



THE DRUM & BUGLE
Voice of the Rappahannock Valley Civil War Round Table
December 2023, Volume 20, Issue 12

Speaker: Sarah Kay Bierle
Topic: “Call Out the Cadets: The Battle of New Market, May 15, 1864”
When: Monday December 11, 2023
Location: Brock’s Riverside Grill
Times: Social Time Begins 6:00 pm, Dinner 6:45 pm, Meeting Begins 7:30 pm
Our Website: www.rappvalleycivilwar.org
Our Facebook: www.facebook.com/rvcwrt

Sarah Kay Bierle “Call Out the Cadets: The Battle of New Market, May 15, 1864”

Sarah Kay Bierle is a managing editor for Emerging Civil War’s blog. A graduate from Thomas Edison State University with a B.A. in History, she has spent the last few years researching, writing, and speaking about the American Civil War, helping audiences gain a better appreciation for the accounts of real people caught in the struggles of the past.

How did the armies get to New Market for the battle on May 15, 1864? What were the objectives of the campaign? How did the campaign and battle fit into the overall strategic plans for the war in Virginia? This presentation delves deeper in the New Market Campaign and reexamines its challenges and outcomes beyond the famous battle.

“Justice, Politics and War: The Court-Martial of Fitz-John Porter”

by Peter Rasmussen

A Review of the November 2023 Program by Greg Mertz

Of the approximately 80,000 Federal army court-martials during the Civil War, one stands out among the rest – the case of Fitz-John Porter at the battle of Second Manassas. Often just being charged with a court-martial was deemed to be sufficient as a disciplinary action, and not all cases went to trial. In Porter’s case, the court-martial went to trial and both the findings and the proceedings were very controversial and highly irregular.

Porter graduated 8th in the West Point class of 1845, and became friends with George B. McClellan in the prominent class of 1846. During the Seven Days battle Porter served army commander McClellan exceedingly well, directing a corps that was heavily engaged. Porter had proved to be not only one of the best generals in the Army of the Potomac, but he had an ego to match, along with a sharp pen and tongue used to criticize others whom he deemed to be inferior.

When John Pope was selected to command the new Federal Army of Virginia, Porter denounced him. While others in the Federal army also denigrated Pope, including Gen. Samuel Sturgis declaring "I don't care for John Pope one pinch of owl dung," Porter’s comments were seen as going too far. Porter indicated to federal Gen. Ambrose Burnside, that he hoped Pope would fail. Burnside, who also had a low opinion of Pope, forwarded Porter’s confidential comments to their mutual friend McClellan, but also to general-in-chief Gen. Henry Halleck, and War Department Secretary Edwin Stanton. While Burnside evidently hoped to strengthen the case against retaining Pope as army commander, it instead contributed to planting the seed that Porter might be disloyal.

Following the battle of Second Manassas, court-martial charges were filed against Porter, and the process was flawed from the start. Even though John

Pope was the complainant who accused Porter of wrongdoing, whenever an army commander is the person leveling the charges, the president must be the official to select the members of the court. So, Pope's Inspector General, Benjamin Roberts was formally the complainant, enabling Halleck and Stanton to select the court.

One of the officers originally placed on the court was replaced, when he questioned the propriety of a court not selected by the president. Several on the court were predisposed to find fault in Porter. James Ricketts and Rufus King were both federal officers who performed poorly at 2nd Manassas and sitting on the court provided them with an opportunity to deflect blame for their own shortcomings. Silas Casey commanded a division that had been driven from the Seven Pines battlefield, and Porter played a role in getting him replaced.

Porter faced two charges: disobeying a lawful order and misbehavior in front of the enemy. The nine sub-charges indicate that Porter was accused of both disobeying several orders and misbehaving several times over the course of the battle. Our speaker, Peter Rasmussen, felt that only the first charge might have had any merit whatsoever, because one of the specifications was that Porter was ordered to march at 1 am, and he clearly did not march until 3 am. Rasmussen went on to suggest that numerous examples could be found during the war when officers did not execute orders at the stipulated time, but did not have court-martial charges preferred against them.

Rasmussen also pointed out that one of the orders was impossible to carry out. Pope's poorly written order called for the troops to advance, halt, prepare to fall back, and even permitted the recipients of the order to use their discretion. One of the orders that Porter was accused of disobeying was a joint order that was also issued to another corps commander, Gen. Irvin McDowell. McDowell, as the senior officer, ordered Porter to stay where he was, and both McDowell and Porter reacted in a similar manner, yet only Porter was court-martialed for it.

Rasmussen pointed out that in addition to Pope writing confusing and contradictory orders, he clearly did not have a good grasp of what was taking place on the battlefield. Most importantly he refused to accept that Gen. James Longstreet had arrived upon the battlefield with half of the

Confederate army; some of the orders Porter received could not be carried out because the positioning of Longstreet's troops prevented Porter from doing what he was supposed to do. The most serious of the charges were those of misbehavior in the presence of the enemy. These are accusations of cowardice and of wanting Pope to lose the battle.

With John Pope on the stand, Porter's lawyer, Reverdy Johnson, asked why Pope did not take action immediately if he was displeased with Porter's inactivity during the battle. At first, Pope refused to answer, declaring the question not relevant. But the next day, after what Rasmussen felt was an example of Pope receiving coaching on how to respond, Pope explained that the reason he did not take immediate action was because he did not understand what Porter had done until later.

The testimony of Benjamin Roberts was damning, but also irregular. The opinions of Roberts and other witnesses were permitted – opinions that could not be proven, but were otherwise accepted as if fact. Roberts testified that if Porter would have obeyed his orders, the Confederates would have lost the battle. Roberts was also permitted to enter a statement believed to be attributed to federal Gen. Philip Kearney, who was killed late in the campaign. Roberts indicated that Kearny told him that Porter would fail General Pope.

Lt. Col. Thomas C.H. Smith gave the opinion that during a fifteen-minute conversation with Porter, he became convinced that Porter was a traitor, and his body language was that of a man who had decided on committing a crime. Rufus King was called down from the bench to give testimony, and then rather than being recused, returned to the bench to rule in the verdict – both egregious violations of accepted judiciary proceedings.

After just three hours of deliberation, the court found Porter guilty of all of the most serious charges, and the general faced the potential for the death penalty. Though Lincoln did not agree with the verdict, he felt it was necessary. The punishment was expulsion from the U.S. Army.

Porter's attempts to clear his name were unsuccessful until 1878 when President Rutherford B. Hayes appointed a commission under Gen. John Schofield to investigate. They were able to consider much more material than those seated on the court-martial, including Confederate testimony. By 1882, Porter was reinstated as a colonel, and four days later Porter retired.

In conclusion Rasmussen stated that no legitimately composed court should have reached that verdict. The Porter court-martial occurred at the intersection of justice, politics and war at a time when the war was changing from one that was originally meant to restore the nation to what it had been, to a war that would change the nation into what it would become.

Friends of Central Virginia Battlefield Trust

As you know CVBT is a land trust. We focus on purchasing endangered battlefield properties. We do produce a large three-day annual conference, standalone events and need to interpret and maintain our lands, we need help in all of these. In the past, CVBT has had individuals from organizations assist us, and we are grateful, but now we would like to create an official volunteer group who would enjoy being part of CVBT's volunteer core.

We have created "**The Friends of CVBT.**" The intent is for this all-volunteer group is to be the "On Call" core of CVBT's volunteer group assisting in events and battlefield related needs. Active volunteer members will have the unique opportunity to be involved with events hosted by nationally acclaimed historians, assist in tours, and work on preserved battlefields. Participating volunteers will also be enrolled in the membership ranks of CVBT every year they contribute. CVBT will provide each volunteer with a CVBT volunteer staff shirt and CVBT official hat to wear at events or whenever wanted. We will be limiting this new group to 18 volunteers.

CVBT is now beginning our 27th year of preserving our local battlefields, the very battlefields you study and walk upon. We would be honored to have you join the ranks of CVBT volunteers to help us further our mission of preserving our Nation's history.

If interested please email our Executive Director **Terry**

Rensel at executivedirector@cvbt.org .

Office: 540-374-0900

CIVIL WAR ROUND TABLE OF FREDERICKSBURG (CWRTF)

CWRTF meets 9 times a year on designated Wednesdays at Mary Washington Jepson Alumni Executive Center, 1119 Hanover Street. They offer a buffet dinner followed by a Civil War-themed presentation.

Reservations are required. Speaker/topic schedule can be found on their website at www.cwrftf.org, as well as below.

CWRTF Schedule

January 24, 2024 – Bert Dunkerly, THE BROWN'S ISLAND EXPLOSION

February 28, 2024 – Scott Boyd, *THE HUNLEY*

March 27, 2024 – Christian Keller, SOUTHERN STRATEGIES

April 24, 2024 – Doug Crenshaw, RICHMOND SHALL NOT BE GIVEN UP

May 22, 2024 – Gary Gallagher, PATHWAYS TO NEW NATIONAL LOYALTY

June 19, 2024 – Paul Brueske, THE LAST SIEGE: THE 1865 MOBILE CAMPAIGN

Who We Are

The Drum and Bugle Newsletter is published monthly by the Rappahannock Valley Civil War Round Table, Post Office Box 7632, Fredericksburg VA 22404. The newsletter is available on our website at www.rappvalleycivilwar.org. Yearly membership dues are \$40 for individuals and \$50 for families. Students are free. Membership is open to anyone interested in the military, political and social history of the American Civil War.

Newsletter Editor and Webmaster: John Roos

The RVCWRT Executive Committee

President: Charlie Seifert

Vice President: Paul Stier

Treasurer: Jay Oakley

Secretary: Melanie Jordan

Members at Large: Robin Donato, Rick Horner, Greg Mertz, Dennis Olsen, Peter Rasmussen, Jon Burrell