

## CHAPTER 1

# “How I Would Like to Lead Such a Regiment as This to Battle”

On April 27, 1861, Morris Brown, Sr., “President for the Day,” was fired up, and he wanted his Penn Yan, New York, audience of between three thousand and four thousand equally inspired when he finished talking. Fort Sumter, the Federal military post located in South Carolina’s Charleston Harbor, had been shelled by secessionists. That was treason, pure and simple, and he was not going to have it. Brown, a partner in the law firm of Judd and Brown, wanted the attendees “to consider the perilous condition of our country.” This Union Mass Meeting, sponsored by the chairmen of both the Republican and Democratic Central county committees, was a wake-up call. “War is upon us,” Brown asserted as he stood in the court house square. “Our beloved country, our pride, our joy, the wonder of the world, the polar star of the world struggling to be free . . . is involved in all the horrors and convulsions of civil war.”<sup>1</sup>

If the brass bands and parade had not stirred the proper patriotism, he would do so. “The Stars and Stripes . . . ,” he exclaimed, “have been ruthlessly assailed and trampled in the dust. Treason stalks abroad, as yet unrebuked, and red-handed Rebellion . . . threatens the very existence of the Government.”

Brown, whose middle son, Theodore, had helped warm up the audience by playing the melodeon, reminded his listeners that “The question is not merely whether ‘The Union must and shall be preserved. . . .’” “No, the government [“to which the heroes of the Revolution pledged their lives, their fortunes and their sacred honor”] itself is in danger.”

Fifty-two-year-old Morris Brown, a lawyer and Oneida County native, was a relative newcomer to Penn Yan. Barely five years earlier, he had moved from Hammondsport, Steuben County, at the foot of Keuka Lake. He had been active politically, beginning in 1834 in Steuben County as an inspector of schools in the town of Urbana. Apparently, around that time, he used his political influence to have roads on his property moved (twice) and had property redesignated from one school district to another. In 1843 and 1844, he served as New York state assemblyman, followed by an appointive position as district attorney (June 1846 to June 1847) and, in 1854, as the town of Urbana (Hammondsport) supervisor. But rapidly growing Penn Yan, the Yates County seat located on Keuka Lake Outlet, held more allure. So Brown moved his wife, Maria (Mariah)—whom he married in the First Presbyterian Church in Cherry Valley, Otsego County in 1834—three sons, and two daughters there. He promptly proved himself an entrepreneur and man of means. Within three years, he had purchased or mortgaged three houses and lots in the village, including a large house on a six-acre lot on Main Street. In fact, almost immediately on his arrival in 1856 he bought two houses and lots, for which he was assessed a total of \$3200 and paid \$12.24 in taxes. Additionally, in 1857, he bought a large 848-acre timber tract for \$28,000 in the hamlet of Milo Center just outside Penn Yan. (However, he may have been quite overextended, for the house in which he and his family would live at 322 Main Street would be purchased by Maria in 1862 and put in trust to Maria's brother-in-law James M. Gillett. Later, it was sold to Nelson Thompson to pay off a debt.)<sup>2</sup>

Thus, by 1860, when Brown returned to the practice of law in Penn Yan, at least on paper, he was prosperous enough to support a household of nine. This included his wife, himself, his namesake, eighteen-year-old Morris, Jr. and two daughters—Jennie (alternately Mary Jane or Jean) and Emeline (also called Lina), ages sixteen and twelve. Additionally Brown was supporting his father-in-law, John Smith, an eighty-four-year-old Presbyterian clergyman, two domestics (Hannah Grant, Smith's sixty-nine-year-old African-American servant, and a twenty-year-old female Irish immigrant) plus a twenty-three-year-old German-born male servant. (Brown's two older sons, John Smith Brown and Theodore Brown, had left home by this time.)<sup>3</sup>

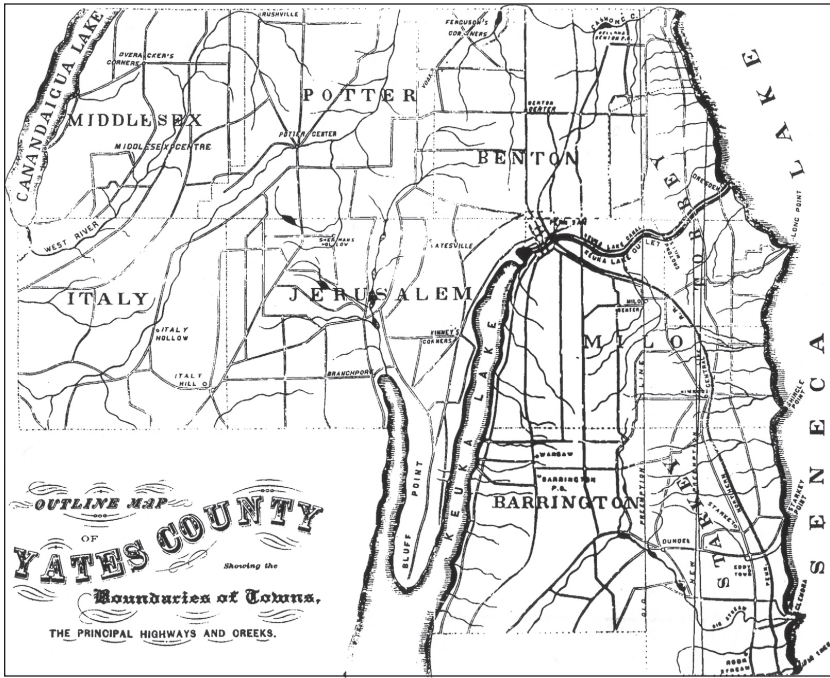
Though an avowed Democrat, Brown declared that “this day, and here on this spot, I abjure all party . . . until the honor of the nation

is redeemed.” Before he would submit to those who were dishonoring the American flag, his “children shall be called ‘fatherless’ and my wife shall be a ‘widow!’” Then Brown called upon others to disavow partisanship and pledge themselves “to maintain the honor of our country’s flag [which] is to protect our homes, our wives and our children.” These were not idle words, for two of Brown’s three sons were of age to answer President Abraham Lincoln’s call for seventy-five thousand volunteers, and his youngest, Morris, Jr. soon would be.

Brown wisely called for bipartisanship. It was crucial in this county divided over issues facing the nation. The odd name of the county seat, Penn Yan, is a giveaway. It clearly reflected a compromise between its New England (Yankee) and Pennsylvania (Penn or southern) settlers. Passions ran high over slavery. An armed battle near Lakemont in the southeastern most township in the county was only narrowly averted after some locals informed slave catchers that four Virginia runaways were working nearby. A local justice’s ruling that the slave catchers had the necessary papers resolved the issue temporarily. Even Penn Yan’s three Protestant Churches had split over the issue of slavery. The same ardor would carry over into elections. While the nascent Republican party received a majority of votes in 1856, Democrats crowed that their party had won the White House. The resultant pealing of church bells by Democrats, who had attracted Irish Catholic immigrants to their party, led to fist fights. Not surprisingly, the two Penn Yan newspapers, the Whiggish *Yates County Chronicle* and the *Yates County Democrat*, also reflected the opposing views.<sup>4</sup>

“President for the Day” Brown needed all his persuasive powers to ignite the county’s citizens. Politics was only one problem. Yates County was the state’s fifth smallest in population, with approximately twenty thousand residents, a vast majority of whom were New York State natives. Moreover, it was heavily dependent on farm labor. Boosters liked to claim that it was the greatest grain producing county in the United States, with a harvest of 174,181 bushels of corn and 169,000 bushels of wheat in 1854. The 2,794 farmers would need all the healthy men they could get to plant, cultivate, and harvest these crops. Other laborers were needed in the grist mills, powered by the waterfalls on Keuka Lake (or as it was generally known, the Crooked Lake Outlet).<sup>5</sup>

Leaving no doubt of his commitment, Brown concluded his talk with a rousing: “Hesitation is cowardice—delay is treason. . . . Today



Yates County, New York, 1873 (Source: History and Directory of Yates County)

we talk——let us all talk——but tomorrow and henceforth it is our duty to fight.” His words would come back to haunt him later.

The immediate upshot was the formation of a vigilance committee, which Attorney Brown was asked to chair. Three weeks later, the committee saw its first volunteers, the Keuka Rifles, off to Elmira, the newly created military depot. Nine days later, on May 27, Brown’s first born, twenty-seven-year-old John Smith Brown, who went by his middle name (his mother’s maiden name), took up the cause. Having abandoned the study of law and a teaching position in St. Louis, Missouri, he was then in New York City, where he enlisted as a private in what would become Company A of Colonel Hiram Berdan’s First Regiment, U.S. Sharpshooters. It appears the younger Brown was visited by the same spirit that had led a great-grandfather to serve in the Revolutionary War and a grandfather in the War of 1812.<sup>6</sup>

Not content with his efforts, Chairman Brown presided over a meeting at Washington Hall in Penn Yan to organize a military company to serve as a home guard, followed immediately by initiating a subscription fund to provide “for actual necessity”—that is, board, clothing and a monthly allowance for the volunteers’ families. In the same spirit, Brown spoke at meetings in various towns and villages in the county and moved that nine delegates be appointed to attend a “People’s Convention” in Syracuse on September 10. Then in October Brown was appointed from the town of Milo (Penn Yan) to chair future meetings of delegates.<sup>7</sup>



John Smith Brown, U.S. Sharpshooters (Source: US Army Military History Institute)

But fostering the war effort was a frustratingly slow process. Not even a proposal by the state's adjutant general and governor to raise a regiment from the Twenty-sixth Senatorial District—which encompassed Yates and neighboring Ontario and Seneca counties—proved successful. Nor were the recruiting efforts by Brown's older son Smith more fruitful. Promoted sergeant major and then adjutant of the 1st U. S. Sharpshooters, Smith Brown had examined applicants in Albany and New York City. Shortly, he intended to focus on Yates County. In one of almost weekly letters to the *Yates County Chronicle*, he announced he would be in Penn Yan on August 29 to receive recruits for the Sharpshooters, which he had initially been authorized by Secretary of War Simon Cameron to recruit on June 15, 1861. As "Mr. J. Smith Brown, New York Agt" for the Sharpshooters, he appealed to those owning rifles with sights, who, at one hundred yards, could shoot ten consecutive shots averaging five inches from the center of the target for each shot. In a subsequent letter from Washington, in which he accused unnamed individuals back home of retarding recruiting, he tried another tack, advertising that a Sharpshooter, whose duty was likened to "the Indian practice of scouting," sported a distinctive uniform: dark green coats, green pants, and leather "leggings."<sup>8</sup>

Despite his, his father's and the military committee's efforts, recruitment up to the end of the year was disappointing. Yates County had no regiment of its own. Sharpshooter Brown continued to publish letters, often running three to four columns in the *Yates County Chronicle* well into 1862. However, by mid-June 1862, the tone of his letters took on an edge. The Peninsula Campaign, Major General George B. McClellan's attempt to take Richmond, had taken a toll on the eldest Brown son. He was utterly exhausted and railed about the soldier's hardships (though he acknowledged, "it is war") and about the inaccurate, even biased, newspaper reporting of the Union's battles. However, he saved his greatest wrath for his peers at home: "Have these young men [who think the war was nearly over] no aspirations, no patriotism?" By the end of July, he had another target for his wrath, Union officers. He absolved only McClellan and the enlisted men from blame for the failed campaign on the Virginia Peninsula, though he was willing to let wiser heads make the final judgment.<sup>9</sup>

By 1862, all hope for a short war had long since faded. More men were needed. Six months into the war barely five new state regiments

claimed any Yates County men. So in early July a military committee, drawn from the Twenty-sixth Senatorial District, was formed, with Morris Brown and six others from Yates County appointed to it. The entire committee first met in Geneva, Ontario County, on July 11 to plan ways to raise a regiment. The Yates committeemen promptly called for a large war rally at the county courthouse on Saturday July 27, 1862. Speeches by the Hon. James C. Smith and the Rev. Mr. Frederick Starr “performed a glorious service,” according to *Yates County Chronicle* editor and military committeeman, Stafford C. Cleveland, on July 31. The impetus was maintained by meetings throughout the county well into the next month. And the momentum paid off. By August 14, the *Chronicle* could report that Lieutenant Samuel Barras and Captains Truman Burrill were credited with recruiting ninety-two men, and William Coleman had signed up two full companies, which would be designated A and B respectively. (An infantry company had one hundred men, and a regiment had ten companies, or a thousand men.) Importantly, the county had met its quota of 220 enlistees, almost 10 percent of the county’s population—proudly surpassing the efforts in Ontario County, though the latter would eventually supply the bulk of the enlistees. The *Yates County Chronicle* trumpeted that on Saturday, August 2, Captain Burrill’s Company A steamed to Geneva and was “First in the Field.” By the end of the war, the Town of Milo (Penn Yan) would claim 779, or 22 per cent of the draft eligible men, served in the Union Army.<sup>10</sup>

One of Captain Burrill’s recruits was Morris Brown’s youngest son, twenty-one-year-old Morris, Jr., who signed up on August 11. He would be joined by Smith Brown after the latter obtained a discharge from the U.S. Sharpshooters and mustered as a lieutenant and adjutant of the 126th later that year. But the middle brother, twenty-five-year-old Theodore, an accomplished chess and piano player, did not follow his brothers—electing instead to move from Newark, New Jersey to Germany to compete in international chess competitions. Theodore may have been a child prodigy, playing piano concerts at age eight, starting chess at age twelve, debuting at the New York Chess Club in 1855 at age eighteen and winning prizes barely three years later. Moreover, as the youngest Brown son would reveal in his letters, he and brother Smith were—at least felt—obligated to support Theodore’s chess playing in Germany.<sup>11</sup>

**VOLUNTEER ENLISTMENT.**

STATE OF *New York* TOWN OF *Mile*

I, *Morris Brown Jr.* born in *Hammondsport*  
 in the State of *New York* aged *twenty one* years,  
 and by occupation a *Student* Do HEREBY ACKNOWLEDGE to have  
 volunteered this *eleventh* day of *August* 1862  
 to serve as a **SOLDIER** in the *Army of the United States of America*, for  
 the period of **THREE YEARS**, unless sooner discharged by proper authority: Do also  
 agree to accept such bounty, pay, rations, and clothing, as are, or may be, established by  
 law for volunteers. - And I, *Morris Brown Jr.* do  
 solemnly swear, that I will bear true faith and allegiance to the **United States of**  
**America**, and that I will serve them honestly and faithfully against all their enemies or  
 opposers whomsoever; and that I will observe and obey the orders of the President of the  
 United States, and the orders of the officers appointed over me, according to the Rules and  
 Articles of War.

Sworn and subscribed to, at *Green*  
 this *11th* day of *August* 1862.  
 BEFORE me *Morris Brown Jr.*  
*C. Walker Justice of the Peace*

I CERTIFY, ON HONOR, That I have carefully examined the above named Volunteer, agreeably to  
 the General Regulations of the Army, and that, in my opinion, he is free from all bodily defects and mental  
 infirmity which would, in any way, disqualify him from performing the duties of a soldier.

*C. Walker*  
 EXAMINING SURGEON.

I CERTIFY ON HONOR, That I have minutely inspected the Volunteer, *Morris Brown Jr.*  
 previously to his enlistment, and that he was entirely sober when enlisted: that to the best of my judgment  
 and belief, he is of lawful age; and that, in accepting him as duly qualified to perform the duties of an able-  
 bodied soldier, I have strictly observed the Regulations which govern the recruiting service.

This soldier has *gray eyes, brown hair, light complexion,* is *5* feet, *11 1/2* inches high.

*T. H. Purcell*  
 Regiment N. Y. S. V.  
 RECRUITING OFFICER.

Morris Brown's enlistment statement (Source: National Archives)

Likely, Morris, Jr. also was influenced by the martial air that prevailed at Clinton, New York's Hamilton College, a small men's school, just west of Utica. It was evident beginning in 1860, with a uniformed marching club—and even more so after the fall of Fort Sumter, when student activism included a drill company. President Samuel Ward Fischer fostered that spirit in a July 1862 address in which he declared that

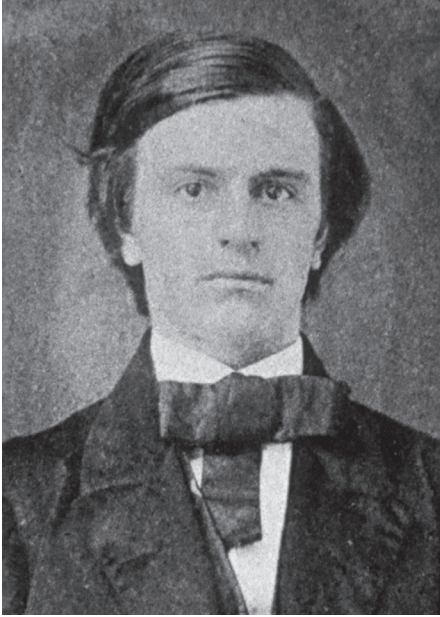


historic Hamilton would not shrink from defending the nation against “malignant traitors in our own land.” That patriotic spirit led more than half of the 1861 graduates to enlist in the Union Army and ultimately something like 226 Hamiltonians to serve, mostly as officers, including 14 who became chaplains. That’s a sizeable number for a small liberal arts college, the graduating classes of which averaged only about thirty. Twenty-five alumni gave their lives. Six from the class of 1863 died during the war, and six from Morris Brown’s class of 1864.<sup>12</sup>

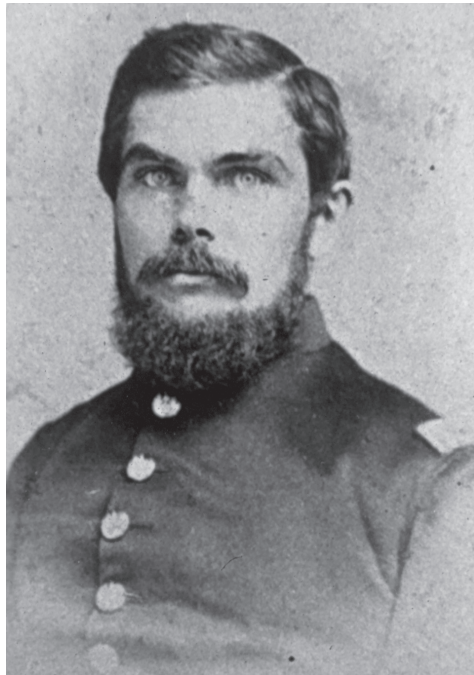
Six Hamiltonians enlisted in the 126th New York—including Brown; Corporal Myron Adams, a member of the class of 1863; his older brother, Edward P., from the class of 1858; Myron Adams’s classmates George W. Sheldon and Henry Porter Cook; and Darius Sackett, Brown’s 1864 classmate. Cook, Sackett and Sheldon were members of the Delta Upsilon fraternity and may well have been influenced by fraternity brother Myron Adams, the son of a Presbyterian minister and ardent abolitionist at age twenty-two. Brown, a Chi Psi, seems to have acted more independently, but was certainly prodded by his father’s and brother Smith’s enthusiasm for the cause.<sup>13</sup>



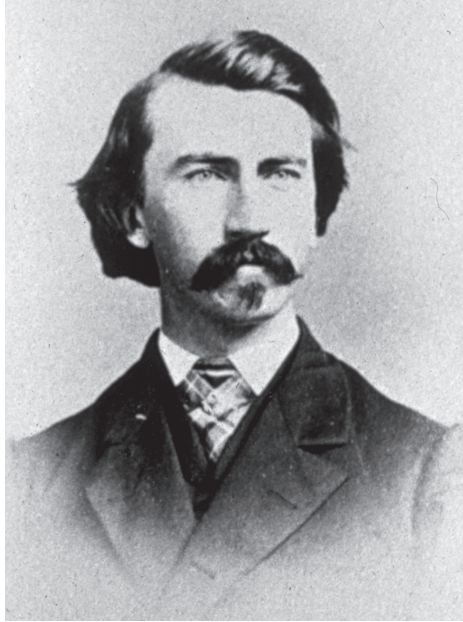
Cpl. Myron Adams (Source: Hamilton College Archives)



Cpl. Edward Adams (*Source:*  
Hamilton College Archives)



Cpl. George Wright Sheldon  
(*Source:* Hamilton  
College Archives)



Cpl. Darius C. Sackett (Source: Hamilton College Archives)

On August 22, the 126th New York was officially mustered on the grounds of George N. Reed's White Springs Trotting Park in Geneva, the site chosen by the military committee. It was promptly dubbed Camp Swift, to honor retired Brigadier General Joseph G. Swift, the top graduate of West Point's class of 1800 and an Ontario County military district committeeman.

The 126th New York was a rather typical Union regiment, with twenty-three percent laborers, a fifth farmers, and the rest a mix of carpenters, clerks, shoemakers, blacksmiths, painters, mechanics, dentists, artists, marble cutters, and "boatmen." The average age was twenty-four. The selection of its colonel, forty-nine-year-old Eliakim E. Sherrill, was somewhat of a surprise. A former congressman, he not only had no military training; he had moved from Ulster County, New York, to Geneva only two years earlier. Moreover, he was the committee's third choice. State Senator Charles J. Folger and Darius Ogden, military district committeemen, had turned down the appointment. James M. Bull, thirty-six, a successful Canandaigua lawyer, was appointed lieutenant colonel, and

William H. Baird, a pre-war carriage maker who had served with the 38th New York in the Peninsula Campaign, was appointed major. Penn Yan's Dr. Fletcher M. Hammond, Morris Brown, Sr.'s brother-in-law (young Morris's uncle), became the regimental surgeon and would look after the young Brown throughout their service together.<sup>14</sup>

Mustering was delayed a week, until August 22, due to the lack of uniforms and blankets, allowing the men a weekend furlough. Meanwhile, a regimental flag was sewn of silk, which district committeeman "Colonel" or "General" Ephraim M. Whitaker from Penn Yan had purchased in New York City. But the flag presentation, with Penn Yan's Rev. Starr making the obligatory speech, did not come off as expected. Allegedly, carping by Genevans about "so much unexpected glory going to the ladies of Penn Yan" (who had sewn the 126th NY flag) necessitated an accommodation. Eventually on the twenty-second, the presentation came off in grand style, despite a blustery wind blowing dust in the faces of the recruits and eight thousand to ten thousand attendees.<sup>15</sup>

Morris, Jr. was mustered Orderly Sergeant (Adjutant) in Captain Truman Burrill's Company A, on August 22, 1862, and was advanced \$21, a month's pay. (Typically he sent home his pay—a frequent topic of his letters—to be invested by his father.) Then, on Tuesday, August 26, sometime between 8:00 and 9:30 a.m. the recruits marched about a mile to Geneva's Steamboat Landing, where they boarded the three steamers that plied Seneca Lake, disembarking at the end of the lake at Jefferson (now Watkins Glen). There they boarded the Elmira, Jefferson and Canandaigua Railroad cars bound for the Elmira Depot. Once there, they got their first discomfiting taste of army food: two loaves of bread that one non-commissioned officer used for footballs, two slices of cold beef, which he and some others tossed into the road, and two pieces of cheese. The non-com and others substituted pies they purchased from local merchants in the city for the unpalatable rations.<sup>16</sup>

At sundown, the 26th, Sergeant Brown and the other new soldiers aboard the Northern Central Railroad train were bound for Baltimore, via Harrisburg, Pennsylvania. The soldiers' fare in Baltimore was considerably more satisfying, courtesy of the "Union Relief Association." It was topped off by fresh peaches purchased from strolling peddlers. Five hours later they were on their way to Harpers Ferry, Virginia (now West Virginia) to relieve militia there. At midnight, August 27, the weary men arrived at Sandy Hook Station, just upstream from Harpers Ferry, where

they lay for nine hours in the cramped railroad cars. Accompanied by the regimental band playing Yankee Doodle, they were marched to what Company E 2nd Lt. John H. Brough pungently labeled “the romantic, God-forsaken, pillaged and ever-memorable Harper’s Ferry.”<sup>17</sup>

Harpers Ferry, site of the ill-fated raid by abolitionist John Brown and his small band of followers in 1859, lay at the confluence of the Potomac and Shenandoah Rivers. Torched by fleeing Federals over a year earlier, with windows broken out of vacant houses and fences burned, the town seemed hardly worth defending. In fact, it was defenseless and would change hands four times during the war. The only justifications were its proximity to the vital Baltimore & Ohio Railroad and canal and its resting in the path of northward-bound Confederates. The new soldiers did not remain there long, moving uphill to Bolivar Heights the last day of the month. There, they began the inevitable adjustment to the military routine: 5:00 a.m. reveille, drills until dress parade twelve hours later, and “lights out” at 9:30 p.m.

Sergeant Brown’s first letter home graphically describes what the newly-minted 126th New York Infantry encountered:<sup>18</sup>

Two miles below Harpers Ferry  
Sunday  
Aug 31st/62

Well my dear parents, here we are away down here about on the very outskirts of civilization.

How they came to place such a green regiment as ours, literly on the very outposts, I dont know. It is much pleasanter here than in Geneva for several reasons, one is, that we are not bothered with so many persons in our camp, & another which is a very important one is, that being so far South we are liable to have a fight almost any day. at least we see & hear enough to keep us considerably excited during most of the time.

Oh if we were only drilled a little slower how I would like to lead such a regiment as this to battle. If we have a chance we’ll show you how to fight.

We are encamped on Bolivar Heights a lovely place on a high hill below Harpers Ferry, & the ground is where

the battle was fought between [Lieutenant General Thomas “Stonewall”] Jackson & Col. Seigoine when Col. S took all of Jackson’s guns. The batteries are here now that stopped Jackson when he was after [Major General Nathaniel] Banks. About here one can find everything that a soldier came with & also pieces of shells, old guns &c &c & once in a while a skeleton & rebel soldier half buried & everything one would find on a field where there had been a hard fought battle. We get all sorts of reports here in regard to [Union Major General John] Pope & Jackson. The report to day is that Jackson is taken prisoner. How true it is I can’t tell as I have only seen one newspaper since I left Geneva.<sup>19</sup>

Whether Smith [Brown] will ever get here or not I cant tell. Adjt [Albert S.] Wheeler resigned & the Adjt Gen. sent to Washington for Smith but we have not heard from him & the Col. is beginning to fear that he wont be able to get him. If he dont come, then [Lieutenant Samuel] Barras will probably be appointed & in that case I will be promoted to a lieutenancy which would be nice now for me of course; but if we can get Smith here as adjt I will like it so much better for I have a very good place now. Capt Burrill is very kind to me & Lieut Barras will do anything for me, & [Second Lieutenant George] Carpenter cant do enough. Let ‘em talk about Barras as much as they are a mind to, but dont you believe ‘em. I say he knows more than all the rest of the regiment put together. I have watched him very closely & as yet I have not found anything but what was just right. He is far superior to those that talk about him.

So far, we have got along very nicely & everything has passed off very pleasantly; but Oh dear! what food. the first two days we only had raw bacon & such crackers as Smith sent home. Now we have some beans, pork; rice & sugar. I went two days without anything but about two inches of Bologna sausage. What do you think of that eh? Leave our table & go two days here without anything to eat.

If I had not dated my letter Sunday I would not know any difference between this & any others. We have just

returned from inspection drill & in a few minutes we go out on dress parade.

The drum is beating now & I must go, so good bye.

Your aff. son

Morris

Address

Morris Brown, Jr.

Orderly Co A 126th N.Y.

Harpers Ferry

Va.

Be sure & send county paper & let all write. Send letters.

This is a characteristic Brown letter before 1864. He was full of bravado, uttering the usual complaints about food and conditions generally. But he was unusually laudatory of other officers. Criticism, ever more strident, would become the pattern for this ambitious young man. However, three items to which he alludes are significant. The first was the resignation of Adjutant Albert Wheeler, Hobart College Professor of Greek, who had agreed to serve as adjutant during the regiment's organization. This resulted in a vacancy that Brown very much wanted for his brother Smith and which may well have been discussed previously. Smith's resignation as adjutant of the 1st U.S. Sharpshooters had already been submitted, and his request for a commission in the 126th was in the works.<sup>20</sup>

The second item was the recurring rumor of the approach of then Major General Thomas ("Stonewall") Jackson's men. Fellow Hamiltonian Myron Adams, observing the concentration of troops there at the Ferry, was led to believe there was a "prospect of smelling powder very soon." Soldiers lived on rumors, and frequently they proved accurate, like this one. General Robert E. Lee, Army of Northern Virginia commander, planned an invasion of Maryland and had advanced the wings (later corps) of Jackson and of the soon-to-be Lieutenant General James Longstreet. However, Major General Henry Halleck, Lincoln's general-in-chief, inconveniently ordered the troops at Harpers Ferry, which stood in the way, to remain there, rather than to withdraw toward Washington. Necessarily, these Federals would have to be routed.<sup>21</sup>

The third item to which Brown alluded was how green the 126th troops were here on “the very outskirts of civilization.” Barely a week in service, they were not only still learning drills and maneuvers, they had not fired their weapons. (Nonetheless, more than a few had experimented with their newly issued .58 caliber Springfield rifles and with revolvers they had obtained by various means, forcing Colonel Sherrill to order all enlisted men to turn in their pistols and revolvers and to permit no firing except immediately after guard mounting.) Shortly, they were brigaded with the 60th Ohio, the 9th Vermont and the First Independent Indiana Battery, which constituted the left wing on Bolivar Heights and was commanded by Colonel William F. Trimble, the 60th Ohio’s commander. Unfortunately, these units were almost as raw as the 126th, though the 60th Ohio had met Jackson in the Valley Campaign in June. The 9th Vermont, evacuated with the Buckeyes from Winchester on September 2, had yet to see any fighting. The right wing, consisting of the 115th, 111th, and 39th New York and an artillery battery from the 15th Indiana Volunteers, was commanded by one of the more notorious officers in the war, the 39th New York’s Colonel (“Count”) Frederick G. D’Utassy. These units too were inexperienced, with the exception of the 39th New York (which acted as if it were, according to many who served with them). The two wings were designated the Second Brigade, Middle Department, Eighth Army Corps.<sup>22</sup>

More problematic was Colonel Dixon S. Miles of the 2nd U. S. Infantry, a forty-eight-year-old Maryland native, a 1824 West Point graduate, and a Mexican War veteran, who commanded greater than thirteen thousand troops at Harpers Ferry. Miles was an unlikely candidate, given reports of secessionist leanings, alleged drinking, and ineptness at First Bull Run. Though the charges may have been unfairly lodged, they tarnished Miles’s reputation and caused General Wool to claim he gave the command to Dixon because “he was the only one [regular officer] I could place there.”<sup>23</sup>

Finally, as noted, Harpers Ferry was virtually defenseless. Consider Shelby Foote’s memorable prose:

Low-lying Harpers Ferry, more trap than fortress, was dominated by heights that frowned down from three directions: Bolivar Heights to the west, Maryland Heights across the Potomac, and Loudoun Heights across the Shenandoah. Seizure of





Harpers Ferry, W. VA, Looking down from Maryland Heights (Source: Wayne Mahood)

these heights with guns bearing down on the compact mass of Union soldiers in the town below would be “something like shooting fish in a rain barrel.”

More tersely, General Longstreet called Harpers Ferry a “man trap.”<sup>24</sup>

Despite the arrival of the Union troops from Winchester on September 2, the defenders of Harpers Ferry sweated almost as profusely from tension as from the heat—and with reason. General Lee’s Special Orders No. 191, the notorious “lost orders,” issued on September 9, called for dividing his army, with Jackson leading the attack. (The “lost” refers to the fact that a copy fell into the hands of Army of the Potomac commander, Major General George B. McClellan.) Longstreet took part of his wing and headed for Boonsboro, Maryland. Jackson split his force into three columns—sending the divisions of Major General Lafayette McLaws’s and General Richard H. Anderson, under the command of Longstreet, to capture Maryland Heights—and Brigadier General John G. Walker’s division toward Loudoun Heights. Jackson led the third,

fourteen thousand strong, to Winchester to capture the Federals, if still there, before sweeping down on Bolivar Heights. General Daniel H. Hill's division acted as rear guard, while General J. E. B. Stuart covered the route to Boonsboro.<sup>25</sup>

Capture of any of the heights, especially the eleven hundred foot-high Maryland Heights, would doom Morris Brown, Jr. and the other Union troops there, which is what happened. By early Saturday morning, the thirteenth, McLaws's division had clawed its way up the unfortified east side of Maryland Heights and bore down on the Federals who had laboriously climbed up the west side the previous night. Sergeant Brown's October 3, 1862 letter to his parents, countering newspaper accounts "evidently written by some malicious person or persons for the purpose of degrading our gallant 126th," offers a "brief account of our fight [with] and surrender" to the "unregenerate greybacks."<sup>26</sup>

Camp Douglas, Friday Evening  
Oct. 3, 1862

My Dear Parents:

When we reached the summit the different companies of the 126th were sent out on picket, Co. "B" holding the extreme left, which we all envied, as the enemy were encamped in that direction. The night passed away quietly, excepting a little skirmish which Co. B had with the rebels; but with the dawn of day [Saturday, September 13] came the rattle of musketry. But mark you no cannon were heard. Soon Co. A was ordered to march up the hill, to share her part in the hard and well contested fight in progress about a mile on our left. Joyfully the boys started, and as we took our course up the hill in single file [on a narrow bridle path], we first saw and began to realize in a slight degree the horrors of war. As the wounded and dying were carried by us it seemed only to hasten our steps as we wished to help our gallant regiment to drive the enemy from the mountain.

[Fellow Hamiltonian, Corporal George W. Sheldon of Company B, in a letter to a classmate back in school, placed the 79th New York (75 men) on the far left in the first line

of defense, three companies of the 32nd Ohio to the 79th's left, the 126th except for Brown's Company A to their right, and Companies K and B of the 1st Maryland Cavalry on the far right. They faced General Joseph Kershaw's Brigade, while General William Barksdale's Brigade flanked the Union right.]

But this was not to be our good fortune: for as we reached the "Block House" the firing ceased, and soon the report came that our forces had been ordered to retreat.

Soon our gallant Col. SHERRILL ordered Co. A to go back to a narrow opening, to prevent a flank movement that was evidently intended by a regiment of rebel infantry.

As we reached our position the firing was resumed at the breastworks [just below a hundred-foot-long abatis and the second line of defense] which continued for about an hour, when the order was given to leave the works, and retreat down the hill. At once, every one in the regiment, from the highest officer to the lowest private in the ranks, saw that to give up Maryland Heights was to lose all; but we must obey, and down the hill we started.

When we had nearly reached the road, which is nearly half-way down the mountain, we received orders to reform the regiment and march back to the "Block House." Soon we were back within a quarter of a mile of our former battle ground, and ready in line of battle, for whatever might appear. In a few minutes the rebels appeared, and after having fired one or two rounds, we were ordered to retreat and fall back across the Potomac to our camp. The rebels quickly took possession of the heights, and from their signals, we knew that before another eve the heights would be bristling with cannon, ready at any moment to belch forth their thundering fire on our weakness in the valley below.

That night as we wrapped our blankets around us and tried to get a little rest (for we were nearly exhausted from the hard task we had performed that day) we knew that the following morning (Sunday) would reveal to us our weakness, comparatively, surrounded as we were on all sides with the forces of Jackson, Longstreet, and the celebrated A. P. Hill. About two o'clock the next day our batteries, at a given

signal, commenced to play upon all the points where the rebel could be seen. Immediately the firing on both sides began in terrible earnest. While the rebels had seven batteries posted advantageously on the surrounding heights, we had but three to answer them. The firing was kept up until sundown, when, as if by mutual consent, it ceased.

About 9 p.m. the rebels undertook to capture one of our batteries on the left of the 126th, but were gallantly repulsed with great slaughter.

In a short time we were ordered out of our intrenchments toward the right, to give place for the 22d Ohio. This placed Co. A, F, and a portion of Co. D [of the 126th New York], in much more exposed position.

We had no sooner laid down on our arms than a large force of cavalry appeared on our right nearly in front of Co. A, and attempted to drive in our pickets, which were posted about twenty rods in advance. In less than two minutes we were again in line prepared to give them a warm reception. Here was seen the first instance of shirking on the part of Co. A. As two men were seen creeping away through the darkness, Capt. Burrill ordered them to halt, but they paid no attention to the command, when he drew his revolver and ordered them to return to the ranks, or he would shoot them. To this forcible argument they readily succumbed, for they well knew the Captain always did just what he said. In a short time the rebels were repelled with very little loss on our side and we laid down to rest.

As the moon arose, or about twelve o'clock, Capt. Burrill aroused the men and ordered them to dig some new trenches. To work we went, and in about three hours were ready to lie down and catch a few more minutes rest in our intrenchments.

At daylight the rebels again opened fire on us from forty or fifty guns, and having placed them during the night in much more favorable positions, were able to do with us about as they pleased. Soon our ammunition gave out, and as they were engaging [?] their fire, and getting a much better range of our intrenchments, we were ordered to leave them