

LONG MAY IT WAVE:



Fort MCHenry and the War of 1812

A National Curriculum for Grades 4 through 8



Developed by the Friends of Fort MCHenry in collaboration with Fort MCHenry National Monument & Historic Shrine and the Star-Spangled Banner National Historic Trail

Funding provided by the National Park Service, Chesapeake Bay Gateways and Watertrails Network

LESSON TITLE: Baltimore – Caught in the Middle

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LESSON EDITOR: Jennifer Frieman

DATE: May 2011

COURSE/GRADE: Social Studies, Grade 8

UNIT: Civil War

TIME NEEDED: One 90-minute class period or two 45-minute class periods.

LESSON OVERVIEW:

This lesson focuses on the experience of Baltimore as a city with divided loyalties at the beginning of the Civil War and the role that Fort McHenry played in securing the city for the Union.

OUTCOMES: At the end of this lesson, students will be able to discuss the suspension of the writ of habeas corpus during the Civil War (in Maryland and Baltimore in particular) and defend or dispute the use of Fort McHenry to house political prisoners arrested under martial law.

OBJECTIVES:

Focus Question for the Lesson: How did the Lincoln administration deal with the divided loyalties of the citizens of Baltimore and Maryland, and what role did Fort McHenry play in those plans?

Historical Thinking Skill Targeted:

Historical Comprehension:

- Reconstruct the literal meaning of a historical passage.

- Evidence historical perspectives.

- Draw upon visual, literary, and musical sources.

Historical Research Capabilities:

- Interrogate historical data.

Maryland State Curriculum Content Objectives:

5.C.5.d. Identify the goals, resources and strategies of the North and the South.

Maryland State Curriculum Skills and Processes Objectives:

6.A.4.i. Draw conclusions and make generalizations based on the text, multiple texts, and/or prior knowledge.

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Common Core Standards for Literacy in History/Social Studies:

RH.6-8.1. Cite specific textual evidence to support analysis of primary and secondary sources.

RH.6-8.2. Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

RH.6-8.4. Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

RH.6-8.10. By the end of grade 8, read and comprehend history/social studies texts in the grades 6–8 text complexity band independently and proficiently.

MATERIALS:

- Pratt Street Riot video (3 options provided)
- Pratt Street Riot Activity Sheet
- 7 Primary Sources listed below
- Primary Source Research Handout
- Assessment Handout with Rubric

PRIMARY SOURCES:

“Order to General Scott,” in Lincoln, Abraham, et. al. *The Writings of Abraham Lincoln: 1858-1862*. New York: The Lamb Publishing Co., 1906. p. 290. Online Posting. Google Books. http://books.google.com/books?id=KHITAAAAYAAJ&pg=PA290&dq=lincoln+scott+april+25+1862&hl=en&ei=Xbb2TeTtG8zUgAf28v3eCw&sa=X&oi=book_result&ct=result&resnum=5&ved=0CD0Q6AEwBA#v=onepage&q&f=false

“To General Scott,” in Lincoln, Abraham, et. al. *The Writings of Abraham Lincoln: 1858-1862*. New York: The Lamb Publishing Co., 1906. p. 292-293. Online Posting. Google Books. <http://books.google.com/books?pg=PA293&id=KHITAAAAYAAJ#v=onepage&q&f=false>

Taney, R. B. “Ex parte Merryman.” Online Posting. Teaching American History.org. Ashbrook Center for Public Affairs at Ashland University. Accessed June 13, 2011. <http://www.TeachingAmericanHistory.org/library/index.asp?documentprint=442>

Mahony, Dennis A. *The Prisoner of State*. New York: Carleton, 1863. Online Posting. Google Books. 2 June 2011. http://books.google.com/books?id=1GkFAAAAQAAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false.

Howard, Frank Key (Primary Source #5). *Fourteen Months in American Bastiles*. Online Posting. Google Books. 2 June 2011. http://books.google.com/books?id=os40AB_HwrAC&pg=PA8&lpg=PA8&dq=frank+key+howard+fort+mchenry&source=bl&ots=gXgJAXSDSm&sig=VPP5BdXmiiFm0NWrxSrYzqKY5V4&hl=en&ei=1SjUTf2MIOr20gHixIXMCw&sa=X&oi=book_result&ct=result&resnum=1&ved=0CBsQ6AEwAA#v=onepage&q&f=false.

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Nicolay, John G. and Hay, John eds. Abraham Lincoln: Complete Works. Vol. 2. New York: The Century Co., 1894. p. 239. Online posting. Google Books. Accessed June 13, 2011. <ahref="http://books.google.com/books?id=KsQ6AQAAIAAJ&lpg=PA239&ots=KcMdsOiKmO&dq=september%2024%201862%20martial%20law&pg=PA239&ci=54%2C63%2C793%2C898&source=bookclip">

Sachse, E. & Co. "Fort McHenry, Baltimore, MD [1862]." Lithograph. Courtesy of Fort McHenry National Monument & Historic Shrine, National Park Service. Baltimore, MD.

Sasche, E. & Co. Fort McHenry, Baltimore, MD [1862]." Lithograph. Courtesy of Fort McHenry National Monument and Historic Shrine, National Park Service. Baltimore, MD

SECONDARY SOURCES:

Johns Hopkins University – "Pratt Street Riot - First Bloodshed of the Civil War"
<http://www.youtube.com/watch?v=JvTEgXV--S0&feature=related>

UMBC – "Dr. Anne Rubin (UMBC) – Pratt Street Riot"
<http://www.youtube.com/watch?v=lfBRJf95QXU>

The Catholic Review – "Baltimore remembers Pratt Street Riot of 1861"
<http://www.youtube.com/watch?v=picPBNaJhbo>

SELECTED VOCABULARY:

writ of habeas corpus
martial law
proclamation

PROCEDURE:

1) Motivation

- Baltimore has a new Mayor. The Mayor has decided that even though Baltimore has two professional sports teams (the Orioles and the Ravens) no citizen is allowed to be a fan of both teams. On the opening day of baseball season, all citizens will need to swear allegiance to one team or the other. How do you think people will react? What problems could this cause for individuals, families and the city as a whole? Does anything change if you know that the Mayor is a HUGE Orioles fan?
- Class Share Out of responses,
Anticipated responses: some people can't choose, dividing of families, conflicts between fan bases.
- Introduce the importance of April 19th, 1861 – The first days of the Civil War. (Students should have prior knowledge of Fort Sumter).

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- Explain that we will first be looking at what was happening in the minds and on the streets of some Baltimore citizens on April 19th.
- Distribute “Pratt Street Riot” handout. Assign student groups one question to focus on as the class watches the video.
- Show Pratt Street video – Johns Hopkins University – <http://www.youtube.com/watch?v=JvTEgXV--S0&feature=related>

Other options that have been posted to You Tube by reliable sources include:
 UMBC - Dr. Anne Rubin – fewer visual representations but easier level for comprehension.
<http://www.youtube.com/watch?v=lfBRJf95QXU>

The Catholic Review – “Baltimore remembers Pratt Street Riot of 1861”
<http://www.youtube.com/watch?v=picPBNaJhbo>

- Student pairs share out the notes for their question so that all students can take notes to complete the note sheet.
- Review map of the East Coast to reinforce geographic importance of Maryland in terms of the North and Washington, D.C.
- Ask students to predict how President Lincoln will respond to the situation in Baltimore and Maryland. (Can post predictions on chart paper to compare at the end of the lesson).

2) Guided Practice

- The class will analyze Abraham Lincoln’s letter to Winfield Scott (Commanding General of the Army) on April 25, 1861 to learn how the President plans to handle the problem of Baltimore.
- Provide students with highlighters to mark information that they think is important to what the document is telling us about this moment in history.
- Read Aloud of Primary Source #1 “Letter to Winfield Scott April 25, 1861”
- Student volunteers to share what they have marked after Read Aloud as a student recorder lists shared ideas on the board. Once all volunteers have shared, guided discussion to create consensus on what are the three most important details we will all record on our graphic organizers.
 - o Anticipated responses:
 - MD Legislature is about to meet and may join the Confederacy
 - MD Legislature has a legal right to meet and make a decision.
 - If Lincoln tries to stop them from meeting, it will only create more problems.
 - Lincoln tells Scott that they need to wait and see what MD decides.
 - If MD joins the Confederacy and calls for people to fight against the Union, Lincoln gives Scott the go ahead to bomb the city and suspend the writ of habeas corpus if necessary.
- Distribute “Primary Source Research” graphic organizer. All students will fill in the same information the class has decided on for Primary Source #1.

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- Also as a class, decide on what the information in President Lincoln’s letter means for the people living in Baltimore and Maryland at the time.
- Focus on – threat of immediate attack, arrest and the unknown
 - o Connect to geography of Baltimore and Maryland in connection to Washington, D.C. and information discussed in video about the Pratt Street Riot. Can use any map of the East Coast to address geography.
- Clarify that on April 29, 1861 the MD Legislature rejected the idea of secession by an overwhelming majority.
- Introduce vocabulary
 - o writ of habeas corpus -
 - [http://www.wordcentral.com/cgi-bin/student?book=Student&va=habeas corpus](http://www.wordcentral.com/cgi-bin/student?book=Student&va=habeas+corpus)
 - 1 : a legal order for an inquiry to determine whether a person has been lawfully imprisoned
 - 2 : the right of a citizen to obtain a writ of habeas corpus as a protection against illegal imprisonment
 - o martial law -
 - <http://www.merriam-webster.com/dictionary/martial%20law>
 - Definition: 2: the law administered by military forces that is invoked by a government in an emergency when the civilian law enforcement agencies are unable to maintain public order and safety
 - o Review of due process

3) Independent Practice

- Student groups will be assigned one of the primary sources (#2 - #6). Groups will follow the model provided for Primary Source #1 by reading aloud and highlighting key pieces of information. Groups will decide which three pieces of information they are going to include and what the implications of the document are for Baltimore and Maryland.
 - o Differentiation – Students can act out the implications for citizens of Baltimore and Maryland or create a picture instead of writing.
- Groups will then share out their responses and all students will record the information that other students are providing for all Primary Sources.

Anticipated Responses

Primary Source #2

Details –

- Army is actively facing resistance.
- Area between Philadelphia and Washington, D.C. is important to the military.
- Any officer in command can decide to suspend the writ of habeas corpus if necessary.

Implications –

- Government views area as hostile.
- Can expect more open confrontations between Union soldiers/southern sympathizers.
- Army officers have a lot of power now.

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Primary Source #3

Details-

- Merryman was “arrested by an armed force that never charged him with a specific crime.
- Merryman was held at Fort McHenry.
- Merryman tried to go through the courts to obtain a writ of habeas corpus but it was never realized because the military refused to cooperate.

Implications -

- Citizens can be arrested and never brought before a judge.
- The military can ignore the orders of the Supreme Court.
- Nowhere to turn if they think they are arrested unfairly.

Primary Source #4

Details-

- The War and State Departments could issue privately send out warrants for citizens.
- Mahony was “kidnapped” in his eyes in the middle of the night for having different opinions than those of Lincoln’s administration.
- Mahony was not allowed to prove his “arrest” was unfair as had been possible before.

Implications -

- Citizens could not expect to get a chance to defend themselves.
- People who disagreed with Lincoln’s Administration could be arrested for their political beliefs.
- Social connections may not be able to help you anymore.

Primary Source #5

Details-

- Frank Key Howard was arrested on September 13, 1867 but was not shown a warrant.
- He was taken to Fort McHenry where 14 other high ranking gentlemen were also imprisoned for their political beliefs.
- Howard is the great grandson of FSK and he believes that he (and the others) are the victims of the same tyranny that his grandfather’s song described the defeat of.

Implications -

- Even highly respected citizens could be arrested without any documentation.
- There was a new, government organized police force.
- Fort McHenry was now being used as a prison for political prisoners.

Primary Source #6

Details-

- The President needs more help to fight the Confederacy because normal processes of law are not working.
- The President puts anyone who is participating or even helping in the war on the side of the Confederacy under martial law.
- The writ of habeas corpus is suspended for anyone arrested or imprisoned at a military location

Implications -

- Baltimore and Maryland are no longer the only areas affected by the suspension of the writ of habeas corpus.
- Little hope of getting loved ones returned home if already imprisoned or arrested.
- Continued use of Fort McHenry as a prison.

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4) Assessment

- Students will be shown Primary Source #7, the Lithograph of Fort McHenry. Based on what we have learned through the Pratt Street Riot and the Primary Sources analyzed, students will need to write a letter to the editor of the Baltimore News Sheet as one of three different people:
 - o A Union soldier stationed at Fort McHenry
 - o A concerned citizen of Baltimore who supports the Union
 - o A concerned citizen of Baltimore who supports the South
- In the letter, students will need to describe the unique situation of Baltimore and Maryland in the Civil War, including geographic and political concerns. They will also need to answer the question: Does it make sense to detain political prisoners at Fort McHenry during this time? Why or why not? Focus should be placed on the legal and safety issues of the local citizens, the prisoners and the Union soldiers.
 - o Differentiation – Students can be given the option to create a political cartoon for the paper that shows the pros and cons of keeping political prisoners at Fort McHenry.

5) Closure

- Ask students to think about the following question:
 - o In your opinion, do you think President Lincoln was justified in suspending the writ of habeas corpus and eventually declaring martial law nationwide? Explain your answer using the information that we have discussed today.
- Student volunteers to share their opinions.

SUGGESTIONS FOR ACCOMMODATIONS:

- Modified text excerpts of Primary Source #2-#6 for group work. #2 has a modified suggestion at the bottom of the page.
- Pair and group work.
- Sentence starters for details from the Primary Sources.

LESSON EXTENSIONS:

- Explore the legality of the suspension of the writ of habeas corpus by examining the Constitution and other precedents.
- Examine the specific details of Ex Parte Merryman and Chief Justice Taney.
- Further Primary Sources to investigate are military communications around the time of the Pratt Street Riot and John Merryman's "arrest". Making of America – The war of the rebellion: a compilation of the official records of the Union and Confederate armies. ; Series 1 - Volume 2
 - o <http://ebooks.library.cornell.edu/cgi/t/text/text-idx?c=moawar;cc=moawar;view=toc;sbview=short;idno=waro0002>
 - o Particular interest on pages: 577 – 637.

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Primary Source #1

“Order to General Scott,” in Lincoln, Abraham, et. al. *The Writings of Abraham Lincoln: 1858-1862*. New York: The Lamb Publishing Co., 1906. p. 290. Online Posting. Google Books. http://books.google.com/books?id=KhtTAAAYAAJ&pg=PA290&dq=lincoln+scott+april+25+1862&hl=en&ei=Xbb2TeTtG8zUgAf28v3eCw&sa=X&oi=book_result&ct=result&resnum=5&ved=0CD0Q6AEwBA#v=onepage&q&f=false

ORDER TO GENERAL SCOTT.

WASHINGTON, April 25, 1861.

LIEUTENANT-GENERAL SCOTT.

MY DEAR SIR:—The Maryland Legislature assembles to-morrow at Annapolis, and not improbably will take action to arm the people of that State against the United States. The question has been submitted to and considered by me whether it would not be justifiable, upon the ground of necessary defense, for you, as General in Chief of the United States Army, to arrest or disperse the members of that body. I think it would not be justifiable nor efficient for the desired object.

First. They have a clearly legal right to assemble, and we cannot know in advance that their action will not be lawful and peaceful, and if we wait until they shall have acted their arrest or dispersion will not lessen the effect of their action.

Secondly. We cannot permanently prevent their action. If we arrest them, we cannot long hold them as prisoners, and when liberated they will immediately reassemble and take their action; and precisely the same if we simply disperse them—they will immediately reassemble in some other place.

I therefore conclude that it is only left to the Commanding General to watch and await their action, which, if it shall be to arm their people against the United States, he is to adopt the most prompt and efficient means to counteract, even, if necessary, to the bombardment of their cities and, in the extremest necessity, the suspension of the writ of habeas corpus.

Your obedient servant,

ABRAHAM LINCOLN.

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Primary Source #2

“To General Scott,” in Lincoln, Abraham, et. al. The Writings of Abraham Lincoln: 1858-1862. New York: The Lamb Publishing Co., 1906. p. 292-293. Online Posting. Google Books. <http://books.google.com/books?pg=PA293&id=KhITAAAYAAJ#v=onepage&q&f=false> >

TO GENERAL SCOTT.

To THE COMMANDING GENERAL, ARMY OF THE UNITED STATES. You are engaged in suppressing an insurrection against the laws of the United States. If at any point on or in the vicinity of any military line which is now or which shall be used between the city of Philadelphia and the city of Washington you find resistance which renders it necessary to suspend the writ of habeas corpus for the public safety, you personally, or through the officer in command at the point at which resistance occurs, are authorized to suspend that writ.

ABRAHAM LINCOLN.

WASHINGTON, April 27, 1861.

Suggested Modification:

To the Commanding General of the Army of the United States:

You are involved in putting down an uprising against the laws of the United States. If at any point on or in the area of the military line, which is now between Philadelphia and the City of Washington, via Perryville, Annapolis City, and Annapolis Junction, you meet resistance that makes it necessary to suspend the writ of Habeas Corpus for the public safety, you, personally or through the officer in charge where they resistance is, are authorized to suspend that writ.

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Primary Source #3

Taney, R. B. "Ex parte Merryman." Online Posting. Teaching American History.org. Ashbrook Center for Public Affairs at Ashland University. Accessed June 13, 2011. <http://www.TeachingAmericanHistory.org/library/index.asp?documentprint=442>

Ex parte John Merryman.

Before the Chief Justice of the Supreme Court of the United States, at Chambers.

. . . The petition presents the following case: The petitioner resides in Maryland, in Baltimore county. While peaceably in his own house, with his family, it was at two o'clock, on the morning of the 25th of May, 1861, entered by an armed force, professing to act under military orders. He was then compelled to rise from his bed, taken into custody, and conveyed to Fort McHenry, where he is imprisoned by the commanding officer, without warrant from any lawful authority.

The commander of the fort, Gen. George Cadwalader, by whom he is detained in confinement, in his return to the writ, does not deny any of the facts alleged in the petition. He states that the prisoner was arrested by order of Gen. Keim, of Pennsylvania, and conducted as a prisoner to Fort McHenry by his order, and placed in his (Gen. Cadwalader's) custody, to be there detained by him as a prisoner.

A copy of the warrant, or order, under which the prisoner was arrested, was demanded by his counsel, and refused. And it is not alleged in the return that any specific act, constituting an offense against the laws of the United States, has been charged against him upon oath; but he appears to have been arrested upon general charges of treason and rebellion, without proof, and without giving the names of the witnesses, or specifying the acts, which, in the judgment of the military officer, constituted these crimes. And having the prisoner thus in custody upon these vague and unsupported accusations, he refuses to obey the writ of habeas corpus, upon the ground that he is duly authorized by the President to suspend it. . . .

R. B. Taney,

Chief Justice of the Supreme Court of the United States

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Primary Source #4

Mahony, Dennis A. The Prisoner of the State. New York: Carleton, 1863. Online Posting. Google Books. 2 June 2011. http://books.google.com/books?id=1GkFAAAAQAAJ&printsec=frontcover&source=gb_s_ge_summary_r&cad=0#v=onepage&q&f=false.

Page 110-111

“ORDERS OF THE WAR DEPARTMENT ON WHICH AMERICAN FREEMEN (?) WERE KIDNAPPED AND IMPRISONED – SUSPENSION OF THE HABEAS CORPUS.

The first public order which emanated from the War Department directing the kidnapping of American citizens, and indeed of every one else who might fall under the ban of the displeasure of the Administration, was dated the 8th of August, 1862.

A number of cases of arbitrary arrests had occurred before this, some of them as early as the May of the previous year, but there was no general order it seems to warrant or direct such proceedings. A telegraphic dispatch or a private order from the State or War Department was the usual warrant previous to the 8th of August, 1862, for depriving American freemen of their liberty. To preserve a record in connection with the recital of the outrages to which so many freemen have been subjected without just cause, without a judgment of any court and without any warrant whatsoever in law, the orders by whose authority alone these outrages were committed are here published.”

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“KIDNAPPING OF D. A. MAHONY – INCIDENTS CONNECTED WITH IT, AND ON THE WAY TO WASHINGTON – MEETING WITH MR. SHEWARD, A FELLOW PRISONER – INTRODUCTION TO THE OLD CAPITOL.

On the morning of the 14th of August, 1862, a loud rapping was heard by my wife at the front door of our residence on Bluff street, in Dubuque, Iowa.”

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“I attempted to raise an alarm by crying out murder. This brought out Marshal Hoxie, of Iowa, his Deputy... and several soldiers who had remained out of sight with them. They threatened to shoot me if I did not cease making a noise, and as soon as I recognized the Marshal and his Deputy, with both of whom I was personally acquainted, I felt relieved of my apprehensions...”

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“I enquired of him by whose direction or authority he came to make the arrest. He replied, the authority of the Secretary of War.... The Marshal and myself engaged in a brief conversation... he would take me to see Governor Kirkwood before doing anything further towards carrying into effect his order, whatever it may have been.”

Pages 119-120

“My object I should state, in desiring to see the Governor was, that regarding him as personal friend though a political adversary, and having known that he had declared on a former occasion that no one should be taken out of the State of Iowa without having a trial to ascertain whether or not the accused may have been guilty of any crime, I thought I would have such a hearing before him as would impress him with the true position in which I stood towards the Administration, and that my discharge would follow as a matter of course.”

Mr. Mahony never met with the Governor before he was moved on to Washington for detainment.

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Primary Source #5

Howard, Frank Key. Fourteen Months in American Bastiles. Online Posting. Google Books. 2 June 2011.
<http://books.google.com/books?id=os40AB_HwrAC&pg=PA8&lpg=PA8&dq=frank+key+howard+fort+mchenry&source=bl&ots=gXgJAXSDSm&sig=VPP5BdXmiiFmONWrXSrYzqKY5V4&hl=en&ei=1SjUTf2MIOr20gHixIXMCw&sa=X&oi=book_result&ct=result&resnum=1&ved=OCBsQ6AEwAA#v=onepage&q&f=false>.

Page 7

“On the morning of the 13th of September, 1861, at my residence in the city of Baltimore, I was awakened about 12 ½ or 1 o’clock, by the ringing of the bell. ... When I opened it, two men entered, leaving the door ajar. One of them informed me that he had an order for my arrest. In answer to my demand that he should produce the warrant or order under which he was acting, he declined to do so, but said he had instructions from Mr. Seward, the Secretary of State.

I replied that I could recognize no such authority, when he stated that he intended to execute his orders, and that resistance would be idle, as he had a force with him ...”

Page 8

“I was told that I could not remain longer, but must prepare to go to Fort McHenry. ... I got into the carriage which was waiting to convey me to Fort McHenry. Two men, wearing the badges of the police force which the Government had organized, escorted me to the Fort. “

Page 8-9

“I reached Fort McHenry about 2 o’clock in the morning. There I found several of my friends, and others were brought in a few minutes afterwards. One or two were brought in later in the day, making fifteen in all. Among them were most of the Members of the Legislature from Baltimore, Mr. Brown, the Mayor of the City, and one of our Representatives in Congress, Mr. May. They were all gentlemen of high social position, and of unimpeachable character, and each of them had been arrested, as has been said, solely on account of his political opinions, no definite charge having been then, or afterwards, preferred against them. “

Page 9

“The rooms were in the second story of the building, and opened upon a narrow balcony, which we were allowed to use, sentinels, however, being stationed on it. When I looked out in the morning, I could not help being struck by an odd, and not pleasant coincidence. On that day, forty-seven years before, my grandfather, Mr. F. S. Key, then a prisoner on a British ship, had witnessed the bombardment of Fort McHenry. When on the following morning, the hostile fleet drew off, defeated, he wrote the song so long popular throughout the country, “Star Spangled Banner.” As I stood upon the very scene of that conflict, I could not but contrast my position with his, forty-seven years before. The flag which he had then so proudly hailed, I saw waving, at the same place, over the victims of as vulgar and brutal a despotism as modern times have witnessed.”

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Primary Source #6

Nicolay, John G. and Hay, John eds. Abraham Lincoln: Complete Works. Vol. 2. New York: The Century Co., 1894. p. 239. Online posting. Google Books. Accessed June 13, 2011.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION

Whereas, it has become necessary to call into service not only volunteers but also portions of the militia of the States by draft in order to suppress the insurrection existing in the United States, and disloyal persons are not adequately restrained by the ordinary processes of law from hindering this measure and from giving aid and comfort in various ways to the insurrection;

Now, therefore, be it ordered, first, that during the existing insurrection and as a necessary measure for suppressing the same, all Rebels and Insurgents, their aiders and abettors within the United States, and all persons discouraging volunteer enlistments, resisting militia drafts, or guilty of any disloyal practice, affording aid and comfort to Rebels against the authority of United States, shall be subject to martial law and liable to trial and punishment by Courts Martial or Military Commission:

Second. That the Writ of Habeas Corpus is suspended in respect to all persons arrested, or who are now, or hereafter during the rebellion shall be, imprisoned in any fort, camp, arsenal, military prison, or other place of confinement by any military authority or by the sentence of any Court Martial or Military Commission.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty fourth day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the 87th.

ABRAHAM LINCOLN

By the President:

WILLIAM H. SEWARD, Secretary of State.

Lesson: Baltimore - Caught in the Middle

From "Long May It Wave: Fort McHenry and the War of 1812," A National Curriculum by the Friends of Fort McHenry in collaboration with Fort McHenry National Monument & Historic Shrine and the Star-Spangled Banner National Historic Trail.

Generously funded by the National Park Service, Chesapeake Bay Gateways and Watertrails Network.

Primary Source #7

Sachse, E. & Co. "Fort McHenry, Baltimore, MD [1862]." Lithograph. Courtesy of Fort McHenry National Monument & Historic Shrine, National Park Service. Baltimore, MD.



The Pratt Street Riot

Name: _____

Take notes for each question based on the video.

1. Why was there a lot of tension in Baltimore and Maryland at the start of the Civil War?
2. What didn't Baltimoreans like about having Union troops move through their city?
3. Describe the logistical difficulties facing the Union troops who arrived in Baltimore.
4. What is the relationship between where Baltimore is located and its importance to President Lincoln?
5. What did this riot remind people of from American history?
6. What concerns did Lincoln have about Maryland based on the Pratt Street Riot?

Definition of Writ of Habeas Corpus:

Definition of Martial Law:

Primary Source Research

Name: _____

After reading your primary source, select 3 important details that clarify what the document is describing and what implications this could have for people living in Baltimore at the time.

| Document | Implications |
|---|--|
| <p>#1 "Letter to Winfield Scott", Abraham Lincoln, April 25, 1861 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none">1.2.3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |
| <p>#2 "Letter to Winfield Scott", Abraham Lincoln, April 27, 1861 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none">1.2.3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |

| | |
|---|--|
| <p>#3 "Ex Parte Merryman", R. B. Taney, Chief Justice, April 1861 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none"> 1. 2. 3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |
|---|--|

Document

Implications

| | |
|---|--|
| <p>#4 "The Prisoner of the State ", D.A. Mahony, 1863 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none"> 1. 2. 3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |
|---|--|

| | |
|---|--|
| <p>#5 "Fourteen Months in American Bastilles", Frank Key Howard, 1863 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none"> 1. 2. 3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |
| <p>#6 "A Proclamation", Abraham Lincoln, September 24, 1862 Who wrote this document and why?</p> <p>What are the 3 most important details we need to know about what this document says?</p> <ol style="list-style-type: none"> 1. 2. 3. | <p>What does this document mean for the citizens living in Baltimore and Maryland at the time?</p> |

Letters to the Editors!

Name: _____

It is the summer of 1861 and you are living in Baltimore, Maryland. You are either a:

- A. A Union soldier stationed at Fort McHenry
- B. A concerned citizen of Baltimore who supports the Union; or
- C. A concerned citizen of Baltimore who supports the South

Once you have decided your role you are now going to express yourself to the local newspaper about everything that has been happening in your city and country. You will compose a letter to the editor of the Baltimore News Sheet to get things off of your chest!

Write a letter to the editor that:

- 1. Describes the geographic and political situation of Baltimore and Maryland
- 2. Explains what is happening to citizens of Baltimore and the rest of the country
- 3. Explains what the government is doing about the situation
- 4. Provides your opinion of the response of citizens and the government to the Civil War
- 5. States who you are and if you believe it is necessary or good to use Fort McHenry as a prison at this time with details supporting your opinion.

Use the information from the Pratt Street Riot and Primary Sources we have collected and the Scoring Rubric below to complete the assignment.

| CATEGORY | 4 | 3 | 2 | 1 |
|--------------|---|---|---|---|
| Focus Points | Includes information regarding all 5 of the focus points the letter was to include. | Includes information regarding 4 of the focus points the letter was to include. | Includes information regarding 3 of the focus points the letter was to include. | Includes information regarding 2 of the focus points the letter was to include. |
| Accuracy | Maintains historical accuracy throughout response. | May exhibit minor lapses in accuracy in topic/subject. | May exhibit major lapses in accuracy on topic/subject. | May fail to provide any accurate information on topic/subject. |
| Support | Support information is related to and supportive of the topic/subject. | Support information has minor weaknesses in relatedness to and/or support of the topic/subject. | Support information has major weaknesses in relatedness to and/or support of the topic/subject. | An attempt has been made to add support information, but it was unrelated or confusing. |
| Elaboration | Elaboration consists of specific, developed details. | Elaboration consists of some specific details. | Elaboration consists of general and/or undeveloped details. | Elaboration is sparse; almost no details. |