CHAPTER IX

IN JAIL AND OUT

If there were any limits to the freedom of the press in the Confederacy, Brownlow had not been able to discover them. As has amply appeared heretofore, he had since the beginning of the secession troubles been pouring forth in his Knoxville Whig an unending and ever-mounting stream of vitriolic denunciation of the Confederacy and of all the Confederates. If he had been seeking martyrdom, it seemed he could have found no better method, but the slowness with which the Confederacy acted against him appeared to indicate that it considered his desires to be martyrdom, and that it could displease him best by letting him alone. But he had plenty of enemies in and about Knoxville who made his lot as hard as possible and they could always set soldiers to having their fun with the excitable Parson.

Nevertheless there seemed to be an end to the patience of anybody who was forced to endure his attacks, and even the Confederacy could not go on forever ignoring the dangers he was developing. With all this forebearance there might well have been mixed a fear that an uprising among East Tennesseans would result if their chief leader should be seized. Perhaps, too, the Confederacy had put too much faith in a voluntary communication Brownlow had sent General Zollicoffer in which he pledged himself to promote among the East Tennesseans peace and obedience to the constituted authorities of both the state and the Confederacy. ¹ Although the Confederacy did not suppress Brownlow’s paper, certain enemies of his impeded its circulation as much as possible. The Confederates by their forebearance were undoubtedly consciously trying not to emulate the recent ex-

ample of the Federal Government in its suppression of the *Louisville Courier* and the *New York Day Book*.

Whether true or not, the rumor was soon afloat that Brownlow would be indicted by a Confederate court in Nashville for treasonable articles which had appeared in the *Whig*, and that he was to be arrested immediately. At last his day of martyrdom had come, or at least he would convince himself and his readers that it had, so he decided that the final edition of his paper would appear during the last week of October (1861). If the Confederates would not suppress his paper, he would suppress it himself by throwing the editor in his imagination into jail. An excellent opportunity he would now have to commiserate with himself in a last editorial, and to reproduce some of his articles which he thought must be considered his most treasonable ones. With a vivid imagination, he described the terrible future that awaited him at the hands of the Confederacy. He could likely escape it by signing a peace bond, but he would refuse; he would even decline to allow fifty of his friends to post a bond of $100,000 to secure his freedom—a procedure he was sure they would attempt. Rather he would go to jail and he was ready to start immediately. "Not only so," he declared, "but I am prepared to lie in solitary confinement until I waste away because of imprisonment or die from old age." Conscious of his innocence he would "submit to imprisonment for life or die at the end of a rope before I will make any humiliating concessions to any power on earth." Then forgetful of all that he had said or done for the past six months, he paradoxically declared, "I have discouraged rebellion publicly and privately. I have not assumed a hostile attitude toward the civil or military authorities of this new government." He knew why he was about to be arrested: The Confederacy wanted "to dry up, break down, silence and destroy" the last Union paper in all the Confederacy—the only paper that would tell the truth. He then continued to praise his tenacity of principles, likening himself in his imaginary jail to John Rodgers at the stake, and intimating that his heroic resignation even suggested that occasion in Biblical times when the "infuriated mob cried out, 'Crucify him! Crucify him!'"
He was proud of his position and of his principles and he would leave them to his children as "a legacy far more valuable than a princely fortune." Louis XVI had been beheaded for crimes less heinous than those committed by the Confederacy. With thoughts of Lexington and Bunker Hill, he exchanged "with proud satisfaction, the editorial chair and the sweet endearments of home for a cell in the prison or the lot of an exile."

Thereupon the Parson began his vigil to await the coming of his arresters, feeling doubtless that if the previous editions of his paper had not warranted this expectation, this last one would bring down vengeance upon him. The mountain had now labored, but not even a mouse came forth. The Confederacy most savagely left him alone, and there was none so high nor none so low as to molest him except the ever-present soldiers who now and then tormented him by cocking their pistols and pointing their bayonets at him, and making grimaces at him.

But Brownlow had bitter personal enemies in Knoxville, and although the Confederate authorities at Richmond were showing no disposition to arrest him, a private citizen might take vengeance upon him. And as the bitterness between Unionist and Confederate increased, it was not too much to expect governmental officials at Knoxville to secure his indictment and arrest. In fact, unknown to Brownlow, John C. Ramsey, the Confederate District Attorney for Tennessee, had planned to proceed against him during the early part of November, but was unable to do so on account of the failure of the court to meet. In this situation of uncertainty, Brownlow contemplated at one time making an attempt to slip out through the Cumberlands and make his way to Camp Dick Robinson, in Kentucky, but he found the mountain passes guarded too well.

As it was quite likely that he might become the center of a dangerous disturbance at any time, without his own choosing, he was prevailed upon by his friends to leave Knoxville. He

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4 Temple, op. cit., p. 308.
would not flee to secure his own safety, for his extreme pugnacity had erased from his mind the fear of any man; but his presence in Knoxville might involve the security of his family, and this latter possibility led him on November 4 to mount a horse and with James Cumming, a seventy-seven year old preacher, as a companion, to ride away to the eastward into Blount and Sevier counties, the greatest hotbeds of Unionism in East Tennessee. Additional reasons he found in the opportunities that would be afforded him to collect debts due him for his defunct Whig and to attend the court in Maryville. On reaching Maryville, he stopped at the home of Parson W. T. Dowell, and soon the town showed hurried activities beyond anything called forth by the meeting of a court. Brownlow became the center of Unionist activities, and it was later reported that he had predicted the capture of Knoxville soon by the oncoming Federal army. There were undoubtedly great expectations in East Tennessee, for a few days later, on November 6, the railway bridges were burned. Immediately Brownlow was suspected of plotting the bridge-burning, and for a time no report could be so lowly in its origin as not to be believed. One such report which was dignified sufficiently to be sent in to the Confederate District Attorney, J. C. Ramsey, came from the hired girl of a Maryville family who had got it from the hired girl in the Dowell family, as the two met one day at the spring. The former, who belonged to the Sesler family, innocently remarked after she had heard of the bridge-burning, "La me! Phoebe Smith told me at the spring last Wednesday that the bridges were to be burned Friday night, but I didn't believe it." It turned out that Phoebe Smith had been peeping through the keyhole and listening, and she had seen and heard the two parsons talking about bridge-burning.5

Brownlow knew human nature well enough to realize that it was time for him to retreat into the fastnesses of the mountains to escape the wrath that would come down upon him. In company with other Unionists who feared Confederate vengeance, he set out for the Great Smokies and entered their defiles "quite

beyond the precincts of civilization.” They camped on high ridges and in deep gorges “where no vehicle had ever penetrated.” They were fed by friends from Wear’s Cove, “and in the meantime one of our party killed a fat bear, which supplied us with meat.” These refugees wandered back into Wear’s Cove in Sevier County and then southward across high ranges into Tucaleechee Cove, in Blount County.⁶ As there was constant danger of so large a party being trapped by Confederate scouts, they broke up into groups of two’s. The two parsons, Brownlow and Dowell, rode to the home of a friend within six miles of Knoxville and there entered into secret communication with friends in the city.⁷

Brownlow was now in an uncomfortable position, for although his hiding-place was not then known to the Confederate authorities there was little doubt that he could be found if the scouting parties should make a determined effort to seek him. In fact his enemies declared that the soldiers could have easily found him.⁸ He knew that he was suspected of bridge-burning, and he should have known that the circumstantial evidence was strongly against him. It was, therefore, wise in him, while many of his associates and acquaintances were being arrested for this crime, to establish his own innocence. On November 22, from his hiding-place he addressed a letter to General W. H. Carroll, and had his friend John Williams deliver it. After describing the circumstances of his recent flight from Knoxville and his reasons for leaving, he declared his complete innocence of the bridge-burning business. “As regards bridge-burning,” he declared, “I never had any intimation of any such purpose from any quarter at any time and when I heard of the burning of the bridges on the Saturday night after it occurred I was utterly astonished. I condemn the act most unqualifiedly and regard it as an ill-timed measure calculated to bring no good to any one or any party but much harm to innocent men and to the public.

⁶ The Independent, May 22, 1862; Parson Brownlow’s Book, pp. 279-82.
⁷ The Parson’s hiding place was in what is today one of the most inaccessible parts of the Great Smoky Mountains National Park.
⁸ The Knoxville Register, December 13, 1861 said, “He could have been picked up in three days at any time during his absence by a deputation of ten soldiers.” Quoted in Official Records, ser. II, vol. 1, p. 925.
A scene from the Great Smokies of East Tennessee. It was in a region of this sort that the Parson in 1861 took refuge from the Confederates. Copyrighted by Thomp­sons, Inc., Knoxville, and used by permission.
"The Southern Loyalists' Convention at Philadelphia—'Parson Brownlow' passing through the Ranks of the Northern Delegation, in Independence Square." "The old man, so weak that at intervals he was compelled to stop and rest, passed down the entire line, greeted by all with shouts of enthusiastic welcome." From Harper's Weekly, September 22, 1866 (vol. X, no. 508, p. 593).
Had a knowledge of any purpose to burn the bridges been communicated to me," he continued, "I should have felt bound in all honor and good conscience to disclose the fact to the chief officers of the roads." And he significantly added, "I am ready and willing at any time to stand trial upon these or other points before any civil tribunal; but I protest against being turned over to any infuriated mob of armed men filled with prejudice by my bitterest enemies."9

Brownlow was at great pains to establish his innocence of the bridge-burning charges. He with his two preacher friends, James Cumming and W. T. Dowell, issued a statement and swore to it before Solomon Farmer, a justice of the peace of Blount County, denying the hired-girl story about the bridge-burning conference in Maryville and affirming that none of them had communicated with the fugitives in Kentucky at any time during the whole summer or fall. They swore that they had never heard of the bridge-burning plot and that if they had "we should have protested against it as an outrage."10 A few months later, when Brownlow was safe among his friends, he said of the bridge-burning, "I was not concerned in the matter, and can't say who did it. I thought to myself that the affair had been most beautifully planned and executed, and enjoyed it considerably in my quiet way."11

There now developed a conspiracy of circumstances which were likely very materially shaped by Brownlow himself, and which tended to throw the Confederacy into an uncomfortable position, much to the advantage of the Parson. He began to carry on with General Carroll, in Knoxville, negotiations for surrendering himself, and at the same time some of his friends, perhaps largely unknown to him, began conversations with President Davis and Secretary of War Benjamin in Richmond. There was not a complete interchange of information among the army in Knoxville, the civil authorities in East Tennessee, and the Confederate Government in Richmond, with the result that

11 Portrait and Biography, p. 53.
it appeared that Brownlow was promised one thing by one authority and something else by another. Since it had seemed in Brownlow's letter to Carroll that his chief desire was to secure protection from the Confederate soldiers, and very likely cleverly to escape the trial by court-martial for bridge-burning which the other suspects were to suffer, Carroll replied on November 28 that he would use his full force to protect all citizens loyal to the Confederacy and that Brownlow could be assured that he would meet with no personal violence in returning home. He also added, "If you can establish what you say in your letter of the 22d instant you shall have every opportunity to do so before the civil tribunal if necessary provided you have committed no act that will make it necessary for the military law to take cognizance." It will be seen that this letter did not preclude the possibility of the Parson's arrest by the military authorities, but it did definitely guarantee him against personal violence. He seemed to be promised the right to a civil trial on the bridge-burning charges, which was a great victory for him unless Carroll was as clever as the Parson in adding this saving phrase, "provided you have committed no act that will make it necessary for the military law to take cognizance."

In answer Brownlow wrote Carroll on December 4 a letter in which he enclosed two documents, viz: the affidavit denying the hired-girl story and a long withering denunciation of his chief enemies, whom he called by name. He began his denunciatory document by praising his two preacher companions-in-exile, Cumming and Dowell, as a matter of contrast for what should follow. Thereupon he assaulted the Confederacy, charging that it was "a bogus Government, that originated in fraud and falsehood, perjury and theft." He then came to the main point in his letter: "I cannot feel safe in returning, for I am not sure that your letter offers protection to me." He had that feeling because Carroll had said that loyal Confederate citizens would be protected, and the Parson hereby disclaimed any loyalty for the Confederacy for he recognized only the United States Government. He was not bearing arms against the Con-

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federacy; he was a neutral who wanted to be left alone "to the quiet enjoyment of opinions I honestly entertain and cannot conscientiously surrender." Having thus declared his military neutrality, he launched forth upon a verbal barrage with which he hoped to annihilate his enemies. John H. Crozier was "a corrupt demagogue, a selfish liar, and an unmitigated coward," who hated the Parson because he had been driven into private life by him. J. C. Ramsey was a kinsman of Crozier's and "but a few degrees removed from an idiot." W. H. Sneed was "corrupt" and "swaggering," and "a giant in his own estimation." "His eyelashes are nearly scorched off by alcoholic fire; and nature, to keep up appearances, in a fit of desperation is substituting in their stead a binding of red, which looks like two little rainbows hanging upon a storm, such as he often passes through in the domestic circle!" He had recently been defeated in an election and "Since then he has been travelling in search of his rights, and swears that he will follow them on to the other side of sundown!" The Parson expected this whole pack to take to their heels as soon as the vanguard of the Federal army arrived. "I may not be living," he declared, "when a Federal army enters East Tennessee, but if I am living next spring, I expect to enjoy the luxury." Having thus bespoke his mind he in approved Patrick Henry fashion added, "If this be treason, make the most of it!"

Thus did Brownlow reject General Carroll's terms of surrender, but Carroll did not know it for the friend intrusted with the delivery of this letter withheld it on the intelligence of an important decision by the Confederate Government. The negotiations in Richmond which had been going on at the same time, and largely unknown to the Parson, had brought results. In fact even before Brownlow had first written General Carroll relative to coming into Knoxville to stand a civil trial, friends of the Parson had been besieging Secretary Benjamin in Richmond to grant him a passport to leave the Confederacy. On November 20, Benjamin had written General George B. Crittenden, stationed at Cumberland Gap, that he understood that

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Brownlow, fearing violence, had hidden himself but that he was willing to leave Tennessee. The Confederate War Secretary said he could not give him a formal passport though he "would greatly prefer to see him on the other side of our lines as an avowed enemy," and he would not object if Crittenden would allow him to escape. But Crittenden did not receive this letter until other important transactions had taken place. Apparently Benjamin had not prejudged Brownlow as sufficiently guilty of bridge-burning even to arrest him should he by leaving, thereby help to compose East Tennessee.

John Baxter, who in the early days of the secession movement had been one of the outstanding leaders of Unionism in East Tennessee, and who had later on accepted the Confederacy in good faith, was in Richmond in November attempting to guide the Confederacy to a true policy in dealing with East Tennessee. On November 29, he had a conference with President Davis and Secretary Benjamin in which he advocated a lenient policy toward East Tennesseans, and incidentally requested, if it were not against public policy, that a passport be given to Brownlow. Baxter had not been asked by Brownlow to act, and in fact the Parson did not know that the request had been made. Mrs. Brownlow and friends of the Parson, who felt that they knew what was best for him in his situation more truly than he did himself, begged Baxter to get the passport. Evidently Benjamin and Carroll had had little correspondence with each other concerning Brownlow. On November 26, Carroll informed the War Secretary that he had seized the Parson's printing establishment and converted it into a shop for altering arms and that he had promised his son indemnity from the government. He was sure that Brownlow himself was out aiding and abetting the enemies of the Confederacy. Two days later Carroll informed Benjamin that Brownlow had promised to surrender if he were guaranteed against personal violence.

and he enclosed a copy of Brownlow's November 22 letter.

About December 1, Carroll was superseded at Knoxville by Crittenden, but before leaving he informed his successor of the negotiations with Brownlow. As soon as Crittenden took charge he was besought by one of Brownlow's sons and some friends to let the Parson return to Knoxville. On their guarantee of the Parson's innocence of any crime against the Confederacy and on their agreement that he must submit to civil authorities, preparations were made for the Parson's return. Then on the fourth of December John Baxter who had just returned from Richmond, in company with another of Brownlow's sons, called upon Crittenden and presented to him the letter Benjamin had written him on November 20 concerning letting Brownlow out of the Confederacy. Now for the first time did Crittenden learn that Baxter had been negotiating with Benjamin and had induced him to adopt the attitude assumed in the letter. As further proof of Baxter's influence, he had secured the letter to Crittenden to be delivered in person, or perhaps, not at all, as he might find expedient.\textsuperscript{17}

Immediately (December 4) Crittenden directed A. S. Cunningham, his assistant Adjutant-General, to inform Brownlow that if he would call at the army headquarters in Knoxville within twenty-four hours he could get a passport to go into Kentucky.\textsuperscript{18} The Parson came in within the specified time and accompanied by Baxter he agreed to Crittenden's stipulations about departing, with the exception of the time. The General wanted him to leave the next day, but the Parson wanted to remain a day, and on that day, December 6, he was arrested by the Confederate marshal on a warrant charging high treason against the Confederacy. Thus had the civil authorities interfered.

J. C. Ramsey, the Confederate States District Attorney, whom Brownlow denominated a "corrupt scoundrel and unprincipled knave," had made application for the warrant to Robert B. Reynolds, the Confederate Commissioner, whom

\textsuperscript{17} Ibid., ser. I, vol. VII, p. 763, Crittenden to Benjamin, December 13, 1861.
\textsuperscript{18} Ibid., p. 806.
Brownlow declared to be "a third-rate county-court lawyer, a drunken and corrupt sot, who had been kicked out of a grocery a few days before by a mechanic, and who was afterwards taken up from the pavements of the street, in a beastly state of intoxication, by Rebel troops, and lodged in the guard-house!" Commissioner Reynolds issued the warrant which stated in part that Brownlow, a citizen of the Confederate States, being moved and seduced by the instigation of the devil, and not having the fear of God before his eyes, did wilfully, knowingly, and with malice aforethought, and feloniously, commit the crime of TREASON against the Confederate States, by then and there, within said district and since the 10th day of June last, publishing a weekly and tri-weekly paper known as "Brownlow's Knoxville Whig," said paper had a large circulation in said district and also circulated in the United States, and contained, weekly, divers of editorials written by the said Brownlow, which said editorials were treasonable against the Confederate States of America, and did then and there commit treason, and prompt others to commit treason, ... and did give aid and comfort to the United States, both of said Governments being in a state of war with each other.\textsuperscript{19}

This was the answer of many of the Confederates in Knoxville and East Tennessee to the person who had so bitterly denounced them and who had made himself guilty of treason. The Parson had apparently convinced them that he had not been mixed up in the bridge-burning, but he could not erase the editorials in his Whig, some of which it was charged constituted treason. The civil authorities had acted quickly in seizing Brownlow and they immediately prepared to defend their actions before Secretary of War Benjamin and President Davis, fearing that they would be ordered to release him. On the day of Brownlow's arrest, Ramsey informed Benjamin of his action and asked the Secretary to postpone his decision until he should receive the facts.\textsuperscript{20} The next day, December 7, he wrote Benjamin at length telling of Brownlow's devilment in East Tennessee and expressing the belief that he knew the bridges were


IN JAIL AND OUT

189
to be burned. Certainly it would be in the interest of justice
for all concerned to hold a trial to find out. "His newspaper,"
he declared, "has been the greatest cause of rebellion in this
section, and most of those who have been arrested have been
deluded by his gross distortion of facts and incited to take up
arms by his inflammatory appeals to their passions and in-
famous libels upon the Confederate States." The soldiers guard-
ing the passes into Kentucky were disgusted at the way in
which Brownlow was about to be escorted out of the state by a
military guard, while his dupes were being arrested and thrown
into prison. They felt that it would be a degrading service to
escort him to the Kentucky line, where he could stir up more
trouble for the Confederacy than Johnson and Maynard com-
bined. Before he slipped out of Knoxville in early November it
was reported that he had been "confined at home by a bleeding
of the lungs." It should therefore be to his advantage to be
sent south to Tuscaloosa where the climate would help his lungs,
instead of being allowed to go off into the bleak Northern
winters. If he had been anxious to go north, they insisted he
could have done so when President Davis issued his proclama-
tion in the early fall calling upon all who were dissatisfied with
the Confederacy to leave and they would be unmolested.21

Others added their protests against allowing Brownlow to go.
W. G. Swan, the recently elected Confederate Congressman
from the Second District, wrote President Davis that he was
surprised at Benjamin's dealings with Brownlow and that he
found "the citizens and soldiers almost unanimously indig-
nant."22 J. G. M. Ramsey and W. H. Tibbs, the latter the
Confederate Congressman from the Third District, signed a
joint protest against letting Brownlow go while his deluded
followers were being severely dealt with. They were especially
surprised that he was to be allowed to go to Kentucky where
he could direct the invasion of East Tennessee and cause much
other mischief to the Confederacy. They pleaded, "Let the
civil or military law take its course against the criminal leader

22 Ibid., p. 742.
in this atrocious rebellion, as it has already done to his ignorant and deluded followers."^{23}

The Knoxville *Register* reiterated these sentiments. Brownlow was the ringleader in the troubles in East Tennessee; he should be imprisoned at Tuscaloosa until the war was over and then sent to "Abe Lincoln and abide with him forever." "East Tennessee," it declared, "has been a heavy expense to the State and to the Confederate Government, in consequence of the teaching and leading of Brownlow and others; and now to let him go in peace seems to be the height of folly or we cannot see right. It will cool the ardor of many a soldier and cause the community to lose confidence in the hope that they entertained of the speedy independence of the South."^{24}

Brownlow immediately upon his arrest notified General Crit-

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tenden of his predicament and reminded him that he had come in at the General's invitation and promise of a passport. Crittenden answered on the same day, through his Aide-de-Camp Harry I. Thornton, that “he does not consider that you are here upon his invitation in such a manner as to claim his protection from an investigation by the civil authorities of the charges against you, which he clearly understood from yourself and your friends you would not seek to avoid.” Brownlow demanded an immediate trial and bail, both of which were refused, though according to him, “my friends voluntarily offered a bond of ONE HUNDRED THOUSAND DOLLARS.” He had changed his mind since the October day on which he had written in his “last editorial” that he would rot in prison before he would accept bail.

In the meantime the Parson was lodged in the Knoxville jail while the Confederacy tried to solve the knotty problem of what to do with him. The jail was crowded with about 150 Unionists, many of them well-known to him, and upon his entry they fell upon him grasping his hand and shedding tears in silence. He had a speech ready for them, and as soon as the greetings were over, he cheered them with the prediction that the Federal Government would “crush out this wicked rebellion and liberate us, if we are not brutally murdered,” and he would let them know that whatever they might think about their own predicament “I regard this as the proudest day of my life.” He also on the first day began keeping a diary which he continued to the end.

He found the jail a most unattractive place, so crowded that some of the prisoners were forced to stand to permit others space on the floor where they might sleep. The jail was void of all furniture, not even a chair, unless a “dirty wooden bucket and a tin cup” could be considered furniture. The Parson claimed that the Rebel soldiers were accustomed to washing their hands
and faces in the water supply, and when he complained, one of them replied, "By G—d, sir, we will have you know that where a Jeff Davis man washes his face and hands is good enough for any d—d Lincolnite to drink." The guards, he declared, were a set of drunkards who sang "blackguard songs" for the benefit of the prisoners, and at times these white prisoners were insulted by insolent Negroes whom the Confederates set over them as guards. When complaints were made, the answer came that any sort of treatment was "too good for a set of d—d Union-shriekers and bridge-burners." He found the food very bad, so bad that it was "not fit for a good and trusty dog to devour." It was the Parson's misfortune to discover that the jailer was a person whom he had once published as a forger, and it seemed certain to the Parson's mind that this erstwhile forger would now take his spite out by putting arsenic in his food. Brownlow, therefore, had his meals brought into the jail three times a day, and in sufficient amounts to take care of the wants of two Baptist preachers—to such humility or heroism had the distempers of the times reduced the Parson that he was found providing food for and eating with Baptist preachers!

Each day in the jail there were scenes of terror, heroism, and touching fortitude, as old and young were pushed in or sent out on their way to the prison at Tuscaloosa—or, indeed, dragged before the court-martial to be tried for bridge-burning and if found guilty later to be executed. On one day, in came "a Union man from Campbell county... leaving behind six small children, and their mother dead," and his only offence was holding out for the Union; on another, out went fifteen prisoners to Tuscaloosa there "to be treated like dogs." Then, "old man Wamplar," a Dutchman, seventy years of age, was brought in from Greene County, "charged with being an Andy Johnson man." Some were rounded up for praying for the President of the United States, others for cheering the Stars and Stripes.

As nothing appeared too dastardly for the Confederates to do, the Parson began to develop a hallucination that he would be hanged. He determined to meet the occasion like a man, by being ready with a speech which he intended to demand the right
Another of the Parson's "Rebel atrocities." Madison Cate, a captured Union Guard, is being visited by his wife, in the Knoxville jail. The Parson, though appearing in the doorway in this illustration, according to his statement, held the baby during the interview. "I hope I may never look upon such a scene again. Oh, what oppression! And yet this is the spirit of Secession." From Brownlow's *Sketches of the Rise, Progress, and Decline of Secession.*
to speak from the gallows. He believed they would have granted his request "from an intense curiosity to hear what I had to say in such a trying moment; and I believe I could have stood forth and said it in the face of ten thousand people." He began composing his speech at intervals, "compelled day by day to contemplate the near prospect of a brutal death upon the gallows." Conscious of the fact that this would be the last chance he would ever have to denounce his enemies, he added a venom even beyond his custom; for, as he later said, "if I have any talent in the world, it is that talent which consists in piling up one epithet upon another."

With his vivid imagination and his inborn prejudices and hatreds, he set his speech to circumstances most derogatory to the Confederacy. He supposed in the beginning that he had been tried and convicted by a court-martial sitting in Knoxville —"I say I suppose so, for I have never had any trial, or even a notice of a trial being in progress." Selecting the bridge-burners' court-martial for his withering denunciation, he declared Thomas J. Campbell, the judge-advocate, to be "a perfidious man, as destitute of real honor and purity of purpose as he is of true courage and manly virtue"; from among the remaining members of the court he picked James D. Thomas for this excoriation: "a man who was expelled from the Methodist ministry for whipping his wife and slandering his venerable old father-in-law." Colonel W. B. Wood was an "arch-hypocrite and would-be murderer," William G. McAdoo was guilty of "treachery and insincerity," while Campbell Wallace was the "prince of hypocrites and great embodiment of human deceit." Now the Parson would take a last fling at the traitors high in the Confederate Government. William L. Yancey was "a convicted murderer, who killed his uncle" and was pardoned by the governor of South Carolina; L. T. Wigfall to escape assassination had fled from South Carolina to Texas where he became a swindler and murdered "as many as two men"; John Floyd stole $30,000 from the Washington Monument Fund and filled Southern forts with Federal guns; John Slidell was an "intriguer, who never had an honest emotion of soul in his life";
Judah P. Benjamin "was expelled from a New England college for stealing money and jewelry out of the trunks of his fellow-students"; Jacob Thompson was a thief, who fled from Washington "by night to avoid persecution"; Howell Cobb was a speculator in stocks, "using Government money"; Jefferson Davis "led the way in the work of repudiation and in defrauding Mississippi's honest creditors"; Robert Toombs aided Lawrence M. Keitt and Preston Brooks "in their attempt to assassinate Sumner"; W. G. Swan, a Confederate Congressman, was a forger and a swindler. With such words on his lips did the Parson choose to plunge into eternity, and so heroic did he feel in thus talking before his imaginary ten thousand that he made provision to continue his onset from the grave: He would leave behind some "hostile reminiscences" in documents which he requested his "sons to publish . . . even at the cost of their lives."

"But I must close. Solemn thought! I die, with confidence that the United States Government will crush out this rebellion during the coming spring and summer." He hoped the Union men would take care of his family and teach them that their father died an honorable death. And then the Parson chose his last words: "Let me be shrouded in the sacred folds of the Star-Spangled Banner; and let my children's children know that the last words I uttered on earth were—

Forever float that standard sheet
Where breathes the foe but falls before us,
With Freedom's soil beneath our feet,
And Freedom's banner streaming o'er us!"

The Parson was a great actor; and he knew his East Tennessee audience.

Again was the Parson doomed to disappointment, for the Confederate authorities refused to hang him or even to try him —rather they would keep him in prison. The broadcasting of all of his righteous indignation and the suffering of sweet mar-

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29 Most of his prison diary, including his last speech, is published in Parson Brownlow's Book, pp. 308-70. For additional information on his prison days, see Portrait and Biography, pp. 32-59.
tyrdom were denied him except in his imagination and his diary. Another proof could he thus add to the perversity of the Confederates. But, as he later said under the influence of a patriotic speech, "I told them if they would give me the privilege of making a speech, one hour long, under the gallows, that I might speak to the people and pronounce a eulogy on the Southern Confederacy, that I would be willing to die. And I really think I could have swung in peace."30

The Parson had been troubled with a throat and lung affliction before he had slipped out of Knoxville in November; his experiences in the gorges and defiles of the Great Smokies had not increased his strength, and now to be thrown into a crowded jail made too great a hardship to be borne. Soon the Nashville Patriot was saying "We learn that W. G. Brownlow, imprisoned at Knoxville, refuses to eat any thing, desiring to starve himself to death."31 The Parson wrote from the jail a hot denial of this hunger strike, and charged the Confederates with bad faith in keeping him in prison. But he was really ill, and on December 19 the prison doctors offered to remove him to the hospital, but he declined, as he "did not want passports to where I would likely be poisoned in twenty-four hours." Yet he found life almost unendurable in the Knoxville jail. The sentinels were often like howling wolves, "rushing to our windows with the ferocity of the Sepoys of India, and daring prisoners to show their heads—cocking their guns and firing off three of them into the jail, and pretending that it was accidental. Merciful God! how long are we to be treated after this fashion?" On Christmas day the Union women of the community sent him a basket of good things, which he generously divided with the other prisoners. The next day he completely lost his appetite and came to the conclusion that he was getting the fever.32 Various rumors were flying over the country concerning the Parson. Jere T. Boyle, up in Kentucky, heard at one time that he was on his way northward with 1,500 or 2,500 troops, and at an-

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30 Portrait and Biography, p. 47.
other, that he was in the Knoxville jail, certain to be hung. During these twenty days while the Parson had been in prison, his case was not being neglected by the Confederate Government, nor was he tamely submitting. His imprisonment constituted one of the most disquieting and troublesome problems of the Confederacy, taking up the time of officials and officers from the President in Richmond to the District Attorney in Knoxville. There can be no doubt that Secretary Benjamin and General Crittenden were taken by surprise when civil authorities arrested Brownlow. The confusion between the military and civil authorities was sufficient to give the Parson an excellent opportunity to play up the charge of bad faith on the part of the Confederacy. He made the most of it. In the first place he declared that the warrant was preposterous, for “Every man of legal knowledge will see that the publication of a newspaper, however objectionable its matter may be, does not amount to treason.” Then, the Confederacy had grossly tricked him. It had invited him in, under the promise of a safe conduct to the Union lines, and thereupon had arrested him and thrown him into jail without bail. “I am not willing to believe,” he declared, “that the representatives of a would-be great Government struggling for its independence, and having in charge the interests of twelve millions of people, intend to act in bad faith to me.” On December 16, he wrote Secretary Benjamin reminding him that he had authorized General Crittenden to give him a passport and that the General had invited him in for that purpose; but “a third rate County Court Lawyer, acting as your Confederate Attorney, took me out of his hands and cast me into this prison. I am anxious to learn which is your highest authority, the Secretary of War, a Major General, or a dirty little drunken Attorney such as J. C. Ramsey is!” In concluding the Parson said, “You are reported to have said to a gentleman in Richmond, that, I am a bad man, dangerous to the Confederacy, and that you desire me out of it. Just give me my passports, and I will do for your

34 Parson Brownlow’s Book, p. 303.
KNOXVILLE JAIL, Dec. 16, 1861.

Hon. J. S. Benjamin:

You authorized Gen. Atkinson to give me passports, and an escort to send me into the old Government, and be invited me here for that purpose. But a third rate County Court lawyer, acting as your Confederate Attorney, took me out of his hands and cast me into their prison. I am anxious to learn which in your highest authority, the Secretary of War, a Major General, or a dirty little drunkard lawyer, such as J. C. Plumley is!

You are reported to have said to a gentleman in Richmond, that, I am a bad man, dangerous to the Confederacy, and that you drove me out of it. Just give me my passports, and I will go to your Confederacy, more than the Devil has ever done.

I am, Sir,

W. G. Brownlow

A specimen of the Parson's handwriting and language. Reproduced from a copy of a letter which appeared in his Sketches of the Rise, Progress, and Decline of Secession.
Confederacy, more than the Devil has ever done, I will quit the country!"35

Securing no results from his onset against the Secretary of War, Brownlow decided to climb a step higher and address his cause to the President of the Confederacy. After reciting voluminously the history of his case, he declared the Confederacy was guilty of "a gross breach of faith."36

Not waiting to be pushed into some course by Brownlow, the Confederacy continued its efforts to clear up the Parson's case from the day of his arrest. On December 8, President Davis called General Crittenden to Richmond for a military conference, but it is not too much to infer that Brownlow was discussed.37 A few days later Secretary Benjamin called upon District Attorney Ramsey for the facts concerning Brownlow's arrest. Ramsey replied that he believed Brownlow had information of the plot to burn the bridges and he knew that the Parson had been the first to suggest the possibility of destroying the bridges. Public sentiment approved the arrest and Ramsey believed Brownlow should be imprisoned in Tuscaloosa but he would "cheerfully dispose of the case according to your own better judgment."38

The situation resolved itself into a mild contest between Secretary Benjamin and General Crittenden representing the military power on the one side and District Attorney Ramsey representing the civil authority on the other. Crittenden and Benjamin had been placed in a position sufficiently suggestive of bad faith as to cause both to want to get out of it by ridding the Confederacy of Brownlow. Crittenden wrote Benjamin on December 13 that there was no bad faith on his part, for the understanding was that Brownlow would submit to civil trial, but "if the civil authorities release Mr. Brownlow, I shall proceed at once to give him a passport and send him with an escort beyond our lines."39

35 Official Records, ser. II, vol. I, p. 919-21. This letter was undated, but it was marked "Received January 2, 1862."
Benjamin threshed out the case with Ramsey and came to the conclusion that the Parson ought to be let loose. He admitted that the courts had the right to take the prisoner from the military authorities but the thought never occurred to him that it would be done. But since it had happened, he had only one regret—"that color is given to the suspicion that Brownlow has been entrapped and has given himself up under promise of protection which has not been formally kept." Both Benjamin and Crittenden felt sensitive on the point. "Better that even the most dangerous enemy however criminal should escape than that the honor and good faith of the Government should be impugned or even suspected." Crittenden had promised Brownlow protection against a court-martial; Benjamin had promised a passport. Both had carried out their promises, which in the latter case had not resulted in Brownlow's full expectation, though due to no fault of Benjamin's. The Secretary ended his communication to Ramsey with this rather pointed remark: "Under all the circumstances therefore if Brownlow is exposed to harm from his arrest I shall deem the honor of the Government so far compromised as to consider it my duty to urge on the President a pardon for any offense of which he may be found guilty and I repeat the expression of my regret that he was prosecuted however evident may be his guilt."  

The hint was sufficient. On December 27, Ramsey called up Brownlow's case in court, had Benjamin's letter read, and thereupon entered a nolle prosequi. Brownlow was now a free man again. He had undoubtedly been indicted by Ramsey on account of the extreme personal enmity between the two, but in carrying out a private grudge Ramsey had given the Confederate Government a great deal of trouble. But even with Brownlow in jail, the Confederacy could not rightly be charged with bad faith. When the promise of a passport for the Parson was being extracted from Benjamin and Crittenden, Brownlow had no desire nor intention of leaving East Tennessee and he had no knowledge that the passport was being requested. His

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40 Ibid., pp. 916-17, Benjamin to Ramsey, December 22, 1861.
41 Ibid., p. 917.
negotiations with General Carroll concerning his return to Knoxville clearly established the understanding equally well with both, that a civil trial was to be expected, welcomed, and almost demanded. Then when on December 4 the Parson wrote Carroll refusing to come in, because he felt he would not be given protection against the military authorities, the agreement concerning a civil trial was not invalidated. For since this letter was never delivered, it was doubly well understood that the Parson still expected a civil trial. This understanding was transmitted to Crittenden, who succeeded Carroll; and had the Parson not been suddenly confronted with the possibility of being escorted out of the Confederacy, he would have come in to stand a civil trial, and no chance would have been presented to him to declare the Confederacy guilty of bad faith. It was no part of the Parson's original plan to leave East Tennessee; the passport was entirely the idea of his friends; and now he used the mix-up for all it was worth in trying to discredit the Confederacy. In his letter to President Davis in the latter part of December he said, "Until very recently he had intended to continue a citizen of the Confederate States but the events of the last three weeks have convinced him that laws can afford no protection to himself or family."42

Unappreciative of Secretary Benjamin's scrupulous regard for avoiding even the appearance of bad faith, Brownlow, when he got beyond the power of the Confederacy, stated that he had been having some dealings with "a little Jew, late of New Orleans" but that he had expected "no more mercy from him than was shown by his illustrious predecessors toward Jesus Christ."43

Although Secretary Benjamin and the War Department were glad to have the Parson off their hands and conscience, the local Confederates in East Tennessee still saw Brownlow as the most dangerous and cunning man with whom they would be forced to deal. He was a "diplomat of the first water," who never undertook a task "unless he sees his way entirely through the millstone." He covered "over his really profound knowledge

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42 This letter was written in the third person.
43 Portrait and Biography, pp. 19-21.
of human nature with an appearance of eccentricity and extr­avagance.” The Knoxville Register continued its characteriza­tion: “Crafty, cunning, generous to his particular friends, benevolent and charitable to their faults, ungrateful and implacable to his enemies—we cannot refrain from saying that he is the best judge of human nature within the bounds of the Southern Confederacy.” By “a species of diplomacy and legerdemain” he had convinced Benjamin that he was “quite a harmless individual.” In fact he had outwitted the Secretary. The Register had not decided whether it should laugh or get mad “with the manner in which Brownlow has wound the Confederate Government around his thumb,” but it did not doubt for a moment that he was “laughing like the king’s fool in his sleeves.” Brownlow should not be underestimated: “In brief Brownlow has preached at every church and schoolhouse and made stump-speeches at every cross-road and knows every man, woman and child and their fathers and grandfathers before them in East Tennessee. As a Methodist circuit-rider, a political stump-speaker, a temperance orator and the editor of a newspaper he has been equally successful in our division of the State.” When he should once reach Kentucky, from “among his old partisan and religious sectarian parasites he will find men who will obey him with the fanatical alacrity of those who followed Peter the Hermit in the first crusade.”

Brownlow’s case had been attracting attention throughout the Confederacy, and there were few people who were willing to treat him as leniently as Benjamin had done. In Columbus, Georgia, the Times concluded, “Now, this hoary-headed and persistent traitor is occupying too much of the time and attention of the country. HE DESERVES DEATH, AND WE VOTE TO KILL HIM.”

Brownlow was too sick to appear in court when his case was dismissed; and although he was now technically free, the military authorities took charge of him to await the day when he should be properly escorted out of the Confederacy. Soon the

Parson had become “salivated from an excess of mercury,” and the doctor declared that unless he should be removed from the jail there would be little hope for his recovery. Thereupon the Parson was taken to his home where he might have the comforts of a feather-bed and the attention of his family. Here Captain G. H. Monsarrat, commander of the post, kept him under strict surveillance, both in the interest of the Parson’s safety and for safeguarding the public peace.

The Parson was still a white elephant on the hands of the Confederacy. He was evidently sick, but there was some suspicion as to how sick he was, and there was a wholesome fear that he might plot with Unionists and might possibly make his escape. An East Tennessean begged Benjamin to get rid of the Parson and his family “and everybody else that desires to leave,” for if this were done “it would be worth 10,000 men to the Southern cause.” During the month of January Brownlow continued very sick, yet Colonel Danville Leadbetter, whom Brownlow denominated the “prince of villains, tyrants, and murderers,” placed heavy guards over him and denied him the right to see various callers whom the Colonel doubtless considered potential plotters. As Colonel Leadbetter had neither love nor respect for the Parson, he got little pleasure out of guarding him. Near the end of January with an air of impatience he inquired of Brownlow when he would be ready to leave. The Parson replied that he was as anxious to go as some people were for him to leave, but that he was still unable to travel. Fearing that the Parson might be simulating sickness, Leadbetter ordered his transfer to the hospital where he could not plot treason with the Union leaders. Brownlow protested with great vehemence that it was one of “their hellish schemes to get me out where they could poison me or have me assassinated.” Leadbetter let the Parson have his way, but he doubled the guard and made life uncomfortable for him in many other ways, with the hope of driving him either to the hospital or outside of the Confederacy. By the middle of February Brownlow had

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WILLIAM G. BROWNLOW

had enough; he was now, feeble as he was, ready and anxious to leave the Confederacy or go back to jail—anything to "secure the repose of an afflicted, insulted, and outraged family." As for Leadbetter, when the Federals should capture East Tennessee, the Parson expected to see him hanged if hands could be laid upon him. To Leadbetter's successor, Robert B. Vance, whom the Parson esteemed, he poured out his heart's woe: His guards had turned his office and library into a barracks, where they had broken up his rocking-chairs, ruined his carpet, and damaged his books; they had used up his coal and wood, burned his candles, and consumed three meals a day, which he had set before them; they had introduced mumps and measles into his family with the result that only his wife, his son John, and two Negroes were well; sentinels stood day and night at his windows and doors, and on being changed every two hours they made a great and unnecessary noise. All of these persecutions and abuses the Parson had put up with without complaint, but one night the guard tried to keep the Parson's door open against the protests of his wife, who forcibly closed it and locked it in the face of the guard. Now, this last bit of treatment was too much. He had never appealed to Leadbetter, "for he never had a gentlemanly emotion of soul in his life"; but he would now appeal to Colonel Vance for better protection.48

The Parson had no complaints to make under Colonel Vance's régime, and his health seemed to mend so fast that on February 24 he sent for Captain G. H. Monserrat, who had recently succeeded Colonel Vance, to make arrangements for leaving the Confederacy. In early January, A. T. Bledsoe, Chief of the Bureau of War at Richmond, had instructed Monserrat to have Brownlow sent out with a proper escort; now in February the plan was to have Brownlow directed through Richmond. Brownlow fearing trickery charged bad faith again. On the 27th he addressed Secretary Benjamin a note in which he declared that personal safety forbade his going by way of Richmond. He wanted to leave through the Cumberlands or to go to Nashville.49

48 Ibid., pp. 926-28; Parson Brownlow's Book, pp. 353-61.
Arrangements were hurriedly made to forward him to the Federal lines. Especial precautions were taken to ensure his safety, for Blanton Duncan, an old acquaintance of the Parson's had emphasized in a letter to Benjamin what he doubtless already knew, that Brownlow was bitterly hated. Duncan said, "He is hated and pursued with a virulence beyond belief, and if proper steps are not taken there is great danger that he will be assassinated during his journey and the Government thereby disgraced. I heard threats against him everywhere on the road." On March 1, Benjamin instructed Monserrat to send Brownlow out by the passes in the Cumberland Mountains or any safe road. The Parson chose to go to Nashville, and his wishes were complied with. The Confederate authorities took the utmost precaution with him; they even permitted him to select the two officers who were to command the squad of ten soldiers who should make up his escort.

Early on the morning of March 3, Brownlow with the two officers left Knoxville for Loudon where the squad of soldiers were to join the party. The captain of the squad cautioned his men to protect the Parson at all hazards, after which they set out for Athens. Here they found it necessary to ward off a rush of soldiers from a troop-train. They spent the night in Bridgeport and reached Wartrace the next day. At this place trouble developed over a flag of truce, and for a time it appeared that the Parson might be returned to East Tennessee or released on the spot. After three days, arrangements were made and the party went on to Shelbyville where for a week they were halted by the refusal of General Hardee to permit the Parson to pass to the Federal lines. While in Shelbyville, the Union element lionized the Parson and one of the ladies sent him a bouquet which he acknowledged with high sentiments for the Union and damnation for the Confederacy. At twelve o'clock noon on March 15, he landed in the Union lines.

A wave of relief might well have swept over the Confederacy as the Parson crossed no-man's land into the Federal army,
but the Brownlow problem was not entirely solved until East Tennessee could be pacified. On January 28, while Brownlow was still in jail, Secretary Benjamin had ordered the release of all political prisoners who would take the oath to support the Confederacy, an invitation to which Brownlow replied, “Before I would take an oath to support such a hell-forsaken institution, I would suffer myself to rot or die of old age.” East Tennessee was far from pacified even with all the offers of forgiveness, for on March 1, in the local elections that were held, the Union candidates largely prevailed. On April 18, General E. Kirby Smith, who was now in command in East Tennessee, offered amnesty and fair treatment to all who would come forward and take the oath to support the Confederacy. About this time he suspended all draft laws in East Tennessee as an inducement to bring back the refugees in Kentucky. He promised that they should not be molested if they would return and settle down on their farms and take care of their families. The destitute families of fugitive Unionists were a great drain on the resources of the Confederacy. These fugitives had thirty days in which to return, at the end of which time, if they had not returned, their wives and children would be sent to them at their own expense. “The women and children must be taken care of by husbands and fathers either in East Tennessee or in the Lincoln Government.”

This policy, which was designed to help relieve an economic situation and to promote Confederate patriotism, would affect the families not only of the ordinary fugitive but also of the ringleaders like Brownlow, Johnson, and Maynard. It worked with particular aptness in connection with the Brownlow family, for the Parson was spreading the report that his family was being held in East Tennessee as hostages for his own conduct in the North. A speedy answer was thus made to these unfounded charges when on April 21 the Confederacy ordered Mrs. W. G. Brownlow to prepare herself and family to pass beyond the Confederate lines within thirty-six hours. She ob-

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jected and a few days of grace were allowed her, but on April 25 she and her family had made ready and on that day they left Knoxville, arriving in Norfolk on their way north, three days later. About the same time the Brownlow family had been ordered to leave, the Johnson, Maynard, and W. B. Carter families were given the customary thirty-six hours to make their preparations for removal, and by the end of the month all had taken their departure for the North.54