In the late summer and early fall of 1862, Confederate forces had mounted offensives into Maryland, northern Mississippi, and Kentucky. The latter advance consisted of a two-pronged offensive, with Braxton Brag and Edmund Kirby Smith commanding armies that entered into central and eastern Kentucky respectively, in an attempt to reclaim control of the state for the Confederacy. While Smith’s army took Lexington and Frankfort, Bragg’s force captured Munfordville and then advanced towards Bardstown. Union troops, meanwhile, under General Don Carlos Buell were able to reach Louisville in time to prevent Confederate occupation of the city. With Louisville secure, Buell quickly made plans to drive both Smith and Bragg from the state, sending a portion of his command against Smith while he personally led the bulk of his force against Bragg. The two Confederate commanders also made plans to concentrate their forces, and Bragg travelled to Frankfort to confer with Smith and oversee the installation of a new provisional state government.

While Bragg was at Frankfort he left General Leonidas Polk in command at Bardstown. With Buell’s army approaching, Polk withdrew his forces through the towns of Springfield and Perryville. On October 7, three Union corps approached Perryville from the west. Bragg, meanwhile, directed Polk to attack the Federals the following day, but upon learning of the Union army’s strength, Polk instead established a strong defensive position and awaited the Yankee advance. When Bragg himself reached the field he again ordered an advance, with Polk commanding the Confederate right and William Hardee the center and left. The fighting that followed was savage and bloody, with the Federals being driven back some distance. Soldiers
on both sides suffered during the battle because of the early autumn heat and severe drought that left them exhausted and thirsty. Confusion also reigned with neither commander fully realizing the scope and nature of the battle. Bragg believed that he only faced a portion of the Federal army rather than the bulk of Buell’s command, while due to an atmospheric condition known as an acoustic shadow Buell could not hearing the sounds of the fighting and was unaware until late in the afternoon that a battle was even taking place. The Battle of Perryville ended at nightfall with Bragg, realizing that he was facing Buell’s entire army, withdrawing to Harrodsburg to unite with Smith’s command. The Federals had sustained 4200 casualties while the Confederate forces lost 3400 men in what would be the largest battle fought in Kentucky during the Civil War, a battle that ended southern hopes of bringing the state into the Confederacy.

During this week the Second Session of the First Confederate Congress, which had been in session since August 18, 1862, continued its deliberations in Richmond. On October 9 it passed a new act that organized military courts in the field, while two days another more controversial act passed by the congress was approved by President Davis. This expanded a previous measure that had established different classes of exemptions for the Confederate draft. The new exemptions included one for the owners or overseers of twenty or more slaves, to maintain order and “secure the proper police of the country.” The so-called Twenty Negro Law infuriated much of the non-slaveowning population, leading to charges that the Confederate government was conducting a “Rich Man’s War” but a “Poor Man’s Fight.” The Congress adjourned on October 13, after passing yet another controversial law that renewed the suspension of the Writ of Habeas Corpus until February 12, 1863 with the amendment that those who were arrested be investigated immediately following arrest. It furthered the suspicions of states rights advocates who believed that President Davis was overstepping his boundaries and threatening
civil liberties in the south, a view that some opponents of the Lincoln administration held in the north as well.