and a flock of chickens and selling butter and eggs. She's poor but an uncomplaining and happy soul. Pretty, too. She so enchants Asa he burns the will leaving him the English fortune. With no will, the boodle goes to the late Mark's next of kin, Mary. Asa's selflessness has a payoff when Mary accepts his proposal of marriage.

#### NEW ENGLAND STEREOTYPE

It's not random that Cousin Asa hails from New England. The unsophisticated but clever and compassionate Yankee had long been a staple of American stage comedies in which a protagonist solves problems bedeviling folks richer and better educated but much less imaginative. Pulitzer Prize-winning cultural historian Howard Mumford Jones noted that this stock character had "the heart of gold which the Americans associate with a shagbark exterior." The combination of simplicity and practicality was the way citizens of the new nation liked to see themselves. The character may have been standard but in that capacity served as "a generic folk figure capably illustrating cheeky traits of the American temper," explained Richard M. Dorson, long-time director of the Folklore Institute at Indiana University. "His words, like his manners, smacked of the farm and the countryside," chock-full as they are of vernacular slang and social goofs, Dorson said.

The stereotype's origins lay in the first produced play by an American citizen, Royall Tyler's 1787 "The Contrast." As an avatar, the character Jonathan, an honest bumpkin working as a servant to a Revolutionary War hero, is peripheral to Tyler's story of mismatched engagements.

But Jonathan's comic woes navigating Manhattan and interacting with upper crust Gothamites became a template for later playwrights. He mistakes a streetwalker for a deacon's daughter. He roars boisterously at anything he finds funny and proves an incapable student when another servant tries to pass on the rules of polite laughter. And Jonathan speaks a stage exaggeration of Yankee lingo; after kissing a maid, he struggles to explain the resulting joyous feeling: "Burning rivers! Cooling flames! Red-hot roses! Pignuts! Hasty pudding and ambrosia! "

AFTER FALLING OUT OF FAVOR, OUR AMERICAN COUSIN BEGAN TO ENJOY A RENASCENCE AS A HISTORICAL ODDITY AND ENJOYABLE EVENING OF THEATER.

#### THE YANKEE HERO

Version by version, in the decades after "The Contrast," that clever rustic evolved from second banana to the spotlight role. The core humor in these fish-out-of-water comedies derived from cultural clash. The homespun simplicity of the untutored American and the effete culture of the upper-class British — and their mutual misunderstandings — may have in "Our American Cousin" been exaggerated for comic effect, but the setup contained enough grains of truth to elicit belly laughs of recognition. For example, told that an English relative who was visiting Vermont

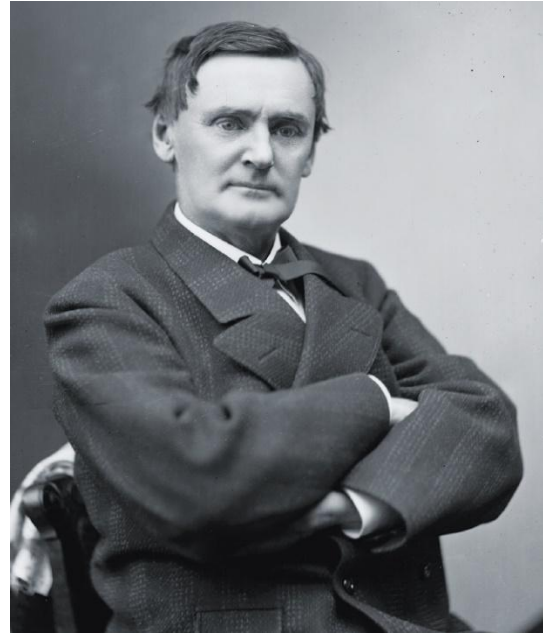
had gone on a hunting trip, a character comments, “Yes, shooting the wild elephants and buffalo what abound there.”

And the heroine, trying to imagine her soon-to arrive American cousin’s looks, says, “They are all about 17 feet high in America, ain’t they? And they have long black hair that reaches down to their heels.”

When Asa presents himself at his relative’s manor house, the butler explains, “He didn’t tell me his name, and when I asked him for his card he said he had a whole pack in his valise, and if I had a mind he’d play me a game of Seven Up.” Offered lunch, Asa answers that, on the way, “I worried down half a dozen ham sandwiches, eight or ten boiled eggs, two or three pumpkin pies and a string of cold sausages, and, well, I guess I can hold on ’til dinnertime.” Encountering his first shower bath, Asa can’t figure out the gizmo. He pulls the cord thinking it will summon a servant to explain, drenching himself.

All the way through “Cousin,” Asa speaks in a backwoods slang that might convey more than a hint that he might be putting those precise English folks on. This trace of uncertainty delighted audiences. He calls the widow trying to fix him up with her daughter a “sockdologizing old man-trap.” At one point he describes himself as “all-fired tuckered out.” Wooing Mary, Asa swears to the object of his interest, “I’m filling over with affections which I’m ready to pour out all over you like apple sass over roast pork.”

JOSEPH JEFFERSON, THE ORIGINAL ASA



*Joseph Jefferson (National Portrait Gallery)*

The part of Asa originated with Joseph Jefferson. At 29, Jefferson had been eking out a living as an actor since age 3; being cast at Asa made his career. Not only was the play a hit, but Jefferson brought into being a new performing style that dropped set stage conventions, presenting Asa as a real person with feelings and not just a walking, talking collection of punch lines.

After other triumphs, Jefferson signed on with a theatrical adaptation of Washington Irving’s “Rip Van Winkle.” His work in the title role was such a sensation that he continued to play that part — and seldom any other — in various productions for the last 30 years of the 19th Century.

Jefferson persuaded English actor Edward Askew Sothorn to play Lord Dundreary in “Our American Cousin.” Sothorn, the talk of Manhattan for his performance in “Camille,” hesitated to take on what was essentially a minor character, feeling the part was too small for his newfound fame. Jefferson’s

retort: “There are no small parts, only small actors.”

He was right. The public adored the way Sothern played the vain, stupid titled gentleman, with his unique way of twisting aphorisms — “birds of a feather gather no moss,” for example. Sothern kept adding shtick to his portrayal, delivering lines with a lisp, adding coughs and grimaces, and inserting ad libs. His Dundreary became a popular sensation, as retailers hawked Dundreary scarves, Dundreary shirts, and Dundreary collars based on his stage attire. Sothern went on to a distinguished career on both the New York and London stage, intermittently returning to the footlights as Dundreary in at least three copycat vehicles.

#### LAURA KEENE: THE WOMAN BEHIND ‘COUSIN’



*Edward Askew Sothern in character as Lord Dundreary. (Library of Congress)*

Neither Jefferson nor Sothern were in the “Our American Cousin” company that

performed at Ford’s that fateful night in 1865. But the star of the original production was there, billed in big type above the title for the Ford’s performance. Her part was neither the biggest nor the most demanding, but there is no doubt that she was the dominant figure. Laura Keene was one of the most popular actresses of the time, as well as a major force in American theatrical life. No other woman had achieved a presence anywhere near hers. She not only owned the American rights to “Our American Cousin” but also designed and owned the theatre where that vehicle’s comic reworking premiered in the States and ran the company that performed there.

Englishwoman Keene, born Mary Frances Moss, was left at age 25 with two children and no means of support when her husband, convicted of unspecified crimes, was transported aboard a prison ship from England to confinement in Australia.

Moss’ aunt was the actress Elizabeth Yates, who opened the door for her niece to take to the stage. Using the name Laura Keene, the young performer immediately displayed a natural talent, in her first year as an actress appearing at three London theatres. She attracted the attention of James Wallack, who lured her to the States to be the lead actress in his stock company. She debuted in New York in September 1852 and quickly developed a devoted fan base.

Keene was no beauty, with features heavier than deemed ideal, but, Jefferson acknowledged, “Her rich and luxuriant auburn hair, clear complexion and deep chestnut eyes, full of expression, were greatly admired. It was her style and carriage that commanded admiration, and it was this quality that won her audience. She

had, too, the rare power of being able to vary her manner, assuming the rustic walk of a milkmaid or the dignified grace of a queen.”

## FEMALE SUCCESS STORY

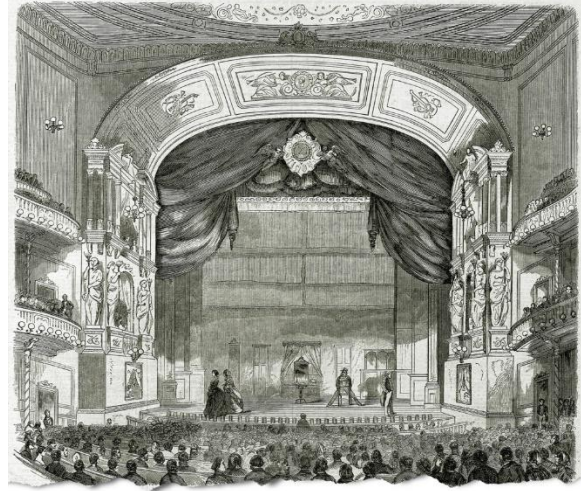
But Keene, ambitious and bold, wanted much more than avid fans. At the end of 1853, she relocated to Baltimore, arranged a three-month lease on the Charles Street Theatre and not only starred in plays there but directed shows and managed the theatre.

“While theatrical management was a risky endeavor compared to the relatively secure position of a leading lady in a first-class New York Theatre, it offered great potential for power and profit,” wrote Wake Forest College professor Jane Kathleen Curry. “As a manager, Keene would be able to control play selection and casting, hire all performers and staff, supervise all elements of production, and by assuming financial risk, take a chance of gaining greater financial reward.”

After ventures in Australia and California, Keene returned to New York in 1855 and took over the Metropolitan Theatre, renamed it Laura Keene’s Varieties, and again directed and starred in a string of plays. She proved a tough cookie. She put scenery on her stage and costumes on her actors that were far more detailed than the norm. She aggressively promoted her productions, running ads twice the size of those other theatre managers placed. And she drew theatergoers by hiring away popular actors from other companies.

“Laura Keene was known to possess the coolest head in the theatre industry,” historian Mark A. Lause wrote recently.

Other managers — already openly unhappy that a woman was muscling into their ranks — kept her busy in court parrying breach of contract suits.



***Queen Keene’s Palace.*** *The Keene, located on Broadway just above Houston, became the only theatre in town to maintain its own full company of actors and to stage plays all summer. (Corbis Historical/Getty Images)*

But none of the theatres she had managed fit Keene’s conception of what a theatre should be. So she lined up investors, hired architect J.M. Trimble, and plunged into building her own. The Laura Keene Theatre, on the east side of Broadway just above Houston Street, won raves when it opened with “As You Like It” on Nov. 18, 1856.

“The hall is paved with black and white marble, and looks elegant, especially at the part where it is surmounted by the ornamental dome,” The New York Times told readers the following morning. “The stage itself appears to be unusually well-proportioned and is fifty-two feet in depth. Most of the decorations of the house are in white and gold with the exception of the ceiling, which is beautifully and elaborately painted with allegorical figures.”

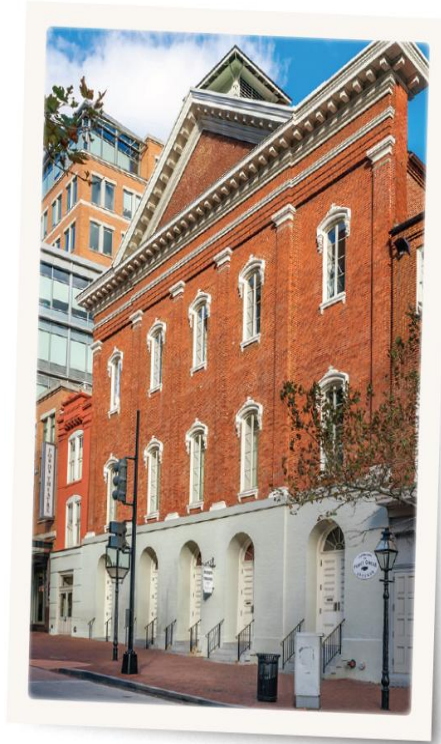
The Keene became the only theatre in town to maintain its own full company of actors, alone in presenting plays throughout the summer. “Our American Cousin” remained a staple of the facility’s repertoire.

### THE ‘COUSIN’ CURSE

After the assassination, given that Lincoln’s slayer was an actor, the entire “Our American Cousin” cast at Ford’s came under suspicion. Booth had had nothing to do with Keene’s troupe, but she and other members were arrested. She quickly convinced authorities that she had no connection to the killing and resumed her tour in Cincinnati.

In 1869, she took over management of the Chestnut Street Theatre in Philadelphia for six months, then resumed touring with her company. But she was slowly weakening from tuberculosis and gave her final performance on July 4, 1873. She died exactly four months later, at 47.

After Lincoln’s assassination, “Our American Cousin” immediately went from widespread popularity to cultural exile; producers assumed Americans would find nothing funny about a play with such horrid associations. Edward Askew Sothorn was beloved enough as Lord Dundreary that he managed to mount two revivals in the 1870s, but that was pretty much it — until memory shifted. Over the decades, the sense that “Cousin” was cursed drained away, and the script was such an effective laugh machine that some show business personalities began testing the waters reviving it.



*National Shrine. Ford’s Theatre, on 10th Street NW in the nation’s capital, remains a very popular tourist stop but steadfastly refuses to restage the theatrical vehicle that drew Abraham Lincoln to his violent death. (Ian Dagnall Commercial Collection/Alamy Stock Photo)*

The ultimate proof that “Our American Cousin” no longer was a pariah of a play came on Dec, 12, 1907, at the Belasco Theatre in Washington, D.C. E.H. Sothorn, after years of touring in period costume dramas and the plays of Shakespeare, took on his famous father’s most famous role, the buffoonish Lord Dundreary. To denature the play’s notoriety Sothorn the younger retitled it “Lord Dundreary,” fooling no one. (Newspaper coverage referred to the play as “Our American Cousin.”)

“The audience enjoyed the performance immensely, laughing as heartily over the

jokes as their forefathers before them,” reported The New York Times.

But the most significant proof that time had dispelled the gloom enveloping the play was that sitting in a proscenium stage box were President Theodore Roosevelt and his wife, Edith. (In 1915, *Sothern fils* played in the show on Broadway for 40 performances.)

#### ‘OUR AMERICAN COUSIN’ TODAY

“Our American Cousin’s unsophisticated structure grew long in the tooth and vanished from the boards only, like Cousin Asa getting himself or someone else out of a jam, to find in the 21st century new life as a blend of historical oddity and enjoyable night of theatre. The scene of the crime, restored as an active showplace in 1968, rebuffs frequent calls to mount the comedy; that “would make Ford’s too much of a monument to what an assassin did there,” management has explained. Others see it differently.

Vanity Fair contributing editor Bruce Handy recently wrote that “the play had a charming deliberate goofiness, a sense of humor about its own dumbness, that is not so far removed from the tone of a lot of contemporary film comedy.” In 2009, the bicentennial of Lincoln’s birth, Monmouth College’s theatre staff had success staging the play in nearby Galesburg, Illinois, where in 1858 Lincoln debated Stephen Douglas in his failed bid for a Senate seat.

Then in 2015, the assassination’s 250th anniversary, a surge of revivals included stagings in Pittsburgh, Richmond, and Lincoln’s hometown of Springfield, Illinois. Those productions may have had about them a whiff of historiography, but the play really doesn’t need that.

“After 150 years, the plot line is still capable of capturing the imagination of a wide audience,” argued Morgen Stevens-Garmon, associate curator of the theatre collection of the Museum of the City of New York.

In 1861, the play had been a huge success in London, running a phenomenal 500 performances. Its renewed and continuing viability was proved in 2015, when London’s Finborough Theatre found such enthusiasm for a revival that management had to schedule extra performances. All were completely sold out.

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