

On the Road with Thomas H. DuVal: A Texas Unionist's Travel Diary, 1863

by
James Marten

Thomas H. DuVal, the Unionist judge for the United States District Court for Western Texas, journeyed from Austin to Washington, D.C., late in 1863 in order to seek over two years in unpaid salary and to try to influence federal policy toward the Unionists still living in Texas. He travelled by rail, steamboat, stage-coach, mule cart, and on foot during his five week trip, and visited Vicksburg, Memphis, Cincinnati, Pittsburgh, and Baltimore. After nearly three weeks in the federal capital, he headed for New Orleans, where many Texas Unionists had relocated during the war. His three-week journey to the southwest took him back to Baltimore and, among other places, to Louisville, where he stayed for several days, until he boarded a steamer for the trip down the Mississippi River to the Crescent City.

DuVal (1813–1880) had traveled widely in the South before his Civil War odyssey. He was a native of Kentucky and the son of William Pope DuVal, a Kentucky congressman and long-time territorial governor of Florida. After his 1833 graduation from St. Joseph's College in Bardtown, Kentucky, Thomas became a lawyer and was territorial secretary of Florida for two years. He settled in Austin, Texas, in 1845, and served as a reporter of the state supreme court, as secretary of state, as a state judge, and as a federal judge from 1857 to 1880. A Jacksonian Democrat and an avid Unionist, DuVal called secession a "sinful and suicidal act" and refused to give up his seat on the federal bench. After two and a half uncom-

James Marten received his PhD from the University of Texas at Austin in 1986, and since then has been an assistant professor at Marquette University. His book, Texas Divided: Loyalty and Dissent in The Lone Star State, 1856–1874, was recently published by The University Press of Kentucky.

fortable years in secessionist Texas, he finally escaped, leaving behind his wife Laura, four children—including an infant son and another son in the Confederate army—and two grandchildren.¹

In the diary he kept throughout his experiences, DuVal commented on the vicissitudes of travelling in the mid-nineteenth century; about the sights, sounds, and odors of the cities through which he passed; and about the attitudes of the Northerners and Southerners he met along the way. The reader sees the Mississippi port towns, midwestern industrial cities, and northern customs through the eyes of a life-long Southerner. DuVal girl-watched on northern street corners, attended several theatrical productions, and lodged at some of the best—and worst—hotels and boarding houses in America. He survived them all, and left in his travel diaries a slice of life behind the lines in the war-time North and occupied South.²

I started from home with \$550. of this \$400 in Confed paper—\$50 in Louisiana bond paper & \$100 in gold—All loaned to me by S. M. Swenson. Esq.³ Richard Sansom...of Williamson Co., accompany [sic] with me. Reached Shreveport, La. on the 16th. Left there on the 18th and went on by Stage to Monroe— There we could get no further by public conveyance, and could hire no sort of vehicle to go on to Miss. river. Went out of town same day we got there in a wagon returning to the Country, say about 30 miles—Then we were on foot for a few miles. When we

¹ James D. Lynch, *The Bench and Bar of Texas* (St. Louis: Nixon-Jones Publishing Co., 1885), pp. 160–161; DuVal to James Guthrie, May 30, 1864, DuVal Papers, Barker Texas History Center, University of Texas at Austin.

² Eight of DuVal's diaries, which he apparently kept for much of his adult life, have survived and are in the possession of the Barker, Texas, History Center, whose kind permission to edit the diaries the editor acknowledges. Some reorganization of the material was necessary. In the original pocket-sized diaries, the segment of the trip that took DuVal from Austin to Vicksburg (October 10–27), were written between the entries for November 24 and 25. The rest of the diary appears as it was recorded. The spelling, punctuation, and grammar have been altered or noted only when clarity demanded.

³ Swen Magnus Swenson (1816–1896) was a Swedish-born merchant and slaveowner worth over \$275,000 in 1860. A Unionist, he fled to Mexico at about the same time DuVal began his journey. Walter P. Webb, ed., *The Handbook of Texas*, 3 vols. (Austin: Texas State Historical Association, 1952, 1976), v. II, pp. 697–98; "Biographical Narrative," S. M. Swenson Papers, Barker Texas History Center.

got a mule & cart to take us about 10 miles to the railroad between Monroe & Vicksburg about a place called Givards Station. There on foot again — Then we walked 3 miles to Widow where we stayed all night and next day and then walked on the R. road 18 miles to Delhi. Stopped at John Bishops, two nights and a day... We hired two mules and a carryall, and went on to Vicksburg — Had to pay \$25 in gold for this conveyance — Our travelling Companion]. Warren⁴ left us at Delhi, being afraid that the Yanks would catch him if he went on with us any further towards Vicks. Stopped at Vicksburg at Mrs. Toney's — She is a good hearted old Irish woman, but has evidently kissed the blarney stone often....

At Memphis, Sansom met a friend — Through him he sold my Louisiana bill at a considerable discount, I don't recollect what.⁵ It brought more however than I supposed it would. His own bills were all counterfeit or pronounced so.⁶

Reached Vicksburg on Tuesday evening about dusk, 27th Oct, and left then for Cairo on Friday morning Oct. 30th — Steamed up the river some 30 miles and laid by until Saturday 11th Oct. A.M. being on Steamer Lennway. Made acquaintance of Mr. Vick⁷ residing a short distance above, and of Mr. Casey late M.C. from Ky⁸ — both of them on board the Steamboat with me.

⁴ In a disconnected memorandum after this entry, DuVal identifies this man as Walter L. Warren of Huntsville, Texas.

⁵ Paper money was often discounted due to wartime inflation and the Confederacy's severe shortage of specie. Emory M. Thomas, *The Confederate Nation: 1861-1865* (New York: Harper & Row, 1979), pp. 136-38.

⁶ Counterfeiting was a chronic problem for both the North and the South during the Civil War. In 1863, for instance, three counterfeiters posing as Confederate officers passed \$20,000 in fake bills at Shreveport, Louisiana. Robert L. Kerty, *Kirby Smith's Confederacy: The Trans-Mississippi South, 1863-1865* (New York: Columbia University Press, 1972), p. 61.

⁷ Probably either Hartwell or Willis B. Vick, the eldest son and nephew, respectively, of the founder of Vicksburg, Rev. Newitt Vick. Virginia Callohan Harrell, *Vicksburg and the River* (Jackson: University Press of Mississippi, 1982), pp. 13-14.

⁸ Samuel Lewis Casey (1821-1902), a state legislator from Union County, Kentucky, and Republican Congressman from March 1862 to March 1863. *Biographical Directory of the American Congress, 1774-1971* (Washington: U.S. Government Printing Office, 1971), p. 715.

Steamer (Princess) being 3rd Nov. Laid by nearly all night Nov. 4. Wednesday morning cool & foggy — About middle of day turned off clear and warm — This is my birthday — 50 years old! half century! Great God, just to think of it! But won't think of it, but of my pistols which were seized on the Lennway as contraband — Thanks to Mr. Casey they were returned to me by the revenue office with advice from that official never to carry such things again without a permit (the constitution of the U. S. to the contrary notwithstanding!).

November 5, 1863. Steaming slowly all day up the river. The little Princess is mighty slow. Everything in the shape of a boat passes us. I do wish we could come across something we could beat. I don't know what it will be, unless a big turtle rises in the Miss. and enters the lists against her.⁹ Today guerrillas tried to decoy us to land but did not succeed.¹⁰ Turned cooler at night.

November 6, 1863. Cold and clear this morning. Many ducks on the river. Got to Cairo about 10 Ocl'k A.M. Here parted with my friend Richard Sansom, who goes up the Cumberland to Nashville & thence to Columbia &c. I took the rail road same day about 1 Ocl'k, paying through to Baltimore, \$27.50¹¹ — This night, Friday, I spent very uncomfortably. It was quite cold, and in changing cars, I lost my seat and had to stand up nearly all night —

November 7, 1863. Reached Cincinnati today about 10 Ocl'k A.M. Here I was left behind, not knowing where the depot was for change of cars, or whether any change was necessary. The conductors and officers on these trains make it a rule never to give a stranger (green fellows like me) any information about these

⁹ A very respectable upstream speed for a Mississippi river boat during this period was eighteen miles per hour. Fred E. Dayton, *Steamboat Days* (New York: Frederick A. Stokes, 1925), p. 349.

¹⁰ After the fall of Vicksburg, rebel guerrillas and regulars resorted to ambushes and decoys in trying to interrupt federal communications; some ships were fired upon with artillery. See Fletcher Pratt, *Civil War in Western Waters* (New York: Henry Holt & Co., 1956), pp. 177-187.

¹¹ A possible itinerary for DuVal's trip: the Illinois Central from Cairo to Centralia, Ill., then the Ohio and Mississippi to Cincinnati, then the Pennsylvania Line through Pittsburgh to Harrisburg, and then the North Central down to Baltimore. John F. Stover, *Iron Road to the West: American Railroads in the 1850s* (New York: Columbia University Press, 1978), pp. 142-143, 137, 54.

things. Having at last made my way to the depot in Cincinnati (but too late) I stopped at a Dutch boarding house in the immediate vicinity so that I might be sure to go next time.¹² Charley Bratzler will long be remembered by me. A dirty fellow and the dirtiest house, beds &c. Now in Ohio. Cold wind today—clouds of dust, smoke & cinders, flying through the streets. I shall have no pleasant recollections of the Queen City.

November 8, 1863. Filthy as the beds were, I slept soundly last night, being so worn out. Ye Gods, what a place is Charley Bratzlers. I should hate to be discovered here by any decent acquaintance—but as it is very near the rail road depot, I will *lay low* and run the risk.

November 9, 1863. Left this City of Hogs 8 Ocl'k this morning.¹³ All night through Pittsburgh &c and went on to Harrisburg Pa— There I found the cars for Balt. had gone. Stayed at Harrisburg 'till 1 Ocl'k Tuesday [November 10] when went on and got to Baltimore about dark.... Put up at the Fountain Hotel. Eighth] Street.¹⁴ After supper wrote a note to Hon. Jos. Holt at Washington.¹⁵

¹² Few cities had "union" stations and many rail lines did not travel through cities. As a result, travellers switching trains had to take omnibuses, ferries, drays, or some other form of transportation from one depot to another, often at opposite ends of town. *Ibid.*, pp. 22–23.

¹³ One of Cincinnati's leading industries was meat packing—there were thirty-three such establishments on the eve of the Civil War—and, according to one historian, Cincinnati slaughtered more pigs than any other two cities in the world. A number of other industries in this important manufacturing town—including thirty-six breweries—no doubt added to the dust, odor, and cinders about which DuVal complained. Dick Perry, *Was You Ever in Zinzinnati?* (New York: Doubleday & Co., 1966), pp. 31, 47.

¹⁴ The Fountain Inn had for decades been one of Baltimore's most popular hotels. Raphael Semmes, *Baltimore As Seen By Visitors, 1783–1860* (Baltimore: Maryland Historical Society, 1953), pp. 46, 48, 129.

¹⁵ Joseph Holt, (1807–1894), was born in Kentucky and attended St. Joseph's College in Bardonia, DuVal's alma mater. He served as Postmaster General and, briefly, as Secretary of War under James Buchanan. Abraham Lincoln appointed him Judge Advocate General in September 1862, and he served in that capacity until December 1865. Holt would soon be a helpful and frequent companion of DuVal's during the latter's stay in Washington. Patricia L. Faust, ed., *Historical Times Illustrated Encyclopedia of the Civil War* (New York: Harper & Row, 1986), pp. 366–367.

November 11, 1863. Took a walk about the city, though it is uncomfortably cold. Am much pleased with it. Bought me an over coat—price \$20 and 2 linen pocket handkerchiefs, 50c each. Wednesday night—Went to the theatre—Saw Mrs. Maggie Mitchell in a very pathetic sort of play. Tho' a poor orphan girl, bewailing her unhappy lot in tears, sobs &c she is eternally in a dance. Not liking her, the play or the theatre (which was cold as out of doors) I left after the 2nd act and went to roost.¹⁶

November 12, 1863. Clear this morn and more pleasant than yesterday. Stayed in Hotel all day until about 4 Ocl'k in the evening When I took a stand on Baltimore St. to see a specimen of the beauty of the city. Well, there I stood for more than an hour, seeing a constant stream of the fair passing & repassing—My knees got weak at last (but not from a sight of *Krae Meckens*.) And I sauntered back to my den. The fact is I was disappointed—I saw many good looking women, but not one I could call beautiful. Among the same number in Kentucky or Va I am sure this would not have been so.¹⁷ No reply as yet to my letter to Mr. Holt. Have not met a single being in Balt. whom I ever saw or knew. I am as lonesome as a solitary owl, surrounded by all sorts of other birds.

¹⁶ Maggie Mitchell (1832–1918), a New York-born actress who in 1862 created the title role in *Fanchon, the Cricket*, apparently the play DuVal witnessed. In October, Mitchell had appeared in that play at Washington's Ford's Theater, with President Lincoln in attendance. Gerald Bordman, ed., *Oxford Companion to the American Theater* (New York: Oxford University Press, 1984), p. 481; Margaret Leach, *Reveille in Washington, 1860–1865* (New York: Harper & Row, 1941), p. 343.

¹⁷ Baltimore Street was the principal avenue, and according to an antebellum visitor: "form[ed] the great promenade in fine weather." A Hungarian woman passing through the city in 1851 remarked that "I had repeatedly heard...that the ladies of Baltimore were exquisitely beautiful, and I found that they justify that assertion." An English tourist agreed that the women were lovely; unfortunately they had terrible table manners. Nevertheless, most European visitors ranked Baltimore women as the most beautiful on the eastern seaboard. Semmes, *Baltimore As Seen By Visitors*, pp. 167, 157, 153; Max Berger, *The British Traveller in America, 1856–1860* (Gloucester, MA: Peter Smith, 1964), p. 77.

November 13, 1863. Saw the engines at work on a fire this morning. To a stranger to such things, it was worth seeing.¹⁸

This is a beautiful & pleasant day—I stood for 2 hours in the evening on Balt. St. and watched the ladies who poured by—Have a better opinion of Balt. beauty than on yesterday—Saw many that were comely to look upon. But I don't like this fashionable style of bonnet.¹⁹ It is anything but becoming to my taste. At night went to the Melodeon. Saw some good dancing, and tom buffonery. I suppose I am a fellow of low proclivities, for I liked it better than either of the theatres—even little "Barefoot."

November 14, 1863. This morning got a note from Mr. Holt, and I shall leave for Washington at 9 1/2 A.M.... 10c1/4 P.M.

During DuVal's three weeks in Washington, he managed eventually to cut through reams of read tape to collect over \$6800 in back pay. Along the way, he visited with Abraham Lincoln—a man of "kindness," "frankness," and "good sense and justice"—and spent a good deal of time with Secretary of State William H. Seward—a "Christian gentleman, and a man of liberal and enlarged views." He witnessed the nation's first official Thanksgiving, toured the capitol—"more magnificent than any building I ever saw"—and watched as the "Statue of Freedom" was placed on top of the

¹⁸ Baltimore's antebellum volunteer fire companies were famous for the brawls that broke out whenever rival organizations arrived simultaneously on the scene of a fire; private companies were replaced by a professional fire department in 1858. Gary Lawson Browne, *Baltimore in the Nation, 1789–1861* (Chapel Hill: University of North Carolina Press, 1980), pp. 210–211.

¹⁹ While women's bonnets of the 1840s and 1850s resembled horse blinders, Civil War-era bonnets wrapped closely around the head and often included "falls," ribbons, and other decorations that fell to the wearers' shoulders or rose from the crown of the bonnet. Millia Davenport, *The Book of Costume I* (New York: Crown Publishers, 1948), pp. 860, 930.

capitol dome. Although, despite frequent attempts, he was unable to meet again with President Lincoln, DuVal left Washington on December 3, confident that he had succeeded in convincing the president to allow Texas Unionists to form a state government under the principal of gradual emancipation.²⁰

December 3, 1863. Left [Washington] on Thursday the 3rd of Dec. '63, and came as far as Ballimore!... Weather clear and pleasant.

December 4, 1863. Weather still the same. Sorry I am that I did stop here, for a reason that cannot soon be forgotten by me. However, I have hopes that no harm may result from it.²¹ Had my watch repaired here. If nothing happens to prevent, I shall make a fresh start in the morning. What made me lay over here today was that it was *Friday* and having come so short a distance from W. I thought maybe *Fates* would not consider it the beginning of my journey. In case they should count the Commencement from this point, I prefer to leave on Saturday, tomorrow. Wrote to Hamilton²² today, telling him fully about my mission to the President. Directed my letter to him, an alternative at New Orleans, or Brownsville, Texas.²³

²⁰ November 27, 18, 25, 26, and 19, and December 2, 1863, DuVal Diary; James Marten, ed., "Dancing Attendance in the Anti-chambers of the Great? A Texas Unionist Goes to Washington, 1863," *Lincoln Herald* 90 (Fall 1988), pp. 84–6.

²¹ It is impossible to know what exactly DuVal is worried about, but a post-Civil War letter to a friend of DuVal's furnishes a tantalizing suggestion. Robert B. Kingsbury, in a letter to A. J. Hamilton, greeted their mutual friend DuVal, and expressed his hope that the judge had been "able to control his admiration for the ladies, and that his gallantries may not be construed into improprieties by the gossips." Given DuVal's interest in women throughout his trip through the North, he may indeed have committed some sort of impropriety in Baltimore. If so, he almost immediately regretted it. Kingsbury to Hamilton, November 15, 1865, A. J. Hamilton Papers, Barker Texas History Center.

²² Andrew Jackson Hamilton (1815–1875) was an Austin lawyer and Unionist congressman who fled Texas in 1862. Abraham Lincoln commissioned him a brigadier general of volunteers in the Union army and appointed him military governor of Texas. *Handbook of Texas* 1, pp. 759–760

²³ Several thousand Union troops invaded Texas on November 2, 1863. They occupied Brownsville and much of the lower Rio Grande Valley until the summer of 1864. Hamilton spent part of that time with the troops in Texas and part in New Orleans. Kerby, *Idby Smith's Confederacy*, pp. 191–195, 365–371.

December 5, 1863. Left Bal. at 9 Ocl'k A.M. this morning and got to Pittsburg[h] about 1 Ocl'k at night.²⁴ Here found I had to lay over until sometime tomorrow night, no trains running on Sunday— Stopped at Monongahela House which seems to be a very fine hotel.²⁵

December 6, 1863. Slept 'till 9 Ocl'k this morning. Took breakfast, got shaved, and went out thinking I would walk around the city a little— But the cold and smoke together made it uncomfortable and I came back to the fire. For Pitt doesnt suit me.²⁶

December 7, 1863. A little after midnight had to get up for the train to Cincinnati— Had on all my clothes, except my coat so it did not take me long to be ready. Went down to the depot in a Bus & started at 1:40 A.M. The day tho' bright and clear was very cold— Ice over all the streams & pools. On reaching the cars however, I was lucky enough to get into one expressly for sleeping. Its convenience, comforts and fittings up generally were first rate— even luxurious— A man told me the Yanks first made them for the use of newly married couples among the Aristocracy among whom the fashion was to spend a week or so after marriage away from home.

²⁴ DuVal probably reversed the latter part of his train trip going into Washington, taking the North Central and Pennsylvania Line through to Seymour, where he would have boarded the Louisville, New Albany, and Chicago for the run into Kentucky. Stover, *Iron Roads West*, pp. 140–141.

²⁵ The Monongehela House burned in Pittsburgh's great fire of 1845, but was rebuilt in 1847 and for seven decades served as the city's leading hotel; presidents, generals, kings, and even Jenny Lind stayed there. Leland D. Baldwin, *Pittsburgh: The Story of a City* (Pittsburgh: University of Pittsburgh Press, 1937), p. 273.

²⁶ The English writer Anthony Trollope described Pittsburgh as "the blackest place which I ever saw...the tops of the churches are visible and some of the larger buildings may be partially traced through the thick brown settled smoke. But the city itself is buried in a dense fog." Quoted in *Ibid.*, p. 202.

I suppose they felt so ashamed. Well! they are good things any how, and I spent the balance of the night very comfortably.

Reached Cincinnati about 7 Ocl'k in the evening, and stopped at Hery Haase. Concluding to lay by until about 6 Ocl'k in the morning, when a train starts for Louisville. My cold is very bad. Had a fire, washed my feet and went to bed early.

December 8, 1863. Left Cincinnati about 7 Ocl'k A.M. and went on to Seymour, Id.— There had to wait an hour for the train from Indianapolis to Louisville— When it came, got into it, and went on to Louisville which we reached about 4 Ocl'k P.M. Put up at the Galt House.²⁷ This by the way, is one of the best hotels I have been in, tho' I prefer the Fountain at Bal. The latter is not more than half as expensive and I like it better anyhow. On the car today I made the acquaintance of Mr. Bondurant who lives near Nashville. He had been to Camp Chase²⁸ to see his brother captured with Morgan.²⁹

December 9, 1863. Found a letter here from Aunt Mary, insisting on my coming to see the family at Bardston, tho' Uncle Al³⁰ was absent with the army of the Cumberland— Last night I wrote her a few lines saying I would be there Thursday, (tomorrow).

²⁷ The Galt House was Louisville's most famous hotel, where the service was outstanding, the food gourmet, and the society convivial. One visitor in the 1840s described the clientele as "emigrants of the better sort, on their way to the western states— merchants passing from and toward New York... a multitude of young men sent forth from Philadelphia, Baltimore and Boston to collect debts, together with many foreigners, French, German, English and Irish. The eatable and drinkable before us were good and plentiful and the servants could not be improved." Quoted in Isabel McLennan McKeekin, *Louisville: The Gateway City* (New York: Julius Messner, Inc., 1946), p. 143.

²⁸ Located at Columbus, Ohio, Camp Chase was originally built as a camp of instruction. It eventually held 10,000 Confederate prisoners of war, mainly from western campaigns. William B. Hesseltine, *Civil War Prisons: A Study in War Psychology* (Columbus: The Ohio State University Press, 1930), p. 37; *Encyclopedia of the Civil War*, pp. 109–110.

²⁹ John Hunt Morgan (1825–1864), the Kentucky cavalryman, crossed the Ohio River on July 2, 1863, and began a month-long raid into Ohio. He looted towns, destroyed businesses, and threw a panic into Ohioans, before he and many of his men were captured on July 26. *Encyclopedia of the Civil War*, p. 510.

³⁰ As a native of Kentucky, DuVal had many relatives who still lived in the state. The editor has been unable to track down an "Uncle Al" or "Aunt Mary." Neither is included in Bessie Berry Grabowski, *The DuVal Family of Virginia* (Richmond: Dietz Printing Co., 1931).

This morning got a hack and rode 'round to see Henry Tyler.³¹ He was not in and I left a card for him. In about two hours he called at the Galt and we had a good deal of talk together.... I found him a Union man, tho' he says his son is a Secessionist. He is 26 years old.

Left my watch to be repaired this morning at a shop, two squares west of the Galt House, on same street, and on South side of same.

December 10, 1863. Last night just before going to bed, I took a hot bath, and this morning found relief from it—feeling better than I did, tho' my cold is still very bad. About one O'clk paid my hotel bill, and got into the omnibus to go to the Bardstown R R Depot. The scamp of a driver kept stopping along the way, and arrived at the depot just in time to allow me to see the train going off in the distance. A Dutchman was in the Omnibus, going to Bardstown, and he was red hot with rage. He cursed the driver and God-d-m'd his soul, until finally his rage somewhat evaporated. Nothing to do but return. This I did and then wrote to Aunt Mary telling her of the honest effort I had made to see her and the girls, and she must not blame me if I had to give up the trip. At night Took another bath as hot as I could bear it and went to bed.

December 11, 1863. Felt a great deal better this morning—more so than I have in a month. Dark & rainy day—Louisville looks dingy and desolate. What a contrast between it and Baltimore or even Washington. About dusk went to the Bowers Theatre and I was there somewhat entertained. Saw Nettie Hall—real name—Alice—A Louisville brunette, about 18 years old & very much like my old sweetheart, Merced Sanchez, to whom I was once legally married.³²

³¹ Henry Tyler served as a state senator from Fulton County, Kentucky, 1869–1871 and 1875–1879. Like DuVal's home of Travis County, Texas, Fulton County was deeply divided between Unionists and Secessionists. Lewis Collins, *History of Kentucky II* (Louisville: John P. Morton, 1924), p. 281.

³² Neither Nettie Hall nor the Bowers Theater appears in the standard theater reference works. In addition, none of the other secondary or primary materials on DuVal mentions a previous marriage.

December 12, 1863. Seeing Steamboat, New Kentucky, advertised to leave Portland for Cairo at 10 A.M., Settled my bill, and got a hack and reached her in full time for She did not get off 'till 2 1/2 P.M.

Got my watch as I went along—charge \$4.

The New Kentucky is a stern wheeler & behind times in appliance for a Miss boat.³³ I see no one on the boat who appears like a passenger.

Two days ago a synopsis of the President's message & attached proclamation came out in Louisville Journal. I fear it will not help the hope I had for movement in Texas as much as I wanted. The absolute freedom of the negro is essential to make the President's plan of reconstruction available. However as there is some uncertainty on this point, I wrote to Mr. Holt to get his construction of it, and asked him to reply to me at New Orleans.³⁴

There is a man on board (Mr. Phillips) who has been in Texas a good deal. I believe he is an officer of some sort on the boat. He a thorough Union man and a very sensible fellow. Dad Tyler never came back to see me tho' he said he would do so, and wanted me to take dinner with him. I felt low spirited in Louisville. Its very looks were melancholy. Dark and rainy all this day. Heard nothing from Sansom.

³³ Although side-wheeled steamboats were more common on the Mississippi, sternwheelers—derisively labelled “wheelbarrow boats”—were often used to tow barges and to negotiate shallow waters. G. W. Hilton, et al, *The Illustrated History of Paddle Steamers* (New York: Two Continents, 1976), 49–53.

³⁴ In his annual message to Congress, and in the Proclamation outlining the procedure for setting up loyal governments in the seceded states, Lincoln steadfastly refused to retreat from the provisions of the Emancipation Proclamation. In addition, he required Southerners swearing allegiance to the United States to swear also to accept the emancipation of those slaves. He did, however, state that the government would not interfere with any movement by rebelling states “which shall recognize and declare” the slaves’ “permanent freedom.” This apparently is what led to the confusion in DuVal's mind, as he still hoped to attract Texans to the Union cause with a plan of gradual emancipation. Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, VII (Springfield: Abraham Lincoln Association, 1953), pp. 49–56.

Went across and down to New Albany, Id when a dense fog came on in the midst of the rain, and we tied up finally after making an honest effort to do so.

December 13, 1863. It rained all night, and I slept soundly, in spite of the Norway rats. This morning it had ceased raining, but the fog was as thick as ever. About 9 Ocl'k, the fog cleared away, and we started off once—Went a few miles down the river, when the fog came on again, as thick as ever, and we made fast to the Kentucky shore at 1/2 to 10 Ocl'k.

After lying up about half an hour the fog began to clear off again, and we got under way and now at 12 M. we are steaming rapidly down the Ohio. But I am very uncomfortable in having got completely turned 'round—The points of the Compass are wrong. It seems to me we are going up instead of down river.³⁵

About dinner time it began to rain again—dark, gloomy cut throat weather. Stopped for some purpose about 3 Ocl'k on the Ky. side of the river. In doing so got all right again as to the points of the Compass.

In ten minutes after I wrote the last sentence found myself wrong again, and going up stream. Confound it all—it makes me feel uncomfortable.

About sun down saw a rosy streak in the South West, Being in the direction of all I hold dear, my heart construed it into a good omen—Not long after dark stopped at some town, and laid there all night, taking in coal.

December 14, 1863. Started about day light this morning. The rain had stopped and there was a strong cold N.W. wind blowing ice in abundance. It looks very gloomy & wintry all day. Made good progress on our downward trip up to this hour (4 P.M.).

December 15, 1863. Laid by part of last night—This morning clear and cold—Reached Cairo not long after dinner, Capt. Lodwick

³⁵ America's most famous river boat pilot, Mark Twain, described the mysteries of fog on the Mississippi River in *Huck Finn*, when Huck and his companion, the slave Jim, become separated on their trip down river in a blinding fog: "I see the fog closing down, and it made me sick and scared I couldn't budge for most a half a minute it seemed to me . . . you couldn't see twenty yards." Soon, "I shot out into the solid white fog, and hadn't no more ideas which way I was going than a dead man." Twain, *Mississippi Whirlings* (New York: Library Classics of the United States, 1982), P. 704.

went up with me to the O'quarte[r] Masters Dept. There it was suggested by the clerk that I had better call at Col. Reeds quarters, and get permission to go down the river on any boat. This I did, and returned to the Or masters, where I was furnished with transportation ticket to Vicksburg—Then got my baggage from the New Kentucky, and went on board of the Empress, bound for Vicksburg. There was a large crowd of soldiers on board. We got under weigh about dark, and went on down some 30 or 40 miles, I suppose, when the night became so dark, that the boat was tied up, and remained until after daylight. During the night, and while we were lying up, I waked and found it was raining, much to my astonishment for yesterday it looked as if there would be a cool and clear spell of weather. No one on board the boat with whom I am acquainted.

December 16, 1863. Got under weigh about sun rise. The morning dark, cloudy & uncomfortable. Boat so much crowded as to be disagreeable. It came on to rain, and poured down all day.

In the evening we had severe thunder & lightning. After dinner covered up in my berth, but could not get my feet warm. Passed a very uncomfortable day.

A little after dark cast anchor in the river near a gun boat, and lay there all night. Got acquainted with a German... going to Memphis where he has lived for 20 years.

December 17, 1863. Left our anchorage this morning soon after day light. The morning was very cold—A fierce and biting North wind was whistling through the boat, and sounded most wintry to me as I lay in my berth—It gave me sad thoughts of home, and of what my poor little wife & children might be suffering—When we started this morning it was about 100 miles to Memphis. Capt. Rider commands the Empress. I have not made his acquaintance.

December 18, 1863. Reached Memphis about 5 Ocl'k yesterday, and laid there all night, and until 11 Ocl'k today—Here got rid of all our soldiers, and...left for Vicksburg—It is cold and clear today, but not quite so unpleasant as yesterday. My cold has gotten a great deal worse, and now affects my lungs much more than ever. I am hoarse and my throat raw. Feel sick enough to keep in bed. This has all been occasioned by the want of fire, which was impossible to get to through the crowd of soldiers on board. I don't know when I have suffered so much. Steamed on down the river 'till

early in the night, when stopped to wood thence down to Helena, where laid by 'till after daylight—The night was cold, but close and calm—the moon shining brightly.

December 19, 1863. Still close and cold but moderating. My cold this morning is very bad. Started after daylight, and are now getting down finely, at this 9 Ocl¹k A.M.

Barring guerrillas & other impedements we ought to get to Vicksburg by tomorrow night—9 Ocl¹k P.M. Steaming along down—night cool but not so biting cold as it has been bright moon showing. The barber invited me to an oyster supper on board tonight....Feel too unwell to eat any. To decline oysters is a sure sign that I am really sick.

December 20, 1863. We are down finely nearly all night, having made more than a hundred miles from Napoleon. This morning was bright and clear, but the weather still uncomfortably cool to me. We descended (2 1/2 P.M.) just below Milligan's Bend and will be at Vicksburg in three hours or less.

Arrived at Vicksburg about 4 P.M. Stayed all night on board boat—Had a fever through the night, and did not sleep any scarcely, just before day got into perspiration.

December 21, 1863. Although feeling quite sick, walked up to Mrs. Toney's—There saw her son and a Captain somebody, taken prisoners at Aransas in Texas. I told them I had been to Louisville and was trying to get back to Texas—They wanted me to take letters for them, which I promised to do. Then went on to Genl. McPh.³⁶ headquarters. Had some talk with him and returned to boat. There found the Shenango was just in and going to start right away for Orleans. Went up to transportation office and got ticket—Came back and had my baggage put on board. Clerk says my ticket don't entitle me to berth—Told him then I would pay for it. Said he would try to furnish me one some time this evening. I think it probable I shall leave the boat at Natchez, from present appearances—Took no breakfast this morning but a cup of coffee, and no dinner but a little fishing worm soup. The Shenango started about 2 Ocl¹k P.M. and we are now stern wheeling it down stream. Gen¹ McP. gave me two Houston papers. There was on board a

gentleman whom I had noticed on the Empress. He told me he was going down to Orleans and on to Texas. Gave him to read my Houston papers and had a good deal of talk with him. His name is Lieut. Rice of 26th Inda Vohn. 13th Army Corps.

December 22, 1863. Waked up this morning before day and found we were tied up at Natchez under the Hill. Tho we laid here untill 11 Ocl¹k today, landing hay & other stores. I did not go ashore—feeling too unwell and not wishing to be bothered about passes.

At 1/4 past 11 A.M. started down for New Orleans, and are now 1/2 past 2 P.M., getting on finely. We have still the worst points to pass for guerrillas who are firing on nearly every boat with light artillery & small arms. I have made preparations for destroying this book, and other papers which would identify me in case they should capture the boat. I am not so much afraid of being shot and killed in the boat, as I am of being made a prisoner, identified and carried back to Texas. Hanging, drawing & quartering in the presence of my family would be the least I could expect. But I hope the good luck I have had thus far will stick to me through this perilous passage.³⁷

Got to Port Hudson after dark, having first passed the mouth of Red river, where the guerrillas lately had a battery, and where we saw 3 or 4 gun boats prowling around. Laid by at P. Hudson taking in wood, when a heavy fog came on and we proceeded but a short distance farther, and stopped for the night.

December 23, 1863. The fog hanging on heavily till after sun rise, when we got under weigh again. Steamed down all day and now 8 P.M., expect to be at New Orleans by 11 or 12 ocl¹k to night. Was introduced to Dr. McDonald, who came on board to see me at Baton Rouge to a Dr. McKinley who has consulted me professionally in a strange way and upon a strange subject. Dr. McDonald is Medical Director at Baton Rouge with rank of Major.

³⁶ James B. McPherson (1828–1864). First in his West Point class of 1853, he served under Grant, becoming commander of XVII Corps in January 1863. He was killed in Northern Georgia during the Atlanta campaign. *Encyclopedia of the Civil War*, p. 466.

³⁷ Two incidents no doubt aroused fears in Texas Unionists. In August 1862, a company of Confederates attacked a party of German Unionists heading for Mexico; thirty of the latter were killed, including nine wounded Union men who had surrendered. In October of the same year, North Texas vigilantes held an extra-legal "trial" for dozens of Unionists in Gainesville; forty-four were eventually hanged by a mob enraged at reports of a "peace plot." Robert W. Shook, "The Battle of the Nueces, August 10, 1862," *Southwestern Historical Quarterly* 66 (July 1962), pp. 31–42; James Smallwood, "Disaffection in Confederate Texas: The Great Hanging at Gainesville," *Civil War History* 22 (December 1976), pp. 349–360.

December 24, 1863. Fog came on late last night and we had to stop. Did not reach New Orleans till near day light this morning. Lieut. Rice said he would go ashore, and get us a room at Mrs. Paynes boarding house, while I was to remain on board, get my breakfast and wait his return. He came back about 8 1/2 A.M. and said that Mrs. P. had closed up. I then got a hack and we went to the house Dr. & Mrs. Donnell recommended to me. Kept by Sias Oviatt on Dauphine St. near Canal. There we got a room together with two beds. Before dinner we went to Genl. Banks³⁸ headquarters. The Genl. looked at my passport and said I was a stranger to him and that he wanted what I understood to be City references. He said he did not like to give transportation to Texas to a man who might be serving enemies of the Govern't. I felt some what hurt at the reception, coming just from Washington where my official position had been fully recognized. It is right that he should be very cautious, and it is true that I am an utter stranger to him. Yet I left with my blood hot in my cheeks....

Tonight is Christmas eve—beautiful night it is, and not cold. Seeing the joy of the children there, I got to bed feeling very sad about my own poor little girls and Laura, thinking what a dismal Christmas they are having. God help them, I hope better times are coming.

DuVal soon left New Orleans for Brownsville, where he stayed with the Federal occupation force until sometime in the spring of 1864. He spent most of the rest of the war in New Orleans, where Laura and two of the children joined him later in the year. They participated in the activities of the colony of Texas refugees in New Orleans, busying themselves with the city's politics, social life, and business affairs. When the war ended, DuVal and his family made their final journey back to Austin, where the judge resumed his duties for the Federal court and became a moderate Republican. He remained on the bench until his death in 1880.³⁹

³⁸ Nathaniel P. Banks (1816–1894), Republican governor of Massachusetts (1858–1861) and a Maj. Gen. of volunteers, he commanded the Federal Department of the Gulf from December 1862 to September 1864, and again in the spring of 1865. *Encyclopedia of the Civil War*, p. 38.

³⁹ James Marten, "A Wearing Existence: Texas Refugees in New Orleans, 1862–1865," *Louisiana History* 28 (Fall 1987), pp. 343–356; Lynch, *The Bench and Bar of Texas*, p. 163.



DuVal's Trip to Washington City