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**THE FAILURE OF CONVENTIONAL FORM:
THE CIVIL WAR, SOUTHWEST HUMOR, AND KITTRELL
WARREN'S ARMY STRAGGLER**

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The American confidence man emerged as a distinct literary convention within the tradition of Old Southwest Humor in response to conditions on the 1830s frontier. Prowling the "flush times," he exposes suspicion, dishonesty, naiveté, and greed and marks by his successful manipulations a pattern of faith betrayed that resembles the historical cycle of boom and bust. Johnson Jones Hooper's Simon Suggs is the definitive American confidence man; *Some Adventures of Captain Simon Suggs* (1845) codified frontier anxieties in a stable literary form and seemed to resolve the ambiguities of the "new country" in comic action. A combination of prankster, diddler, horse-trader, and thief, the fast-talking confidence man wins by deceit and abuses for profit the confidence of everyone during the "flush times." "His whole ethical system," writes Hooper, "lies snugly in his favorite aphorism — 'IT IS GOOD TO BE SHIFTY IN A NEW COUNTRY.'"¹ Imitators of Simon Suggs sprang up throughout the Old Southwest, some paying explicit homage to Hooper in sketches appearing in magazines like William T. Porter's *New York Spirit of the Times*. The most talented of Hooper's successors varied the humorous convention, investing it with new meaning while retaining the confidence man's mastery of language, his manipulation of appearances, and his exploitation of ambiguities. Sometimes crossing the development of the Southwestern confidence man with other literary traditions, authors including Joseph G. Baldwin, George W. Harris, and Herman Melville refocused the convention in the 1850s to express their increasing distrust of the American "flush times." Baldwin's Simon Suggs, Jr., and Ovid Bolus, Esq., operate within a tight ironic frame, while Harris's Sut Lovingood recounts his own exploits in a highly stylized vernacular narration. Melville's *Confidence-Man* parodies the characteristic action and language of the Southwestern convention, confronting the inadequacy of conventional literary modes to continue to resolve historical anxieties. As if to confirm Melville's doubts, Kittrell J. Warren, a little-known Georgia humorist, tries vainly to interpret

the Civil War through the comic structure of a shifty character.

Like George Washington Harris, Kittrell J. Warren was a Southern writer who supported the Confederacy in the Civil War; unlike Harris, who limited his efforts to the Sut Lovingood satires (collected in 1867), Warren enlisted as a Private in the Eleventh Georgia Volunteers. Of his first two literary attempts, *Ups and Downs of Wife Hunting* (1861) is a comic pamphlet for soldiers that admits kinship to William Tappan Thompson's *Major Jones' Courtship* (1843), while the *History of the Eleventh Georgia Vols., Embracing the Muster Rolls, Together with a Special and Succinct Account of the Marches, Engagements, Casualties, Etc.* (1863) is a factual tribute to his comrades in arms. *Life and Public Services of an Army Straggler* (1865) owes its form to Longstreet, Hooper, Baldwin, Harris, and to Warren's first-hand combat experiences. Billy Fishback is a Confederate Army deserter who roams the no-man's land of the battle-torn South, a confidence man turned vicious by the war who betrays all causes and denies all virtues. He has none of Simon Suggs's sense of humor, Sut Lovingood's knack for outrageous fun, or Ovid Bolus's abilities and polish. Warren's faith in and dependence on the conventional forms of Southwest Humor have been destroyed by the criminal realities of the Civil War; Billy Fishback plays lethal games which mirror the unpredictable chaos of national conflict.

Billy Fishback and Dick Ellis desert the Confederate Army before it engages in battle. By agreement, Ellis steals the Major's prized horse, and Fishback, who alerts the Major, is sent out to recapture the horse and dispatch the thief. The original plan called for Ellis to wait for Fishback a few miles from the camp, and sure of no one else pursuing them, the two were to escape together. Fishback, however, requests assistance. Taking advantage of the Major's order to "kill the villain" who stole his horse, Fishback sends the obedient Jack Wilcox, who is "armed to the teeth" and unaware of the deserters' pact, on Ellis's trail. As he watches Wilcox ride off, Fishback has "a good laugh over this pleasant and amusing little incident": " 'Dick Ellis aint a guine to pester about telling nothing. That fool Jack's dun turned him over to the tender mersez uv the carron croze. That's a good joke I've got on Dick, maniged to get his branes shot out thout my tellin a word.' " Here the story ends, and the natural conclusion to be drawn from the incident is that Ellis has been killed. That Ellis has by chance not been murdered is revealed forty pages later (87), but this information does nothing to change the reader's horror at Fishback's

cold-blooded attempt. This violence is quite different from that in Longstreet's "Georgia Theatrics" or "The Fight" (1835), both of which Warren mentions (30), and though unaccomplished ultimately its intent — which is imaginatively accomplished — makes the tricks of Simon Suggs, Ovid Bolus, Sut Lovingood, and "The Confidence-Man" seem harmless by comparison.

Warren takes care that no bond of sympathy or humor forms between the reader and the Confederate Private; Billy Fishback is no Henry Fleming or Colonel Carter any more than he is Simon Suggs. Fishback is more like Roderick Random, Smollett's eighteenth-century picaro whom the reader despises with increasing emotion as Random symbolically pistol-whips friends and enemies alike. Yet, unlike Random, who controls the reader's repulsion by telling his own story in the first person, Fishback is introduced within a "cordon sanitaire" (to use Kenneth Lynn's phrase) that limits and defines his province:

I do wish I could introduce my hero in a fashionable manner. —Yea, verily, I would like to present him sumptuously appareled, reclining gracefully upon a magnificent ottoman, —just resting from the delicious employment of reading (that trans-anthropean specimen of splurgey) Macaria. I would have him a grand looking character. Intellect should beam from his lustrous eye, and nobleness peep forth from every lineament of his features. Nature should be in a glorious good humor, smiling graciously upon his first appearance. (5)

The sentimental rhetoric of Warren's narrator contrasts ironically with the "Truth": "With a rather well favored, though remarkably black face, and a stout, robust frame, wrapped in comfortable looking jeans wallowed the immortal William Fishback" (6). The narrator plays with a language unavailable to his "hero," while Fishback's confused admiration of "Captain" Slaughter's oratory marks a limit to his understanding and to the type of role he may assume. To help the illiterate Fishback win the hand of the accomplished and wealthy Miss Callie, Slaughter — for fifty dollars — tells Callie that, though Fishback has been courted by the "rich and literary heiress, Miss Julia Evans," Fishback will not be so unprincipled as to marry for money. To do so would be

"an imitation of Judas — bartering immortality for a sum of money. We are not the owners of the soul, and have no right to vend it — that

eternal element has been entrusted to us as custodians only; a truth which we find beautifully illustrated in the parable of the talents — if we bury it in the cumbrous rubbish of filthy lucre, how fearful will be the ulterior consequences? ...Bribe the needle to play truant to the pole — train the thirsty sun-beam to leave undrunk the dews of heaven, but this heart must revolve in its allotted periphery, or cease to move.”

Although, so far as we know, our hero was wholly unacquainted with any foreign language, he had caught the gist of this conversation, and now ventured his own sentiments on the subject, in the following laconic style: “I’ll be dad blasted ef I hadn’t ruther try to set on a dozen rotten eggs twel I hatcht the last one uv ’em, as to marry a umurn jest for her munny, and spect to git along; thar aint narry bit o’ use a tryin....” (58)

Three languages exist in this passage: the allusive, sentimental oratory of Slaughter; the rough, homely dialect of Fishback; and the normative, controlling rhetoric of the narrator. Fishback’s attempt to echo the sentiments of Slaughter and Miss Callie is incongruous, and on this level Warren operates within the tradition of frontier humor. With Warren’s narrator as with Harris’s George the reader shares a superiority to the vernacular characters, though, unlike Billy, Sut helps the reader as he helps George to new perceptions.

Language is not Fishback’s only limitation; several characters offer successful alternatives to his darkly egotistical vision of the world. Captain John Smith, Fishback’s superior, combines the masculine virtues of the explorer with the understanding of a parent. Like Melville’s myopic Captain Amaso Delano, Captain John Smith stands for American verities: confidence in mankind, belief in original innocence, and loyalty to boon companions. His desire to think well of Billy Fishback leads him to misperceive his malicious nature, and Billy has no trouble getting Smith drunk:

No sooner were Capt. Smith’s eyes closed in the deep sleep of drunkenness than Fishback commenced making an inventory of his pocket-book which was found to contain nine hundred and sixty dollars. Taking out five hundred, he carefully replaced the balance, donned the Captain’s uniform and sallied into the street. Arriving in front of Welch’s store, he suddenly put on a drunken look, pulled his hat over his face, and staggered in. “Keep this fur me twell I get sober” said he, reaching the pocket-book to the man who stood behind the counter.

“What name, Captain?” asked the other, as he took the book in hand.

"John Smith...." (36)

It is of course this honest merchant, rather than the clever Fishback, who appears to the Captain to have lightened his wallet. Although Smith hugs the real confidence man to his bosom, Smith's values remain as an antidote to Fishback's. As Evert A. Duyckinck noted in the *Literary World* of an historical Billy Fishback, "it is not the worst thing that can be said of a country that it gives birth to a confidence man...that one poor swindler...should have been able to drive so considerable a trade on an appeal to so simple a quality as the confidence of a man in man, shows that all the virtue and humanity of nature is not entirely extinct in the nineteenth century."³

The narrator himself is robbed by Fishback of a knapsack containing "a testament, the gift of my beloved Pastor, and 'March's Life of Webster,' presented by Linda the morning I left home, with a special charge to 'preserve it as I valued her love'" (42-43). For the most part, the narrator provides a model accessible to the reader; he is a Southerner and a soldier and — as he is one himself — understands and sympathizes with Fishback's victims. His intrusions into the text, like his mock-invective against marriage, assure the reader that Billy's tricks are at least narratively circumscribed, that a larger order — moral if not entirely comic — will prevail even though he has been abused. He condemns Fishback's inhuman scavenging, symbolized by the narrator's personal emblem of faith in the satchel, while he also satirizes the uselessness of extreme sentimentalism in a parody of wifely chatter: "I want no sugar-lumpshy-plumpshy-sweetness — pox take all finniken, sickening sugar-lumpshy-plumpshy-sweetness" (80). The reader appreciates and identifies with this aggressive masculine voice, neither rotten nor sugary, a voice in contrast to George Washington Harris's full of moral optimism. As if to confirm the values of these normative characters, Fishback's schemes — like the vicious twists of war they represent — are hardly ever successful. Mrs. Lane, who believes she has been widowed, awakens from a dream of her husband to find him returned to her in the flesh; her horse, which Fishback had stolen, like Charon escorts her husband home from the land of the dead. Captain John Smith ultimately learns of Fishback's perfidy and renounces him. Fishback cannot even steal his friend "Captain" Slaughter's purse: Slaughter anticipates his plan, makes him over-confident by apparently trusting him, and then catches him, literally, in a steel trap *in flagrante delicto*. Finally, Fishback contracts smallpox by his own attempt at manipulation, endures prison

for his crimes, and, after first hearing that it was only his own suspicion that defeated his plans to marry the wealthy Miss Callie, dies.

This is poetic justice with a vengeance. The narrator's direct entreaties to his "most excellent reader," the reordering of the widow's world by the return of her husband, and the convenient end of the exposed Fishback suggest that Warren may be masquerading as a rough frontier humorist while he is in fact pledged to the sentimental values of writers like Mary Noailles Murfree, Thomas Nelson Page, and Joel Chandler Harris. In Warren's *Straggler*, as in mid-nineteenth-century America, two sets of values coexist. Warren attempts a golden mean, humorously exaggerating the "high" culture of J. Rufus Bates and "Captain" Slaughter and the pretensions of Major Graves while simultaneously condemning and satirizing the "low" culture of Billy Fishback.

Mrs. Lane, the unassuming widow, even more than the occasionally effeminate narrator or the too-trusting Captain Smith, functions as the work's normative center, a woman who though possessing the sentimental tendencies of her sex nevertheless has the strength to continue and the heart to help others, no matter how mean they are or how mean her circumstances. The narrator describes at length Fishback's first meeting with her, "a woman whose husband had been shot on picket a few weeks before":

The ruin and dilapidation every where apparent, plainly demonstrated the fact that she, a frail and delicate creature, and one whose manner indicated she had been in better circumstances, was compelled, with her own attenuated hands, to perform all the labor done on the premises. To her he applied for rest, rations and lodging for the night. This application she at first refused, by stating that she had already been taxed beyond her ability in feeding soldiers. But he appealed so piteously that her firmness yielded and her sympathies, (there's no plumb-line can fathom the depth of woman's sympathies), raised the latch and opened the door to our weary and shelterless hero. She told him that while any part remained of the little that was left to her, she could not send away shivering and hungry, those who were engaged in the service to which her husband had sacrificed his life. (11)

Mrs. Lane's honesty, accentuated by her initial refusal to take in one more straggler, seems about to transform a sentimental episode into a realistic drama, yet as his parenthesis confirms, Warren is unwilling to close the door on effusions of sentiment. In fact, within two paragraphs Mrs. Lane is sobbing and groaning over the loss of her husband and her family's inevitable doom. The reader, who at this point

believes her husband to be dead (as he imagines Dick Ellis to have been shot), cannot but sympathize with her and admire her strength, her abilities, and her confidence. Her tears he forgives. For Mrs. Lane is not a bloodless martyr from the pages of Sarah Hale's *Godey's Lady's Book*, but a healthy survivor. What she survives, moreover, is the Civil War, not incarceration by a stern father in her room. Warren's impulses toward realism, sentiment, and southwest humor alternate and intermix.

The Graves family fares none too well at Fishback's hands. Major Graves and his wife lecture their daughters "on the impropriety of encouraging a certain poor suitor, and warmly advocate the claims of filthy lucre, which they appeared to regard as the only 'one thing needful'" (9). These opportunists are the traditional targets of Hooper, Baldwin, Harris, and Melville; Warren treats them in the manner of his predecessors, Fishback imitating the conventional action of earlier confidence men. The Graveses' speculative greed, akin to Jedidiah Suggs's, lands them appropriately in the poor house. Despite the incongruity between Fishback's appearance and his pose, he convinces them he is a rich Georgia planter by means of false testimony, forged documents, and Major Graves's eagerness to believe in his good fortune:

The Misses Graves were now wholly forgetful of the fact that they had ever giggled at the comical chat and gawkish manners of our hero. There was nothing gawkish or comical about him. *He was such a nice gentleman, —so original and unaffected —deported and might be so appropriately said to draw the language in which he conversed, from Nature's pure, unwrought well-spring.* (52)

Their hypocritical change of heart marks the Graves family as fair game for the confidence man's sport. Fishback deflates their pretensions, defeats their aspirations, reduces them to poverty, and brings the reality of the Civil War into their livingroom; Jack Graves, the Major's son, finds himself at the conclusion to the *Straggler* sharing the pest-house with Fishback (96-98). Warren subverts the conventional humor of the confidence man, though his satiric treatment of the Graveses indicates his ability to structure such a world — had he so desired. For the traditional comic order, he substitutes lethal disorder, deliberately defeating the reader's expectations. The Civil War, despite the narrative's comic moments, the narrator's syrupy interludes, and Fishback's ultimate failures, is always present; Warren insists that the War maintains its own disorder, over which his own

comic, sentimental, and moral vision has only the most tenuous control. This is the "Truth," as he notes, "to which my conscience...has rendered me a conquered and loyal subject" (6). The War is a kind of final narrator in *Straggler*, changing the comic to the cruel, the sentimental to the horribly realistic, and redirecting the lives of Warren's characters.

To structure his perceptions of this "Truth," Warren employs devices borrowed from sentimental fiction and frontier humor. The humorists provide the narrative frame, the eccentric vernacular characters, and the detailed action of Fishback's rough adventures. The return of the lover thought dead, the trapping of the fiend in his own trap, and the appropriately agonizing death of the deceiver are traditional sentimental motifs. Warren also uses the picaresque form, supported by humorous stock scenes like the incongruous wedding of Fishback to Miss Callie, and the narrator, digressive and allusive, laces his story with quotations and a full-length parody of Poe's "The Raven" (94-96). Most important is Warren's rendering of the confidence-man convention. Billy Fishback is Simon Suggs impressed into real combat, an Ovid Bolus who cannot escape to Texas, a cosmopolitan marooned alone, a Sut Lovingood whose soda-powder has been switched to gun-powder.

Fishback's intended victims are not equally deserving of a fleeing. Captain Slaughter, who notes ironically that "I've all pure confidence in your honesty" (73), is a capital comic gull, an enlisted man's Bela Bugg. And in the Graves's household, "the character he had established, the confidence he had enjoyed" (91) entitle Fishback to practice his profession. As Captain Smith, Mrs. Lane, and the narrator are victims who seem innocent of greed, pretension, and shiftiness, the reader finds their losses unamusing, and Fishback's methods—artless theft, for the most part—do nothing to engage the imagination. It is as if Warren were retelling Harris's "Snake-Bit Irishman," substituting a live rattlesnake for the harmless intestine. Despite the reprieve these innocents receive, the threat of the rattler remains; Warren's closing vision of the pest-house, containing Fishback, Slaughter, Jack Graves, and the "laborious" poet Delton, reveals that the snake's fangs have not been pulled, that these characters have only death before them. The Civil War has soured the confidence man's sense of fun to a vicious practicality and a self-undoing suspicion; like all the other characters, the confidence man falls prey to the war's appetite. As Richard B. Hauck concludes, Fishback is

helpless, "caught forever in absurd circles"⁴; he seems genuinely lost in labyrinthine lines of advance and retreat, destined to trip over his own feet in his mad rush to escape the war that hounds him. Like Jack Graves, who twice appears in time to thwart Fishback's schemes, the war repeatedly materializes when the confidence man least expects it, confusing and immobilizing him.

That Warren consciously varies the literary convention becomes apparent from his allusions to earlier confidence men. J. Rufus Bates, in his biographical sketch of Fishback, refers to Longstreet's "The Fight" and "Georgia Theatrics"; Fishback is a descendent of Ransy Sniffle and the aggressive Georgia youth (30). Fishback's manipulation of appearance is as shifty as Simon Suggs's, as is his studied avoidance of actual combat—except when the odds are forty to one. Warren quotes from Chapter 2 of *Simon Suggs*, noting that an "accident" which befalls Fishback, in the words of Simon Suggs, proves how all was "fixed beforehand" (52). Just before the parody of Poe's "The Raven" (94), the narrator refers to Fishback's friends as his "boon companions," a term like the "fool-killer" Billy cries for (67) firmly rooted in the nourishing soil of frontier humor. And Fishback is clearly another proverbial "ugly man."

Warren's fictional response to the Civil War was immediate, and to focus his perceptions, he relied on familiar literary forms: the picaresque, the sentimental tale, and the frontier humorist's sketch. The confidence man he creates is a symbol of the "ruin and dilapidation every where" Warren perceives, the south burned to chthonic ash. The disorder he chronicles is not the vanishing of the flush times, like Hooper; the dawning of a corrupt "progressive age" heralded by Baldwin; the national "ship of fools" Melville satirizes; or the survival of a rough community that Harris celebrates and ultimately despairs of. Rather, Warren imaginatively recreates a civilization returned to chaos and embodies this "Truth" in Billy Fishback. It is because Warren wants to believe in a better world that the confidence man must die, an event unique in the history of his American ancestors. Posing as a doctor aboard a crowded train, Fishback diagnoses a soldier's ailment as small-pox so that "Doctor" Fishback may have a seat. The snap, however, is on Fishback, for the soldier gives the "Doctor" not only his rations and his haversack, but also his fatal disease.

In modifying the confidence-man convention so radically, Warren created new problems. A humorless, shifty man, like Bald-

win's Simon Suggs, Jr., requires firm narrative control, a clearly satiric framing rhetoric providing the reader a consistent normative guide. Baldwin's narrator focuses on Simon, demanding that the reader evaluate Simon's actions. Warren's narrator develops Fishback's victims; the Graves family, for example, Warren portrays alternately as hospitable and hypocritical without integrating these characteristics within coherent personalities, a feat Melville accomplishes brilliantly. Warren's loose characterization also confuses the reader's response to Slaughter, who seems both condemnable and commendable; to Mrs. Lane, who seems both pitiful and pitiable; and to Captain Smith, who seems both foolish and good. The narrator himself, like J. Rufus Bates, suffers momentary attacks of effeteness. These abrupt and almost random shifts of allegiance indicate Warren's unsureness of narrative intention and control; to satirize all characters, including the intrusive narrator, unsettles the reader as it frustrates his conventional pattern of response. Unlike Melville, Warren varies his purpose and point of view inconsistently. He may have felt that his new materials required him to modify the conventions he had chosen, or he may have found that the conventions were suddenly beyond his control when used to interpret the Civil War. Warren may also have discovered that his feelings about Billy Fishback and the War were more intense than he had anticipated; the bitterness and cynicism which frequently appear in the narrator's satire seem attributable to attitudes the author has not fully structured in fictional form. Finally, it seems most probable that Warren, a Georgia volunteer attempting to convey his perceptions of the War in 1863-65, was confused, searching for proper literary vehicles, conventions which would present in recognizable form the anxieties he felt about a country torn apart and embittered. His narrative ambivalence, the various languages he employs, and the sado-moralistic ending in which he dispatches Billy Fishback suggest the competing and often contradictory pressures under which *Straggler* was written, and are themselves evidence of Warren's doubts and fears. These are, of course, moot points; Billy Fishback, confidence man, embodies—however precariously—the adaptation of the comic convention to express the serious concerns of the Civil War. Like the nation itself, the confidence man would need time to recover.

NOTES

¹ Johnson Jones Hooper, *Some Adventures of Captain Simon Suggs Late of*

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the Tallapoosy Volunteers; Together with "Taking the Census," and Other Alabama Sketches. By a Country Editor. With a Portrait from Life, and Other Illustrations, by Darley (Philadelphia 1845, 1846, 1848), p. 26. Recent critics to note the significance of the confidence man to an understanding of American literature and culture include: Richard B. Hauck, *A Cheerful Nihilism: Confidence and "The Absurd" in American Humorous Fiction* (Bloomington and London 1971); Susan Kuhlmann, *Knave, Fool, and Genius: The Confidence Man as He Appears in Nineteenth-Century American Fiction* (Chapel Hill 1973); Warwick Wadlington, *The Confidence Game in American Literature* (Princeton and London 1975). For other useful treatments of the confidence game in America, see Constance Rourke, *American Humor; A Study of the National Character* (New York 1931); Kenneth S. Lynn, *Mark Twain and Southwest Humor* (Boston 1959); Victor M. Hoar, "The Confidence Man in American Literature" (Unpublished University of Illinois Doctoral Dissertation, 1965); Jesse Bier, *The Rise and Fall of American Humor* (New York, Chicago, San Francisco 1968); and Walter Blair and Hamlin Hill, *America's Humor: From Poor Richard to Doonesbury* (New York 1978).

² Floyd C. Watkins, ed., *Life and Public Services of An Army Straggler. By Kittrell J. Warren.* (Athens, Ga., 1961), p. 46. All references will be to this edition, page numbers following quotations in the text.

³ Evert A. Duyckinck, *Literary World*, 18 August 1849, p. 133.

⁴ Hauck, p. 69. Hauck is one of the few modern critics to notice Warren's *Straggler*, and though I am unwilling to see Fishback as a prototypical "absurd hero," Hauck's reading is perceptive and stimulating.