President Lincoln had exempted Tennessee from the states covered by the Emancipation Proclamation in an attempt to strengthen the unionist government established in Nashville by Andrew Johnson in 1862. While the Union army encouraged the slaves of Confederate owners in Tennessee to escape, government policy toward slaves owned by unionists was often ambiguous. Jim Heiskell was owned by William Heiskell, who served as an agent of the Treasury Department in Knoxville after its occupation by the Union Army in September 1863. After running away from a farm outside the city, Jim Heiskell was captured in Knoxville in late March 1864 and then escaped again with the help of his brother Bob. His case aroused controversy when it was alleged by the New-York Daily Tribune that Brigadier General Samuel P. Carter, the provost marshal of Knoxville, had sent soldiers to help guard Jim Heiskell after his capture. (Legislation passed by Congress in 1862 prohibited Union officers from returning any fugitive slave, regardless of the loyalty of the owner.) Carter denied the charge and claimed that he had sent the guards to defend the Heiskell house against Bob Heiskell, who reportedly had armed himself with a revolver, threatened William Heiskell’s life, and called his wife “a d—d old freckle faced bitch.” On March 28, 1864, Major General John M. Schofield, the commander of the Army of the Ohio, ordered that Bob and Jim Heiskell be declared “free from the control of their late master, Mr. William Heiskell,” and placed “under the protection of the United States Government.” Jim Heiskell gave a statement for the record two days later.

Statement of “Jim” Heiskell

My name is Jim; I have been living on Bull run, with a man by the name of Pierce; they called him Cromwell Pierce. I run off from him nearly two months ago, because he treated me so mean: he half starved and whipped me. I was whipped three or four times a week, sometimes with a cowhide, and sometimes with a hickory. He put so much work on me, I could not do it;
chopping & hauling wood and lumber logs. I am about thirteen years old. I got a pretty good meal at dinner, but he only gave us a half pint of milk for breakfast and supper, with cornbread. I ran away to town; I had a brother “Bob” living in Knoxville, and other boys I knew. I would have staid on the plantation if I had been well used. I wanted also to see some pleasure in town. I hired myself to Capt. Smith as a servant, and went to work as a waiter in Quarter Master Winslow’s office as a waiter for the mess. After Capt. Winslow went home, I went to live with Bob, helping him.

Last Friday just after dinner, I saw Pierce Mr. Heiskell’s overseer. He caught me on Gay street, he ran after me, and carried me down Cumberland street to Mr. Heiskell’s house. Mr. Heiskell, his wife and two sons, and a daughter were in the house. Mr. Heiskell asked me what made me run away; he grabbed me by the back of the ears, and jerked me down on the floor on my face; Mr. Pierce held me & Mr. Heiskell put irons on my legs. Mr. Heiskell took me by the hair of my head, and Mr. Pierce took me around my body, they carried me upstairs, and then Mr. Heiskell dagged me into a room by my hair. They made me stand up, and then they laid me down on my belly & pulled off my breeches as far as they could, and turned my shirt and jacket up over my head. (I heard Mr Heiskell ask for the cowhide before he started with me upstairs.) Mr. Pierce held my legs, and Mr. Heiskell got a straddle of me, and whipped me with the rawhide on my back & legs. Mr. Pierce is a large man, and very strong. Mr. Heiskell rested two or three times, and begun again. I hollowed—“O, Lord” all the time. They whipped me, it seemed to me, half an hour. They then told me to get up and dress, and said if I didn’t behave myself up there they would come up again and whip me again at night. The irons were left on my legs. Mr. Heiskell came up at dark and asked me what that “yallow nigger was talking to me about”. He meant my brother Bob, who had been talking to me opposite the house. I was standing up and when he (Mr. Heiskell) asked me about the “yaller nigger”, he kicked me with his right foot on my hip and knocked me over on the floor, as the irons were on my feet, I could not catch myself. I knew my brother Bob was around the house trying to get me out. About one hour by sun two soldiers came to
the house, one staid & the other went away. I saw them through the window. They had sabres. I thought they had come to guard me to keep Bob from getting me. I heard Bob whisling, and I went to the window and looked through the curtain. Bob told me to hoist the window, put something under it & swing out of the window. I did as my brother told me, and hung by my hands. Bob said “Drop,” but I said I was afraid I would hurt myself. Bob said “Wait a minute and I will get a ladder”. He brought a ladder and put it against the house, under the window. I got halfway down before they hoisted the window; I fell & Bob caught me and run off with me in his arms. I saw Mr. Pierce sitting at the window, he had a double-barreled gun in his hands. By the time I could count three I heard a gun fired two or three times, quick, I heard Mr. Pierce call “Jim” “Jim” and the guards hollered “halt; halt!” I had no hat or shoes on. We both hid, and laid flat on the ground. I saw the guard, running around there hunting for us. After lying there until the guards had gone away, we got up and Bob carried me to a friend’s house. I had the irons on my legs. I got some supper and staid there until next day. My irons were taken off by a colored man, who carried me to the hospital. I am now employed working in the hospital No. 1.

his
–signed– Jim × Heiskell–
mark

March 30, 1864