

# UNITED STATES CONGRESS JOINT COMMITTEE ON THE CONDUCT OF THE WAR

**AGENDA:** The American Civil war with special emphasis on:

- Slavery
- Territory
- The Red River Campaign

**Freeze Date:** 9 April 1864

# Index

1. Letter from the Executive Board
2. About the committee
3. The onset of the war
4. Slavery
  - Precedent of Slavery legislation
5. Territory
  - Northern V/S Southern Territories
  - Secession
6. The Red River Campaign
7. Questions to be answered in the committee
8. Bibliography

# **Letter from the Executive Board**

**Chairperson- Gaurika Anand**  
**Vice- Chairperson- Yajurva Shrotiya**  
**Rapporteurs- Mahika Jain**  
**Eshaan Anand**

Greetings Delegates,

It is with great excitement that we look forward to chairing the United States Congress Joint Committee on the Conduct of War. This committee will aim to discuss the root causes of the American Civil war, with both the Democrats and Republicans having an equal say. Considering, the broad horizon for topics of discussion, we have narrowed down the focus to Slavery, Territory and The Red River Campaign. Slavery, being the root cause of the differences. Territory, being the deciding factor of America's map. The Red River campaign, being the most significant and at the same time a game-changing campaign.

We expect the delegates to mainly focus any and all documentation around the 3 topics stated above. Keeping in mind, the theme for this conference "Novum Principium", we will not be following the original mandate of the committee. The U.S. Congress Joint Committee on the Conduct of War will have the power to take actions and not just be an investigative committee. Also to level the playing field we have added a few more portfolios, which gives the Democrats and the Republicans nearly an equal say. This committee should not only revolve around the discussion on the defeats of the Union army, but should aim to resolve the differences and reach one concrete decision. A decision that will decide the fate of America!

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## About the committee

The American Civil War was the most deadly and arguably the most important event in the history of the United States. Sectional tensions enshrined in the Constitution erupted into a brutal war that cost over 600,000 lives and cleaved a nation in two.

It was a war that would come to define America—that would answer the "slavery question" and the "territory question" once and for all. Were we a nation committed to the ideas of the Declaration of Independence that "all men are created equal" or were we really two separate nations that should just go their separate ways and cut their losses?

In 1861, Congress creates the Joint Committee on the Conduct of the War in an effort to monitor both military progress and President Abraham Lincoln's administration.

The War Committee, as it was called, was established in the aftermath of the disastrous Battle of Ball's Bluff, Virginia in October 1861 and was designed to provide a check over the executive branch's management of the war. The committee was stacked with Radical Republicans and staunch abolitionists, however, and was often biased in its approach to investigations of the Union war effort. In contrast, the stimulation at DCYP will be an unbiased committee and will look at both sides with equity

The creation of the Joint Committee on the Conduct of the War began with a December 2 resolution from New York Republican representative Roscoe Conkling, who wanted an inquiry into the disaster at Ball's Bluff. We here at Daly College aim to change the past and create new beginnings "Novum Principium". Henceforth, this version of the committee will have a different mandate from the originally established committee. It will have the powers to make legislative decisions in light of the war, especially focusing on the red river campaign, territory and slavery. The committee will have more or less equal representation from both the union and the Confederates.

# The onset of the war

American Civil War, also called War Between the States, four-year war (1861–65) between the United States and 11 Southern states that seceded from the Union and formed the Confederate States of America. American Civil War, also called War Between the States, four-year war (1861–65) between the United States and 11 Southern states that seceded from the Union and formed the Confederate States of America. By contrast, the Southern economy was based principally on large farms (plantations) that produced commercial crops such as cotton and that relied on slaves as the main labour force. Rather than invest in factories or railroads as Northerners had done, Southerners invested their money in slaves—even more than inland; by 1860, 84 percent of the capital invested in manufacturing was invested in the free (non-slaveholding) states. Yet, to Southerners, as late as 1860, this appeared to be a sound business decision. The price of cotton, the South's defining crop, had skyrocketed in the 1850s, and the value of slaves—who were, after all, property—rose commensurately. By 1860 the per capita wealth of Southern whites was twice that of Northerners, and three-fifths of the wealthiest individuals in the country were Southerners. The extension of slavery into new territories and states had been an issue as far back as the Northwest Ordinance of 1784.

When the slave territory of Missouri sought statehood in 1818, Congress debated for two years before arriving upon the Missouri Compromise of 1820. This was the first of a series of political deals that resulted from arguments between pro-slavery and antislavery forces over the expansion of the “peculiar institution,” as it was known, into the West. The end of the Mexican-American War in 1848 and the roughly 500,000 square miles (1.3 million square km) of new territory that the United States gained as a result of it added a new sense of urgency to the dispute. More and more Northerners, driven by a sense of morality or an interest in protecting free labour, came to believe, in the 1850s, that bondage needed to be eradicated. White Southerners feared that limiting the expansion of slavery would consign the institution to certain death. Over the course of the decade, the two sides became increasingly polarized and politicians less able to contain the dispute through compromise. When Abraham Lincoln, the candidate of the explicitly antislavery Republican Party, won the 1860 presidential election, seven Southern states (South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas) carried out their threat and seceded, organizing as the Confederate States of America. In the early morning hours of April 12, 1861, rebels opened fire on Fort Sumter, at the entrance to the harbour of Charleston, South Carolina. Curiously, this first encounter of what would be the bloodiest war in the history of the United States claimed no victims. After a 34-hour bombardment, Maj. Robert Anderson surrendered his command of about 85 soldiers to some 5,500 besieging Confederate troops under P.G.T. Beauregard.

Within weeks, four more Southern states (Virginia, Arkansas, Tennessee, and North Carolina) left the Union to join the Confederacy. With war upon the land, President

Lincoln called for 75,000 militiamen to serve for three months. He proclaimed a naval blockade of the Confederate states, although he insisted that they did not legally constitute a sovereign country but were instead states in rebellion. He also directed the secretary of the treasury to advance \$2 million to assist in the raising of troops, and he suspended the writ of habeas corpus, first along the East Coast and ultimately throughout the country. The Confederate government had previously authorized a call for 100,000 soldiers for at least six months' service, and this figure was soon increased to 400,000.

## Slavery

Virginia had the largest population of enslaved African Americans of any state in the Confederacy, and those slaves responded to the American Civil War (1861–1865) in a variety of ways. Some volunteered to assist the Confederate war effort, while many others were forced to support the Confederacy, working on farms and in factories and households throughout Virginia. Thousands escaped to the Union army's lines, earning their freedom and forcing the United States to develop a uniform policy regarding emancipation. Others remained on their home plantations and farms but took advantage of the war to gain some measure of autonomy for their families. Slaves' wartime actions most often exhibited their strong desire for freedom, and even those who chose not to escape frequently welcomed the Union army as liberators.

Slavery was, as Confederate vice president Alexander H. Stephens of Georgia noted, the ideological "corner-stone" of the Confederate government. Equally important, slave labor provided the physical cornerstone for the Confederate war effort. Civilian and military employers in Virginia hired slaves in increasing numbers over the course of the war. Most of Virginia's slaves worked as agricultural laborers, and their wartime production helped feed both civilians and soldiers, particularly after the Confederate Congress passed legislation allowing for the impressment of wheat, corn, and other foodstuffs. Because the Confederacy's military and industrial employers typically only hired male slaves, much of the wartime agricultural work in Virginia fell to female slaves.

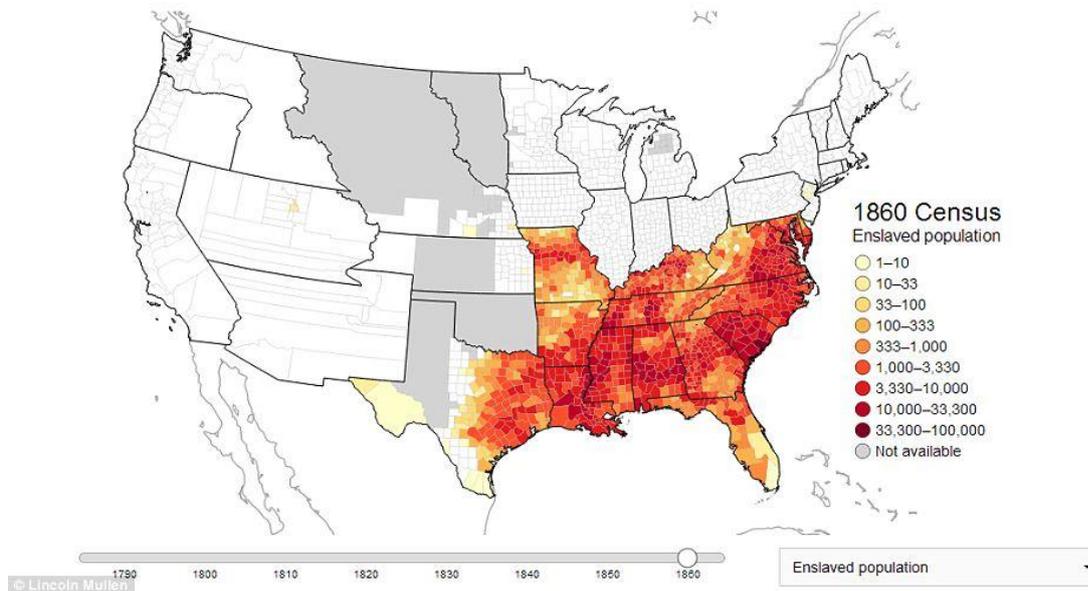
The Confederacy's use of hired slave laborers extended one of the key developments in Virginia's economy during the late antebellum era. Slave hiring was already an established facet of Virginia's antebellum industries, and male slaves comprised a large portion of the workforces in iron factories and on railroad lines. During the war, private employers like the Tredegar ironworks of Richmond, railroad lines, salt works, and iron forges, all of which sustained the Confederate war effort, hired increasing numbers of slave laborers as their white employees left for the army. Owners also leased their slaves to individual officers within the Confederate army or larger departments like the Confederate Medical Department, which hired hundreds of male and female slaves to work as nurses, cooks, and laundresses in army

hospitals. The war increased the importance of slaves with industrial skills in the upper South's hiring market; the demand for hired field hands also increased as white men joined the Confederate army.

Some of Virginia's Protestant churches severely constricted slaves' freedom of worship, denying slaves the right to join churches without their masters' permission, meet independently to hear slave preachers, or discipline their own congregations. Other churches, after an initial period of heightened alarm, expanded their enslaved congregants' freedom of worship. In April 1863, for example, the First Baptist Church of Charlottesville voted to grant its black members partial independence, allowing them to worship separately in the church basement (before eventually moving to a separate building) and choose their own pastor and deacons. Black congregants in some of Virginia's other churches gained more limited versions of this independence over the course of the war. White church leaders who granted their black members this freedom had no intention, however, of undermining the institution of slavery itself.

Finally, the wartime increase in slave hiring brought numerous disruptions to slaves' family lives. Enslaved men impressed to work on fortifications or hired to Confederate officers and industrial employers usually left their wives and children behind, placing a heavier work burden on enslaved women. Climbing prices for slaves in both the hiring and long-distance sale markets increased the likelihood that families would be separated. Other aspects of the war brought additional disruptions of family life. In particular, slaves forced to abandon their homes with refugee masters and mistresses left behind friends and relatives who lived on neighboring plantations.

## The Spread of U.S. Slavery, 1790–1860



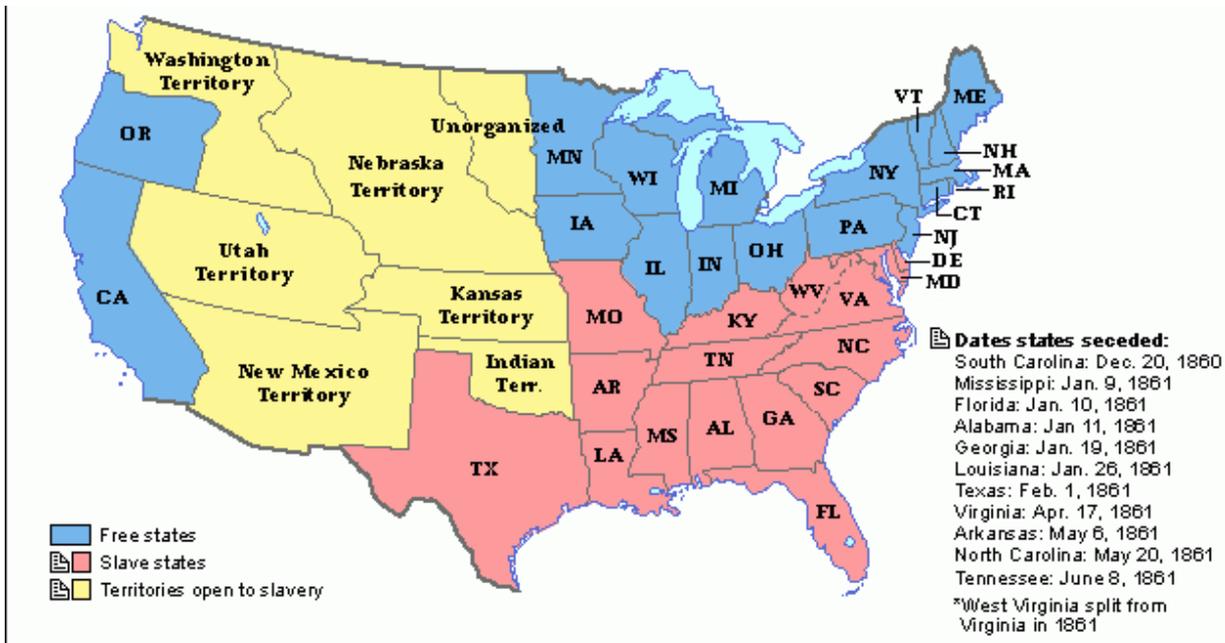
## Precedent to Slavery Legislation

Confiscation Acts, (1861–64), in U.S. history, series of laws passed by the federal government during the American Civil War that were designed to liberate slaves in the seceded states. The first Confiscation Act passed on Aug. 6, 1861, authorized Union seizure of rebel property, and it stated that all slaves who fought with or worked for the Confederate military services were freed of further obligations to their masters.

President Abraham Lincoln objected to the act on the basis that it might push border states, especially Kentucky and Missouri, into secession in order to protect slavery within their boundaries. He later convinced Congress to pass a resolution providing compensation to states that initiated a system of gradual emancipation, but the border states failed to support this plan. And Lincoln repudiated the position of Generals John C. Frémont and David Hunter, who proclaimed that the first Confiscation Act was tantamount to a decree of emancipation.

The second Confiscation Act, passed July 17, 1862, was virtually an emancipation proclamation. It said that slaves of civilian and military Confederate officials “shall be forever free,” but it was enforceable only in areas of the South occupied by the Union Army. Lincoln was again concerned about the effect of an antislavery measure on the border states and again urged these states to begin gradual compensated emancipation.

On March 12, 1863, the federal government passed additional measures (“Captured and Abandoned Property Acts”) that defined property subject to seizure as that



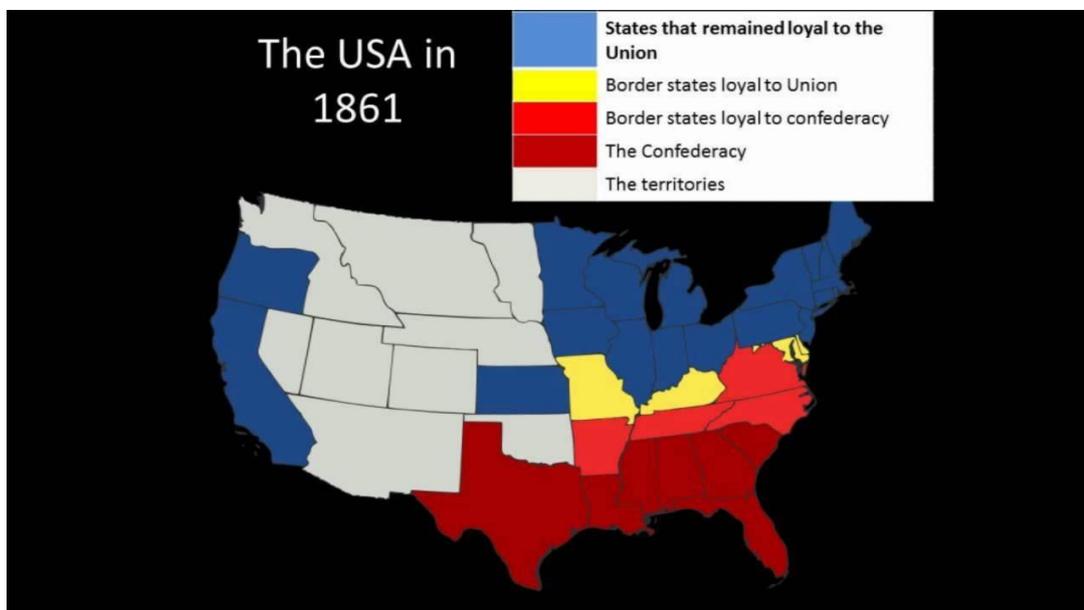
owned by absent individuals who supported the South. The Confederate Congress also passed property confiscation acts to apply to Union adherents. But the amount of land actually confiscated during or after the war by either side was not great. Cotton constituted nearly all the Southern nonslave property confiscated. With the issuance of the Emancipation Proclamation (1863) and passage of the Thirteenth Amendment to the Constitution, however, Southern slaveholders lost an estimated \$2,000,000,000 worth of human property.

## Territory

The Civil War was a fight to preserve the Union which was the United States of America. From the conception of the Constitution, there were two differing opinions on the role of the federal government. Federalists believed that the federal government and the executive needed to maintain their power in order to ensure the survival of the union. On the other hand, anti-federalists held that states should retain much of their sovereignty within the new nation. Basically, they believed that each state should have the right to determine the laws within its own borders and should not be forced to follow the mandates of the federal government unless absolutely necessary. As time passed the rights of the states would often collide with various actions the federal government was taking. Arguments arose over taxation, tariffs, internal improvements, the military, and of course slavery.

## Northern Versus Southern Interests

Increasingly, the Northern states squared off against the Southern states. One of the main reasons for this was that the economic interests of north and south were opposed to each other. The South was largely comprised of small and large plantations that grew crops such as cotton which were labor intensive. The North, on the other hand, was more of a manufacturing center, using raw materials to create finished goods. Slavery had been abolished in the north but continued in the south due to the need for inexpensive labor and the ingrained culture of the plantation era. As new states were added to the United States, compromises had to be reached concerning whether they would be admitted as slave or as free states. The fear of both groups was for the other to gain an unequal amount of power. If more slave states existed, for example, then they would garner more power in the nation.



The confederates consisted seven Southern states (South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas) in the start and soon (Virginia, Arkansas, Tennessee, and North Carolina) left the Union to join the Confederacy. Republicans or the unionist were supported by north siders while Democrats were backed up by Confederates

Conflict over newly gained Southwest territory was the main cause of the earlier secession crisis of 1850. Disunion was avoided mainly by delaying tactics of Southern Unionists. By the time secession conventions met, tempers cooled and a compromise had been signed. But unity was already very much broken. By 1860 this was overshadowed by fears that each side wanted to change the status of slavery even in existing states. The John Brown raid was a major impetus to Southern fears.

Territorial expansion was still involved in the failure of the last-minute Crittenden Compromise before the war started. The status of slavery in existing territories was

almost completely settled, but further territorial expansion in Latin America was still expected. Since Republicans rejected the compromise on this issue, you could say the Civil War was fought on the issue of opposing imperialism in Latin America.

The Confederate States of America was a collection of 11 states that seceded from the United States in 1860 following the election of President Abraham Lincoln. Led by Jefferson Davis and existing from 1861 to 1865, the Confederacy struggled for legitimacy and was never recognized as a sovereign nation. After suffering a crushing defeat in the Civil War, the Confederate States of America ceased to exist.

## **Secession**

Secession, in U.S. history, the withdrawal of 11 slave states (states in which slaveholding was legal) from the Union during 1860–61 following the election of Abraham Lincoln as president. Secession precipitated the American Civil War. Secession had a long history in the United States, but as a threat rather than as an actual dissolution of the Union. Precisionists found a philosophical justification for altering or abolishing a government and instituting a new one in the Declaration of Independence. More specifically, those who held that the Union was simply a compact among the states argued that states could secede from that compact just as they had earlier acceded to it.

While never counseling secession, James Madison and Thomas Jefferson had clearly enunciated the states' rights-compact doctrine in the Virginia and Kentucky Resolutions of 1798. Their political opponents, New England Federalists, briefly considered withdrawing from the Union at the Hartford Convention in 1814. The Mississippi question elicited hints of secession from proslavery states, but the famous Missouri Compromise (1820) temporarily quieted the agitation. South Carolinians, however, went to the very brink of secession in the 1830s over the tariff question. From the 1840s to 1860, Southerners frequently threatened to withdraw from the Union as antislavery sentiment in the North grew stronger. The Compromise of 1850 eased some of the sectional strife, but the problem of permitting or prohibiting slavery in the western territories continued to inflame opinion on both sides throughout the 1850s.

The Republican Party formed during this decade around the idea that the territories should remain free; i.e., slaveholding should not be permitted in them. Southerners vowed that the election of a Republican president in 1860 would make secession a certainty. When the Democratic Party disintegrated in 1860 over the slavery-extension question, Lincoln was elected as the first Republican president.

On Dec. 20, 1860, a special convention called in South Carolina unanimously passed an ordinance of secession. Mississippi, Florida, Alabama, Georgia, and Louisiana

followed in January, while Texas voted to secede on Feb. 1, 1861—still more than a month before Lincoln was actually inaugurated. President James Buchanan denied the right of secession, but he also denied the right of the federal government to use force against the seceded states.

Lincoln waited a month after his inauguration before deciding to send provisions to Fort Sumter in the harbour of Charleston, S.C. On April 12, 1861, Confederate guns opened fire on the fort, and the Civil War began. Forced now to make a choice between the Union and the Confederacy, the states of upper South Virginia, North Carolina, Arkansas, and Tennessee voted to secede.

South Carolina didn't intend to go it alone, as it had in the Nullification Crisis. It sent ambassadors to other Southern states. Soon, six more states of Deep South Georgia, Florida, Alabama, Mississippi, Texas and Louisiana renounced their compact with the United States. After Confederate artillery fired on Fort Sumter in Charleston Harbor, South Carolina, on April 12, 1861, Abraham Lincoln called for 75,000 volunteers to put down the rebellion. This led four more states Virginia, Arkansas, North Carolina, and Tennessee to secede; they refused to take up arms against their Southern brothers and maintained Lincoln had exceeded his constitutional powers by not waiting for approval of Congress (as Jackson had done in the Nullification Crisis) before declaring war on the South. The legislature of Tennessee, the last state to leave the Union, waived any opinion as to "the abstract doctrine of secession," but asserted "the right, as a free and independent people, to alter, reform or abolish our form of government, in such manner as we think proper."

In addition to those states that seceded, other areas of the country threatened to. The southern portions of Northern states bordering the Ohio River held pro-Southern, pro-slavery sentiments, and there was talk within those regions of seceding and casting their lot with the South.

A portion of Virginia did secede from the Old Dominion and formed the Union-loyal state of West Virginia. Its creation and admittance to the Union raised many constitutional questions Lincoln's cabinet split 50–50 on the legality and expediency of admitting the new state. But Lincoln wrote, "It is said that the admission of West-Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is still difference enough between secession against the constitution and secession in favor of the constitution."

## **The Red River Campaign**

The **Red River Campaign** comprised a series of battles fought along the Red River in Louisiana during the American Civil War from March 10 to May 22, 1864. The campaign was a Union initiative.

The Union had four goals at the start of the campaign:

1. To destroy the Confederate Army commanded by Taylor.
2. To capture Shreveport, Louisiana, Confederate headquarters for the Trans-Mississippi Department, control the Red River to the north, and occupy east Texas.
3. To confiscate as much as a hundred thousand bales of cotton from the plantations along the Red River.
4. To organize pro-Union state governments in the region.

The month-long campaign was poorly managed and achieved none of the objectives set forth by Union commanders.

## **UNION**

**Nathaniel P. Banks** would command the land expedition from New Orleans. That army would travel up the Bayou Teche and reach the Red River at Alexandria.

A second army, provided by General Sherman, would be commanded by **General David Porter**. It would travel down the Mississippi and join Banks.

Finally, a third army, under **General Frederick Steele**, would advance south from Little Rock, Arkansas. That army would meet Banks at Shreveport, well inside Confederate territory. (This was called the Camden expedition)

(All this involved about 42,000 men from the Union side.)

## **CONFEDERATES**

Confederate forces consisted of elements from the **Trans-Mississippi Department**, commanded by E. Kirby Smith.

It consisted of :

The District of West Louisiana commanded by Zachary Taylor

The District of Arkansas - Sterling Price

The District of Indian Territory (Oklahoma) Samuel Maxey

The District of Texas - John Magruder.

(Total of about 25,000 men)

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Banks' greatest problem was that he had no regard for his Confederate foes and openly said that they would not fight him before he arrived in Shreveport, if then. In fact, the Confederates had been planning a warm reception for him for more than a year.

Smith's men surprised and captured Fort de Russy on the Red River on March 14, capturing 317 Confederate prisoners and the only heavy guns available to the Confederates. **This signaled the beginning of**

**the campaign.** Taylor was forced to retreat, abandoning Alexandria, Louisiana, and ceding south and central Louisiana to the Union forces.

Banks force arrived over the next ten days, in parts with Banks arriving last on 24<sup>th</sup> March.

A serious problem was the water level in the red was unusually low. It took until the 3<sup>rd</sup> of April for the gunboats to get past the rapids. Some of the heaviest supply boats were not able to get past the rapids at all. Men were lost as they assigned to guard the ships that were stuck or were sent away. Now, around 25000 men began the final march to Shreveport.

On April 2, Brigadier General Albert Lindley Lee's division of Union cavalry collided with 1,500 arriving Confederate Texas cavalymen. Banks' army followed Taylor and the cavalry into a dense pine forest area away from the river, probably to keep them in their front.

Heavy cavalry fighting, often dismounted, had continued on April 7.

Taylor was no longer falling back. His entire army was probably nearby, spoiling for a fight after a 200-mile retreat. Taylor was still outnumbered 2-to-1, but he was determined to fight at Sabine Crossroads, three miles southeast of the town of

Mansfield. The Confederate line was three-quarters of a mile long astride the Stagecoach Road accompanied by a large open killing zone

On the morning of April 8, General Lee (Union) moved forward. A Confederate cavalry was located at the top of a ridge. As Lee prepared to meet them, they fled. He cautiously approached the top of the ridge and, once there, he saw ahead of him the Confederate army spread out about three-quarters of a mile on both sides of the road and extending to his right. Surveying to his right, he discovered the Rebel cavalry. Lee requested help. Banks, several miles behind the position, was slow to give aid.

Taylor had chosen his place of battle well. He mustered perhaps as many as 10,000 men on the field. He hoped that Banks would react in a rash manner and charge him. He waited almost six hours and at four o'clock, the battle began.

As the Union right flank crumbled, Confederate troops advanced in a line and in short order destroyed the Union left flank. Taylor's men ripped through a secondary Union line at Sabine Crossroads, three-quarters of a mile behind their front line. Darkness ended the fighting as Taylor's men pushed the Union soldiers behind Chapman's Bayou. The Union line stiffened on the crest of the ridge above the stream. **The Battle of Mansfield had been a resounding Confederate victory.**

On the next day, Taylor ordered an immediate pursuit with Brigadier Green's cavalry. When they came upon Banks' line of battle near the town of Pleasant Hill, Taylor waited for the infantry.

At 4 p.m. the next day, Confederate infantry started the attack on the Union forces. Taylor thought he was sending them into the Union flank, but it was actually the center. Confederate cavalry also miscalculated positions and suffered heavily from flank fire. Though part of the advanced Union right had also collapsed, an aggressive counterattack joined by neighboring regiments routed Taylor's men from the vicinity of Pleasant Hill.

Four hours of intense fighting led to a bloody draw, but Banks decided to withdraw to Grand Ecore, yielding a strategic victory from a tactical tie. Taylor requested that reinforcements be sent to him to chase Banks, but Kirby Smith denied it.

-A battle called the Battle of Prairie D'Ane was fought till April 12 in Arkansas under Steele (Union). After disengagement, Steele captured Camden with no resistance but much to his dismay, there were no resources there and the army had to survive on half-rations.

This expedition led by Steele was perhaps the greatest Federal military disaster of the American Civil War in Arkansas. Union forces suffered over 2,500 casualties, lost hundreds of wagons and failed to take Shreveport or Texas.

The Red River campaign ended on May 22 after a series of battles were fought between the Union and the Confederates, both suffering heavy casualties. It

exhausted the Union's resources as it was extremely difficult to get the ships out of the shallow river and a series of dams had to be built.

It was a major failure for the Union and stretched out the war considerably.



## AFTERMATH

**(This is not to be discussed in the committee. It is only provided for reference)**

### TERRITORY

In 1867 Congress passed a variety of Reconstruction Acts that were meant to govern how the former Confederate states would be readmitted to the Union. The south was divided into five military districts.

The conditions given for a state to be readmitted to the Union were that an extended loyalty oath be taken before any voter was allowed to register to vote and then that the state in question was required to hold a state-level constitutional convention. The convention would specifically have to ratify the 14th amendment as well as a provision that allowed for black men to vote to be allowed to vote.

### **TEN PERCENT PLAN**

The Ten Percent plan was a Reconstruction plan for the south put forward by Abraham Lincoln in 1863. The basics of the plan were that a state would be readmitted when 10 percent of its 1860 voting population had taken an oath of allegiance to the Union and accepted the end of slavery. Only high rank Confederates such as army officers and government officials would be exempt from a full pardon for their role in the conflict. The plan was deeply unpopular with Radical Republicans in Congress who felt it was much too lenient towards the Confederates.

### **BLACK CODES**

In 1865 and 1866 southern states pass "Black Codes" which were laws to restrict the freedom of Blacks in the region. In the north, these codes were viewed as a way to get around the 13th amendment and to allow slavery to exist under a different name. The defining feature of the post-Civil War Black Codes were vagrancy laws which allowed for the newly freed Black population to be arrested and sentenced to hard labor.

### **SLAVERY**

The Emancipation Proclamation in 1863 freed African Americans in rebel states, and after the Civil War, the Thirteenth Amendment emancipated all U.S. slaves wherever they were. As a result, the mass of Southern blacks now faced the difficulty Northern blacks had confronted--that of a free people surrounded by many hostile whites. The Thirteenth Amendment of the United States Constitution was ratified in December 1865. It abolished slavery in the United States.

### **APPOTOMAX CAMPAIGN**

The Appomattox Campaign was a series of American Civil War battles fought March 29 – April 9, 1865, in Virginia that concluded with the surrender of Confederate General Robert E. Lee's Army. Union reinforcements arrive at the Appomattox Courthouse, Virginia and secure General Lee's surrender. This marks the effective end of the Civil War.

## **Questions to be answered in committee**

1. Will slavery persist in the country or will it be abolished, or will it be permitted with certain laws in place?
2. Will the confiscation acts be followed by all states or only those that have seceded?

3. Will America be united, divided along a border or fragmented into different states with different ideologies?
4. According to the territorial decisions, what kind of a government structure will America have?
5. Will the committee be able to stop the Red River Campaign?
6. Can the Red River Campaign be settled by a treaty?

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