

CIVIL WAR TREASURES: Confiscating Confederate Cotton: A Prickly Business

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Recommended Citation

Jewett, Leah W. (2008) "CIVIL WAR TREASURES: Confiscating Confederate Cotton: A Prickly Business," *Civil War Book Review*. Vol. 10 : Iss. 3 .

Available at: <https://repository.lsu.edu/cwbr/vol10/iss3/4>

Feature Essay

Summer 2008

Jewett, Leah Wood *CIVIL WAR TREASURES: Confiscating Confederate Cotton: A Prickly Business.*

Collection: Thomas F. Purnell Letter, Mss. 3966, Louisiana and Lower Mississippi Valley Collections, LSU Libraries, Baton Rouge, La. Size: 1 item

Seizure of property was one of many weapons of war wielded by the Union government to reduce Confederate resources and weaken resolve during the Civil War. The Abandoned and Captured Property Act, passed in March of 1863, explicitly outlined, under authority of the Secretary of the Treasury, how property was to be acquired¹ [*Statutes At Large*, Vol. 12, March 3, 1863]:

An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States.

[Section 1] That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any state or territory or any portion of any state or territory, of the United States, designated as in insurrection against the lawful Government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two; Provided: That such property shall not include any kind of description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

[Section 2] all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the treasury of the United States

Loyal citizens could hope to have most of their property returned after the war by filing suit in court:

[section 3]..any person claiming to have been the owner of any such abandoned or captured property may, at any time, within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the court of claims, and on proof to the .of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase-money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereofà

The act also included language intended to prevent fraud or theft by Union troops:

[Section 6]that it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial, and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

Cotton, according to James G. Randall in his article *Captured and Abandoned Property During the Civil War* (*The American Historical Review*: Vol. 19, No.1, October 1913) was a primary target of confiscation:

Over ninety-five per cent of the property handled by the treasury agents was cotton Being the greatest staple product of the South, it was regarded as their most valuable source of wealth, and was held to contribute so directly to the support of the Rebellion that it should not be regarded in the same light as ordinary private property. It was declared by the Supreme Court to be a proper subject for capture by the Union authorities during the Civil War, and not to be protected by the general rule of international law which condemns the seizure of private property on land (Randall 69).

Aware of the fact that personal property, such as cotton, was likely to be seized by either army, planters went to great lengths to hide or destroy it

(Randall 67).

It was the discovery and subsequent confiscation of such cotton that prompted Captain Thomas F. Purnell, Regimental Quartermaster, 54th Indiana Infantry, to write this short report outlining his brief but memorable interaction with cotton planter and secessionist Samuel Templeton and his wife. Templeton, a 53 year-old Kentucky native, was among the largest slaveholders in the state, enslaving over 100 people in 1860 (Menn 183-184):

Purnell's report (edited):

Quartermaster's Office Goodrich's Landing, LA

November 22, 1863

Brig. General J. P. Hawkins Commanding District N.E. Louisiana

General-

In accordance with an order from Major General McPherson to you requiring from me a statement of sixty one (61) bales of Cotton which he says I have taken from Samuel Templeton of Carroll Parish La., I have the honor of state [*sic*] that I have never been [illegible] of our military lines for cotton and never [illegible] one bale brought inside of our lines.

The sixty one (61) bales of cotton referred to was delivered to me by Colonel William F. Wood who had charge of an expedition to Bayou Macon the last of September and returned to camp the 1st day of October who gave me the following statements: Sixty One (61) bales of Cotton² found in Bayou Macon said to belong to a Mr. Templeton was raised on Joes Bayou and carried over to the west bank of Bayou-Macon where it was found. Nothing was stated of the character of Templeton and I knew nothing certain of him until he came in accompanied by his wife to gain information of or recover his cotton. I questioned him as to his loyalty when he informed me that his sympathies his interests and his feelings were with the South and in answer to a question from Colonel Kirkam he further stated that he would not take the oath of allegiance to the United States Government for all the cotton & mules in the South. Finding that all appeals from himself and wife were in vain he called me out and proposed to give me half the proceeds of the sale of the cotton if I would assist

him in getting his cotton released. This proposition suddenly closed my interview with Templeton and his wife. I gave him such an answer as will forbid his calling at my office again, and hence his application to other persons & places. He professes no good feelings towards our Government, and certainly shows a low estimate of the honesty of our public officers. If such a man as this Samuel Templeton should succeed in getting his property out of the hands of any of our Government's officers after it has been delivered with all the facts accompanying it, my confidence in the integrity of such officers will be greatly shaken.

Furthermore Mrs. Templeton the wife of the said Samuel Templeton at the same time and in the same place made a demand for Eighty (80) bales of Cotton hauled in by teams under charge of Colonel Wood which cotton was marked W. Wiley. I had received information that the Wileys who owned this cotton were in the rebel army and so informed her she stated that the cotton belonged to the estate of her father who was deceased and belonged to herself and her two brothers. I then stated that I understood her two brothers were in the rebel army she said she was not accountable for her brothers and only wished to recover his interested in the cotton. She did not deny that her brothers were in the rebel service. Under these circumstances I could not give her or her husband any aid in recovering their cotton for the reason that they are not even well disposed to the United States Government. I make this last statement because a man calling himself Wiley and acknowledges to be the brother of Mrs. Samuel Templeton claims to own the Eighty bales of cotton in the face of this evidence that the cotton is the property of the estate of the father deceased and belongs to the heirs of said estate,

Very Respectfully

Your Obedient Servant

Thomas F. Purnell

Captain and Assistant Quartermaster

[Notation by Hawkins below Purnell's statement:]

When Mr. Templeton came to me to have his cotton restored to him, he acknowledged he was a secessionist, and had furnished clothing for rebel

soldiers. He appears to be an honest man, but without a spark of unionism in him or good disposition towards our Government.

John P. Hawkins

Brig. General

Commanding District. N. E. Louisiana

The Abandoned and Captured Property Act had made provisions for Southern Unionists to file claims for their property's return (or, more likely, the funds obtained from the sale of the property) (Randall 70). Against opposition by Radical Republicans Congress established the Southern Claims Commission in 1871 in order to process the requests for reimbursement filed by citizens of the South who had remained loyal to the Union throughout the Civil War, and whose property was confiscated by the Union army during the conflict (Klingberg 199).

Inasmuch as proving steadfast allegiance was critical to a successful application to the commission, it is no surprise that Samuel Templeton did not file a claim (United States, National Archives). And he was not alone. With Louisiana responsible for one-sixth of the entire US cotton crop in 1860, no doubt many of his cotton planting neighbors in north Louisiana were in the same situation (Louisiana State Museum). He and his neighbors were then forced to file suit as individuals or win a presidential pardon from President Johnson in order to secure their property's return. (Hamilton 261).

Enforcement of the confiscation acts was capricious at best. To the disappointment of Radical Republicans, confiscated Confederate property did not end up in the hands of freedmen (Hamilton 257). Johnson's pardons and restoration of property rights muddied the post-war legal waters regarding seized property for years to come Johnson's actions also undermined the authority of acts relating to property seizure and the Freedmen's Bureau (Hamilton 261). It is unclear as to whether or not Templeton or his heirs received compensation. But the topic of confiscated property does shed light on the larger issues of the status of freedmen and former Confederates, and the stark differences between those in Congress who sought to punish the South and those who looked forward to political and economic reunion. Cotton picking was indeed a prickly business, in more ways than one.

Notes

1-This act was created to work in concert with two previously established confiscation acts. The first act, passed in August 1861, targeted real and personal property held by individuals directly participating in the Confederate war effort. This property was to be permanently transferred to the federal government. The Second Confiscation Act of 1862 included anyone who was offering any kind of support to the Confederacy (Hamilton 254) Slaves could be seized and freed in Union held territories under the Second Confiscation Act (Syrett 477). Contemporary debates over the acts included arguments that the property seizure, especially in the case of Unionists, should be considered a temporary measure.

2-One bale was roughly 500 pounds, and sold in 1863 from 30 to 45 cents per pound according to *De Bow's Review*, post-war volumes 36 and 37.-

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