Initial Post and Responses

http://cwmemory.com/2009/12/22/is-the-richard-kirkland-story-true/

Is the Richard Kirkland Story True?

December 22, 2009 · 38 comments

in Civil War Culture,Lost Cause,Memory,My Favorites

The following guest post by Michael Schaffner examines the wartime evidence for the Kirkland story. It is a thoroughly researched essay and is well worth your time. I should point out that Mr. Schaffner did not set out to write a piece debunking this particular story. Like many of us he was curious about the origin and veracity of Civil War stories.

In 1965, a group comprising among others the states of South Carolina and Virginia, Collateral Descendents of Richard Kirkland, and the Richard Rowland Kirkland Memorial Foundation, erected a statue at Fredericksburg to the memory of Sergeant Kirkland of the Second South Carolina Volunteers. The inscription reads, "At the risk of his life, this American soldier of sublime compassion, brought water to his wounded foes at Fredericksburg. The fighting men on both sides of the line called him 'The Angel of Marye's Heights.'"

The exact deed for which Kirkland received this accolade was first and most extensively described by J. B. Kershaw, commander of the brigade in which Kirkland served, in a letter to the Charleston *News and Courier* dated January 2, 1880.

In brief (see Appendix A for the entire letter), after providing some background on Kirkland's family, Kershaw describes the scene on December 14 at his head quarters in the Stevens' house by the sunken road and stone wall at the foot of Marye's Heights. The previous day, a series of failed Union assaults had left thousands of casualties. As Kershaw surveys the carnage he is interrupted by a sergeant in his brigade, who asks permission to carry water to the wounded Union soldiers, whose cries have moved him since the previous evening. Due to the danger from a day-long "murderous skirmish" with Syke's regulars, Kershaw only reluctantly approves the young man's request. Even then he refuses Kirkland permission to show a white flag or handkerchief to lessen the danger. Despite this, Kirkland goes over the wall and gives water to the nearest wounded Yankee, pillows his head on his knapsack, spreads his overcoat over him, replaces his empty canteen with a full one, and goes on to the next. The firing ceases as his purpose becomes clear. Other wounded soldiers cry out to him and for "an hour and a half" Kirkland continues "until he relieved all the wounded on that part of the field."

It is a moving account and well portrayed in the statue. Yet contemporary references to the act prove difficult to come by. A review of on-line periodical and book collections,

including the Official Records, as well as an examination of Kershaw's original account, all raise questions about the story behind the monument. For example, an examination of the Cornell University "Making of America" website, which provides a wide range of books and periodicals published in the United States between 1815 and 1926, uncovers no versions of the story.

A search through Google Books produces a few accounts, including the original Kershaw letter, as well as an appearance of the same letter, unchanged, in the works The Camp-fires of General Lee, by Edward S. Ellis, published in 1886, and Christ in the Camp: Or, Religion in Lee's Army by John William Jones, published in 1887. The story also appears in The Army of Northern Virginia in 1862 by William Allen (p. 514), published in 1892, in almost identical language, but with the additional details that Kershaw refused the white handkerchief lest it be interpreted as a flag of truce, that Kirkland collected canteens from his comrades before going over the wall, and that a similar act was performed by artillerymen of Jordan's battery that evening. But the author gives no sources for these added facts.

An interesting variation on the story appears in Augustus Dickert's 1899 History of Kershaw's Brigade. This work, written by a veteran company officer of the Third South Carolina, makes no mention of Kirkland's act, giving instead a first hand description of a somewhat different scenario (p. 193):

> The next day [December 14], as if by mutual consent, was a day of rest. The wounded were gathered in as far as we were able to reach them. The enemy's wounded lay within one hundred yards of the stone wall for two days and nights, and their piteous calls for help and water were simply heart-rending. Whenever one of our soldiers attempted to relieve the enemy lying close under our wall, he would be fired upon by the pickets and guards in the house tops.

Despite this, Dickert reports one soldier as taking relief work into his own hands (pp. 196-197):

> In one of the first charges made during the day a Federal had fallen, and to protect himself as much as possible from the bullets of his enemies, he had by sheer force of will pulled his body along until he had neared the wall. Then he failed through pure exhaustion. From loss of blood and the exposure of the sun's rays, he called loudly for water…. To go to his rescue was to court certain death… But one brave soldier from Georgia dared all, and during the lull in the firing leaped the walls, rushed to the wounded soldier, and raising his head in his arms, gave him a drink of water, then made his way back and over the wall amid a hail of bullets knocking the dirt up all around him.

There is something compelling about this account, as an act of individual initiative as well as mercy, but it involves no ministering to the mass of casualties, no cease-fire, and, apparently, no Kirkland.

But another easily accessible source exists that should enable us to verify the story of Sergeant Kirkland. His actions occurred at a known time at a known place, within view of trained observers required to file reports on the incidents of the day. We can find these reports in The War of the Rebellion, the official records of the Union and Confederate Armies, published by the War Department between 1880 and 1891. Specifically Series I, Volume 21 (published in 1881) presents accounts of the battle of Fredericksburg prepared by commanders in the field within days of the action. While we might expect the charitable actions of one noncommissioned officer to escape notice, a key portion of Kershaw's account – the 90 minutes during which no one fires at Kirkland – must have attracted the attention of one of the officers commanding on the field.

Brigadier General George Sykes commanded the Second Division of the Fifth Corps opposite Kershaw's Brigade on December 14th, the day after the charge, on the afternoon of which Kershaw has Kirkland tending the wounded. According to General Sykes (p. 415):

> At 11 p.m. [night of the 13th] these troops [First and Second Regular brigades] relieved the troops in advance (General Howard's), and held their ground until the same hour the following night. The position assigned these troops was one of extreme peril – in an open field, within 100 yards of the enemy, who was securely sheltered behind stone walls and rifle-pits. They remained under constant fire for twelve hours, and could offer in resistance only the moral effect of that hardihood and bravery which would not yield one foot of the line they were required to protect.

Possibly Sykes did not see actual conditions on the line. One level down the chain of command, Lt. Col. Robert C. Buchanan commanding the First Brigade reports (p. 418):

> At daylight firing commenced between the pickets, and it was soon found that my position was completely commanded, so that if an individual showed his head above the crest of the hill he was picked off by the enemy's sharpshooters immediately…

Buchanan ordered his men not to return the shots, but notes no general cessation of Confederate fire. In fact (p. 419):

> The enemy shot my men after they were wounded, and also the hospital attendants as they were conveying the wounded off the ground, in violation of every law of civilized warfare.

Captain John Wilkins, commanding the Fifth Infantry notes (p. 420), "At daybreak I found the pickets entirely unprotected, and exposed to a murderous fire from the enemy's rifle-pits…" Captain Hiram Dryer, commanding the Fourth Infantry, stated that daylight found his men within 100 yards of the Confederate position, and under continuous fire until they occupied a brick tannery, from which they "succeeded in keeping the enemy's fire under until midnight, when we were relieved…" (p. 422).

Captain Matthew Blunt, commanding the Twelfth Infantry reports his men taking position within 200 feet of the enemy and receiving "a continued fire" (p. 423) until relieved Sunday night. Captain John O'Connell, Fourteenth U. S. Infantry, reports holding a position that Sunday about 150 yards from the enemy "under almost continuous fire of musketry from the enemy's rifle-pits, with occasional shots from heavy guns during the daylight…" (p. 424).

The Second Brigade had it no easier. Its commander, Major George Andrews, reported of that Sunday (p. 426):

> Our line was now about 80 yards in front of a stone wall, behind which the enemy was posted in great numbers… To move even was sure to draw the fire of the enemy's sharpshooters, who were posted in the adjacent houses and in tree-tops, and whose fire we were unable to return. Thus the troops remained for twelve long hours, unable to eat, drink, or attend to the calls of nature, for so relentless were the enemy that not even a wounded man or our stretcher-carriers were exempted from their fire.

Captain Salem Marsh, commanding a battalion of the First and Second U. S., reports the fire on the 14th as "terrific" and "passing not more than a foot over the ground." He also notes that "The firing of the enemy ceased at dark." (p. 427) Captain Henry Maynadier, commanding a battalion of the Tenth Infantry, reports "a continuous fire" (p. 428); Captain Charles Russell of the Eleventh Infantry similarly states that the enemy "continued the fire all day" (p. 429).

In summary, the relevant Union after action reports not only fail to confirm Kershaw's story, but describe conditions that make it unlikely.

Confederate reports provide another perspective.

Colonel Kennedy of the Second South Carolina (Kirkland's regiment) mentions fifteen officers and two orderlies by name for meritorious conduct, but Kirkland is not among them (p. 593). Colonel James Nance of the Third South Carolina similarly ends his account on the 13th, when he was wounded. Captain John Nance takes up the story, having taken command after two more senior officers were struck down, but tells only of the relief of the regiment on the evening of the 13th and notes nothing further until the regiment returned to camp on the 15th (p. 596).

Lieutenant Colonel Elbert Bland of the Seventh South Carolina describes the battle, and then tells of his regiment relieving Philips' Legion on the stone wall: "We held this position with the wings doubled, occasionally exchanging shots with the enemy, until Tuesday morning (16th)…" (p. 597). Captain Stackhouse of the Eighth South Carolina states, "On the 14th, we confined our fire to select parties of the enemy" (p. 598), but makes no note of a general cease fire, or of Kirkland.

Colonel De Saussure of the Fifteenth South Carolina reports that his regiment moved on the evening of the 13th to support the Second South Carolina at the wall, "and there remained until the evacuation of the city…" (p. 599). He makes no mention of Kirkland, but does commend his surgeon, assistant surgeon, and chaplain for their attention to the wounded. Colonel Robert McMillan of the Twenty-fourth Georgia took over the command of Cobb's brigade when General Cobb received a mortal wound during the Union assaults of the 13th. Of the 14th he reports, "We rested on our arms that night, and throughout the next day {Sunday, the 14th} a close, heavy, and continuous skirmish fire was kept up."

As for Kershaw himself, his own after action report (presented entire in Appendix B) spends but one short paragraph on Sunday the 14th:

> At daylight in the morning the enemy was in position, lying behind the first declivity in front, but the operations on both sides were confined to skirmishing of sharpshooters. We lost but 1 man during the day, but it is reported that we inflicted a loss upon the enemy (Sykes' division) of 150.

He mentions eight officers as having distinguished themselves, as well as Captain Cuthbert's company and Captain Read's battery, but makes no mention of Kirkland.

In short, Kershaw's 1880 letter to the editor receives no support from contemporary after action reports, including Kershaw's own.

Kershaw had another opportunity to insert Kirkland into the official record, or something like it, when he wrote the editors of the Century Magazine for their "Battles and Leaders of the Civil War" series, on December 6th, 1887. But here he confined himself to technical corrections of General Ransom's letter concerning Fredericksburg, and fails to note anything of interest occurring on December 14th.

A story in the Richmond Daily Dispatch of January 12, 1863, provides another contemporary view, titled "The Carnage at Fredericksburg – Graphic Account From a Yankee Soldier." In this an unnamed Union soldier writes to a friend in Baltimore, describing the battle and aftermath. He notes that the main attack "was fought on a remarkable small space of ground," that each wave was virtually annihilated, that a slight rise within 150 yards of the stone wall gave some shelter, that a "criminally negligent" ambulance corps did not carry off the wounded till after midnight, and that the troops laid out all the next day expecting the attack to be renewed. But he did not see Kirkland.

At this point it seems worth noting that the Kirkland story also does not appear in some of the better known histories of the war. Douglas Southall Freeman makes no mention of the Sergeant, and of the scene on December 14th writes (Robert E. Lee, Vol. II, Chapter 31, p. 469):

> Union troops were burying the dead within their lines and were carrying off such of the wounded as they could reach. Now and again the skirmishers engaged in angry exchanges, and the Federal batteries fired a few half-hearted rounds. That was all.

His picture of the following day provides a marked contrast with the acts of mercy ascribed to Kirkland (p. 470):

> On the morning of the 15th, with his own line still further strengthened, Lee observed that the enemy had dug rifle pits and had thrown up fortifications on the outskirts of the town, as if to repel attacks. He saw a ghastly sight besides: The Federal dead that still remained between the lines had changed color. They no longer were blue, but naked and discolored. During the night, they had been stripped by shivering Confederates, many of whom now boasted overcoats, boots, and jackets for which the people of the North had paid. It was ghoulish business, reprobated by the enemy but excused by the beneficiaries, who asked whether it was better for them to freeze or to take clothing the former owners would not miss.

Shelby Foote, who might fairly be said to have never met an anecdote he didn't like, similarly omits Kirkland, repeating Freeman's account of southern soldiers treating the Federal casualties as a source of winter clothing. One popular historian who does mention Kirkland legend is Francis O'Reilly, but even he in the end hedges a bit (The Fredericksburg Campaign, 2006, p. 439):

> Whether Kirkland acted alone, or pioneered a host of encounters and somehow became a composite for all of the works of mercy, is hard to determine….

Not all recollections of Fredericksburg leave out the Sergeant. T. Rembert of Company E, a comrade of Kirkland's, left a tribute to him in the form of a letter to The Confederate Veteran, in 1903. However, his story repeats the highlights of Kershaw's 1880 letter, with no details that would distinguish his as an original account. Given the paucity of corroboration, it seems appropriate to reexamine the story as Kershaw told it, and see how key elements accord with other accounts of the battle, and the logic of the situation. We start with the setting itself:

> The ground between the lines was bridged with the wounded, dead, and dying Federals, victims of the many desperate and gallant assaults…

A field carpeted with wounded provides the essential setting for the tale of Kirkland's charity, but where were the wounded, and how many were still there?

General McLaws, commanding the Confederate division along the wall, stated that "The body of one man, believed to be an officer, was found within about 30 yards of the stone wall, and other single bodies were scattered at increased distances until the main mass of the dead lay thickly strewn over the ground at something over 100 yards off…" (OR, Series I, Volume 21, p. 581).

That is, the mass of Federal casualties lay within what would soon become, according to the after action reports, the picket lines of Sykes' Regulars. Though their officers withdrew these men to less exposed positions during the day, such wounded as remained would still lie much closer to the Federal than Confederate lines.

But in any case the Federals did not simply abandon those wounded in the assaults of the 13th. Private William McCarter (My Life in the Irish Brigade, pp. 190-194) describes small parties of soldiers, backed up by ambulances, searching for wounded between the lines on that night, as well as his own efforts to drag himself back. Brigadier-General Humphreys, commanding the third division of the Fifth Corps, which made the final charge against the wall, reported on his own efforts (OR, Series I, Volume 21, p. 433), stating "The wounded were nearly all brought in before daylight, and some of the dead, but many of the latter were left upon the field." The unnamed Union private quoted in the Daily Dispatch expresses bitterness at the ambulance corps for not coming till after midnight, but they came.

Altogether, between the efforts of the walking wounded and ambulance parties, and considering the effect of lying through a winter's night and day in the field, there seems considerable reason to doubt that many wounded remained to "bridge" the space between Sykes' and Kershaw's lines on the 14th.

> …the General sat in the north room, up stairs … when Kirkland came up …

Kirkland, a sergeant in a company in one of several regiments under the command of General Kershaw, passes by or through his company commander, his regimental commander, and the general's staff, to make a personal appeal to relieve the Federal wounded, while his unit is engaged with the enemy or awaiting an attack. It seems equally difficult to see him leaving the ranks without their knowledge or to imagine him going through each link in his chain of command, as each refers him to the next until finally the general himself tells the young sergeant to go ahead and risk his life.

> "General, can I show a white handkerchief?" … "No, Kirkland…"

This exchange has the effect of accentuating the danger Kirkland encounters – apparently Kershaw sees himself as having no authority to call for a truce, however limited. Yet he

has already allowed an enlisted man to undertake an action forbidden to the rest of the army.

> Unharmed, he reached the nearest sufferer…

Fortunately for Kirkland, Sykes' division has been ordered not to fire, though Dryer's men in the tannery may have come into action by this time.

> This done, he laid him tenderly down, placed his knapsack under his head…

Most accounts of the Federal assault on the wall mention the dropping of knapsacks before going into action. McCarter left his on the other side of the Rappahannock, others removed them in town. Humphrey's division even dispensed with their haversacks and blankets before making the attack.

> …spread his overcoat over him…

The wounded Federal had either cast his overcoat aside, or Kirkland must have wrestled it off him. In any event, based on Freeman's account, it will soon find its way to the Confederate lines.

> …replaced his empty canteen with a full one, and turned to another sufferer…

Kershaw doesn't tell us that Kirkland takes several canteens, but he must have either done that or traveled repeatedly back to his own lines for more water, or both. It is only at this point, however, that the danger from the enemy has passed:

> By this time his purpose was well understood on both sides, and all danger was over. From all parts of the field arose fresh cries of "Water, water…"
>
> For an hour and a half did this ministering angel pursue his labor of mercy…

At this point the story goes beyond merely raising a few questions to presenting several seeming improbabilities.

A general cease-fire has broken out, involving troops for a hundred yards or more in each direction – otherwise "all danger" would not yet have passed. As remarkable as this seems, it would be even more remarkable had troops continued to shoot each other while leaving Kirkland to go about his labors unmolested – so remarkable that, by this point, we could expect Kershaw to mention it.

Even more remarkably, although the wounded cry from all over the field, only Kirkland attends them, and only with water. For the next ninety minutes no medical personnel on

either side – not the Confederate surgeons and chaplain praised by De Sausseur, nor the Union hospital attendants that Buchanan reports as having been fired upon – take advantage of the lull to perform their duties. Nor does the Georgia soldier reported by Dickert; nor does any other soldier. Everyone in view seems paralyzed by Kirkland's act. They neither remove nor treat any of the casualties "bridging" the positions; the best the wounded can hope for is a drink of water.

Not only do the observers fail equally to fire on or assist Kirkland, but within days, when writing up their after action reports or letters to friends in Baltimore, or years later, composing their memoirs, they make no mention of the incident. This despite the fact that the deed occurs on an afternoon when the sun will set, according to McCarter, at 4:30, so that the halt in the firing and the public act of mercy occupies a significant portion of the day, on an open field in view of thousands on both sides.

Interestingly, all of this makes Dickert's story of the nameless Georgian that much more compelling. Here a single soldier, seeing a suffering foe who has been fortunate enough to drag himself near the wall, on his own initiative leaps over, gives the man a drink, and leaps back under fire. It has a ring of truth, and it does not in any way contradict the after action reports or other accounts of the battle.

It also raises the possibility that this might be the real Kirkland story. When it went into action at the wall, Dickert's regiment took position on the left of the Twenty-fourth Georgia, Cobb's Legion. Colonel Kennedy of the Second South Carolina notes that when his regiment took its position, "three companies and a half" fell in "in rear of the Twenty-fourth Georgia Regiment." (OR, Series I, Vol. XXI, p. 592) With the Confederate troops formed in four ranks behind the wall, a soldier of the Second South Carolina crossing over the wall to aid a wounded Federal might very easily be assumed to be a "Georgian" by the troops to their left in the Third South Carolina. This does not substantiate the legend, but it at least provides some hint of a likely origin.

With all this, several questions remain – what did Sergeant Kirkland actually do at Fredericksburg? If he didn't do precisely what Kershaw said he did, why would Kershaw say that? And what can it matter now?

We cannot answer the first question. Unless Kirkland was Dickert's "Georgian" the record that fails to corroborate Kershaw's story also fails to replace it. Kirkland himself was killed in action at Chickamauga less than a year later, reportedly as a Lieutenant. But we do not even know that Kirkland held that rank, or even that of Sergeant – Dickert's history, which includes a muster roll, lists him only as "Kirkland, R. R." among the privates of companies E and G, and notes that gaps in the records make it impossible to reflect every change in the ranks.

It seems reasonable to assume that Kirkland was a gallant young man – he gave his life in the war, and attracted the admiration of his General. Perhaps Kershaw never really meant us to take his story literally, but rather intended to convey a deeper meaning.

It seems notable that Kershaw not only left Kirkland out of the after action report, but also left him out of the "Battles and Leaders" account of Fredericksburg written eight years after his letter to the editor. Kershaw may have seen a difference between a human interest story told to a local paper at a time when papers published lyric poetry and lurid scandals and everything between, and the actual historical record.

There is a certain logic in reserving for the latter the literal truth while offering to the former the sort of tale that perhaps ought to have been true – the kind of civic parable that Plato in The Republic recommends that the elite tell to commoners, the kind of story incorporated in inspirational messages in sermons. In that context, the literal truth would matter less than the spiritual truth of the noble youth who confronts the brutality of the battlefield with an act of Christian charity and later dies heroically for his country.

Several elements in the telling of Kershaw's story make this a more plausible than speculative interpretation. The idea that he wrote a parable rather than a history shows up in the literary flourishes in the letter, including the passage in which Kirkland, having received permission to proceed, "ran down [the stairs] with a bright smile on his handsome countenance." Literally, of course, Kershaw would have no way of seeing Kirkland's bright smile as the sergeant ran down the stairs away from him, but it adds to the tone of the tale. Similarly the conclusion of the letter hints at a purpose other than a strict historical account: "he has bequeathed to the American youth — yea, to the world — an example which dignifies our common humanity." It was not an example noted at the time, but the letter published 17 years later, and the statue erected in 1965, have made up for it.

The final question remains. Does it matter whether Kershaw's account of Sergeant Kirkland's deed is literally true?

From one perspective, we can say that it does not. We do not need a real action to praise the virtue of aiding a wounded foe. Yet another view might hold that when we memorialize an act of such singularity and uncertain provenance to the exclusion of a greater reality, we lose the concrete to the fanciful. Hundreds of American soldiers died defending the wall at Fredericksburg, holding their ground though it seemed that the whole enemy army was coming their way. More than a thousand other American soldiers died before that wall in an attack that quickly became equally famous for futility and heroism. The men in the first Federal assault wave saw a situation that seemed, but had not yet proven to be, hopeless. The ensuing attacks were certainly so, and yet men went forward anyway, into the fire.

Kirkland himself fell to the fire less than a year later. In celebrating an action that may not actually have occurred (and that Kershaw himself apparently never tried to place in the historical record), the statue fictionalizes one man's courage even as it overshadows that of thousands of others. In effect, the real soldiers – including Kirkland himself – have no statue. In its place stands a monument to a myth.

Tim Abbott December 22, 2009 at 2:54 pm

Compellingly and perceptively written.

Kevin Levin December 22, 2009 at 3:11 pm

I couldn't agree more. It should be written up for one of the Civil War magazines. It would make for an excellent article.

jfe December 22, 2009 at 3:20 pm

It would make a fine article, I agree, but there would be many who would not like seeing another myth punctured.

Mac Wyckoff December 22, 2009 at 11:17 pm

While the author of this article did a very good job consulting sources aviable on-line, he missed much information about Kirkland and the incident that is not on line. I have studied this incident for twenty-five years. It appears that the author of this article did not consult my book on the 2nd South Carolina which details the Kirkland innocent and there will be even more detail in my upcoming greatly reviased and expanded second edition. Nor did the author of this article consult the huge file on Kirkland at the Fredericksburg Battlefield Visitor Center. It would seem to me that anyone serious about this incident would have started at the battlefield where the incent occured instead of relying on-line sources. The file at the Fredericksburg Battlefield Visitor Center contains my research into why Kershaw wrote the newspaper article. He was asked in a newspaper article about the incident a week before to provide more details and the name of the soldier who performed the humanitarian act. That was his motive. It is important to note that as the story grew in popularity, no one disputed Kershaw's story or that Kirkland was the one who did it. In fact, after Kershaw's wrote his account, several members of the 2nd South Carolina came forward confirming Kershaw's account and naming Kirkland as the humanitarian. If the author had checked the Compiled Service Record of Richard Kirkland or consulted the roster of my book he would find that Kirkland was a sergeant at the time of the incident and the time of his death.

Incidents like this were usually not mentioned in the Official Records so the author's arguments that since they don't mention the incident means it did not happen don't hold up. It also could be that humanitarian incdients like this were not that common and so not worth mentioning at the time. With the passage of time, an incident like this may have grown in importance and eventually took on a life of its own. While there is no contemporary evidence that Kirkland perfromed this act, there is not evidence that he did not. There are eye witnesses who wrote later of the incident and no eye witnesses challenged Kersahw's story or that Kirkland performed it.

Anyone wishing to learn more about the Kirkland incident should consult the extensive f ile at the Fredericksburg Battlefield Visitor Center.
Mac Wyckoff

Kevin Levin December 22, 2009 at 11:34 pm

Mac,

Thanks so much for taking the time to respond. You are absolutely correct in pointing out that anyone interested in the Kirkland will have to take a trip to FSNMP to consult the files. I published the account with full understanding that it covered only sources available Online and that it does a pretty good job of critiquing those sources, your concerns nothwithstanding.

Perhaps you can clarify something for me about the large file on Kirkland that is located at the FSNMP. I assume I am reading their bibliographies incorrectly, but where in their books do Rable and O'Reilly cite a Kirkland collection? So, I assume that the file includes wartime accounts of Kirkland's actions. If so, than why did neither of these authors cite those accounts? Thanks again for taking the time to write. It's a fascinating story that seems to bridge the divide between history and collective memory.

Michael Schaffner December 23, 2009 at 3:09 pm

“While there is no contemporary evidence that Kirkland performed this act, there is not evidence that he did not.”

I think that kind of sums up the actual historical case for Kirkland, except that I also think that the after-action reports of the commanders of Sykes' regulars and Kershaw’s brigade provide compelling documentation that the story told by Kershaw could not have happened. After-action reports often vary in details, and can lend a kind of Rashomon-like quality to the story of a battle – in the case of Fredericksburg, for example, the reports I cited vary in the intensity of firing described, with those receiving generally reporting more than those giving. But they all agree in the absence of the hour and a half long cease-fire claimed by Kershaw in his later account (though not in his AAR), as well as in the absence of angels. Moreover, McLaws’ statement about the distance of Federal bodies from the wall supports Humphrey’s account of the removal of his wounded, which receives further support from McCarter and other casualties who survived. So contemporaries not only fail to mention Kirkland’s deed, but they describe a situation in which it simply could not occur as Kershaw tells it.

A reading of Dickert's history of Kershaw’s brigade (written by an officer in that brigade who served at Fredericksburg) tells me that some who didn't object to Kershaw's story about Kirkland had simply never heard it. Indeed, if Kirkland was widely known as the “Angel of Marye’s Heights” at any time in the 35 years following the war, we would expect a comrade of his, writing for other comrades of his in the same brigade, to have showcased the story in a book published in 1899.

Mr. Wyckoff seems dismissive of “on-line sources” but I want to point out to those readers who might not have seen them that the Official Records first appeared on paper in the years 1880 through 1901. The ORs include just about every report and piece of correspondence that the War Department could lay their hands on and are even more valuable to us now that they can be searched electronically. Those interested can take a look at them here: http://cdl.library.cornell.edu/moa/moa_browse.html

Some of the sources I consulted were available only on paper at the time I first wrote the article (2007), but have since found their way on-line, typically through Google Books. I don’t think they lost historical value in the scanning process.

I’d like to turn this question about the ORs around and ask, if twenty-five years of research have failed to uncover “contemporary evidence that Kirkland performed this act,” why hasn’t Mr. Wyckoff turned to contemporary sources such as the Official Records and Dickert’s history for possible alternative explanations? To say “Incidents like this were usually not mentioned in the Official Records” sells that source pretty short. I’ve found everything in the Official Records from battlefield correspondence to studies of knapsack weight, ammunition production statistics, inventories of captured materiel, and reports on the durability of sewed vs. pegged brogans. The only incidents consistently not mentioned in the Official Records are incidents that did not occur.

But my search didn’t start with the computer; it did in fact begin on the battlefield. I have gone to Fredericksburg many times, both as a tourist and as a reenactor. I have several times marched along the route traveled by the Irish Brigade in living histories narrated by Mr. Wyckoff’s NPS colleague Frank O’Reilly. It was at the end of one of those, facing the statue of Kirkland before the fateful wall, that my questions about the sergeant began. I wanted to know more about the story from the men who had seen it happen. I first looked for leads in my personal library, particularly Foote and McCarter’s books. I was surprised that Shelby Foote didn’t cover Kirkland, since he so obviously loved a good story. Once I got to the Official Records and other original sources, I found an explanation for the omission – no one can reconcile the story as Kershaw told it with the contemporary accounts of the battle by the men who fought it.

I should also mention that I found some of Mr. Wyckoff’s writings on-line, but while dramatic and well-written they did not refer to original sources that independently verified the story. When I first drafted my Kirkland article I sent copies both to Mr. O’Reilly (who worked at the Park with Mr. Wyckoff) and to the e-mail address of the Kirkland museum, in each case asking the recipients if they had any information that contradicted my findings, or indeed anything about Kirkland’s alleged act written earlier than Kershaw’s account. I never heard back. The existence of a “huge file” at the Park was thus something I did not know about, but as I was interested in contemporary accounts corroborating the story – material that, according to Mr. Wyckoff’s statement above, does not exist – I am not sure what anyone is supposed to find there.

I am glad to receive Mr. Wyckoff's clarification of Kirkland's rank – that he was a sergeant at Fredericksburg and died a sergeant at Chickamauga. Kershaw's original letter states that the young man was promoted to lieutenant after Gettysburg, but this now seems the least of the general's exaggerations on Kirkland's behalf.

Craig December 24, 2009 at 8:48 pm

The real gist of your case seems to be the limited number of first hand accounts from witnesses to Kirkland's actions. While I would agree, if we were to present this to a court of law, the weight should be upon eyewitness accounts. But I would ask if Kirkland's actions, or alleged actions if you wish, were something which the officers might normally include in reports. We often cite the ORs as if these were some magic documents encompassing all that occurred on the battlefield. As if the writers were required to provide detailed essays of their perceptions, sensations, and impressions. Not at all. These were simply military after action reports detailing the actions of the units as recalled by the commanders. I would argue then Kirkland's act of mercy, if it occurred or not, was not something normally included in a battalion, regimental, brigade, or division report. That Kershaw never "debunked," and in fact added to the Kirkland story post war is actually far more telling than his lack of inclusion within reports written at the time of the event, all things considered.

As as second point, I would also wonder how unique or extraordinary Kirkland's actions were. At the very heart of the somewhat contradictory notion of civilized warfare lodged in the Western mindset. Not just soldiers, but throughout society, is ingrained the respect for white flags, dignified treatment of prisoners, care for wounded, and indeed the concept of "non-combatant." Taking such moral and ethical cornerstones as a base, there should have been dozens if not hundreds of "Kirklands" rendering assistance through the course of the war. Maybe there was more than one "Kirkland" with canteen in hand on Marye's Heights (the evidence presented in your post indicates at least one existed). And who is going to stop and record names for posterity in a situation as played out at Fredericksburg? More to my first point above, are there any mention of Kirkland-like acts from any official reports from other battles (I can think of blue-to-blue or gray-to-gray acts of mercy, but not many gray-blue exchanges)? Or were such acts commonplace enough to go without mention?

As for fictionalizing one man's courage while overshadowing others, well that's the normal state of affairs in this world (think about the Iwo Jima memorial for instance). Some of the bravest men and women I've ever met will never get a statue on even the smallest town square. Some won't even gain recognition in the form of noted awards. Guess I can provide many more appropriate examples from which to make the stand against the inequities of these public displays and the faulty collective memory. I seriously doubt anyone is rolling over in their grave at the attention given Richard Rowland Kirkland. And if the premise is Kirkland's memorial somehow slights other more deserving individuals, then I'll start on my rant about the Dante Alighieri statue in Meridian Hill Park, Washington, D.C. while William Shakespeare goes unrecognized.

Michael Schaffner December 25, 2009 at 4:58 am

The real import of the after action reports is that they not only fail to mention Kirkland, but that they contradict — without any ulterior motive or reference to the legend to follow — the circumstances underlying Kershaw's account, especially the truce and the ground carpeted with wounded within easy canteen-hauling distance of the Confederate lines.

Of course the other critical fact about the after action reports is that they exist, and that they were written a short time after the battle when memories were fresh, and that both sides agree on the essentials. To discount these reports — Union and Confederate alike — while priviledging a letter to the editor written nearly twenty years after the fact, seems a bit unbalanced to me. It seems bizarre, in fact. If we didn't so much want the story to be true, we would never stretch so far in favor of one much later source against a dozen written at the time.

But don't stop at trying to discount the after-action reports. I would like to hear the explanation for why we have no mention of the incident in any of the newspaper reports of the battle (tell me that editors at Harpers or the Brooklyn Eagle or the Richmond Daily Dispatch wouldn't have given their right arms for a story like this!), nor any of the letters from the soldiers on either side at the time (wasn't even one of Kirkland's beneficiaries grateful enough to write home about it?), nor any contemporary journal entries –it's not just absent from the AARs, but apparently from all other records.

But even those aren't the only problems I have with the account, now that I've taken the time to check it out and consider it. Not only does the Kirkland legend stretch the normal standards of historical research, it seems to me to risk prettifying and trivializing the very real horror of the actual battle. By focusing on the “Christ-like” Kirkland — moving among the grateful wounded while the two great armies sit, jaws-agape, in admiration — we pass by the Regulars lying under fire unable to “attend to the calls of nature” (or, more likely, attending to them in their clothes where they lay); we praise the figure who is not shot at while poor Lt. Col. Buchanan's wounded are wounded again and even the stretcher bearers attempting to reach them are shot. In crediting the legend of Kirkland, we credit Kershaw's 1880 letter while ignoring his own report after the battle, in which he proudly reports inflicting 150 further casualities on his enemy and hasn't a word for his charitable sergeant.

And not only do we praise the water-bearer above his suffering foemen, but by fetishizing Kirkland's alleged act of kindness we ignore the reality of the Confederate position on that day. The Confederate soldiers in the ranks didn't know whether or not they would get hit again, and they didn't know whether or not they might be ordered to counterattack — to cross the same ground that had seen the ruin of many Federal attacks the day before. The Kirkland story obscures both the real suffering and the real heroism of both sides on that battlefield.

And, so attractive has the story of the soldier giving water to the wounded enemy become, that we don't even begin to think about what even that simple act might really have meant. The story is so much about what we'd like to believe that it seduces us away from any critical reading at all. But if you think about it, and have read anything about military medicine at the time, the worst thing you can do for a gut-shot soldier (not an unlikely condition for someone disabled and lingering on the battlefield) is to give him water. For others, exsanguination causes such thirst that a few drops or swallows would be another kind of torture — McCarter emptied two canteens when he finally reached a party of his comrades from the Irish brigade. In fact, the kindest thing to do for the wounded is what the armies actually did: try to get them back to the professional medical staffs, even if in a few cases that means waiting another day for the cease fire. The story not only trivializes the situation of the armies on the day it supposedly occurred, it trivializes the condition of the wounded who were supposedly helped.

I don't want you to stop believing this story if it makes you feel better about humanity and warfare. But the more I consider the legend and compare it to the reality of the battle as reported by participants at the time, the more I think that Kirkland himself would be rolling over in his grave to hear it.

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Cynic February 15, 2010 at 6:04 pm

A wonderful piece of scholarship.

I'd like to add, if I may, to your discussion of Kershaw's motives in embellishing or inventing the story in 1880. By the time he wrote his letter, the Civil War was being reimagined amid a national focus on reunion. Nina Silber termed it the Culture of Conciliation, which is as good a label as any. David Blight has focused on the particular subject of soldiers' accounts of their wartime experiences. And other scholarship abounds. It all points in the in the same direction. By the 1880s, a new tone was ascendant in accounts of the war. It became important to Americans to reconstruct the war as a defining and shared national experience. Veterans groups – blue and gray – began meeting together. National groups, particularly fraternal orders, made a point of spanning the Mason-Dixon line. Among the most popular tropes of the era was the notion that all veterans were members of a common fraternity. And stories like that of Kirkland were seized upon as evidence, popularized to illustrate the way they wished the war had been fought. The key feature of the story is that Kirkland's sympathy for the wounded trumped even his concern with his own life – and that his act won the admiration of both sides, to the point that they ceased firing. An act of true fraternal love, in other words, was powerful enough to silence the guns.

Small acts of mercy were common amidst the horror of war. But bilateral, spontaneous, sustained cease-fires were not. The former might well have been omitted from official accounts; the latter would almost certainly have been reflected in some form. So why did Kershaw need to exaggerate the drama of the moment? The key to the power of the story,

particularly to his audience at the time, was the fact that all the participants on both sides were prepared to set aside their differences. If Kirkland had moved about the battlefield under sporadic fire for ninety minutes, for example, it would have heightened his own heroism, but diminished the intended import. Similarly, if the surgeons and ambulances were portrayed as following Kirkland's example, they would merely have been fulfilling their duties. It was Kirkland's willingness to act as an individual that is key to the tale.

And, in fact, Kershaw confirms this himself, concluding his account by writing that Kirkland stands as “an example which dignifies our common humanity.” That's a very interesting phrase. Not a confirmation of Christian mercy. Not a heroic figure, distinguished precisely because of his divergence from the norm. Not even a tribute to Southern manhood, or to the nobility of the Lost Cause. No, Kirkland “dignifies our common humanity.” He acted because he saw no difference, amid the suffering, between gray and blue. And both armies, moved by his example, ceased their fire.

It's a powerful fable. And, in some ways, it makes me glad that the statue was erected. It's a concrete embodiment of something very important – the collective Gilded Age desire to reassert our commonality. So long as we don't mistake it for history, it conveys an equally important lesson.

Michael Schaffner February 17, 2010 at 3:10 am

Thanks very much for the compliment. Really — the whole thing's been a bit awkward for me.

I'm still not sure about the motive behind the story. Possibly it had a complex of purposes. Beyond the reassertion of common humanity, one can also see the assertion of a ripping good yarn and the deliberate change of the Fredericksburg narrative from gallant-Irish-assault-against-all-odds to Christlike-Confederate-compassion-even-against-dastardly-yankees. Either way of course it would sell papers. And that in itself could have been the point. I recently discovered that the Charleston News and Courier published whole books of this sort of thing in the 1880s. If you like Kirkland you can also read, for example, Our Women in the War — http://books.google.com/books?id=GsoksxMSO58C&d... — a whole compendium of tales about gallant southern belles and the hardships of the southland. It seems enough of a genre that I begin to wonder whether Kershaw even wrote that letter himself or simply allowed his name to be attached to something ghost-written for the edification of the masses.

It's not as if much of our popular view of the war isn't more or less legend anyway. Kirkland has plenty of company in the miracle bullet of Raymond, the heroics of vivandiere Annie Etheridge, the Confederate composition of Taps, legions of “Black Confederates,” and other myths.

And even the conventional history of the battle of Fredericksburg seems a little mythic when you delve into the official records and first person accounts like McCarter's and Armstrong's. Each wave of the gallant attack fell apart pretty much within yards of the real jump off point, and Burnside's supposed stupidity looks more or less understandable given the communications of the day and the word he was receiving from the front.

And yet that's all more or less besides the point when it comes to the Kirkland Memorial. I think I would mind it less if it had nearby its own historical marker — one explaining why it had much more to do with 1965 than 1862. Without such an explanation I can't help but see it as less uplifting than septic.