



“Butler’s Rotten Breath of Calumny”: Major General Benjamin F. Butler and the Censure of the Seventh Vermont Infantry Regiment

One Vermont officer recalled that when the men disembarked, Butler said “he would rather see 300 barrels of Pork” come ashore than the Seventh Vermont. Another, a sergeant, put the figure at ten barrels.

By JEFFREY D. MARSHALL

The Civil War produced both heroes and scoundrels. Benjamin F. Butler (1818–1893), lawyer and politician of Lowell, Massachusetts, and major general of volunteers in the Civil War, emerged as either hero or scoundrel, depending on one’s point of view. His harsh treatment of civilians in New Orleans, where he served as military governor for eight months in 1862, proved as gratifying to righteous Northerners as it was bitterly provocative to Southerners. Butler favored certain regiments under his command, including the Eighth Vermont Infantry Regiment, whose men held their general in high esteem. But to the men of the Seventh Vermont Infantry Regiment, Butler was a scoundrel of the highest rank. Butler’s censure of the Seventh for its conduct in the battle of Baton Rouge on August 5, 1862, was the

.....
JEFFREY D. MARSHALL is the University Archivist and Curator of Manuscripts at the University of Vermont Bailey/Howe Library. He edited *A War of the People: Vermont Civil War Letters* (Hanover: University Press of New England, 1999) and has published several articles and reviews.

Vermont History 72 (Winter/Spring 2004): 23–54.

© 2004 by the Vermont Historical Society. ISSN: 0042-4161; on-line ISSN: 1544-3043

product of his poor military leadership and the culmination of a festering, mutual animosity. The Baton Rouge incident gained little attention outside Vermont or from historians beyond the realm of Vermont Civil War scholarship. Yet the controversy provides important insight on Ben Butler's character and the political dimensions of military command during the Civil War.¹

Raised from the age of ten in Lowell, Ben Butler graduated from Waterville College (now Colby), gained admission to the Massachusetts bar in 1840, and quickly made a name for himself. He saw the harsh side of life in the great mill town and his clients included many of Lowell's downtrodden citizens, as well as the wealthy. Butler used every legal procedure and technicality he could find to win a case. He was a skilled debater with a talent for inflating his opponents' inconsistencies and misstatements—and for getting in the last word. The young lawyer worked hard, gained a formidable reputation, and made himself wealthy through his law practice and business deals by the time of the Civil War.²

Butler's talent for manipulating the legal system soon found expression in politics, which he entered as a Democrat. He championed the cause of the ten-hour workday and sided with the growing population of Irish Catholics against the interests of the Whiggish, predominantly Protestant, manufacturing and commercial establishment. As one of the architects of the Democratic-Free Soil coalition that briefly seized control of the Massachusetts legislature and governorship in 1850, Butler helped push through a reform agenda. He was elected to the Massachusetts House of Representatives in 1852 and the State Senate in 1858, but the Democrats had lost control of the legislature and governorship, leaving Butler with little power to achieve his legislative objectives.³

Although he was more successful in pre-Civil War law than in politics, Ben Butler wielded considerable influence in the national Democratic Party. In the raucous convention of 1860 in Charleston, South Carolina, he supported Stephen A. Douglas for president on the first few ballots, and then switched his vote to Jefferson Davis, U.S. senator from Mississippi. Butler had been at best indifferent to the slavery issue, and he viewed Davis as a pro-Union moderate. When the Charleston convention failed to agree on a nominee, and a second convention in Baltimore appeared ready to nominate Douglas, Butler and others bolted the convention. Holding their own rump convention in Baltimore, these disaffected Democrats nominated the vice president, John C. Breckinridge of Kentucky, whom they judged to be the best hope for preserving the Union.⁴

Choosing Davis and then Breckinridge was a breathtaking miscalcu-



Benjamin F. Butler. Source: Harper's Pictorial History of the Civil War (Chicago: Puritan Press Co., 1894), 1: 201.

lation, and Butler alienated many of his supporters at home by appearing to embrace the Southern cause.⁵ Motivated by this political embarrassment and a sincere devotion to the Union, he offered his services as a military officer immediately after the bombardment of Fort Sumter on April 12, 1861. Although he had no practical experience as a military leader, Ben Butler had belonged to the state militia since 1840, and had managed to get himself elected brigadier general in 1855.⁶ Early in 1861 he anticipated the coming conflict and diligently prepared his six militia regiments for duty. Massachusetts Governor John A. Andrew detested Butler, but when Washington called urgently for state militia to defend the capital, Ben Butler's brigade was among the few units ready to march. Andrew dispatched the troops within a week of Sumter's fall.⁷

Ben Butler was the most visible figure among Union commanders in the early days of the war. His visibility at first brought him a measure of glory when he seized control of Baltimore—without orders, but to wide

acclaim in the North. The Lincoln administration soon realized that Butler was a loose cannon, yet as a Democrat he was a vital symbol for national unity.⁸ In May 1861, Lincoln forwarded Butler's promotion to major general to the U.S. Senate and assigned him to Fortress Monroe, at the tip of the Yorktown Peninsula, where he was to command some 7,500 men—among them the First Vermont Infantry Regiment, enlisted for ninety days under Colonel John W. Phelps. Of these soldiers, 6,000 were considered to be “disposable for aggressive purposes.”⁹ Butler's army was no threat to Richmond, seventy miles to the northwest, but he undertook a few military adventures on the lower peninsula. Most significant was the June 10 assault on Big Bethel, ten miles from Fortress Monroe, where a rebel force was said to be garrisoned. Marching toward Big Bethel in the dark, two columns of the poorly trained Union force fired on each other, heralding their approach to the enemy. When they arrived at last before the barricades of the badly outnumbered rebels, the Yankees suffered many casualties while inflicting few, and many of the Northern soldiers fled in disorder. Big Bethel was a great embarrassment for Butler, though he gamely reported that “we have gained more than we have lost.” Although the skirmish was of no military significance, it was the first land battle of the war and the newspapers made much of Butler's misadventure. “A senseless cry went out against me,” Butler wrote thirty years later, “and it almost cost me my confirmation in the Senate.”¹⁰

In the fall of 1861, Butler won permission to raise a New England Division to serve under his command. The general visited each of the New England capitals to request state regiments for his division from among those being raised under the latest national call for troops. In Montpelier Butler addressed the General Assembly and requested two infantry regiments and two batteries of light artillery. The legislature authorized one infantry regiment—the Eighth Vermont—and the two batteries. Granted the privilege of selecting the Eighth's colonel and lieutenant colonel, Butler chose Stephen Thomas, a manufacturer, former probate judge, and prominent Vermont Democratic legislator, for colonel. The second post went to Edward M. Brown, adjutant of the Fifth Vermont Infantry Regiment and formerly the editor of a Democratic newspaper in Montpelier. The Eighth, therefore, was led by men politically sympathetic to Butler, and recruited from among men who knew that the regiment was bound for service under his leadership.¹¹

The General Assembly declined to recommend the Seventh Vermont Infantry Regiment to Governor Frederick Holbrook for Butler's division. Peeved by this rebuff, the general appealed to the War Department to have the regiment assigned to his division.¹² Meanwhile, Holbrook

appointed the Seventh Regiment's senior officers: George T. Roberts of Clarendon as colonel, Volney Fullam of Ludlow—a captain in the Second Vermont Infantry—as lieutenant colonel, and the governor's nineteen-year-old son William—a lieutenant in the Fourth Vermont Infantry—as major. Soon, rumors were circulating that the Seventh would join the Eighth in the New England Division, and that the whole command would be sent to the Gulf of Mexico. It is unclear whether the War Department would have defied the wishes of the Vermont General Assembly and ordered the regiment to serve in Butler's division, but before any orders were made public, Governor Holbrook acquiesced to Butler's request, extracting a promise, though, that all the Vermont units in the division would serve in a brigade commanded by John W. Phelps, formerly colonel of the First Vermont Infantry.¹³ Phelps, an 1836 West Point graduate and vocal abolitionist, hailed from Guilford and more recently Brattleboro, the hometown of the Holbrooks. When the War Department's orders were made public, the men of the Seventh learned to their dismay that they were destined for the Gulf, not Virginia. The objective of Butler's expedition was to cooperate with naval forces under Admiral David Farragut in the capture of New Orleans, and then attempt to wrest control of the Mississippi River Valley from the Confederates.¹⁴

The staging area for the lower Mississippi campaign was Ship Island, a sandbar several miles off the coast of Mississippi. Seven miles long and less than a mile wide, bearing almost no vegetation, Ship Island played a dull host for the thousands of soldiers and sailors who set up camp in the spring of 1862. "The principal inhabitants of the Isle are alligators snakes and Yankees," wrote Adjutant Charles E. Parker of the Seventh Vermont. "The former do not associate with the latter," he added.¹⁵ After a stormy voyage of several weeks' duration, many of those Yankees were relieved to step on the sandy, if not exactly firm ground of Ship Island.

Almost immediately the Seventh Vermont found itself in trouble with Butler. The second of two ships carrying the regiment arrived offshore on April 10, and Colonel Roberts ferried the men ashore on General Butler's steamer, as ordered. When Roberts proceeded to unload the regiment's camp equipment and supplies, the general became angry. No orders had been issued to unload anything but the men, and the general wanted the steamer for other purposes. Consequently, he had the regiment's quartermaster arrested.¹⁶ The incident soon blew over, but it was a cold reception from a commander who ought to have been grateful rather than petulant. One Vermont officer recalled that when the men disembarked, Butler said "he would rather see 300

barrels of Pork” come ashore than the Seventh Vermont. Another, a sergeant, put the figure at ten barrels.¹⁷

The first objective of the campaign, the capture of New Orleans, proved surprisingly easy to achieve. The Confederacy’s largest city, counting 149,000 white and 25,000 black residents in 1860, capitulated at the end of April after Admiral Farragut’s naval forces muscled their way past two fortresses downriver. The loss of New Orleans opened the Mississippi to Union control as far north as Vicksburg, Mississippi, the only remaining Confederate stronghold on the river. General Butler wasted no time in transporting troops to New Orleans. On May 16 the Seventh Vermont encamped at Carrollton, just north of the city, where General Phelps established his brigade headquarters.¹⁸

Meanwhile, thousands of fugitive slaves crowded into New Orleans and the Union camps, eager to taste freedom and, in some cases, willing to fight to keep it. General Phelps, filled with the fervor of abolitionism, seized the opportunity and began drilling companies of African-American volunteers. Phelps “had but one fault,” Butler later wrote, “he was an anti-slavery man to a degree that utterly unbalanced his judgment.” Others shared this assessment. “Gen. Phelps is almost insane on the nigger question,” Major Holbrook declared, suggesting that Phelps’s obsession interfered with his leadership of the brigade to which the Seventh Vermont belonged. Soon it would result in a showdown with General Butler.¹⁹

Ben Butler’s reign in New Orleans raised him to a pinnacle of notoriety. A city tottering on the edge of anarchy, where food and money were scarce and former Confederate soldiers were plentiful, New Orleans needed a firm hand at the helm and Butler supplied it. Many citizens were arrested for disloyal activities and one was hanged for pulling down the Stars and Stripes from a public building. Wealthy residents were taxed heavily to help feed the poor. Butler earned the undying contempt of Confederates and their sympathizers with his “woman order,” which warned that any female who insulted a Union officer would henceforth be considered “a woman of the town plying her avocation.” Harsh or merely insulting, Butler’s measures brought stability to the Crescent City: The insults, most notably the emptying of chamber pots on Northern heads, ceased. Butler also got the wheels of commerce turning again, and there is little doubt that he enriched himself in the process. Rumors reached the Eastern press of shady transactions and the questionable involvement of Butler’s associates in various enterprises. More alarming to the Lincoln administration, however, Butler confiscated property belonging to foreign nationals, drawing the wrath of European governments whose neutrality Lincoln needed to maintain.²⁰

As he tightened his grasp on the civil administration of New Orleans, Butler focused his military attention on Vicksburg. He selected Brigadier General Thomas Williams to lead a brigade composed of regiments (including the Seventh Vermont) from each of his three brigades, for an expedition to capture Vicksburg. Williams was “a great martinet,” Holbrook later wrote. Occupying Baton Rouge late in May, Williams soon arrested two of his colonels for refusing to evict fugitive slaves from the Union camps, and so infuriated his subordinates that a group of them—including three of his aides—filed charges against him. Williams would later arrest five officers for refusing to obey an order they considered harsh and unreasonable.²¹

Williams and Admiral Farragut surveyed Vicksburg’s defenses and quickly concluded that a conventional assault would be impossible. The city sat on a bluff on the eastern bank of the Mississippi, with heavy artillery trained on the river. Farragut could not elevate his heavy guns enough to target these cannon. Land approaches were few and well protected, and Vicksburg’s defenders far outnumbered Williams’s brigade. Butler devised another plan: He would divert the Mississippi River so that it bypassed Vicksburg altogether, leaving its guns out of range of Union vessels. The river could be diverted, he reasoned—without sufficiently consulting engineers—by cutting a channel across the peninsula that defined a loop in the river in front of Vicksburg, allowing the river’s current to wash out a new course.²²

The soldiers exchanged their guns for shovels and went to work. The camps near Vicksburg were built on low ground, and the Vermonters had no tents or camp equipment for the first several days. “We have to drink Mississippi river water & it is muddy & nasty but I don’t think it is very unhealthy,” Sergeant Rollin Green wrote. “We draw two or three barrels full & let it settle & it becomes somewhat clear after a while.” Sergeant Green undoubtedly overestimated the quality of the water. Lack of proper sanitation, exposure to malaria and other diseases, and poor living conditions soon contributed to a rapid rise in sickness. To make things worse, General Williams insisted on drilling the men with backpacks in the broiling sun. Soldiers grew sick by the hundreds, and they began dying by the dozens. Forty-two Vermonters alone died in July, fifty in August (not counting battle casualties), and fifty-eight in September. So many of the soldiers were sick by mid-July, Sergeant Green wrote, that there weren’t enough in his regiment for guard duty.²³ More than a thousand runaway slaves were put to work digging but the faster they dug, the faster the level of the river dropped. In addition, it turned out that the underlying soil, far from being unstable silt, was hard clay, almost impervious to the river’s current—which,

contrary to Butler's assumption, was not very strong at the point of excavation to begin with. Finally, in late July, "Butler's Ditch" was abandoned.²⁴ While he would not admit the futility of the expedition, Butler concluded that Williams's men were "not so much needed there as . . . elsewhere." Accordingly, he ordered General Williams's brigade, at least half of it on the sick list, to return. Williams evacuated the Vicksburg camps on July 24 and reached Baton Rouge on the 26th.²⁵

Williams downplayed rumors of Confederate forces gathering nearby and reported that in preparing defenses at Baton Rouge he would avoid "unnecessary exposure or fatigue to the troops," a consideration that does not seem to have occurred to him in the swamps of Vicksburg. A week passed and "not so much as a rifle pit" had been dug for Baton Rouge's defense, according to Lieutenant Colonel Fullam. Meanwhile, General John C. Breckinridge, the former vice president and Butler's second choice for president in 1860, was assembling some 4,000 men at Camp Moore, sixty miles away, with orders to attack Williams at Baton Rouge. On August 2 a spy employed by General Butler reported to Williams that Breckinridge was on the march. Williams speculated in a note to Butler that the rebel ram *Arkansas* might participate in an attack.²⁶

Though he did little to prepare for an assault Williams guessed Breckinridge's intentions correctly. The Confederate general planned to throw his troops against the Union force from the east, driving them through the city toward the Mississippi while the *Arkansas* attacked from the river. In the weeks leading up to the battle, sickness and fatigue had devastated Breckinridge's army as badly as Williams's, so that the Confederate general could count only 2,600 men fit for duty on the day of the attack. By his own estimate Breckinridge was outnumbered. In fact the sides were evenly matched numerically, but being on the defensive gave the Union troops a substantial advantage, as they could fight with less exposure than the attackers, and on ground of their own choosing. Facing these odds, Breckinridge made his final advance on Baton Rouge only when he received assurances that the *Arkansas* was nearly in position and ready to strike.²⁷

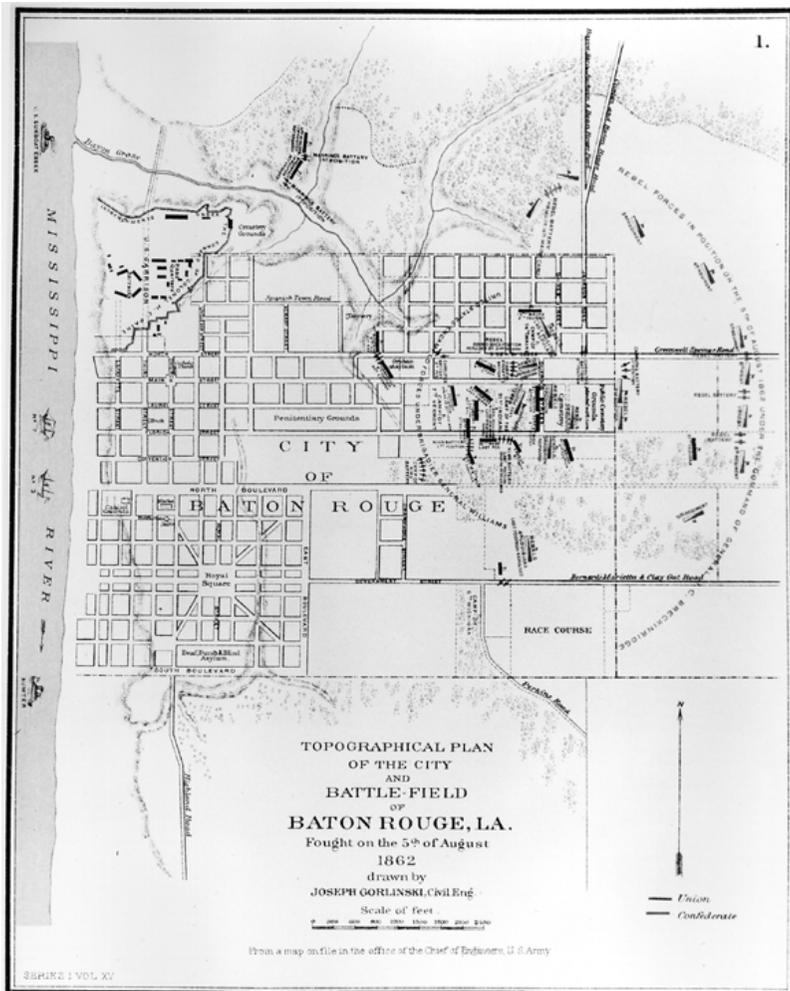
The *Arkansas* was a newly constructed steamboat clad with railroad iron and boilerplate. Longer, stronger, and more heavily armed than any Union ironclads on the Mississippi, the *Arkansas* had already proven her superiority in July when she steamed through the Union fleet and a heavy barrage to dock beneath the protective guns of Vicksburg. Although several Union gunboats patrolled the river near Baton Rouge, they were no match for the *Arkansas*. Once in position near the

Union back door, she could pound away with her heavy artillery and wreak havoc on the Yankees.²⁸

Baton Rouge, the state capital, had a prewar population of 7,000 white and 9,000 black residents; 94 percent of the latter were slaves. A U.S. military map shows a grid of streets next to the river, where the commercial district, state house, and other public buildings were located. On the northern extremity of the city, bordering a bayou, the federal arsenal and barracks lay within a small, fortified enclosure. To the east and somewhat north of the downtown grid, and connected to it by several east-west streets, lay another grid of streets in which the orphan asylum, state penitentiary, and a cemetery were located, as well as houses. As one traveled eastward on these streets the buildings grew more sparse and were interspersed with woods and farm fields. Within and just outside of this second grid Williams's six infantry regiments and three batteries set up camps where they could find open spaces large enough to accommodate tents and equipment. The Seventh Vermont set up camp near the middle of this neighborhood, a few hundred feet behind (or to the west of) the camp of the Twenty-First Indiana regiment.²⁹ Most of the ensuing battle took place among these houses and fields and in the cemetery.

News of Breckinridge's imminent attack reached Williams on August 4. The shooting began sometime after 2 A.M. the next morning, when rebel scouts ran into pickets of the Twenty-First Indiana posted about a mile east of their camp. General Williams had issued instructions for each regiment to assemble in front of its camp at the first sign of an attack, and await further orders. Each regimental commander had the discretion to move to any point where fighting appeared to be heavy, but the general did not establish a command structure before the battle to coordinate the activities of the various units. As rebel skirmishers began slowly to drive their Union counterparts through a thick fog between 3 and 5 A.M., the Northern regiments formed ranks in front of their camps as instructed. Major Holbrook was field officer of the day, with responsibility to supervise the pickets, respond to any emergency in the field, and communicate with General Williams. This assignment relieved Holbrook of any direct responsibility for his own regiment.³⁰

The battle began in earnest around 5 A.M. with firing on the Union left.³¹ While riding toward the right flank to make sure it was secure, Major Holbrook passed the camp of the Seventh Vermont and told Colonel Roberts where the attack was developing. Roberts exercised his discretion and moved the regiment several hundred yards to the northeast. Here the rebels were already pressing the Fourteenth Maine, which before long fell back through its camp, but a section of the



“Topographical plan of the city and battle-field of Baton Rouge, LA,” by Joseph Gorlinski, showing the area of battle in the outskirts of Baton Rouge. The various positions of Union and Confederate units were derived from officers’ reports in the Official Records. Source: Reproduced from Plate XXIV, no. 1, of the Atlas to Accompany the Official Records of the Union and Confederate Armies (Washington: Government Printing Office, 1891–1895). Photograph of original plate courtesy of the Norwich University Archives.

.....

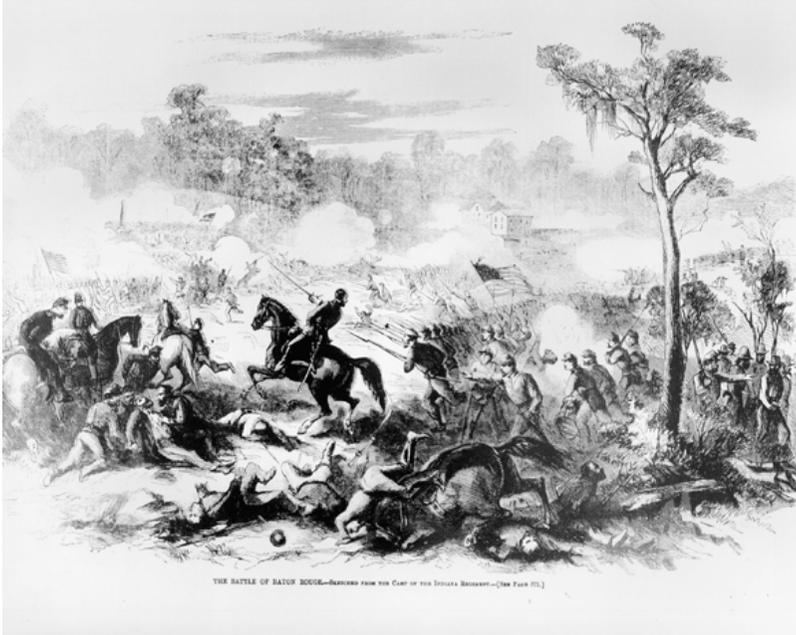


Union encampments south of the state penitentiary in Baton Rouge. This east-facing photograph by Andrew Lytle was probably taken between October, 1862 and May, 1863. The hottest action of the battle of 5 August 1862 took place within and beyond the wooded area in the distant left and center of this view. Source: Andrew D. Lytle Collection, Louisiana and Lower Mississippi Valley Collection, Louisiana State University Libraries, Baton Rouge, La.

Fourth Massachusetts Light Artillery (commonly referred to as Manning's Battery after its captain, Charles H. Manning) opened on the rebels and stopped them in their tracks. The men of the Seventh Vermont did not fire a shot, and apparently received no fire from the rebels. They soon discovered, however, that in the fog and darkness, Manning's Battery was unable to distinguish friend from foe. Shells from the Union battery were falling too close for comfort, so Lieutenant Colonel Fullam rode off to inform the Massachusetts men of their mistake. Meanwhile, seeing that the attack from the northeast had been stopped, Roberts moved the regiment back to its original position in front of its camp.³²

The Twenty-First Indiana bore the brunt of the rebel advance on the Union right. Three Indiana companies had been skirmishing and were largely scattered about the front lines. One company fell back and

.....



“The Battle of Baton Rouge—Sketched from the Camp of the Indiana Regiment.” Source: Harper’s Weekly, vol. VI, no. 297 (Sept. 6, 1862), 564.

joined the Seventh Vermont well behind the front, where they stood awaiting orders.³³ The main body of Indianans was fighting directly east of the Vermonters, stopping an enemy advance through the cemetery. When the enemy troops reformed on its left flank, the regiment formed a line diagonal to its position in front of the cemetery and northeast of the Vermonters. Here the Twenty-First was partially screened from the Seventh Vermont by woods, and wholly out of sight in any event because of fog and smoke. Meanwhile, more rebel troops advanced from the east through the camp of the Twenty-First, whose commander soon realized that the enemy was moving unchallenged in its rear toward the city. The Indianans hurriedly faced about and charged the invaders, running directly in front of the Seventh Vermont.³⁴

At this moment, according to historian George Benedict, General Williams galloped to the rear of the Seventh Vermont and demanded to know why the regiment was not firing. He issued a peremptory order to fire and dashed off. Colonel Roberts apparently obeyed with

reluctance, as he was unsure of the position of the Twenty-First Indiana. Three or four volleys soon brought several Indiana officers running out of the fog with the dreaded news that the Vermonters were indeed firing on their friends. The fighting had become intense, and several Vermonters were now wounded by rebel fire. Colonel Roberts gave the order to cease fire, and immediately fell to the ground with a bullet wound to the neck. As Roberts was helped from the field, a second bullet penetrated his abdomen, wounding him mortally.³⁵

Seeing their leader fall, the men of the Seventh fell back in some disorder before Captain Henry Porter reformed them just to the rear of their camp. He then moved the regiment to a ravine 100 to 200 yards (two or three city blocks, apparently) to the rear of the Seventh's camp. Command of the regiment devolved upon Porter because the colonel was incapacitated, Lieutenant Colonel Fullam was still not back from his mission to Manning's Battery, and Major Holbrook was absent as field officer of the day. The absence of the lieutenant colonel stretched on for about half an hour, during which time the regiment was not engaged in the battle.³⁶

The Seventh, or some portion of it, apparently returned to its position near its camp. Confederates continued to press against the Union right between 7 and 9 A.M., and when they threatened to turn the right flank, General Williams ordered his men to fall back. Colonel Nathan A. M. Dudley of the Thirtieth Massachusetts Regiment, whom Williams had belatedly ordered to coordinate the right wing, approached the rear of the camp of the Seventh and found some 125 men in line. These troops told the colonel that they had "fallen back with the rest," but it is unclear what previous movement of the line they were referring to.³⁷ What does seem clear is that soldiers of the Seventh Vermont were in the front line of the battle during the last hour of the engagement, as Union regiments on the right fell back and formed on the Seventh's position near its camp. In the thick of the fight General Williams fell, killed instantly by a bullet to the chest.³⁸

The fighting had gone on for nearly six hours by 9 A.M. and the rebels were exhausted. All morning the rebels had expected to hear the booming voice of the *Arkansas* speaking devastation in the Union rear. It was not to be: The *Arkansas*'s engines had broken down on her approach to Baton Rouge, depriving the land forces of their riverborne support. The partial success of the Confederate army on the Union right had also exposed them to the fearsome fire of the Union gunboats, though these produced much more fear than casualties. "Under these circumstances," Breckinridge reported, "although the troops showed the utmost indifference to danger and death, and were reluctant

to retire, I did not deem it prudent to pursue the victory further.” He ordered the stores and equipment found in the overrun camps to be burned, and withdrew from the field. The Confederates lost 453 men killed, wounded, and missing; Union losses totaled 383.³⁹

Two days later General Butler’s protégé, Lieutenant Godfrey Weitzel, arrived to assess the situation in Baton Rouge. Weitzel glowed with approval, calling the battle “a glorious victory,” though he noted the mournful loss of General Williams, Colonel Roberts, and other officers. In response, Butler issued General Orders 57 on August 9, congratulating the army, which, he declared, had routed an enemy twice its number—an enemy that had launched a “cowardly attack” under the leadership of a general (Breckinridge) “recreant to loyal Kentucky (whom some of us would have honored before his apostasy).”⁴⁰ He had not yet received reports from regimental commanders, which would fill in the details and inform him of particularly meritorious behavior—and misconduct. Although Weitzel’s report made no reference to misconduct, in an accompanying letter to Butler he mentioned “that the Seventh Vermont behaved very badly.” On August 8 Weitzel reported on the steps being taken to secure Baton Rouge against another attack. By August 16, however, Butler concluded that an attack on New Orleans was imminent, and he ordered the Baton Rouge brigade to return. Most of the troops arrived in New Orleans on August 20, though the attack Butler expected never materialized.⁴¹

Meanwhile, trouble was brewing in the camps. The men of the Twenty-First Indiana were angry about the friendly-fire incident. Colonel MacMillan of the Twenty-First, who rose from his hospital bed at the end of the battle and saw only the final minutes of the fight, and other members of his regiment lodged verbal complaints about the Vermonters with General Butler. Captain James Grimsley, who commanded the Indiana regiment for part of the battle, made the friendly-fire accusation official in his report to Butler. He also charged that General Williams had ordered the Seventh forward to support his regiment shortly after the incident, and that the Seventh refused to obey. These were the most serious allegations of misconduct against the Seventh, and Butler took Grimsley at his word.⁴²

Acting as colonel of the Seventh, Lieutenant Colonel Fullam wrote the official regimental report to General Butler. In a lengthy but unfinished draft of the report Fullam recounted the regiment’s initial movements in detail but stopped in the middle of an explanation for his absence. Perhaps sensing that this account might raise more questions than it answered, Fullam instead submitted a brief paragraph, admitting that he was “not able to give a connected account” of the regiment’s



Volney Fullam. Source: Vermont Historical Society.

participation in the battle. Butler therefore received no information about the regiment's activities except as reported by the officers of other regiments.⁴³

Fullam had never been popular in the Seventh, and now the feeling against him intensified, perhaps because of the role he played (or failed to play) in the battle, or perhaps simply because the colonel's death left him in command of the regiment. Writing nearly fifty years later, Fullam listed as reasons for his unpopularity that he had disciplined men and officers for being away without leave, had strictly forbidden stealing from citizens, and had demanded written explanations from several officers (including the regimental surgeons) for their absences during the battle of Baton Rouge. Training methods also caused disputes: Colonel Roberts and many of the company officers were accustomed to outdated militia drills, while Fullam insisted on drilling by current U.S. Army methods. Since drilling took place at company, battalion, and regimental levels, under a variety of officers, the conflicting methods resulted in great confusion and resentment.⁴⁴

Under ordinary circumstances, Fullam could expect to be appointed as Colonel Roberts's successor, but he did not have the support of the men or officers. "He is very unpopular with the regt.," Major Holbrook wrote to his father on August 14, "& I hear the officers are going to ask him to resign." In fact, Fullam later wrote, most of the staff and line officers signed a petition asking him to resign but never delivered it. The same officers petitioned Governor Holbrook to appoint his son colonel.⁴⁵ Major Holbrook wrote again to his father on August 17 that there was "the most bitter feeling in this regt. existing against Col. Fullam," adding, "I hope he will resign." The major believed himself the man preferred for colonel by nearly the whole regiment, but said he did not want "to be jumped" over Fullam. The next day, however, Fullam forwarded a list of recommendations for promotion to the governor, and placed his own name at the top to succeed Colonel Roberts.⁴⁶

On August 25, Fullam and Holbrook received orders to report to General Butler the following day amid rumors that the Seventh had been accused of misconduct. Meeting first with Fullam, Butler confirmed the rumors and told the lieutenant colonel about his soon-to-be-released General Orders 62-1/2, in which he censured the Seventh for its conduct in the battle of Baton Rouge. Butler then asked for Fullam's resignation, on the grounds that the performance of the regiment was the result of poor discipline, for which he held Fullam responsible. The lieutenant colonel did not deny the charge but tried to explain the confusion caused by conflicting methods of drill, which were exacerbated by the difficulties of drilling in the sand of Ship Island and the

swamps of Louisiana. Butler, though, was not in the mood for excuses, and Fullam knew that fighting “a man of his character, practically a dictator in New Orleans,” would be “hopeless.” After consulting briefly in the anteroom with Holbrook, Fullam agreed to resign, but under one condition: that Butler exonerate him in writing of any of the misconduct alleged against the Seventh. The General consented, and on his endorsement of Fullam’s resignation letter he wrote: “Owing to General order [62-1/2] in regard to the 7th at Baton Rouge I feel bound to say in justice to Lt. Col Fullam that I have heard no complaint of his personal conduct in that affair.”⁴⁷

Next, Butler met with Major Holbrook. After informing him that Fullam had resigned, and that Holbrook was to be promoted to the colonelcy, Butler told him that the Seventh would be rebuked for misconduct in the battle, without revealing to Holbrook the specific charges. Holbrook protested and pleaded with the general to convene a board of inquiry to examine the accusations before they were given the weight of publication in general orders. Butler refused. Holbrook then demanded that a board of inquiry be held after the issuance, and that it be composed of officers from outside the Gulf Department. Butler suggested that Holbrook might himself select the members of the court from among any of the officers within the Gulf Department, but he agreed to forward Holbrook’s demand to the War Department.⁴⁸

Butler’s General Orders 62-1/2, promulgated as a revision of the laudatory General Orders 57, began with a series of accusations against the Seventh followed by lengthy and often fulsome praise of the other regiments, which served to heighten the disgrace heaped on the Vermonters. Butler wrote that Colonel Roberts “fell mortally wounded while rallying his men. He was worthy of a better disciplined regiment. . . . His regiment gave him the inexpressible pain of seeing it break in confusion when not pressed by the enemy and refuse to march to the aid of the outnumbered and almost overwhelmed Indianians.” The regiment, he continued, “by a fatal mistake, had already fired into the same regiment they had failed to support.” Butler also commended a soldier of Manning’s Battery for bringing off “from the camp of the Seventh Vermont their colors at the time of their retreat.” For these reasons, the general refused to allow the name of Baton Rouge to be sewn on the regiment’s flag (a standard privilege for units engaged in a battle), and forbade the regiment from carrying its flags at all “until such time as they shall have earned the right to them” and shown “whether they are worthy descendants of those who fought beside Allen and with Starke at Bennington.”⁴⁹

The regiment heard General Orders 62-1/2 for the first time on

Saturday, August 30, while in formation for dress parade. According to Sergeant Rollin Green, Butler spoke “in the most cutting & sarcastic way. He said ‘you will have to stand in the next fight cant run for I have sent home all the ships. There is not enough boats left in the harbor to carry a corporals guard.’ He talked to us as tho’ we were all cowards. I tell you my blood boiled.” Lieutenant Dickinson fumed, “We have been disgraced deliberately and falsely as I pledge my honor to show if ever the opportunity is given.”⁵⁰

News of the disgrace of the Seventh soon reached Vermont. Volney Fullam, at home in Ludlow by mid-September, wrote an account of the regiment’s role in the battle of Baton Rouge and its subsequent censure for the *Rutland Daily Herald*. The Vermont General Assembly adopted a resolution calling for an impartial inquiry. Governor Holbrook wrote to Secretary of War Edwin M. Stanton that the people of Vermont were “stirred up” and “nothing short of an entirely impartial court of inquiry, to be appointed at and sent on from Washington, will satisfy our people.” He wrote as well to General Butler, accusing him of treating the Seventh “with great injustice, and the State of Vermont with at least marked disrespect.”⁵¹ These efforts did not, however, bring the desired results. Army General-in-Chief Henry W. Halleck approved the request for a board of inquiry but informed Butler that no officers could be spared from Washington to serve on the board. Halleck gave Butler permission to convene a board on the terms he had offered to Holbrook—that the colonel might choose any officers he wished from within the Gulf Department. Although he was skeptical that an impartial court could be mustered, Holbrook put the question to his officers and received their unanimous approval to proceed, “let the consequences be what they might.”⁵² Laboring under conditions of extreme discouragement, Colonel Holbrook wrote to his father that he expected recruitment for the Seventh would suffer as a result of “that infamous order.” Once the charges were proven false, he continued, “I shall tender my resignation with a full conviction that this war was brought on by rascals & can be settled by them. I have discharged my duties as well & faithfully as I could . . . but my education never fitted me to serve in a Department where everything is so repugnant to my feelings.”⁵³

One who might have had some influence with General Butler, if he had not exhausted Butler’s patience and his own credibility, was General John Phelps. During the twenty-five days that the Seventh spent in Baton Rouge under General Williams, Phelps acted out the final scenes of his abolitionist drama. On July 30 he formally requested arms and equipment for three regiments of black soldiers he proposed to recruit



John W. Phelps. Source: Photograph Files, Special Collections, University of Vermont Library.

from among the fugitive slaves who had flocked to his camp. He assured Butler, “They are willing to submit to anything rather than to slavery.” Butler agreed in principle with the effort—it was he, after all, who, as commander at Fortress Monroe, had forced the government to affirm his policy of treating runaways as contraband of war—but he blocked Phelps’s attempts to muster the black troops into Federal service. He told Phelps that the blacks were needed as laborers and that Congress had forbidden their enlistment. They were to be employed in necessary work at the camp and Phelps was not to enlist them as soldiers. Phelps responded, “I am not willing to become a mere slave-driver which you propose, having no qualifications in that way,” and tendered his resignation.⁵⁴ Butler refused to accept it, but passed it on to Washington, where it was accepted by General Halleck. Although he wrote a supportive note to accompany Holbrook’s request for a court

of inquiry, Phelps's usefulness and influence had evaporated. Notwithstanding his refusal to condone the mustering of contrabands, Butler no sooner forwarded Phelps's resignation to Washington than he announced that he would muster free blacks into Federal service. These men had been free before the start of the war, and their service did not raise the difficult issues connected with the mustering of fugitives. Butler thus gained fame as one of the first to raise black troops just as he denied that distinction to Phelps.⁵⁵

The Board of Inquiry finally convened on October 23, and took testimony for five days over the following week. The first witnesses were officers of the Twenty-First Indiana. Captain Frank Noblet, who commanded the regiment near the end of the battle, testified that he passed a regiment moving "in tolerably good order" toward the rear, whose members ignored his order to return to the line of battle. He was told later that the men were of the Seventh Vermont. Lieutenant John W. Day claimed that the Seventh fell back "to the gas works in the hollow" at the same time the Twenty-First moved forward to retake an abandoned position. Lieutenant Walter C. Elken, whose company fell in with the Vermonters shortly before the friendly-fire incident, testified that his company and the Vermonters broke when they received a "tremendous volley" (presumably the volley that wounded Colonel Roberts), and found shelter in a ravine. Elken soon rallied his company, he stated, and fell in with the Thirtieth Massachusetts on the Union right. Elken added that he saw a regiment reforming near the Vermont camp, and that when the Thirtieth Massachusetts fell back under orders, it took a position in line with the Seventh.⁵⁶

The first day's testimony therefore included some negative remarks and suspicions about the conduct of the Vermonters, but no clear or substantive evidence of misconduct. On the second day, Lieutenant W. S. Henkle and Captain James Grimsley testified. Henkle was quartermaster of the Twenty-First, and having no battlefield duties was assigned to carry orders for General Williams. He claimed that he had delivered an order to the Seventh from Colonel Keith to advance and support the Twenty-First. If true, the Seventh clearly failed to obey the order. But Henkle's testimony was flawed: He stated that he was "very sure" he gave the order to Major Holbrook (who sat before him and questioned him at the court of inquiry), but Holbrook was never with his regiment, and denied ever receiving such an order. Whoever the officer was, Henkle admitted he did not wait for an answer, as his horse was becoming unmanageable.⁵⁷

Captain Grimsley contradicted Henkle, stating that he was "very positive that Colonel Keith did not send an officer to the Seventh asking

them to come up.” Instead, the captain insisted that General Williams himself gave the order directly to a Vermont officer, after rebuking the regiment for firing into the Indianans. According to Grimsley the Vermonters responded to the order, moving some thirty yards forward, but then fell back in good order as if ordered to do so. Grimsley saw no disorder in the Vermont ranks. Most importantly, from the Vermonters’ perspective, Grimsley stated that the men of the Seventh, when they fired the volleys into the Twenty-First, had no reason to suspect they were firing at anyone but the enemy. “My impression,” he stated, “is that when we received the two volleys from the Seventh Vermont we ran under a fire which was already going on.” These words from the man most responsible for Butler’s censure surely gave Colonel Holbrook a flush of gratification. Grimsley’s insistence that the Seventh disobeyed a direct order from General Williams was disturbing, but the lack of any corroborating testimony consistent with his recollection must have raised serious doubts about its veracity.⁵⁸

The Board heard only one witness, Lieutenant Colonel Elliott of General Williams’s staff, on October 27. Elliott evidently thought the conduct of the Seventh was good except that it “broke in confusion” under the severe fire that wounded Colonel Roberts. He quoted General Williams as saying, “if our troops are going to behave this way we may as well abandon the field.” He knew nothing of an order for the Seventh to support the Twenty-First Indiana. But Elliott specifically cited Fullam as deserving censure for drawing the regiment up in the protection of a ravine. “I asked him what he was doing there. He said he was getting his men in a sheltered position. I saw no other officers exhibit any disposition to evade duty.”⁵⁹

The Vermonters got their chance to speak on October 28 and 29. Each of the Vermont officers insisted that he had heard no order to advance to the support of the Indianans. Each also asserted that any disorder in the ranks was minimal. Captain Porter explained that the right wing of the regiment fell back “in some disorder” about one hundred yards after Colonel Roberts fell, but that he reformed the line a hundred feet to the rear of its original position. After informing the general that he had assumed command of the regiment, Porter received an order from Williams, he claimed, to take the regiment to the shelter of a ravine. He remained in command for twenty minutes, when Lieutenant Colonel Fullam returned. Captain Barber, the next witness, also stated that Fullam returned and resumed command twenty to twenty-five minutes after Colonel Roberts fell.⁶⁰

Much of the Vermonters’ testimony concerned the allegation that a member of Manning’s Battery rescued the colors of the Seventh when

the Vermonters fell back. It became apparent that these flags were not the regimental, state, or national flags that each regiment ordinarily carried into battle, but small marker flags (each with a "7" on it) used to mark camp and parade ground boundaries. A small, frayed U.S. flag, lately used as a blotter, was also recovered. Sergeant Sherman Parkhurst of the Seventh's color guard testified that the regimental colors were never abandoned, declaring "they did not leave my hands during the engagement."⁶¹

Colonel Holbrook took the witness stand on October 29th and spoke of the severe debilitation of the regiment from sickness and hard work. He noted that he had had virtually no contact with the regiment during the battle, but quoted from the official report of Colonel Dudley, of the Thirtieth Massachusetts, in which Dudley stated that one section of Manning's Battery was "well supported" on the right by the Seventh, and that the Vermonters stood in line with the Twenty-First Indiana and the Thirtieth Massachusetts regiments against a strong force on the Union right. "At one time," Dudley had reported, "these three brave regiments stood face to face with the enemy, within forty yards of each other."⁶²

Dudley followed Holbrook on the stand and stated that he did not see the Seventh until the latter half of the battle, when the Vermonters came under his command. When ordered by General Williams to fall back, he found some 125 men of the Seventh to the rear of their tents, who said "they had fallen back with the rest." Dudley claimed that he gave no orders and knew of no orders given to the Seventh that they failed to obey. Dudley dismissed the implication that the Vermonters had fired into the Indianans through negligence. The Twenty-First was "scattered over the field very much and it was impossible to tell where they were. They even complained of my Regt. firing into them but I showed them that we had not. I doubt very much whether they were fired into from the rear at all."⁶³

The Board adjourned after hearing nineteen witnesses and spent the next week deliberating. Colonel Holbrook waited impatiently for the Board's report, but expressed great relief at the tenor of the testimony. General Butler "no doubt was considerably surprised at the testimony of all the witnesses," he wrote to his father, "and is at a great loss how to account for such unanimity. . . . Nothing but the blackest malice can actuate Genl. Butler to give us anything less than an acquittal." Yet Holbrook by now was convinced that malice was indeed what motivated Butler, and he did not expect a full retraction of the accusations. And if this expectation proved true, Holbrook wrote, "I shall always wage war upon him."⁶⁴

While the officers of the Board of Inquiry were bound to consider only the evidence presented in the inquiry, they were no doubt conscious of both the enormous humiliation the Seventh bore and the potential embarrassment to General Butler if his charges should prove entirely false. Under these circumstances, the Board's report, issued on November 6, appears to be fairly objective. It stated somewhat ambiguously that the Seventh "fled about one hundred feet and to the cover of some gullies" after Colonel Roberts fell. The "gullies" presumably referred to the ravine some one to two hundred yards to the rear of the Seventh's camp. The weak conjunction leaves open the possibility that the men were ordered to take cover in the ravine after fleeing, but the wording suggests that the "gullies" were occupied by panicked troops looking for cover. The examining officers concluded (apparently on the basis of Colonel Dudley's statement that he found 125 Vermonters just to the rear of their camp) that two-fifths of the regiment never returned to the line of battle. Captain Porter and all of the line officers behaved well, as far as they could determine, but Lieutenant Colonel Fullam was singled out for "discreditable" behavior on the testimony of Colonel Elliott that he "sought to evade duty" by sheltering his men in a ravine, despite Captain Porter's assertion that the regiment had been ordered to take cover there. The Vermonters were not to blame for the friendly-fire incident, the Board concluded, citing Captain Grimsley's "exculpation" and the testimony of various witnesses that the Indians, changing position frequently, could not be distinguished from the enemy in the fog and smoke. Finally, the Board stated in unequivocal terms that the colors of the Seventh were "retained" and "brought off the field" by the regiment's color guard, in direct contradiction to Captain Manning's report.⁶⁵

General Butler accepted the report but in his endorsement he distorted the Board's findings. He reiterated, for instance, "that the Regiment did fire upon the Indiana Regiment" without mentioning that the evidence exonerated the Vermonters. In the same sentence he added, "that was the only firing done by the regiment that day, although they held the centre of the line, which was most hotly pressed." Certainly, the regiment held its fire under orders from its colonel until General Williams intervened—with unfortunate results. For the remainder of the battle, there is ample evidence that at least a portion of the regiment was engaged in the fight. Lieutenant Austin Woodman of the Seventh Vermont had mentioned in his testimony that "we did not fire at all, during the Action except at the three or four rounds at the time Colonel Roberts was killed." It is unclear whether Woodman was referring to the whole regiment or just his company. It seems unlikely that

the Seventh could have held the “most hotly pressed” portion of the line and not have fired a shot. More to the point, the accusation defamed the regiment without specifying an act of misconduct, and without giving the accused an opportunity to respond. Butler expressed pleasure that “most” of the line officers behaved well when in fact the report stated simply “the Line Officers behaved well.” He did not repeat some of the inaccurate statements in General Orders 62-1/2—for instance, that Colonel Roberts fell while trying to rally his men. This was a concession of a sort, but on only one point did the general admit that he had been misinformed, on the issue of the camp colors being rescued. He therefore ordered the regiment’s flags restored, but refused to allow the regimental flag “to be inscribed with the name of the glorious battle of Baton Rouge.”⁶⁶

Colonel Holbrook’s estimation of Butler proved accurate, though the general’s minor concessions—in addition to the fact that, shortly after the Board concluded its work, Butler was removed from command of the Gulf Department—seemed to mollify him to some degree. “It was more than I supposed Gen. B___ would admit,” he wrote to his brother Frank. He hoped that Vermonters would consider the report “as a virtual admission or retracting [of] Gen. Order 62.” At the same time, he expressed weariness over the whole affair. “I don’t see now why the thing should not be hushed up[.] I have heard enough about the 7th Vt. It will always be a disagreeable stigma to the regiment.”⁶⁷ Months later, he wrote to the retired General Phelps,

I am conscious that we received but a small part of our just due, but I feel that I done the best I could under the circumstances. It was a very unequal contest, an old and professional politician pitted against a mere fledgling. You suggested that I should have preferred charges against Gen. Butler. I thought the matter over very seriously and I should have done so had I felt sure of gaining decisive results. With the experience, knowledge and “wire pulling” disposition of an expert politician, I might have brought out important and advantageous features. I fully realized my delicate and responsible position, and felt that more skillful and older heads should have managed it, but it devolved on me alone to extricate the Regt. and the reputation of the State. I done the best I could under the circumstances.⁶⁸

General Butler’s recall had more to do with politics, rumors of corruption, and the complaints of European nations about his treatment of their citizens than with any complaints of soldiers. He remained without a command for most of 1863, but pressure from powerful friends and the possibility that the unemployed general might emerge as an opponent in the 1864 presidential race eventually led President Lincoln to appoint Butler to command the Department of Virginia and



William C. Holbrook. Source: Vermont Historical Society.

North Carolina, with his headquarters again at Fortress Monroe. In this post Ben Butler ultimately proved his military incompetence beyond the endurance of the army: General U. S. Grant cashiered him early in 1865.⁶⁹

Twenty years after the battle of Baton Rouge, Benjamin F. Butler was elected governor of Massachusetts after five terms in the U.S. House of Representatives and several unsuccessful bids for the governorship. The same year, William Holbrook—now a well-known lawyer himself—published a regimental history of the Seventh Vermont. He devoted one-quarter of the book to the Baton Rouge affair and spared Butler none of his contempt, writing, “I doubt if the annals of the war furnish another such instance of premeditated iniquity as was this monstrous attack upon our regiment.” Addressing the Reunion Society of Vermont Officers a year later, he called the incident the regiment’s “sharpest trial . . . it was compelled to stand ‘four square’ to Butler’s rotten breath of calumny.” Colonel Holbrook was clearly carrying out his vow of twenty years’ standing to “always wage war” on Butler.⁷⁰

The attempt of Holbrook the historian to set the record straight fell short of complete candor. Holbrook obtained a copy of the proceedings of the Board of Inquiry and corresponded with former members of the regiment. He pointed out significant inconsistencies in the testimony of the Indiana officers, which should have undermined their credibility.⁷¹ Yet in claiming that the Vermonters never fell back in disorder he ignored the testimony of Captain Porter. In denying the board's conclusion that two-fifths of the Vermonters never returned to the line of battle he remained silent, as were all of his comrades, about where the men were and what they were doing for the final two hours of the battle.⁷² Holbrook also implied that the single instance of misconduct that Lieutenant Colonel Elliott cited was the regiment's fleeing one hundred feet; in fact, what Elliott said was that Volney Fullam shielded the regiment in a ravine "to evade duty."⁷³

Holbrook struggled to explain why Butler had disgraced the Seventh. The idea that a state so renowned for the heroism of its soldiers could furnish a regiment capable of cowardice struck Holbrook as an absurdity.⁷⁴ Even if the Seventh had temporarily lost its composure, few were the infantry regiments on either side that never panicked in battle, especially their first battle. Such incidents happened countless times in countless Civil War engagements. One of the officers in charge of a Confederate brigade in the battle of Baton Rouge, learning that his brigade had fled and "could not be rallied" after he was wounded, wrote in his official report, "this has often happened with the best of troops and the bravest veterans, and should not attach any disgrace to the soldiers."⁷⁵ As for the Seventh's friendly-fire tragedy, it too was one of scores, perhaps hundreds of similar incidents. Seldom were the shooters considered culpable; when someone was blamed, it appears that the blame usually fell on a commanding officer.⁷⁶ Surely Butler's animosity was rooted in the Vermont legislature's rejection of his plea for the Seventh to be assigned to his division in 1861. General Phelps had suggested that the incident gave Butler the opportunity to curry favor with the Indianans, who would be much more important to him in a presidential race than Vermonters. This explanation sounds far-fetched, though Holbrook asserted that Butler would not have taken the political risk of condemning troops from New York or Massachusetts.⁷⁷

Holbrook overlooked a simpler explanation that, in retrospect, seems obvious, and consistent with Butler's character: the need for a scapegoat. Butler had been publicly humiliated and widely criticized after the disastrous skirmish at Big Bethel the year before. Although that affair had been eclipsed by bigger disasters by other generals, Ben Butler remembered how it had threatened his military and political

careers. General Williams clearly deserved blame for his lack of preparation and poor leadership at Baton Rouge, but he lay beyond Butler's reach: Death in battle had conferred on him a certain immunity to criticism. Moreover, as a political general Butler could do himself no good by criticizing Williams, a regular army officer.⁷⁸ Lieutenant Colonel Fullam deserved a share of the blame if only because he failed to account for the regiment's activities in his official report.⁷⁹ Butler, however, had already exonerated Fullam and sent him home. He could not pick on Holbrook, who had nothing to do with the Seventh during the battle. But by reprimanding the entire regiment, now led by a young and inexperienced colonel, Butler provided some protection for himself while ensuring that the accused would be unable to challenge him effectively.

It might seem as if there was little need for a scapegoat for the battle of Baton Rouge. After all, the rebels had been beaten back with moderately heavy casualties. But if this battle was in some sense a victory for Butler, at the same time he was losing the war in the Mississippi Valley. His Vicksburg campaign had been a disaster. The battle of Baton Rouge showed that the rebels were able to challenge Union control of the region. Criticism of Butler's administration in New Orleans grew daily in the latter part of the summer, and led to his removal in December. Given his lawyer's tendency to play every angle, it is no surprise that he sought and found a scapegoat for some of what was going wrong.⁸⁰

Ben Butler's censure of the Seventh Vermont had no significant impact on the outcome of military events in the Gulf Department, except to further undermine his own credibility as a military leader. For the soldiers and citizens of Vermont, however, it was a serious affront to pride and morale, and a potential threat to recruitment efforts. Commissioned officers of Vermont regiments were highly conscious of their wartime reputations, and many would refashion successful military careers into postwar business and political careers.⁸¹ Ben Butler was not the only officer to perceive the war as a vehicle for his personal ambitions. Unlike most, though, he was willing to use sophistry, manipulation, intimidation, and a creative interpretation of the facts to advance his cause.

NOTES

¹ Several biographies of Benjamin F. Butler have appeared over the last seventy-five years, ranging from highly critical to adulatory. The best are Richard S. West, Jr., *Lincoln's Scapegoat General: A Life of Benjamin F. Butler, 1818-1893* (Boston: Houghton Mifflin, 1965); Hans Louis Trefousse, *Ben Butler: The South Called Him Beast* (New York: Twayne Publishers, 1957); and Chester G. Hearn, *When the Devil Came Down to Dixie: Ben Butler in New Orleans* (Baton Rouge: Louisiana State University Press, 1997). Butler's reputation among the men of the Seventh and Eighth Vermont regiments can be judged from the histories of those regiments: William C. Holbrook, *A Narra-*

tive of the Services of the Officers and Enlisted Men of the 7th Regiment of Vermont Volunteers (Veterans) from 1862 to 1866 (New York: American Bank Note Co., 1882), and George N. Carpenter, *History of the Eighth Regiment Vermont Volunteers, 1861–1865* (Boston: Press of Deland & Barta, 1886).

² See West, *Lincoln's Scapegoat General*, 4–28, for an overview and anecdotes of Butler's early life. All of Butler's biographers have relied heavily on his autobiography for information about his first forty years. *Autobiography and Personal Reminiscences of Major General Benjamin F. Butler: Butler's Book* (Boston: A.M. Thayer & Co., 1892) is best consumed with large portions of salt.

³ West, *Lincoln's Scapegoat General*, 30–45.

⁴ Trefousse, *Ben Butler*, 49–57.

⁵ *Ibid.*, 57–58.

⁶ West, *Lincoln's Scapegoat General*, 20, 42.

⁷ Hearn, *When the Devil Came Down to Dixie*, 25.

⁸ *Ibid.*, 28–29.

⁹ Winfield Scott to Butler, 18 May 1861, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (hereafter cited as *Official Records*), series I, 2: 640–641.

¹⁰ For a description of the battle see George G. Benedict, *Vermont in the Civil War* (Burlington, Vt.: Free Press Association, 1886), 2: 42–53; report of B. F. Butler, 10 June 1862, in *Official Records*, series I, 2: 80; Butler, *Autobiography*, 275. The Senate confirmed Butler by a vote of 25–14 on August 5, 1862 (*Journal of the Executive Proceedings of the Senate of the United States of America*, 2: 558).

¹¹ Both Thomas and Brown had been delegates to the 1860 Democratic convention in Charleston, according to Butler, *Autobiography*, 300; see also Carpenter, *History of the Eighth Regiment Vermont Volunteers*, 1–10. Like Butler, Thomas had no previous military experience when he accepted his commission. Unlike Butler, he proved exceptionally competent, emerging as one of the best general officers from Vermont in the Civil War.

¹² George C. Strong to Thomas A. Scott, 27 November 1861, in Benjamin F. Butler, *Private and Official Correspondence of Gen. Benjamin F. Butler During the Period of the Civil War* (Norwood, Mass.: privately printed, 1917), 1: 293. Strong was Butler's assistant adjutant general; Scott was assistant secretary of war.

¹³ Volney S. Fullam (who changed the spelling of his name to Fulham) claimed to have a letter from Governor Holbrook stating the governor had requested “that the 7th Vt. Regt. should be sent to the Department of the Gulf” in order to serve under Phelps. Volney S. Fulham, *The Fulham Genealogy* (Burlington, Vt.: Free Press Printing Co., 1910), 91. If so, it was apparently written without the knowledge of the governor's son. See Holbrook, *Narrative*, 2, footnote.

¹⁴ George B. McClellan to Butler, 23 February 1862, *Official Records*, series I, 6: 694–695.

¹⁵ Charles E. Parker to his father, 13 May 1862, Charles E. Parker Papers, Special Collections, Bailey/Howe Library, University of Vermont (hereafter UVM).

¹⁶ Holbrook, *Narrative*, 4–5.

¹⁷ John Q. Dickinson to Dugal Stewart, 1 September 1862, Stewart Family Papers, Sheldon Museum, Middlebury, Vermont; Rollin M. Green to friend, 2 September 1862, Rollin M. Green Papers, Vermont Historical Society (hereafter VHS).

¹⁸ *Preliminary Report of the Eighth Census, 1860* (Washington, D.C.: Government Printing Office, 1862), Table No. 41, 262; see Hearn, *When the Devil Came Down to Dixie*, 57–75, for details of the capture of New Orleans; Benedict, 2: 8.

¹⁹ West asserts that Phelps “bent his energies toward freeing every black on the plantations in his vicinity,” *Lincoln's Scapegoat General*, 161; Butler, *Autobiography*, 896; William C. Holbrook to Father, 29 July 1862, Holbrook Papers.

²⁰ On the arrests for disloyalty see Hearn, *When the Devil Came Down to Dixie*, 134–141 and West, *Lincoln's Scapegoat General*, 148–157; the text of the “woman order” is in Butler's “General Orders 28,” *Official Records*, series I, 15: 426; for details of Butler's involvement in commercial enterprises in New Orleans see Hearn, *ibid.*, 180–197; on Butler's relations with foreign consuls and their citizens in New Orleans see Trefousse, *Ben Butler*, 124–127.

²¹ Holbrook, *Narrative*, 23; Norman C. Delaney, “General Thomas Williams,” *Civil War Times Illustrated* 14, 4 (July 1975), 4–47 passim.

²² West, *Lincoln's Scapegoat General*, 164–165.

²³ Rollin M. Green to friend King, 12 July 1862, Rollin M. Green Papers; death figures were derived from Theodore S. Peck, *Revised Roster of Vermont Volunteers . . . During the War of the Rebellion, 1861–66* (Montpelier, Vt.: Watchman Publishing Co., 1892).

²⁴ See Holbrook's criticism of “this colossal piece of folly” in *Narrative*, 23–24.

²⁵ Butler to Williams, 16 July 1862, *Official Records*, series I, 15: 31.

²⁶ Williams to Captain R. S. Davis, 26 July 1862, *Official Records*, series I, 15: 33; Fulham, *Fulham Genealogy*, 95; “Report of Maj. Gen. John C. Breckinridge,” 30 September 1862, *Official Records*, series I, 15: 76; Williams to Davis, 2 August 1862, *ibid.*, 34.

²⁷ Breckinridge, "Report," *Official Records*, series I, 15: 77.

²⁸ See Shelby Foote's description of the building of the *Arkansas* and her arrival at Vicksburg in *The Civil War: A Narrative* (New York: Vintage Books, 1986), 1: 549–553.

²⁹ *Eighth Census*, 262; "Topographical Plan of the City and Battle-Field of Baton Rouge, La.," Map 1, Plate XXIV, *The Official Atlas of the Civil War* (New York: Thomas Yoseloff, 1958).

³⁰ Holbrook, *Narrative*, 38–39; see his criticism of Williams's tactics and lack of preparation on page 42, footnote.

³¹ Published histories of the battle are largely unreliable. Contradictions abound in manuscript and published accounts concerning the time and exact location of events. References to the "left" and "right" of the battle line, and the directions particular units faced, are especially confusing. The fog and smoke that persisted on the field for much of the morning undoubtedly contributed to some inaccuracy in eyewitness accounts. William A. Spedale's *The Battle of Baton Rouge, 1862* (Baton Rouge, La.: Land and Land Pub. Division, 1985) and Edward Cunningham's *Battle of Baton Rouge, 1862* (Baton Rouge: Committee for the Preservation of the Port Hudson Battlefield, 1962) do not include citations but appear to follow the reports of Confederate officers in the battle, all but ignoring the reports of Union officers. John D. Winters's *The Civil War in Louisiana* (Baton Rouge: Louisiana State University Press, 1963), 113–119, is more balanced in tone.

³² Holbrook, *Narrative*, 39–40, 42–43; "Report of Col. Frank S. Nickerson," 8 August 1862, *Official Records*, series I, 15: 69–71; Fulham, *Fulham Genealogy*, 96. Major Porter later testified that the regiment had moved 300 yards to the front and left, but "had not participated in the Action" prior to returning to its position in front of the camp. "Proceedings of the Board of Inquiry into the conduct of the Seventh Vermont Regiment," untitled manuscript in RG 153, Military Court-Martial File KK-345, National Archives and Records Administration, Washington, D.C. (hereafter referred to as "Proceedings"), 33, 34.

³³ See the testimony of Lieutenant Walter C. Elken of the Twenty-First Indiana, in "Proceedings," 9–10.

³⁴ "Report of Capt. James Grimsley," 7 August 1862, *Official Records*, series I, 15: 72–75. Grimsley described these movements more clearly in his testimony before the Board of Inquiry ("Proceedings," 22–26).

³⁵ Benedict, *Vermont in the Civil War*, 2: 26–27.

³⁶ See Porter's testimony in "Proceedings," 31–35.

³⁷ "Report of Col. Nathan A. M. Dudley," 7 August 1862, *Official Records*, series I, 15: 60. Dudley's comment about finding 125 men of the Seventh in line of battle is found in his testimony before the Board of Inquiry, "Proceedings," 47. Several Confederate officers reported that Federal units in the center of the battle line were routed and retreated well into the city. None of the Union officers' reports supports this claim, but the retreat of the Seventh Vermont, in combination with the inevitable flux of sick, wounded, and straggling soldiers may have given such an impression. All of the Union and Confederate reports can be found in the *Official Records*, series I, 15: 55–108.

³⁸ One of those who placed the Vermonters in the battle line was Maj. Horace Whittemore of the Thirtieth Massachusetts. See his report, 6 August 1862, *Official Records*, series I, 15: 66.

³⁹ Breckinridge, "Report," *ibid.*, 15: 79.

⁴⁰ "Report of Lieut. Godfrey Weitzel," 7 August 1862, *ibid.*, 15: 51–53; Butler, "General Orders No. 57," *ibid.*, 41–42.

⁴¹ Weitzel to Davis, 8 August 1862, *ibid.*, 15: 545–6; Davis to Col. Halbert E. Paine, 16 August 1862, *ibid.*, 552. Davis was General Butler's acting assistant adjutant general, and Paine was in charge of the troops at Baton Rouge.

⁴² Holbrook, *Narrative*, 61; Grimsley, report, 7 August 1862, *Official Records*, series I, 15: 72–75.

⁴³ Unsigned manuscript report of Volney Fullam, 8 August 1862, Volney Fullam Papers, VHS; "Report of Lieut. Col. Volney S. Fullam," 8 August 1862, *Official Records*, series I, 15: 69. In his account of the battle written decades later, Fullam explained that, after he had warned the Fourth Massachusetts Battery that they were endangering friendly troops—being ordered to do so by Colonel Roberts—he attempted to rejoin the Seventh at its position on the left. Finding that the regiment had moved back to its camp, he attempted to rejoin them there, but kept running into enemy fire. His horse was shot, and he finally reached the regiment on foot. Fulham, *Fulham Genealogy*, 96.

⁴⁴ Fulham, *Fulham Genealogy*, 100–101. Fullam's dispute with the regimental surgeons spilled onto the pages of the *Rutland Daily Herald*, which gave much attention to the plight of the Seventh. See Fullam's letter in the *Herald* of 23 September 1862 and Dr. Blanchard's response, 24 November.

⁴⁵ William C. Holbrook to Father, 14 August 1862, Holbrook Papers; Fulham, *Fulham Genealogy*, 102.

⁴⁶ William C. Holbrook to Father, 17 August 1862, Holbrook Papers; Fullam to Frederick Holbrook, 18 August 1862, Volney Fullam Papers.

.....

⁴⁷ Fulham, *Fulham Genealogy*, 98–100, 102–103; Special Orders No. 314, 26 August 1862 (manuscript copy in Fullam Papers).

⁴⁸ Holbrook, *Narrative*, 61–62; Butler to Gen. L. Thomas, 14 September 1862, in Butler, *Private and Official Correspondence*, 2: 293.

⁴⁹ “General Orders No. 62-1/2,” 25 August 1862, *Official Records*, series I, 15: 42–46. Most of those who referred to the General Orders dropped the “1/2.”

⁵⁰ Rollin M. Green to friend, 2 September 1862, Rollin M. Green Papers; John Q. Dickinson to Dugald Stewart, 1 September 1862, Stewart Family Papers.

⁵¹ Fullam letter, *Rutland Daily Herald*, 26 September 1862, 2–3; Vermont, *Joint Resolution Relating to Charges of Misconduct of the Seventh Vermont Regiment, Acts and Resolves* (1862); Frederick Holbrook to E. M. Stanton, 13 October 1862, in *Official Records*, series I, 15: 47; Frederick Holbrook to Butler, 12 September 1862, in Butler, *Private and Official Correspondence*, 2: 295.

⁵² Halleck to Butler, 3 October 1862, *Official Records*, series I, 15: 47; William C. Holbrook to Father, 5 November 1862, Holbrook Papers.

⁵³ William C. Holbrook to Father, 24 September 1862, Holbrook Papers.

⁵⁴ Phelps to Davis, 30 July and 31 July 1862, *Official Records*, series I, 15: 534–535; see also Butler’s interpretation of federal policy on page 536. Butler had written to his wife on July 25 that “The Government have sustained Phelps about the Negroes,” but it is unclear whether he was referring to the recruitment policy; the *Official Records* do not provide an answer from the government. Butler, *Private and Official Correspondence*, 2: 109.

⁵⁵ Butler to Phelps, 5 August 1862, *Official Records*, series I, 15: 542; Phelps memorandum, 2 September 1862, *ibid.*, 47; on Butler’s enlisting of black troops see his letter of 14 August to Stanton, *ibid.*, 548–549.

⁵⁶ Board of Inquiry, “Proceedings,” 7–17. Historians have confused the sequence of events to the detriment of the Seventh Vermont. The confusion may have begun with Butler’s ambiguous statement in General Orders 62-1/2 that the Seventh “had already fired into the same regiment they had failed to support.” Winters, *Civil War in Louisiana*, 117, asserts that the Vermonters fled after firing into the Indianans, were stopped and “severely reprimanded” by General Williams, and then ordered forward to support the Indiana regiment. The only reprimand acknowledged by Holbrook and the other Vermonters came before the friendly fire—for not firing in the first place. Webb Garrison, in *Friendly Fire in the Civil War: More than 100 True Stories of Comrade Killing Comrade* (Nashville, Tenn.: Rutledge Hill Press, 1999), 85–86, writes that General Williams gave his infamous order to the Vermonters to fire because he was “infuriated” by their “performance,” specifically that “40% of the men . . . ran from the field” (in Garrison’s words). None of the contemporary accounts and reports makes such a statement. Garrison also repeats the accusation that the Vermonters failed to obey an order from Williams to aid the Indianans, a charge that the Board of Inquiry refuted.

⁵⁷ Board of Inquiry, “Proceedings,” 19–22.

⁵⁸ *Ibid.*, 22–25.

⁵⁹ *Ibid.*, 26–28.

⁶⁰ *Ibid.*, 31–38.

⁶¹ *Ibid.*, 49.

⁶² *Ibid.*, 43–46; see Dudley’s full report in *Official Records*, series I, 15: 58–61.

⁶³ Board of Inquiry, “Proceedings,” 46–48.

⁶⁴ William C. Holbrook to Father, 5 November 1862, Holbrook Papers.

⁶⁵ Board of Inquiry, “Proceedings,” 47–53.

⁶⁶ Message of Butler accompanying the “Proceedings,” 6 November 1862; testimony of Lieutenant Austin Woodman, *ibid.*, 41.

⁶⁷ William C. Holbrook to Frank Holbrook, 21 November 1862, Holbrook Papers.

⁶⁸ William C. Holbrook to Phelps, 18 April 1863, John W. Phelps Papers, Special Collections, Bailey/Howe Library, University of Vermont.

⁶⁹ See Trefousse, *Ben Butler*, 130–134, 166–173.

⁷⁰ Holbrook, *Narrative*, 100–101; *Proceedings of the Reunion Society of Vermont Officers, 1864–1884* (Burlington, Vt.: Free Press Association, 1885), 422.

⁷¹ Holbrook, *Narrative*, 82–88.

⁷² *Ibid.*, 97.

⁷³ *Ibid.*, 89.

⁷⁴ *Ibid.*, 108–109.

⁷⁵ “Report of Col. H. W. Allen,” 18 August 1862, *Official Records*, series I, 15: 100.

⁷⁶ Garrison, *Friendly Fire in the Civil War*, mentions charges of misconduct in only a handful of friendly-fire incidents.

⁷⁷ Holbrook, *Narrative*, 103–108.

⁷⁸ Butler issued an order praising Williams shortly after the battle (General Orders 56, 7 August

.....

1862, *Official Records*, series I, 15: 41), and quietly dismissed the charges and countercharges between Williams and several of his subordinate officers, according to Norman C. Delaney, "General Thomas Williams," *Civil War Times Illustrated* 14: 4 (July 1975), 47.

⁷⁹In his 1910 account of the battle, Fullam provided a few details of the regiment's activities after the friendly-fire incident, which suggest that the regiment stood in formation near its camp and anchored the right wing when it was ordered to fall back. Fulham, *Fulham Genealogy*, 97.

⁸⁰The loosening grip of the Union on the Mississippi was part of a "brightening overall picture" for the Confederacy in the summer of 1862, as Shelby Foote put it (*The Civil War* 1: 582); see Hearn, *When the Devil Came Down to Dixie*, 213–224, for an insightful account of Butler's removal from command.

⁸¹Samuel B. Hand notes the influence of postwar military fraternal organizations in *The Star That Set: The Vermont Republican Party, 1854–1974* (Lanham, Md.: Lexington Books, 2002), 38–39. Prominent examples of Vermont officers who successfully built upon their military careers are General William Wells, of the Wells-Richardson drug company and later Collector of Customs for the District of Vermont, and Lieutenant Colonel Roswell Farnham, attorney for the Vermont Copper Company and governor of Vermont from 1880 to 1882.