

THE
WAR OF THE REBELLION:

A COMPILATION OF THE
OFFICIAL RECORDS

OF THE
UNION AND CONFEDERATE ARMIES.

RECEIVED

MAY 16 1892

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PUBLISHED UNDER THE DIRECTION OF
The Hon. RUSSELL A. ALGER, Secretary of War,
BY
BRIG. GEN. FRED C. AINSWORTH,
CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,
AND
MR. JOSEPH W. KIRKLEY.

SERIES II--VOLUME VIII.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1899.

MEMPHIS, *January 17, 1865.*

MEMPHIS, Va.:

Below Columbia, has been a locality, fourteen miles has been selected and a man sent out, and we shall be unsafe. We have been without attorney as to the title money, and now we are about to expire and that for your consideration. Ask the Quartermaster at once. He has been

HENRY H. WINDER,
Brigadier-General.

to the President.

JOHN W. RIELEY,
Assistant Adjutant-General.

War and Quartermaster.

GENERAL'S OFFICE,
Memphis, January 18, 1865.

Mr. Ould on the 22d of August was to be released from confinement, and either placed in the respective homes for their removal by the Secretary of War. Private prisoners of war that should be released and sent back to the orders of Lieut. Ould of prisoners, to enable him to execute this order the Quartermaster is instructed as meaning pris-

W. A. NICHOLS,
Assistant Adjutant-General.

MEMPHIS, *January 18, 1865.*
Agent of Exchange:

I have been informed that the Hon. J. M. Leeman of Huntsville, Ala., where they are held as prisoners, formerly of the Confederation County, Ala. Judge Leeman, as I have been informed, is known to the Confederate authorities. I do not know whether he has

been detained at all; but be that as it may, there is no purpose to hold him in custody. Major-General Withers reports that he is not in his custody. I hope, therefore, that orders will immediately issue for the release of Mr. Clay and his companion. If Judge Humphreys is not now at liberty, he will be released as soon as directions to that effect can be given to the proper authority.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *January 18, 1865.*

Lieut. Col. JOHN E. MULFORD,
Assistant Agent of Exchange:

SIR: As we have agreed to relieve from close confinement or irons, as the case may be, and deliver all prisoners heretofore or now so held on either side, I beg leave to call your attention to the cases which have been brought to the notice of the Confederate authorities.

Your letter of the 10th of September last gave only a very partial list of the Confederate soldiers who were so held. In addition to those named therein are the following, viz:

Private George P. Simms, Private W. S. Burgess, Private John Marr, Private Thomas M. Campbell, Capt. D. G. Douglas, Captain Davis, Captain Smith, Captain Miller, and Lieut. A. C. Smith, Nineteenth Tennessee, at Johnson's Island; Capt. James P. Brown, Tennessee cavalry; First Lieut. R. J. Brailsford, First Texas Legion; First Lieut. R. H. C. Bailey, Foster's cavalry, and First Lieut. A. W. Dozier, Sixth South Carolina Cavalry, at Fort Delaware.

The last four named officers were reported to me by General Butler on the 18th of July last as being "in cells."

Major Mills and Lieutenant Davis, at Fort Delaware; Private Philip Traummell, Private John H. Barnes, Private J. R. H. Embert, Private Braxton Lyon, Private Samuel B. Hearn, Private Samuel Cooper, Private C. McDonnell, and Private Ro. Harrover, Albany penitentiary; Private Jacob S. Dyer, Private Daniel H. Wherret, Second Kentucky Cavalry; Private Albert W. Cushman, Col. John H. Winston, and Capt. Joseph Melton, Alton penitentiary; Capt. Frank B. Gurley, Lieutenant Mosely, and Lieutenant Bridges, Nashville; Captain Compton, Fort McHenry; Private John R. Guthwright, Fourth Kentucky Cavalry, Cincinnati; Surg. D. D. Carter, Fort Lafayette; Captain Glover and three privates, Chattanooga; Lieut. John H. Yerby, Lieutenant Casteel, Lieutenant Thomas, Private Thomas [A.] Quarles, Private Thomas Stoneham, and Private John [G.] Smith, Helena jail; Capt. J. B. Castleman, Camp Morton; Capt. Gustave A. Huwald and Captain Reynolds, Sixty-fourth North Carolina (in iron cage), Knoxville; Lieut. C. D. Burbridge, Gratiot Street Prison, Saint Louis; Private A. A. Williams, Maryland cavalry, and Private Hiram P. Richardson, Maryland cavalry, Fort Warren; Corpl. F. M. Armstrong, Sixteenth Missouri, Saint Louis; Lieutenant Gandy and Private George Dusky, Wheeling; Col. J. D. Morris and Maj. T. Steele, Lexington.

All of the above-named parties are either in close confinement or in irons. It may be that some of them are not now at the place indicated. You may, however, rest assured that they have been there at some time, and if transferred you can readily find out where they are. I am quite confident you will find quite a number in irons or close confinement at Alton, at Saint Louis, and in Tennessee and Kentucky.

I also understand there are 100 of Col. Adam R. Johnson's men and some 25 of Morgan's, embracing three or four officers who are now held, at Louisville not as prisoners of war.

Let me again earnestly commend this whole subject to your attention. If we can succeed in relieving all prisoners of war, on both sides, from a cruel confinement, we will have accomplished a good deal in the cause of humanity. I am ready to deliver all whom we have in close confinement or in irons at any moment.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

MORGANZA, *January 18, 1865.*

Col. CHARLES C. DWIGHT:

After an unsuccessful attempt on the Simsport road I succeeded this afternoon in having your dispatch to Major Szymanski delivered on the Fordoche road to Bart Johnson, Captain Third Arkansas, U. S. Army.

DANL. ULLMANN,
Brigadier-General, Commanding.

J. M. Aiken, Forty-third Tennessee Cavalry, application to be exchanged.

[Indorsement.]

JANUARY 18, 1865.

Returned to Adjutant and Inspector General.

This class of cases depends upon the same principles that govern the others. The Federal theory, based upon their General Orders, No. 207, 1863, is that prisoners are to be kept in possession and delivered by flag of truce at some point previously agreed upon by competent contracting parties. If through choice or necessity paroled parties are released in any other way, the parole is made null and void. The parole exacted by General Stoneman has been declared by the general orders of his Government illegal and void. We have been compelled to adopt this rule, though denouncing its propriety in the first instance. The alternative of sending a Federal officer in no respects alters the case. These parties are free in honor and conscience to return to duty immediately. They are safe even according to Federal standards. They need not fear their safety in the event of capture.

[RO. OULD.]

Edward A. Pollard, asking that Richardson, correspondent of Tribune, be given in exchange for him.

[Indorsement.]

JANUARY 18, 1865.

Returned to Mr. Pollard.

I am compelled by a sense of duty to decline the proposed exchange. I have already refused to exchange Richardson for a half dozen different-named parties. It would be unjust to them if a proposal heretofore declined were accepted now. We have all along held that the arrest and detention of non-combatants should be determined by rule, and that the principle of exchange, man for man, should not be applied to them. And further, whenever the fortunes of war threw a prominent

Yankee in our hands
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HEADQUARTERS

Col. R. OULD, *Agent of Exchange.*

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* The inclosures are
p. 98.

HEADQUARTERS OF THE ARMY,
Washington, D. C., January 23, 1865.

Brig. Gen. H. E. PAINE, *New York*:

The Secretary of War directs that the suspension of General Beall's parole be revoked and that he be permitted to resume his functions as formerly. It is presumed that the steamer Atlanta, with the cotton from Mobile, will reach New York within a day or two. The delay has been caused by the non-delivery of the cotton by the rebel authorities. General Wessells has been directed to parole General Vance as assistant to General Beall.

H. W. HALLECK,
Major-General and Chief of Staff.

NEW YORK, *January 23, 1865.*

Brig. Gen. W. N. R. BEALL:

GENERAL: I have the honor to inform you that the temporary suspension of your parole is terminated, and you are at liberty to resume your functions under the arrangement between General Grant and Judge Ould.

Very respectfully, your obedient servant,

H. E. PAINE,
Brigadier-General of Volunteers.

HEADQUARTERS FORT DELAWARE, DEL.,
January 23, 1865.

Brig. Gen. H. W. WESSELLS,
Commissary-General of Prisoners, Washington, D. C.:

SIR: I have the honor to inclose herewith a requisition for 2,000 blankets for prisoners which you ordered to this post. From the correspondence between Generals Vance and Beall the arrangement of supplying their own prisoners seems very distant, and they will suffer if not furnished during the winter season.

Very respectfully, your obedient servant,

A. SCHOEPF,
Brigadier-General.

PENITENTIARY, SUPERINTENDENT'S OFFICE,
Albany, N. Y., January 23, 1865.

Maj. Gen. E. A. HITCHCOCK:

SIR: I have the honor to report, in answer to yours of the 20th, that Johnson S. Palmer, John R. H. Embert, Braxton Lyon, and Samuel B. Hearn are detained here as prisoners by order of the Secretary of War. Having duplicate general court-martial orders in the case of the three last mentioned prisoners, I inclose one for your information. I believe they were convicted as spies. Palmer was convicted by General Doubleday's commission of "violation of the laws and customs of war," in trading with the enemy, &c., and sentenced to imprisonment until the termination of the present rebellion. See General Court-Martial Orders, No. 206, War Department, Adjutant-General's Office, Washington, July 25, 1864.

Very respectfully, your obedient servant,

AMOS PILSBURY,
Superintendent.

General WESSELLS, *Com*
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GENERAL
COURT-MARTIAL ORDER
No. 274.

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SPECIAL ORDERS, }
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THE ARMY,
January 23, 1865.

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January 23, 1865.

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H. E. PAINE,
General of Volunteers.

DELAWARE, DEL.,
January 23, 1865.

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A. SCHOEPF,
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MOS PILSBURY,
Superintendent.

[Indorsement.]

JANUARY 25, 1865.

General WESSELLS, *Commissary-General of Prisoners*:

The design of the proposed exchange of prisoners of war in irons or cells is to dispose of disputed cases, and includes the parties at the Albany penitentiary. They will be delivered with others.

By order of the Secretary of War:

E. A. HITCHCOCK,
Major-General of Volunteers.

[Inclosure.]

GENERAL
COURT-MARTIAL ORDERS, }
No. 274.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 31, 1864.

The sentences "to be hung," awarded by a military commission and promulgated in General Orders, No. 61, headquarters Middle Department, Eighth Army Corps, Baltimore, Md., August 8, 1864, in the cases of Samuel P. [B.] Hearn, Braxton Lyon, William H. Rogers [Rodgers], and John R. H. Embert, citizens, are commuted by the President of the United States to "confinement at hard labor in the penitentiary during the war."

The penitentiary at Albany, N. Y., is designated as the place of their confinement, to which the prisoners will be sent under suitable guard by orders from the department commander and delivered to the warden for execution of their sentence.

By order of the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General.

Report of a military commission convened at Camp Douglas, Chicago, Ill., in obedience to the following order, viz:

SPECIAL ORDERS, }
No. 23. }

HEADQUARTERS POST,
Camp Douglas, Chicago, Ill., January 23, 1865.

2. A military commission is hereby ordered to meet at Camp Douglas, Chicago, Ill., on Tuesday, the 24th instant, or as soon thereafter as practicable, to investigate and report the facts in relation to the shooting of a prisoner of war while in the act of committing a nuisance in the prison square at Camp Douglas, Chicago, Ill., on the night of January 20, 1865, by Private Newell Sanford, Company A, Eighth Regiment Veteran Reserve Corps, member of provost guard, prison square, and whether the said Private Sanford was justifiable in accordance with existing orders in shooting the prisoner of war. Detail for the commission: Capt. W. W. Bjerg, Company G, Eighth Regiment Veteran Reserve Corps; Capt. J. L. Hill, Twenty-fourth Ohio Battery Light Artillery; Lieut. J. W. Crawford, Company I, Eighth Regiment Veteran Reserve Corps. The officers above named will perform the duties required in addition to their other duties. Having accomplished the object of this order, the commission is dissolved.

By command of L. C. Skinner, lieutenant-colonel Eighth Regiment Veteran Reserve Corps, commanding post:

E. R. P. SHURLY,
Captain and Acting Assistant Adjutant-General.

CAMP DOUGLAS,
Chicago, Ill., February 10, 1865—10 a. m.

The commission met pursuant to the preceding order. Present, Capt. J. L. Hill, Twenty-fourth Ohio Battery Light Artillery, and Lieut. J. W. Crawford, Company I, Eighth Regiment Veteran Reserve Corps, who proceeded to business and elicited from the testimony of witnesses, under oath, the following facts: That on the evening of the

RICHMOND, March 14, 1865.

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange*:

SIR: Private William R. Coyner, Company F, Seventh Virginia Cavalry, is now held at Fort Delaware as a political prisoner. He is regularly in our service and will be fully credited as such. Please at least have him placed in the category of a prisoner of war.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, March 14, 1865.

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange*:

SIR: Capt. John M. Muse, First Missouri Regiment, a Confederate officer, is now at Alton under a sentence of hard labor during the war. Captain Muse when captured was in full Confederate uniform, with the military orders under which he was acting on his person. He was tried for a violation of the laws and customs of war, yet the lieutenant who was captured with him was treated as a prisoner of war. When captured he was collecting Confederate soldiers who had been declared exchanged, and was south of military posts at that time held by Confederate forces. There is not a shadow of doubt as to the truth of these facts. I request, therefore, that Captain Muse be surrendered under our agreement.

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, March 14, 1865.

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange*:

SIR: It has been reported to the Confederate authorities that Private A. C. Grimes, First Missouri Cavalry, was executed at Saint Louis in the month of January last. Private Grimes was tried a long time ago by a military commission, but it seems the proceedings were disapproved by the commanding general of the department. Why, after the lapse of many months and after the disapproval of the sentence, he was put to death I cannot conceive. Will you please make inquiry into this matter and let me know the facts?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, March 14, 1865.

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange*:

SIR: Some time ago you released and delivered under our agreement three inmates from the Albany penitentiary. I understand there is another Confederate soldier in said penitentiary who stood in precisely the same situation as the three you have delivered. His name is Hammond Claude, a private in Company C, First Maryland Cavalry. He was tried as a spy and acquitted, but was sent to the Albany penitentiary. Such was the case of the three parties (Embert, Lyon, and Hearn) whom you have delivered. Why is a distinction made between

STATE, ETC.

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RO. OULD,
*Agent of Exchange.*RICHMOND, March 14, 1865.
Agent of Exchange:

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RO. OULD,
*Agent of Exchange.*RICHMOND, March 14, 1865.
Agent of Exchange:

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RO. OULD,
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RO. OULD,
Agent of Exchange.

them and Claude? Will you not deliver him in compliance with our agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

RICHMOND, *March 14, 1865.*

Brig. Gen. JOHN E. MULFORD, *Assistant Agent of Exchange:*

SIR: Private A. A. Williams, Company C, First Maryland Cavalry, has been sent to Fort Warren for the war. He was tried as a spy and acquitted. I understand he is in close confinement. Will you not deliver him under our agreement?

Respectfully, your obedient servant,

RO. OULD,
Agent of Exchange.

HDQRS. DIST. OF WEST FLORIDA AND SOUTH ALABAMA,
Fort Gaines, Ala., March 14, 1865.

Maj. Gen. D. H. MAURY, C. S. Army,
Commanding District of the Gulf, Mobile, Ala.:

GENERAL: I have the honor to acknowledge receipt of your letter of the 9th instant, inclosing copy of communication to you from Lieut. Gen. R. Taylor, C. S. Army, touching the treatment of soldiers of our army of African descent who are prisoners in your hands. I can assure you of my gratification at the statement of Lieutenant-General Taylor that, upon information that a general exchange had been agreed upon under the cartel of 1862, he had commenced preparations for the early delivery of all prisoners of war held in his department. The fact of the cartel of 1862 recognizing no distinction of color or former condition, and the recent action of your authorities in calling men of African descent into your armies, give flattering promises of a quick and proper solution of the question of treatment of colored men captured while in our service.

Instructions have reached me from Major-General Canby, commanding the Military Division of West Mississippi, to inform you that Lieutenant-General Grant, commanding Armies of the United States, has given him orders to receive at the military posts on the Mississippi River and in Mobile Bay, for exchange under the recent agreement, all officers and men of our Army, whether white or black, whom you have captured and now hold.

Permit me, general, to assure you that there is no intention on our part to hinder the operation of the humane arrangement for exchange of prisoners which the Government of the United States has so long desired and striven for.

Respectfully, your obedient servant,

G. GRANGER,
Major-General, Commanding.

HDQRS. MILITARY DIVISION OF WEST MISSISSIPPI,
OFFICE OF AGENT FOR EXCHANGE,
New Orleans, La., March 14, 1865.

Maj. Gen. E. A. HITCHCOCK, *Commissioner of Exchange:*

GENERAL: In the absence of Major-General Canby in the field I have the honor to state that of the prisoners of war who were ordered

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discontinue the deliveries of rebel prisoners except so fast as the steamer New York can bring them. Discharge all other vessels engaged in the business.

U. S. GRANT,
Lieutenant-General.

OFFICE COMMISSARY-GENERAL OF PRISONERS,
Washington, D. C., March 27, 1865.

AMOS PILSBURY, Esq.,
Superintendent Albany Penitentiary, Albany, N. Y.:

SIR: By authority of the Secretary of War I am directed by the Commissary-General of Prisoners to request that Hammond Claude, private, Company C, First Maryland Cavalry, now confined at Albany penitentiary, and William H. Rodgers, if still in confinement, held under the same circumstances with Samuel B. Hearn, Braxton Lyon, and John R. H. Embert, who were recently released and forwarded for exchange, be transferred to Fort McHenry, Baltimore, Md., and turned over to the commanding officer of the post, to be sent with first party going from there for exchange. If there are any other prisoners under your charge of the class mentioned and held under similar circumstances you are respectfully requested to make special report of their cases to this office, giving charges in each case, nature of sentence, and by whose order confined. Please report your action in the case of Claude and Rogers.

Very respectfully, your obedient servant,

W. T. HARTZ,
Captain and Assistant Adjutant-General.

HEADQUARTERS MILITARY DISTRICT OF FLORIDA,
Tallahassee, March 27, 1865.

Brig. Gen. E. P. SCAMMON,
Commanding Fourth Separate Brigade, Jacksonville, Fla.:

GENERAL: This will be carried to your outpost by Capt. John C. Rutherford, C. S. Army, under flag of truce. He is the bearer of a letter from Brigadier-General Pillow, Commissary-General of Prisoners, C. S. Army, addressed to the officer commanding Federal Forces, Jacksonville.* Captain Rutherford is also charged with the duty of paroling and sending within the lines occupied by the U. S. troops for exchange the prisoners of war held by the Confederate States and now confined within certain States, Georgia and Florida among others. This exchange is in accordance with terms agreed on between Lieutenant-General Grant, commanding Armies of the United States, and the proper authorities of the Confederate States. Under existing circumstances the prisoners in Georgia and in this State can be delivered more conveniently and comfortably to themselves at Jacksonville than Mobile.

If you will receive the prisoners and receipt for them as paroled prisoners for exchange I will do all in my power to send them without delay to Jacksonville.

I am, very respectfully, &c.,

SAM. JONES,
Major-General.

*See Pillow to Commanding Officer, &c., March 24, p. 427.

Brigadier-General RUGG
Commissary-General

GENERAL: I have the of the 25th asking what command, to which I rep ing transportation. Sin Captain Waller, chief qua trains, as the Quartermas visions and hold prison necessity for these prison incumbent upon you to mond, as I cannot impre

Awaiting your orders
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Lieut. Gen. R. TAYLOR,

GENERAL: Humanity, breach of etiquette. I hc The Federal prisoners co place; they were dying o them. The Federals offe wagons under our guard ing of their men. They of honor to see nothing a in every raid the Yankee or persons that he did no sanction, are to keep ru until the present exchan
I am, general, you

Col. H. FORNO:

COLONEL: At your re statement, to wit: On th directed by you to see providing cars for the from Columbia, S. C. I the cars would be at the one hour from the time Sharp had said to you, a and to tell him to mov first to Mr. J. A. Bowe staying, and not finding Prison and found him fo had directed me to tell h

WASHINGTON, June 10, 1865.

Maj. J. F. MOUNT,
Commanding Fort McHenry, Baltimore, Md.:

The prisoners of war reported in your letter of the 9th instant will be held till further orders.

W. HOFFMAN,
Commissary-General of Prisoners.

RICHMOND, VA., June 10, 1865.

Brigadier-General GORDON,
Commanding District of Eastern Virginia, Norfolk, Va.:

You will retain in the military prison in Norfolk all such prisoners as were sent there for offenses for the commission of which they were subject to the Articles of War. All others will be turned over to the civil authorities. You will discharge every civilian employed in the prison and fill their places by details from the troops under your command.

By order of Major-General Ord:

N. M. CURTIS,
Brevet Major-General, U. S. Volunteers, and Chief of Staff.

GENERAL COURT-MARTIAL ORDERS, }
No. 283. } WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, June 12, 1865.

In compliance with General Orders, No. 98, War Department, Adjutant-General's Office, May 27, 1865, the sentences of the following-named prisoners, now in confinement for "during the war," are remitted, and the prisoners will be immediately discharged upon taking the oath of allegiance:

ALBANY PENITENTIARY.

1. John R. H. Embert, now or late of the so-called Confederate Army.
CHARGE I: Acting as a spy.
CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.
FINDING: Guilty.
SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.
2. Samuel B. Hearn, now or late of the so-called Confederate Army.
CHARGE I: Acting as a spy.
CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.
FINDING: Guilty.
SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.
3. Braxton Lyon, now or late of the so-called Confederate Army.
CHARGE I: Acting as a spy.
CHARGE II: Violation of the laws of war, as laid down in paragraph 86 of General Orders, No. 100, from the War Department, April 24, 1863.
FINDING: Guilty.
SENTENCE: Confinement at hard labor in the Albany penitentiary during the war.

By order of the President of the United States:
E. D. TOWNSEND,
Assistant Adjutant-General.

Col. T. S. F
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- Hammermister, Eugenia**, 805.
- Hammond, William M.**
Correspondence, I. H. White, 625.
Mentioned, 198.
- Hampton, Wade.**
Correspondence, W. T. Sherman, 303.
Mentioned, 213.
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