



Almost Emancipated: The Civil War and the Port Royal Experiment

OVERVIEW

ESSENTIAL QUESTION

How does the Union occupation of Port Royal highlight the complex issues behind the Civil War?

OVERVIEW

In this lesson, students learn about the Civil War and the Port Royal Experiment, a military reconstruction effort that demonstrates the possibilities that existed for the full citizenship and participation in society of newly freed African American populations in the Southern states. They will also consider the role the Sacred Song tradition of the Gullah/Geechee people who reside in the area surrounding Port Royal might have had during this moment in history.



The Gullah/Geechee are the unique African American inhabitants of the coastal Lowcountry of South Carolina and the Sea Islands, a 250-mile stretch of barrier islands on the coast of South Carolina and Georgia. Due to the relative geographic isolation of the islands, Gullah/Geechee culture remains a distinct microcosm of African American culture and history. Together with the Gullah/Geechee language and a sweetgrass basket weaving tradition, the culture is defined by its sacred song tradition. The community also shares a unique history, as the Sea Islands were the site of significant military and political developments during the Civil War.

While neither the Confederacy nor the Union declared the Civil War to be a war specifically about slavery, it is clearly the matter that drove the United States to war. The South went to war to preserve slavery. But the North did not go to war to end slavery; rather to preserve the Union. In a letter to Abolitionist Horace Greeley dated August 22 1862, Lincoln wrote, “If I could save the Union without freeing any slave, I would do it and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union.”

The nation’s economic dependence on the institution of slavery and the sheer number of enslaved African Americans living in the Confederate states made the question of whether slavery should persist central to national politics. The winner of a fraught 1860 election in

which slavery was the deciding issue, President Lincoln held fast to the opinion that slavery should not be allowed to extend to the Western territories. So unpopular was Lincoln's position on slavery in the Southern states that his name did not appear on Southern ballots. In December 1860, weeks after Lincoln was elected and before he was inaugurated, South Carolina seceded from the Union in a pre-emptive act to ensure that slavery would continue and could expand.

Once the Civil War began, Radical Republicans in Congress introduced confiscation acts which eroded the slaveholders' claims to the enslaved people held as chattel. The First Confiscation Act (1861) gave the government the right to seize any enslaved person used for "insurrectionary purposes." The Second Confiscation Act, passed in July 1862, extended the federal government's authority over the property of secessionists convicted of treason. The provisions extended to freedpeople included the promise of transport and resettlement in "some tropical nation" that would accept those willing to emigrate. Further, the act prohibited the return of anyone formerly enslaved to bondage and allowed for freedmen to serve in the Union forces.

In November 1861, six months after the Civil War began, the Union Army took Port Royal, South Carolina. The strategically located port served as a base for patrol ships that prevented the Confederacy from exporting cotton and importing weapons. When the Union fleet arrived at the harbor, the plantation owners and civilians of the port city of Beaufort fled, leaving Confederate soldiers behind to defend the territory against the Union warships. The Confederate Army was quickly overwhelmed as they were outnumbered 5 to 1.

The Union Army occupied the city of Beaufort, freed approximately 10,000 enslaved black people in the region by military decree and took control of the lucrative cotton trade that drove the local economy. The Union Army and Northerners filled the void left by their counterparts in the Southern ruling class, overseeing and profiting from the harvest and processing of that year's cotton. Formerly enslaved laborers were hired and sheltered by the Union Army and received \$1 for every 400 pounds of cotton harvested, becoming the first community of freedpeople to be paid for the same labor they had once done without compensation.

In January 1861, Union General Sherman requested teachers from the North to train formerly enslaved people. The resulting effort, known as the Port Royal Experiment, aimed to provide newly freed African Americans of the Beaufort area with schools and hospitals, and acted as a precursor to the period of Reconstruction after the Civil War.

OBJECTIVES

Upon completion of this lesson, students will:

1. KNOW (KNOWLEDGE):

- About the Gullah/Geechee people of the Sea Islands and their unique culture
- The cause and progression of the Civil War
- About the Port Royal Experiment
- Abraham Lincoln's Cooper Union Address
- The intents and effects of the First and Second Confiscation Acts and the Emancipation Proclamation
- The work of African American and educator Charlotte Forten

2. MASTERY OBJECTIVE:

- Students will develop an understanding of slavery as the key factor of the Civil War by examining primary source documents and listening to the music traditions of the Gullah/Geechee people.

ACTIVITIES

MOTIVATIONAL ACTIVITY

1. Tell students that they will be assuming the role of ethnographers—social scientists who study people in their own environments. They will be watching a video of a musical performance, and as ethnographers, should practice a type of detailed description that anthropologist Clifford Geertz called “thick description.” They should observe the subject’s behavior, but also the context behind that behavior (the surrounding environment, the subject’s personal background, etc.).
2. Play **Clip 1, “Johns Island Wesley United Methodist Church: Getting Late in the Evening (1983),”** reminding students to take notes of their observations on the setting of the performance, as well as the performers’ age, attire, body language, and anything else they notice. After watching the clip, ask students some of the following questions:
 - What general observations did you have while watching the video?
 - Where does it seem like the video was shot?
 - What were the instruments you saw being played? How were the performers making music?
 - How would you describe the singing?
 - Who were the active participants? How could you tell?

- How would you describe the demeanor of the musicians? Do they seem serious, playful, reverent?
 - How would you describe the way the people in the video are dressed?
 - What adjectives would you use to describe the style of the music?
 - How does the song begin and how does it end? Does the feeling or intensity change at any point?
 - What might be the function of this music?
 - How old might this song be?
 - In what region of the United States might this video have been filmed?
3. Tell students that the song they saw performed, “Getting Late in the Evening,” is sung in a style that dates back to the days when African Americans were enslaved. This community singing the song, known as the Gullah/Geechee people, live in the Sea Islands on the coast of South Carolina and Georgia, and were one of the first communities of African Americans freed during the Civil War.

PROCEDURE

1. Pass out to students **Handout 1 - Introducing Terms**, and work through the definitions together as a class.
2. Pass out **Handout 2- Primary Source Documents on the Civil War**. Tell students that they will be working through portions of this document throughout the class to better understand the role the issue of slavery played in the Civil War.
3. As a class, read through *Document 1: Abraham Lincoln’s Cooper Union Address* in the handout. Ask students:
 - Who might Lincoln be referring to when he uses the word “we” in the third paragraph?
 - According to Lincoln, what claim are Southerners making? Why does he argue that such a claim is unjustified?
 - Earlier in the speech, Lincoln asserts that by opposing slavery, he and his fellow Republicans are not radically reinterpreting the laws of the country, but rather enforcing the founding ideals of the United States. How does he defend this idea in this portion of the speech?
 - What are Lincoln’s thoughts towards slavery, according to this speech?
4. Ask students to read *Document 2: South Carolina Declaration of Secession* from Handout 1. Then ask students:
 - What is the historical context of this speech? What was the purpose?
 - Who is Lincoln speaking to in this portion of the speech?

- What is the purpose of this document?
 - What might the quote from the Constitution at the beginning of the excerpt be referring to? Who might be a “person held to service or labor”? According to the Constitution, what should be done with such people if they escape to other states?
 - In the second paragraph, the document claims that without this stipulation in the Constitution, the Southern and Northern states would have never joined to become the United States of America. Why is this stipulation in the interests of the Southern States especially?
 - What does the letter accuse the non-Slaveholding States of doing in the third paragraph?
 - According to the fourth paragraph, what caused a “line” to be “drawn” across the Northern and Southern states? Which president is the document referring to?
 - In the fifth paragraph, who are the authors of this document referring to in the phrase “this party”?
 - In the final paragraphs, how does South Carolina justify its Secession from the United States?
5. Show **Image 1, Map of Secession, 1860-1861**. Ask students:
 - What does this map represent? What is the date range of the map?
 - As you read in the previous document, South Carolina was the first State to secede, on December 24, 1860. What does this map hint happened following this initial secession?
 6. Tell students that the Civil War officially began four months after South Carolina seceded from the Union. On April 12-13, 1861, the Confederate army attacked the Union-held Fort Sumter, in Charleston, South Carolina.
 7. Show **Image 2, Map of Secession, 1863**. Ask students:
 - What do the purple and pink areas on the map represent? What do the orange and yellow areas represent? What about the brown areas? (*Note to teacher: to help students answer this question, you may have to zoom in on the key at the bottom of the map.*)
 - How many years into the Civil War does this map represent?
 - The orange parts of the map represent areas the Southern Confederate states still controlled, while the yellow portions of the map represent where the Confederate forces ceded control to the Union (Northern) Army. Based on this representation, what might you say about the state of the Civil War in 1863?
 - Do you notice anything geographically similar about the areas in the South that the Union army gained control over? What do they have in common?
 - Why might it be important for the Union Army to gain control of areas by water?
 - What might the red ship illustrations around the coastline represent?
 8. Have students examine *Document 3: “Scott’s Great Snake”* in Handout 1. Ask students:
 - What is this illustration showing?

- What might the snake represent?
 - Examine the scenes the illustrator provides in each state. How do the illustrations in the Southern states differ from the illustrations of the Northern states? Which area seems to be depicted as being more prosperous?
 - Who might “Scott” be? Why might the snake be his?
 - The illustration refers to Union General Winfield Scott’s “Anaconda Plan” to create blockades to isolate the South from trade, crushing it economically. Why might gaining control of the eastern seaboard and Mississippi River be essential to this plan?
 - What might have happened to enslaved people who lived and worked in Union-occupied areas in the south?
9. Divide the class into 3 groups, and assign each group either *Document 4: The First Confiscation Act*, *Document 5: The Second Confiscation Act*, or *Document 6: The Emancipation Proclamation*. Ask each group read over the documents, and be prepared to present a brief (1-2 sentence) summary of their assigned document before the class.
10. After each group has presented their document, give the groups **Handout 3 - “Life, Liberty, and Happiness Worksheet.”** Ask groups to try their best filling out the worksheet based on the document they examined. After sharing their worksheets, ask students:
- Compare the worksheets. Which group’s document seemed to grant the greatest access to resources? Which document would you guess made the least impact on the lives of freedpeople?
 - What can we say about the distance between the law and the lived experience of people whose rights the law protects?
 - Name one resource that your legislation could not secure.
 - Which of the criteria listed on the worksheet are we able to think about in terms of the social and political discourse in the U.S. today? (*Note to teacher: answers will vary but if students do not see the connections immediately, offer water security [Flint, Newark] or ability to live in families [marriage equality] or physical safety [school shootings or other gun violence.]*)
11. Ask students to read *Document 7: Letter to Horace Greeley*, pointing out that Lincoln wrote this letter before issuing the Emancipation Proclamation. As a class discuss the following questions:
- What is the reason that Lincoln enters the war as stated in this letter?
 - How do the contents of this letter change the way you read the Emancipation Proclamation?
 - Who or what is Lincoln’s primary concern as he decides the course of the nation? Does he feel the nation can exist with slavery?
12. Print out and post images from the Gallery Walk Activity around the classroom. After students finish with the gallery walk, ask them:
- What might have life been like for a ex-slave living in Port Royal? What might have been the benefits? What might have been the drawbacks?

- How might have life been different for ex-slaves here, after being freed? How might have life still been difficult?
- Looking back at Handout 2, what basic rights might have been given to residents of Port Royal? Which might have still been denied or unattained?

SUMMARY ACTIVITY

1. Have all students turn to *Document 8* in Handout 1, “Account of Sea Island Music by Charlotte Forten.” Ask students to read the document to themselves.
2. Play **Clip 1, “Johns Island Wesley United Methodist Church: Getting Late in the Evening (1983)”** once again. While watching, ask students to underline words or phrases in the journal excerpt that could also describe what they see and hear in the video clip. Ask students:
 - What similarities did you notice between the video clip and Forten’s 1864 account?
 - In what ways might have this music changed in the over 100 year time differences between the video and the written account? How has it stayed the same?
 - Considering the danger and uncertainty of life for recently freedpeople in South Carolina, what role do you imagine that music may have played in daily life for them?
3. Show **Image 3, “Writing Prompt,”** and have students follow the prompt given, either on paper, or as a class discussion.

EXTENSION ACTIVITY

1. Read the *New York Tribune* Account of a Meeting of Union Military and Black clergy and compose a short essay in response to the following prompt:
 - Identify two or three significant differences between the clergy’s response to the question of freedom for enslaved African Americans and the opinions of government and military officials found in Handout 1. In your opinion, what accounts for their differing perspectives? Consider the ways in which these differences would inform the creation and maintenance of a representative democracy. Write about the challenges that face the federal government in addressing the interests of all of the speakers in this article.

EXPLORE FURTHER

Books and Primary Sources:

- Craft, William and Ellen, *Running a Thousand Miles for Freedom* (University of Georgia Press)
- Forten, Charlotte “Life on the Sea Islands” *Atlantic Monthly* (<https://www.theatlantic.com/magazine/archive/2012/02/life-on-the-sea-islands/308818/>)

Films:

- *The Civil War: Promise of Reconstruction*: “The Port Royal Experiment” (PBS)

Archives:

- U.S. National Archives: Civil War (<https://www.archives.gov/research/military/civilwar>) Civil War: Promise of Reconstruction: “The Port Royal Experiment” (PBS)
- U.S. Library of Congress: Civil War Photographs, Freedmen (<http://www.loc.gov/pictures/search/?q=Freedmen&co=civwar>)

New York Times 1619 Project:

- Reading Guide for The 1619 Project Essays (https://pulitzercenter.org/sites/default/files/reading_guide_for_the_1619_project_essays.pdf)
- PDF of full issue (<https://teachrock.org/handout/the-1619-project-full-issue/>)

Recordings:

- *Wade in the Water Volume II: African American Congregational Singing: Nineteenth-Century Roots* (Smithsonian Folkways) (https://folkways-media.si.edu/liner_notes/smithsonian_folkways/SFW40073.pdf)

STANDARDS

COMMON CORE STATE STANDARDS

College and Career Readiness Anchor Standards for Reading (K-12)

Reading 1: Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.

Reading 2: Determine central ideas or themes of a text and analyze their development; summarize the key supporting details and ideas.

Reading 3: Analyze how and why individuals, events, or ideas develop and interact over the course of a text.

Craft and Structure 4: Interpret words and phrases as they are used in a text, including determining technical, connotative, and figurative meanings, and analyze how specific word choices shape meaning or tone.

Craft and Structure 5: Analyze the structure of texts, including how specific sentences, paragraphs, and larger portions of the text (e.g., a section, chapter, scene, or stanza) relate to each other and the whole.

Craft and Structure 6: Assess how point of view or purpose shapes the content and style of a text.

Integration of Knowledge and Ideas 7: Integrate and evaluate content presented in diverse media and formats, including visually and quantitatively, as well as in words.

Integration of Knowledge and Ideas 8: Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.

Integration of Knowledge and Ideas 9: Analyze how two or more texts address similar themes or topics in order to build knowledge or to compare the approaches the authors take.

Range of Reading and Level of Text Complexity 10: Read and comprehend complex literary and informational texts independently and proficiently.

College and Career Readiness Anchor Standards for Writing (K-12)

Writing 1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.

Text Types and Purposes 1: Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.

Text Types and Purposes 2: Write informative/explanatory texts to examine and convey complex ideas and information clearly and accurately through the effective selection, organization, and analysis of content.

Text Types and Purposes 3: Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details and well-structured event sequences.

College and Career Readiness Anchor Standards for Language(K-12)

Language 3: Apply knowledge of language to understand how language functions in different contexts, to make effective choices for meaning or style, and to comprehend more fully when reading or listening.

Vocabulary Acquisition and Use 4: Determine or clarify the meaning of unknown and multiple-meaning words and phrases by using context clues, analyzing meaningful word parts, and consulting general and specialized reference materials, as appropriate.

Vocabulary Acquisition and Use 5: Demonstrate understanding of figurative language, word relationships, and nuances in a word meaning.

Vocabulary Acquisition and Use 6: Acquire and use accurately a range of general academic and domain-specific words and phrases sufficient for reading, writing, speaking, and listening at the college and career readiness level; demonstrate independence in gathering vocabulary knowledge when encountering an unknown term important to comprehension or expression.

College and Career Readiness Anchor Standards for Speaking and Listening (K-12)

Speaking and Listening 1: Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively.

Speaking and Listening 2: Integrate and evaluate information presented in diverse media and formats, including visually, quantitatively, and orally.

Speaking and Listening 3: Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric.

Presentation of Knowledge 4: Present information, findings, and supporting evidence such that listeners can follow the line of reasoning and the organization, development, and style are appropriate to task, purpose, and audience.

SOCIAL STUDIES – NATIONAL COUNCIL FOR THE SOCIAL STUDIES (NCSS)

Theme 1: Culture

Theme 2: Time, Continuity, and Change

Theme 3: People, Place, and Environments

Theme 5: Individuals, Groups, and Institutions

Theme 6: Power, Authority, and Governance

Theme 7: Production, Distributions, and Consumption

Theme 10: Civic Ideals and Practices

NATIONAL STANDARDS FOR MUSIC EDUCATION

Core Music Standard: Responding

Analyze: Analyze how the structure and context of varied musical works inform the response.

Interpret: Support interpretations of musical works that reflect creators' and/or performers' expressive intent.

Evaluate: Support evaluations of musical works and performances based on analysis, interpretation, and established criteria.

Core Music Standard: Connecting

Connecting 10: Synthesize and relate knowledge and personal experiences to make music.

Connecting 11: Relate musical ideas and works to varied contexts and daily life to deepen understanding.



RESOURCES

VIDEO RESOURCES

- *The Association for Cultural Equity* - "Johns Island Wesley United Methodist Church: Getting Late in the Evening (1983)"

HANDOUTS

- Handout 1 - Introducing Terms
- Handout 2 - Primary Source Documents on the Civil War
- Handout 3 - "Life, Liberty, and Happiness" worksheet

Lesson Materials



Image 1 - Map of Secession, 1860-1861



Image 2, Map of Secession, 1863.

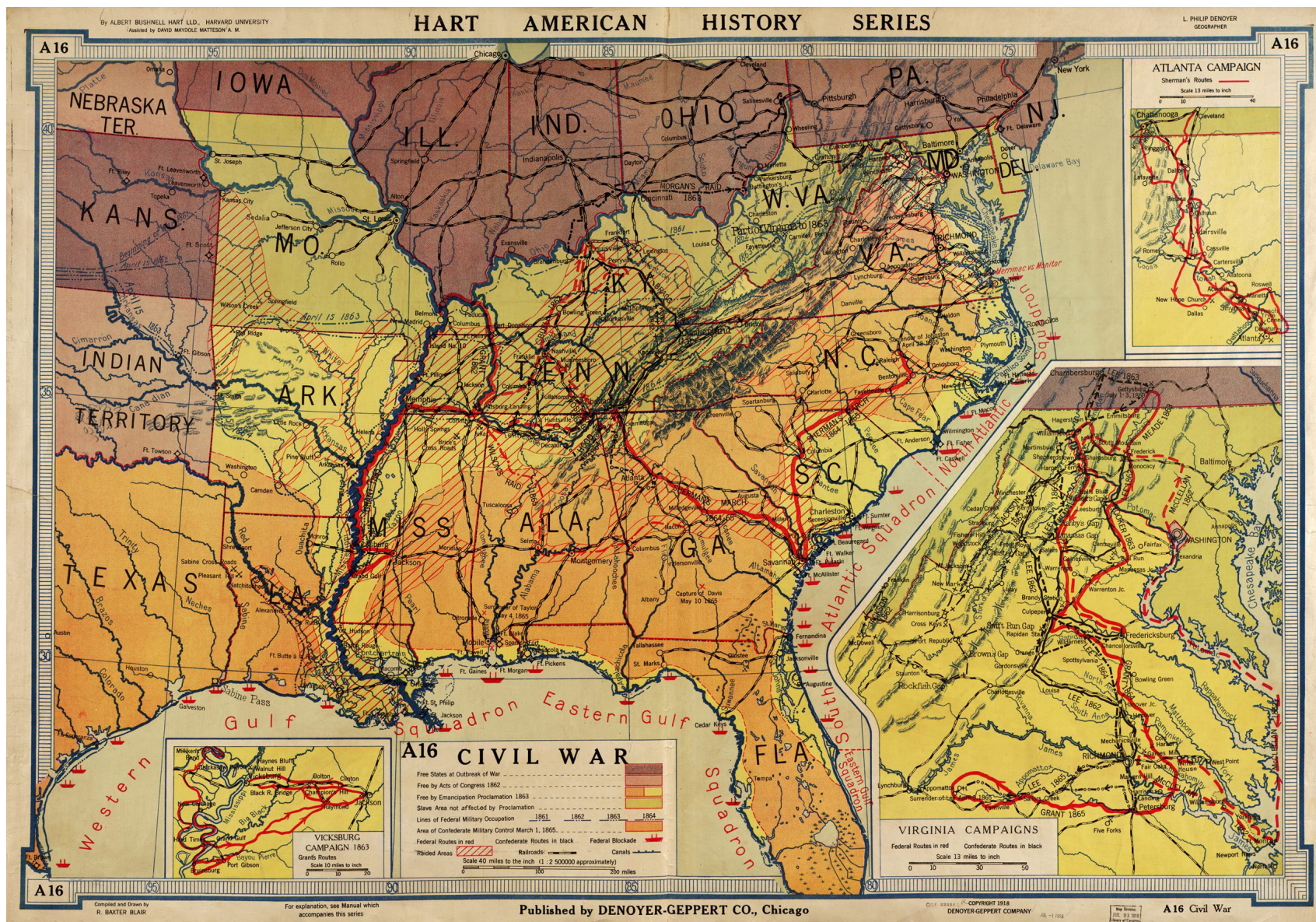


Image 3 - Writing Prompt

Provide a short reponse to the following prompt:

How did the Confiscation Acts and Emancipation Proclamation alter the course of the lives of African Americans? Draw upon specific examples to describe recently freedpeople's experience in terms of legal protection and exposure during or shortly after the Civil War.



Handout 1 - Introducing Terms

Border States: The states that separated the Union from the Confederacy: Maryland, Delaware, West Virginia, Kentucky and Missouri.

Chattel slavery: Socio-economic system that considers enslaved people property or commodity, in which the children of enslaved people inherit their parents' status.

Confiscate: To take or seize possession.

Contraband: Property that is illegal to own or transport. In the context of the Civil War, contraband refers to formerly enslaved people who were freed by military mandate or by taking refuge with the Union army after fleeing plantations in the Confederate states.

Freedpeople: Formerly enslaved people freed by financial redemption, military mandate or law; Freedman was commonly taken as a last name by formerly enslaved people.

Radical Republicans: Members of the Republican party who supported the abolition of slavery and in later years civil rights for African Americans; active 1854-1877.

Secession: The act of withdrawal from a political body to form an independent nation.



Handout 2 - Primary Source Documents

Document 1: Abraham Lincoln's Cooper Union Address

Publications in late 1859 and early 1860 listing prominent candidates for the 1860 Presidential election did not include Abraham Lincoln. In February, 1860 Lincoln spoke before an audience of approximately 1,500 at an event hosted by the Young Men's Central Republican Union of New York, at Cooper Union. As a result of this speech, his campaign began to gather momentum. On May 18, 1860, he was chosen as the Republican Party's candidate for the Presidency.

The speech was split into three major parts. The first part regards Lincoln's interpretation of the Founding Father's position on slavery. In the second part, Lincoln specifically addresses people in the South, and defines the differences between Democrats and Republicans at that time. In the third section, he addresses fellow Republicans specifically. The following excerpts come from the second part of his speech.

" . . . And now, if they would listen - as I suppose they will not - I would address a few words to the Southern people.

. . . you will break up the Union rather than submit to a denial of your Constitutional rights. That has a somewhat reckless sound; but it would be palliated, if not fully justified, were we proposing, by the mere force of numbers, to deprive you of some right, plainly written down in the Constitution. But we are proposing no such thing.

When you make these declarations, you have a specific and well-understood allusion to an assumed Constitutional right of yours, to take slaves into the federal territories, and to hold them there as property. But no such right is specifically written in the Constitution. That instrument is literally silent about any such right. We, on the contrary, deny that such a right has any existence in the Constitution, even by implication.

Your purpose, then, plainly stated, is that you will destroy the Government, unless you be allowed to construe and enforce the Constitution as you please, on all points in dispute between you and us. You will rule or ruin in all events..."



Document 2: South Carolina Declaration of Secession

In December 1860, South Carolina was the first state to secede from the Union—two months after the election of Abraham Lincoln as President of the United States. Each state that seceded to join the Confederacy thereafter submitted a similar document the format of which was based on this. Below is an excerpt of South Carolina’s Secession Declaration.

Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union.

...The Constitution of the United States, in its fourth Article, provides as follows: “No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due.”

This stipulation was so material to the compact, that without it that compact would not have been made. The greater number of the contracting parties held slaves, and they had previously evinced their estimate of the value of such a stipulation by making it a condition in the Ordinance for the government of the territory ceded by Virginia, which now composes the States north of the Ohio River.

...the Government itself has been made destructive of them by the action of the non-slaveholding States. Those States have assume the right of deciding upon the propriety of our domestic institutions; and have denied the rights of property established in fifteen of the States and recognized by the Constitution; they have denounced as sinful the institution of slavery; they have permitted open establishment among them of societies, whose avowed object is to disturb the peace and to eloign the property of the citizens of other States. They have encouraged and assisted thousands of our slaves to leave their homes; and those who remain, have been incited by emissaries, books and pictures to servile insurrection.

... A geographical line has been drawn across the Union, and all the States north of that line have united in the election of a man to the high office of President of the United States, whose opinions and purposes are hostile to slavery. He is to be entrusted with the administration of the common Government, because he has declared that “Government cannot endure permanently half slave, half free,” and that the public mind must rest in the belief that slavery is in the course of ultimate extinction.

... On the 4th day of March next, this party will take possession of the Government. It has announced that the South shall be excluded from the common territory, that the judicial tribunals shall be made sectional, and that a war must be waged against slavery until it shall cease throughout the United States.



Document 2: South Carolina Declaration of Secession, cont.

The guaranties of the Constitution will then no longer exist; the equal rights of the States will be lost. The slaveholding States will no longer have the power of self-government, or self-protection, and the Federal Government will have become their enemy.

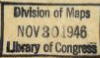
Sectional interest and animosity will deepen the irritation, and all hope of remedy is rendered vain, by the fact that public opinion at the North has invested a great political error with the sanction of more erroneous religious belief.

We, therefore, the People of South Carolina, by our delegates in Convention assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, have solemnly declared that the Union heretofore existing between this State and the other States of North America, is dissolved, and that the State of South Carolina has resumed her position among the nations of the world, as a separate and independent State; with full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

Adopted December 24, 1860

Citation: Declaration of the Immediate Causes which Induce and Justify the Secession of South Carolina. Constitutional Convention (1860-1862). S 131055. South Carolina Department of Archives and History, Columbia, South Carolina.

This map, created by J. B. Elliott of Cincinnati, illustrates the strategy and intended effects of Union General Winfield Scott's "Anaconda Plan."





Document 4: The First Confiscation Act

Enacted in 1861, the First Confiscation Act outlines the status of formerly enslaved persons who had been held as property in the Confederate states. Below is an excerpt of the Act.

CHAP. LX.—An Act to confiscate Property used for Insurrectionary Purposes. That if, during the present or any future insurrection against the Government of the United States... any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

APPROVED, August 6, 1861.



Document 5: The Second Confiscation Act

Enacted in 1862, The Second Confiscation Act granted the federal government the right to seize all property of the secessionists described as “individuals participating in or aiding the insurrection against the U.S. government.” Below is an excerpt of the Act.

CHAP. CXCV.—An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

SEC. 3. And be it further enacted, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

SEC. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such person found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

SEC. 10. And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

SEC. 11. And be it further enacted, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.



Document 5: The Second Confiscation Act, cont.

SEC. 12. And be it further enacted, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

APPROVED, July 17, 1862.



Document 6: The Emancipation Proclamation

The Emancipation Proclamation declared that all enslaved persons in Confederate states free as of January 1, 1863. The Emancipation Proclamation did nothing to change the status of enslaved people in states outside the Confederacy in the border states and other territories.

January 1, 1863

A Transcription

By the President of the United States of America:

A Proclamation.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

By the President: ABRAHAM LINCOLN

WILLIAM H. SEWARD, Secretary of State.



Document 7: Letter to Horace Greeley

In this letter to Horace Greeley, the founder and editor of the New York Tribune, President Abraham Lincoln makes clear that his main objective in the Civil War is the preservation of the Union and that changes to laws concerning slavery arose from that intent.

Executive Mansion,
Washington, August 22, 1862.
Hon. Horace Greeley:

Dear Sir,

I have just read yours of the 19th. addressed to myself through the New-York Tribune. If there be in it any statements, or assumptions of fact, which I may know to be erroneous, I do not, now and here, controvert them. If there be in it any inferences which I may believe to be falsely drawn, I do not now and here, argue against them. If there be perceptible in it an impatient and dictatorial tone, I waive it in deference to an old friend, whose heart I have always supposed to be right.

As to the policy I “seem to be pursuing” as you say, I have not meant to leave any one in doubt. I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be restored; the nearer the Union will be “the Union as it was.” If there be those who would not save the Union, unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors; and I shall adopt new views so fast as they shall appear to be true views.

I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men every where could be free.

Yours,
A. Lincoln.



Document 8: Account of Sea Island Music by Charlotte Forten.

Charlotte Forten was an African American educator and abolitionist from Philadelphia, Pennsylvania. During the Civil War she traveled to the Sea Islands of South Carolina to teach freedpeople at the Penn School on the island of St. Helena. The Atlantic Monthly published entries from Forten's journals in two installments in 1864. In the following excerpt, Forten describes the musical life of residents of the Sea Islands.

In the evenings, the children frequently came in to sing and shout for us. These "shouts" are very strange, — in truth, almost indescribable. It is necessary to hear and see in order to have any clear idea of them. The children form a ring, and move around in a kind of shuffling dance, singing all the time. Four or five stand apart, and sing very energetically, clapping their hands, stamping their feet, and rocking their bodies to and fro. These are the musicians, to whose performance the shouters keep perfect time.



Handout 3 - “Life, Liberty, and Happiness” Worksheet

This worksheet allows you to assess newly freed African Americans’ access to the basic rights of U.S. citizens as they are described by the Declaration of Independence.

Drawing from the language of the First and Second Confiscation Acts and the Emancipation Proclamation, complete this chart by marking the appropriate boxes next to each basic right. If a specific right on the chart is not mentioned in the document you are reading, use your knowledge of the legal status of African Americans to determine which answer is the most likely. In the line beneath each resource, explain which legal language or fact supports the answer you chose.

Document Name and Date:					
	Very Likely	Possible	Unlikely	Unavail-able	I’m Not Sure
Life					
Clean, fresh water					
Adequate shelter					
Wood or coal for warmth					
Cloth, yarn, thread, needles and buttons with which to make clothes					
Liberty					
Free to travel at will					
Able to earn a living					
Ability to participate in democracy					
Able to own property					
Pursuit of Happiness					
Able to assemble freely					
Able to live with partner and/or in family units					

Gallery Walk Activity

Penn School, St. Helena Island, South Carolina (taken between 1863 and 1866)



Charlotte Forten, a free African American woman activist and educator from Philadelphia, was amongst the teachers dispatched to the Sea Islands to staff the Penn School where newly freed African American children and adults were taught during the Civil War.

Forten kept a journal during those years and her writings about her time in the Sea Islands was published in *The Atlantic Monthly*. In this excerpt Forten describes her students. Her students may appear in this photo of Penn School students which was taken during the Civil War.

“She read nicely, and was very fond of books. The tiniest children are delighted to get a book in their hands. Many of them already know their letters. The parents are eager to have them learn. They sometimes said to me,— ‘Do, Miss, let de chil’en learn eberyting dey can. We nebber hab no chance to learn nuttin’, but we wants de chil’en to learn.’

They are willing to make many sacrifices that their children may attend school. One old woman, who had a large family of children and grandchildren, came regularly to school in the winter, and took her seat among the little ones. She was at least sixty years old. Another woman—who had one of the best faces I ever saw—came daily, and brought her baby in her arms. It happened to be one of the best babies in the world, a perfect little ‘model of deportment,’ and allowed its mother to pursue her studies without interruption.

Port Royal Island, South Carolina Cypress swamp, 1865



This is a photo of the swamp that surrounds Port Royal. In order to emancipate themselves, enslaved African Americans had to cross these swamps to reach the Union forces. In this excerpt, Charlotte Forten recounts the experience of two children escaping through the swamps:

“We were also told the story of two girls, one about ten, the other fifteen, who, having been taken by their master up into the country, on the mainland, at the time of the capture of the islands, determined to try to escape to their parents, who had been left on this island.

They stole away at night, and travelled through woods and swamps for two days, without eating. Sometimes their strength gave out, and they would sink down, thinking they could go no farther; but they had brave little hearts, and got up again and struggled on, till at last they reached Port-Royal Ferry, in a state of utter exhaustion. They were seen there by a boat-load of people who were also making their escape. The boat was too full to take them in; but the people, on reaching this island, told the children’s father of their whereabouts, and he immediately took a boat, and hastened to the ferry. The poor little creatures were almost wild with joy when they saw him. When they were brought to their mother, she fell down ‘jes’ as if she was dead,—so our informant expressed it, — overpowered with joy on beholding the ‘lost who were found.’”

St. Helena Island, South Carolina (taken between 1863 and 1866)



Taken in the Sea Islands during the Civil War, this is a photo of freedpeople living on St. Helena, the island on which the Penn School is located. Consider the changes that took place in their lives when they were able to emancipate themselves by escaping to the relative safety of areas occupied by the Union Army. What challenges might they face in these years?

Contraband Camp, Richmond, Virginia, 1865



During the early months of the Civil War in August 1861, Congress passed and President Lincoln signed the First Confiscation Act. It stated that the Union forces could seize and confiscate property used in the Confederate war effort—including enslaved people.

The Union Army Set up camps to provide shelter, rations, clothing, medical care, education and sometimes, employment. The term “contraband”—property confiscated in war— was used to describe African Americans in Confederate states who were able to escape their enslavers and make their way to a location controlled by Union Forces. This a contraband camp in Virginia in 1865, four years after the Confiscation Act went into effect.

Enslaved African Americans and their Living Quarter Louisiana, 1861



This is a photograph of enslaved African Americans and their living quarters in the state of Louisiana. Compare the structures pictured here with those pictured in the photograph of the Virginia contraband camp. Which is would be preferable living space in extreme heat, cold, snow or rain?