

<https://doi.org/10.29013/EJHSS-22-4-19-24>

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AN ANALYSIS OF MARYLAND GOVERNOR THOMAS HICKS AND HIS ROLE IN PERMITTING DEBATE DURING THE EARLY PART OF THE CIVIL WAR (Maryland in the Civil War)

Abstract. This paper aims at analyzing Maryland Governor Thomas H. Hicks's role in the contentious political environment during the Civil War. Using a combination of secondary and primary resources, including letters from the Pennsylvania and North Carolina legislatures, Hick's speeches, transcripts from the Maryland Assembly, and books on Maryland State History, this paper begins by substantiating Maryland's vulnerable position as a border state during the Civil War. Additionally, the paper will illustrate the pressures facing Hicks as he made the decision to allow open debate despite tense political opposition over slavery. Through an in-depth examination, this paper will provide a context for Hick's decision and highlight his support of individual rights, freedom of speech, and democracy during a critical moment when Maryland was faced with the choice to join the Union or secede.

Keywords: Thomas H. Hicks, Civil War, Maryland, General Assembly, secession, Union, free speech.

Sectionalism, one of the primary causes of the Civil War, developed between the North and the South as the result of economic, cultural, and political differences between these regions. By the mid 19th century, the debate focused squarely on slavery. The five border states, which contained a mixed population of Union and Confederate supporters, were a contentious topic in the Civil War because of their political composition and their strategic geography, which facilitated the transportation of troops and supplies between the states. In the border state of Maryland, Governor Thomas H. Hicks became a strong defender of the debate over slavery, despite his pro-Unionist stance. Although he held his own political views on slavery, Hicks decided to keep the debate over whether Maryland should join the Union or Confederacy open in Maryland by maintaining the State General Assembly, so that a balanced body of representatives could express their positions. Considering Maryland's precarious position as a border state and its essential access to Washing-

ton D. C., Governor Hicks' decision to allow open debate on slavery was the right one.

The Sectional Struggle Leading Into the the Civil War: Framing Hicks' Decision

The sectional struggle between the North and the South can be traced to the colonial period, when the emergence of regional differences began to impact the development of the Northern and Southern economies. In the South, the ubiquity of fertile lands and warm temperatures facilitated an agricultural economy, which revolved around large plantations which depended on slave labor. The North's geography, on the other hand, did not have the same agricultural advantage, resulting in a diversification of its economy, and a steady increase in manufacturing and other industries. Goods were produced in the numerous factories located within the suburbs and in the city. Both regions cooperated with one another, with the South supplying raw materials (most essentially, cotton) to the North, where it was manufactured in factories. However, when Congress passed the Tariff of Abominations of 1828, the economic relationship

between these two regions began to sour. This tariff added a significant tax on imports, which seemed to discriminate against the South because, without a well-developed manufacturing system, this region heavily relied on foreign goods. In response, John C. Calhoun, a Senator from South Carolina and the Vice President under Andrew Jackson, denounced the Tariff of 1828 as unjust and unconstitutional. This event fueled an already developing debate over the balance of state and federal rights, which in this instance began to focus itself on the effect it had on the Southern economy. The Southern states wanted to assert their authority so they could abolish the federal laws they didn't support. This especially pertained to laws which interfered with the South's right to keep slaves. Calhoun's abnegation toward the growing power of the federal government as well as the power of free states, accounts for why many, including individuals in Maryland, wanted to secede [11].

The second key factor that fueled the sectional difference between the North and the South surrounded the moral division each side had over slavery. During the Second Great Awakening, many Northerners critically reconsidered the ethics of slave labor, which resulted in the growth of the abolitionist movement, which denounced slavery as a sin (*Second Great Awakening* [10]). Famous abolitionists such as William L. Garrison, who founded the *Liberator*, and Frederick Douglass, who used his own experience as a slave to educate others, inspired many to join the abolitionist cause, further dividing the North and the South.

The deep divisions of sectionalism prevented either side from making a concession, and soon after Lincoln's presidential win in 1860, seven states, including South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas, seceded on February 4, 1861. The secession of these states from the Union marked the start of the Civil War, putting border states in a precarious position as the war began to mobilize. Maryland, the border state closest

to Washington DC, was heavily influenced to join a side as a result of these secessions.

Keeping Open Debate was a Response to the Political Division in Maryland

In the wake of the Civil War, a group of states, including Delaware, Maryland, Kentucky, Missouri, and West Virginia, became the border states. These states had a mix of pro-slavery and anti-slavery supporters and had not seceded from the Union. Although Maryland had close political and economic ties to the North, its economy was still largely agricultural, which complicated its relationship with the Union. From the Union's perspective, Maryland was a crucial military asset because it provided a large army force. For example, at the beginning of the Civil War, Maryland had 87,189 slaves and throughout the course of the war, around 80,000 Marylanders served in the Union armies, with about 10% serving in the United States Colored Troops (*Learn how both union and Confederate regiments and commanders came from Maryland and learn about their battles in the State*).

Despite its mixed population of Union supporters and Confederate sympathizers, the Union took steps to ensure that Maryland would remain under Lincoln's control. When Virginia joined the Confederacy, the geographic location of Maryland meant that its membership in the Union made certain that Washington, D. C., would not exist as an island surrounded by the Confederacy. As a consequence, President Lincoln deployed thousands of Union soldiers to prevent Virginia's Confederate force from capturing Maryland (*The Pratt Street Riot* [12]). The development of Union troops presented Governor Hicks with a substantial amount of exterior pressure from the federal government.

Along with the external pressure given by the president to preserve its Union ties, Maryland also faced some internal problems, including the numerous slaveholders who wanted the state to join the Confederacy. In 1861, in a display of resistance, angry, pro-slavery advocates blocked the rail lines and threw stones at Union troops, resulting in a total of

four Union soldiers and twelve civilians killed. In response, Maryland's delegates met to examine this issue and arrived at a consensus that, in order to avoid further conflict, they would demolish all railroads and bridges outside the city of Baltimore, effectively forcing all trains from the North to boats when they traveled to Washington (*The Pratt Street Riot* [12]). These obstacles dramatically raised the difficulty level in transporting Union supplies and soldiers. To address the challenges created by Confederate advocates, President Lincoln gave military officers the right to arrest potential pro-slavery supporters and hold them without trial. These laws fell under a broader declaration of martial law, which was imposed on Maryland in order to restore the president's command. Although criticized as unconstitutional, Lincoln asserted that martial law was essential by claiming that war necessitated the decision (*Martial Law*). For Maryland, an important consequence of martial law was that it no longer had the choice to secede, thus solidifying its position within the Union. This factor added another layer of complexity which persuaded Hicks to keep the debate open.

However, Lincoln's plans for Maryland were not always successful during Hicks' governance. On April 19, 1861, a pro-slavery crowd gathered and prevented the procession of a train carrying soldiers from the 6th Massachusetts infantry from DC toward the frontline. The Confederate sympathizers blocked the railroads and threw stones at the trains, with some even carrying pistols and muskets, as they waited for the cars to stop completely. The officers on the train felt threatened by these devotees, which resulted in them commanding the troops to fire into the crowd. This further irritated the mob, who retaliated by attacking the soldiers more fiercely, some even with stones and bricks, as they fired shots. The Mayor of Baltimore stopped the squirmish, but did not succeed. Ultimately it was then the police who settled this issue. To prevent further conflict, Governor Hicks and Mayor George W. Brown called the militia to prevent further bloodshed. Lincoln's actions

further agitated many Marylanders, whose government, under law, jailed the Southern sympathizers and held them without charges under military rule (*The Pratt Street Riot* [12]). Lincoln's intolerance of Confederate supporters both alienated and provoked this group, illustrating the delicate political situation in Maryland. Understanding the motivations of his constituents, Hicks reacted differently than Lincoln and instead supported an open debate, which more effectively addressed the complex political division in his own state. By allowing an open platform where both sides could freely express their opinions, Hicks' choice aimed itself at reducing, not further inciting, sectional violence in Maryland.

Keeping Debate Open Also Allowed Hicks to Withstand Pressure from Outside his State

Hicks was the governor for Maryland from 1858 to 1862 and was influential in preventing his state from joining the CSA during the Civil War. From his inception in office, he declared his unalterable position on supporting the Union cause and opposed some of the rights of citizens in slave-holding states (*Thomas Holliday Hicks* [6]).

As a political leader, Hicks was a firm and staunch Unionist who was annoyed by those who tried to convince him to let Maryland join the Confederacy. For example, he wrote a letter to Captain Contee on December 8, 1860, claiming: "If the Union must be dissolved let it be done calmly, deliberately and after full reflection on the part of the united South" (*Thomas Holliday Hicks* [6]).

Numerous primary resources showcase the peculiar political situation Hicks worked in as the Governor of Maryland. In a letter written to the citizens of the state, he directly addressed the riot and attempted to maintain peace, stating, "All powers vested in the Governor of the States will be strenuously exerted, to preserve the peace and maintain inviolate the honor and integrity of Maryland" (*Proclamation of the governor of Maryland* [2]). Within the same speech, he maintained tranquility when delivering the lines: "I call upon the people to obey the laws, and to aid

the constituted authorities in their endeavor to preserve the fair fame of our States untarnished" (*Proclamation of the governor of Maryland* [2]). In both excerpts of his speech in April 1861, it is clear that Hicks' main goal was to maintain peace. Accordingly, allowing open debates on slavery was pivotal to fulfilling this goal. Had he not permitted open debate, Hicks would have surely seen a strong response from Confederate supporters, who had already responded negatively to Lincoln's actions within their state.

In addition to the internal political problems between pro-Unionists and Southern sympathizers, Hicks also faced several external challenges. A letter written by the state assembly of Pennsylvania confirmed the political entanglements of Hicks's position and offers additional insight on why he was committed to keeping debate open in the General Assembly. Within this letter, the Pennsylvania Legislature Branch points out that Maryland was in a vulnerable position, "I doubt not but that this movement will establish matters in Maryland beyond all danger in the future. The pressure there upon Hicks is fearful" (*Alexander K. McClure to Abraham Lincoln* [3]). In addition to this, neighboring states pressured Maryland to stay within the Union, which resulted in Hicks's further strain as he attempted to maintain order and satisfy both the Union and Confederate supporters. The contents of this letter illustrate the danger and pressure that Hicks experienced as well as the impossibility that, with tensions growing stronger, he could continue to politically appease both groups. Pennsylvania was not the only state that attempted to use political means to influence Maryland's position in the Civil War. In a letter from North Carolina, it furthermore reinforces the pressure Hicks faced as it was a position from the other side. The author speaks of Maryland's neutrality and attempts to persuade Southern sympathizers to leave Maryland, join the CSA army, fight against the border states, and battle the Union (*«neutrality,» Fayetteville (NC) observer* [4]). This letter showcases the CSA efforts to recruit citizens who were unsure about their positions. A letter like

this could persuade pro-Confederates in Maryland to abandon their state and to join the CSA army. The influence of southern newspaper publications, such as from the Fayetteville Observer, shows the substantial pressure Hicks faced as governor. It was clear that the sectional struggle persisted in Maryland, and by not allowing open debate, many Marylanders could potentially abandon their civic ties and join the South.

Other citations also cite Hicks' disagreement and his desire to block troop movement through Maryland. In Seward's letter, the risk of potential conflict aggravated the reason why Hicks desired to open the debate. A letter from William Seward, the Secretary of State during this period, emphasized the impact that the Baltimore riot had on the perception of the federal army, claiming they violated an order from the president. The letter also states that federal troops should still pass through Maryland, despite Hicks's objection. This letter shows both the complexity and challenge that Hicks faced as the Governor of Maryland, as well as the difficulty he had in maintaining diplomacy within his own state (*William Seward to Thomas Hicks* [5]). Hicks' decision to hold a debate was also a political opportunity for him to withstand the pressure from forces outside Maryland.

Directly after the Baltimore riot, men throughout Maryland implored Hicks to call for the General Assembly to oppose secession. Although Hicks did not support the Confederate cause, he decided to call a special session of the General Assembly to discuss the crisis. This decision to allow debate reflected a response to the numerous internal and external pressures he faced in 1861, which had since escalated in the wake of violent riots and the movement of federal troops in the state. This meeting was not part of the original biannual assembly, but rather an addition that reflected the urgency of the present political situation in the state. Reiterating his position in a 1861 letter written after the Baltimore riot, Hicks's goal was to preserve peace within his state. For this reason, allowing debate to continue would better realize this goal than simply blocking Confederate

sympathizers from sharing their views. Although Hicks understood the importance of maintaining debate, his choice to move the venue of the General Assembly indicated his expectation that the outcome of this debate would support the Unionist cause. For example, the governor decided to convene the General Assembly in Frederick, Maryland, a strong Unionist city, and not Annapolis, where there were more Confederate sympathizers.

Final Outcome: The Demise of Hicks' Open Debate

Although Hicks facilitated the debate by calling the General Assembly, the pro-slavery supporters hardly had the chance to defend their position as the Baltimore police captured all the pro-Confederate delegates (*Civil War and the Maryland General Assembly, Maryland State Archives* [7]). The main question, which was addressed in the General Assembly, was whether or not to succeed from the Union. To this end, a bill and a resolution were introduced calling for secession. Although the bill was proposed, it later failed because legislators argued they did not have the authority to secede, citing their dependency on Washington D. C. In the same meeting, the General Assembly also reached a consensus on sending president Lincoln to protest the Union occupation of Maryland. Subsequently, the assembly adjourned and planned to meet on September 17, but by then the pro-Confederate members of the General Assembly had been arrested. As a result, Unionists claimed that they would not secede as they lacked the constitutional authority to take such action. Thus,

although Hicks tried to convene the assemblies numerous times, only a few actually took place both because of Lincoln's intervention and the frequency of the assembly's change in location. The Assembly in Frederick eventually ended as Maryland found itself "inexorably drawn further and further into the heart of the bloodiest war in American history" (*Civil War and the Maryland General Assembly, Maryland State Archives* [7]). Hicks attempted to support the opening debate, but there were circumstances beyond his control that altogether prevented it.

The Historical Significance of Hicks' Decision to Keep Open Debate in Maryland

Although the General Assembly Committee never reached a consensus, Governor Thomas Hicks was still an essential figure to the nation. As the governor of one of the most important border states during the Civil War, he used the platform of free debate to address the intrastate problems facing his divided constituency. His decision to hold the General Assembly in Maryland demonstrated the power of allowing open debate and free speech, especially in a period when both sides were willing to use violence when they disagreed with political policy. Furthermore, Hick's open debate strategy illustrated the immense challenges he faced after the president's imposition of martial law as well as the internal conflicts from his own people. His decision to open the gates to all opinions, even during the special period of secession illustrates his high regard towards democracy and belief that the citizens of Maryland should maintain the right to participate in their own government.

References:

1. Author Brown. "George W. Brown to John A. Andrew, April 20, 1861." George W. Brown to John A. Andrew, April 20, 1861 | House Divided. URL: <http://hd.housedivided.dickinson.edu/node/36712>.
2. Author Hicks. "Proclamation of the Governor of Maryland, April 18, 1861." Proclamation of the Governor of Maryland, April 18, 1861 | House Divided. URL: <http://hd.housedivided.dickinson.edu/node/36711>.
3. Author McClure. "Alexander K. McClure to Abraham Lincoln, January 15, 1861." Alexander K. McClure to Abraham Lincoln, January 15, 1861 | House Divided. URL: <http://hd.housedivided.dickinson.edu/node/35544>.

4. “Neutrality”, Fayetteville (NC) Observer, May 2, 1861. «Neutrality,» Fayetteville (NC) Observer, May 2, 1861 | House Divided. URL: <http://hd.housedivided.dickinson.edu/node/22888>.
5. “Mr. Lincoln at Washington”, Atchison (KS) Freedom’s Champion, March 2, 1861. «Mr. Lincoln at Washington», Atchison (KS) Freedom’s Champion, March 2, 1861 | House Divided. URL: <http://hd.housedivided.dickinson.edu/index.php/node/35102>.
6. 01, Conference Room. Thomas Holliday Hicks, MSA SC3520–1462. URL: <http://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/001400/001462/html/1462extbio.html>.
7. Civil War and the Maryland General Assembly, Maryland State Archives. URL: <http://msa.maryland.gov/msa/stagser/s1259/121/7590/html/0000.html>
8. English, VOA Learning. “Virginia Leaves Union, Lincoln Puts Maryland under Military Rule.” VOA, Virginia Leaves Union, Lincoln Puts Maryland Under Military Rule, 18 Sept. 2014. URL: <http://learningenglish.voanews.com/a/civil-war-border-states-virginia-maryland/2450342.html>.
9. “History of Western Maryland.” Google Books, Google. URL: <http://books.google.com/books?id=ntVpHBIz0hAC&pg=PA202&dq=constitutional%2Bauthority%2Bto%2Btake%2Bsuch%2Baction&hl=en&sa=X&ei=khCtUKveOIXitQb6s4DIAw&ved=0CDgQ6AEwAw#v=onepage&q=constitutional%20authority%20to%20take%20such%20action&f=false>
10. “Second Great Awakening.” Encyclopædia Britannica, Encyclopædia Britannica, Inc. URL: <http://www.britannica.com/topic/Second-Great-Awakening>
11. “Tariff of 1828.” Encyclopædia Britannica, Encyclopædia Britannica, Inc. URL: <http://www.britannica.com/topic/Tariff-of-1828#:~:text=Calhoun%2C%20who%20opposed%20the%20federal,and%20nonbinding%20in%20the%20state>
12. “The Pratt Street Riot.” National Parks Service, U. S. Department of the Interior. URL: <http://www.nps.gov/fomc/learn/historyculture/the-pratt-street-riot.htm>