

Prisoners

Parole Terms. War of Rebellion, Series II, Vol VII.

McClellan's Headquarters, October 3, 1862

Major-General Halleck:

General Stuart of the rebel Army, has sent in a few of our prisoners under a flag of truce, paroled with terms to prevent their fighting the Indians, and evidently seeking to commit us to their right to parole our prisoners in that way.

My inclination is to send the prisoners back with a distinct notice that we will recognize no paroles given to our prisoners by the rebels as extending beyond a prohibition against fighting them, yet I wish your opinion upon it based both upon the general law and our cartel. I wish to avoid violations of law and bad faith. Answer as quickly as possible, as the thing, if done at all, should be done at once. A. Lincoln, president

War Department, Washington, October 3, 1862

His Excellency the President, Headquarters Army of the Potomac
Your proposal to send back prisoners who have given an unauthorized parole accords with the general rule of war and I think there is nothing against it in the cartel. The enemy has no right to require any other than the usual parole--not to bear arms against the Confederate States during the war or until exchanged--nor have our prisoners a right to give any other. H.W. Halleck, General-In Chief/

Johnson's Island, prisoners confined

War of Rebellion, Series II, Vol. VII

Richmond Va., October 5, 1862; Lieut. Col. W.H. Ludlow, Acting Agent for Exchange.

Sir: I beg leave to call your attention to the following matters:

1: It is represented that in Missouri and elsewhere citizens are arrested and under threats of being treated as spies in case of refusal compelled to enter into heavy bonds with surety that they will not take up arms against the United States. Several cases of this kind have been presented, among whom is that of James W.D. Hatcher, of Missouri, a discharged Confederate soldier, who on his return to that State was compelled to give such a bond with surety in the sum of ~~\$10,000~~ \$3,000. The Confederate Government will treat all such bonds as nullities.

2-Officers and men of the Missouri State Guard are now held in confinement in Missouri at Johnson's Island and elsewhere. They have neither been paroled nor released under terms of the cartel. They are entitled in all respects to the privileges of officers and men of the U.S. Army. They are so recognized by the acts of the Confederate Congress. Their exchange is insisted on under the provisions of the cartel.

Among those now confined at Johnson's Island are Capts. F.A. Rogers, J. Joplin, S.L. Cary, J.P. Caldwell, F. Weed and Lieuts. P.F. Willard and S. Duncan. The Missouri State Guard on the other hand have made captures of many prisoners whose paroles are now held by me.

Can there be any objection to exchange one class for an equivalent of the other.

...4--Several officers and men known as partisan rangers are detained in confinement by the United States Government. Partisan rangers are not persons making war without authority, but are in all

respects like the rest of the Army except that they are not brigaded and act generally on detached service. They are not irregulars who go and come at pleasure, but are organized troops, whose muster rolls are returned and whose officers are commissioned as in other branches of the service. They are subject to the Articles of War and Army Regulations and are held responsible for violation of the usages of war in like manner with regular troops. So also it is with the partisan rangers organized under the law of Virginia. So the commissions of the officers are given by the State authorities. I allude now more particularly to the cases of Capt. John S. Spriggs and Capt. Marshall Riplett, who are confined on Johnson's Island. These names were brought to the attention of General McClellan some time ago by General Lee. On the 21st of June last General McClellan wrote to General Lee that "they were held as other prisoners." He even cautioned General Lee against believing on mere rumor that they would be treated in any other way than as prisoners of war. Yet when other officers have been sent from Johnson's Island to Vicksburg they have been retained.....

pp. 602 and 603... Robert Ould, agent for exchange.

Maryland.

War of "ebellion, Series II, Vol VII

Castle Thunder, October 13, 1862

My Honorable President: I say my, for I own no other; will no other own. I come to you, a poor weak woman whose future looks oh, so cheerless. I come to you, the relict (cq) of him who has paid the penalty of his wrongdoing, if wrong he did, of which I know nothing. I come to you begging.

I wish to go home. I was hinted an exchange. Oh, sir, exchange me, a Southern born, a South-adoring woman. No, no; rather let me remain here in my people's prison and die than exchange me for one of my own countrywomen. They said I might harm some one.

Does a mother harm her child, a child her mother. The South is my mother. I will not harm her. Her glory is my ride. I look to her like a bleeding bird for succor. I have suffered. Oh, you can feel for the suffering; let me go home where I may seek some spot and unnoticed pass the remainder of my dreary, dreary days. I will pray for you; do you no harm. There is nothing so ingenuous as fear but I fear nothing. I am prote ted here and my Holy Mother knows my heart, but I have lies in Maryland--interests there. Please let me go home.

Very respectfully your obedient servant. Mrs. T. Webster

First indorsement Secretary of War for inquiry and advice, Jefferson Davis.

Second indorsement, October 17, 1862

Respectful y returned to the Secretary of War with the report that it was decided by the Secretary some time ~~xxxx~~ since to release Mrs. Webster and send her home, but the Secretary having been told that Mrs. Webster would compromise many friends in Maryland, the Secretary directed she should be retained until further orders.

Jno. H. Winder,

G. H. Winder,

Garnett:

War of Rebellion, Series II, Vol VII, p. 951

Hampden Sidney, October 31, 1862

Hon. G.W. Randolph, Secretary of War, Richmond, Va.

My Dear Sir:

In the spring of 1861 a company of young men students and alumni of Hampden Sidney College with their president, Rev. Dr. Atkinson, volunteered in the service of the Confederate States under the name of Hampden Sidney Boys.

They were mustered into service in the Twentieth (Virginia) Regiment Lieutenant Colonel Pegram commanding, and assigned to the Northwestern Army under General Garnett. At the battle of Rich Mountain the most of this company were made prisoners and paroled by McClellan. The larger part were discharged from service in September, 1861, and I believe all during the following winter and spring. One of them has recently stated in this community that under some decision of your Department all who were thus discharged previous to passage of the conscript law of last spring were undonditionally and finally released from all obligations of military duty except such as they might voluntarily undertake.

I have a son who was in that company and several houg friends. He and some others have since their exchange reentered the service as volunteers. But I would be pleased to know certainly whether it is true that their discharge relieves them finally and for this war from all liability to conscription. As early as is consistent with your duties will greatly oblige me and them. Adire s yours, with h gh regard etc.
Rev. E.M. Smith, Hampden Sidney Post-Office.

Ship's Island.

War of Rebellion Series II, Vol VII

Richmonda, Va., November 10, 1862

Hon G.W. Randolph, secretary of war

Sir: I am requested by the President to inform you that in a letter received by him he is ~~credibly~~ credibly informed that certain paroled prisoners of war have been placed by General Butler in close custody in the neighborhood of New Orleans, and to give you their names that you may take proper measures for their exchange according to the cartel.

They are: Captain McLean, late of McCulloch Rangers

2-Captain Losberg, captain of the DeFollet Guards of the Chalmette Regiment

3-Captain Batchelor of Third (First) Regiment Louisiana Regulars

These officers were paroled by Commodore Farragut, but are held in prison by Butler.

4-Captain W.E. Seymour, who was in commission in the service of the State of Louisiana and a paroled prisoner

Besides the above there are a number of privates, among them Mr. Davidson, of New Orleans, who were members of corps of partisan rangers enlisted in our service and who are held by Butler on pretext they are guerrillas and not in our service.

Very respectfully etc.

J.P. Benjamin

secretary of state

Headquarters, Richmond, Va, November 12, 1862

Maj. Gen S.G. French, comdg. Department of North Carolina, Petersburg, Va
General: A dispatch was sent you this morning informing you that the point for landing prisoners of war had been changed from Aiken's to City Point.

The major general commanding directs me to say that he desires you to take measures without delay to provide for the reception of the prisoners at the point as soon as possible. It will be necessary to construct a wharf at the landing.

Meantime some other expedient must be used for that purpose, as the first boat will probably arrive on Saturday. Inasmuch as these boats arrive without notice it will be necessary to establish a camp at the Point for their accommodation until cars can be sent to convey them to Petersburg with an officer to be empowered by Mr. Ould to receipt for the prisoners, and with authority to control the camp with a surgeon and medical stores and a depot of commissary and quartermaster's stores. A large proportion of the prisoners will arrive sick or wounded, so that houses at or near the point should be procured for their shelter.

The guard furnished should number at least seventy-five men, that number being necessary to prevent the prisoners from straggling into the country. The major-general commanding directs that a camp be also established in the vicinity of Petersburg with a competent officer in command to which the paroled prisoners will be removed as soon as possible after they have landed and provided for and securely guarded until ~~they are exchanged~~ they are exchanged. The camp of paroled prisoners at this point has given more annoyance and trouble than any other of the many charges upon the command in Richmond, and you will be fortunate and ~~deserve~~ deserve unusually if you succeed where we have well nigh failed

failed in managing it satisfactorily. The men arrive full of the idea of deserving unusual privileges because of their capture and will at once besiege your officer for furlough, pleading the unusual merit of their position, and upon being refused, as they must be in every instance except when furnishing a certificate of disagement. You will find it necessary to employ a large guard, therefore, and forbid their entering the town except in limited numbers daily.

The prisoners who are sick or wounded should be provided for in a hospital, which should be set apart for that purpose, properly guarded. It may now and then occur that a prisoner will bring an infectious or contagious disease into our lines, and provisions must be made to guard against and dispose of such cases promptly. Mr. Gould, the commissioner, will visit Petersburg and the Point tomorrow. Whatever may be necessary for his own and the accommodation of the Federal commissioner the major-general commanding desires you to provide promptly, and whatever suggestions and recommendations Mr. Gould may make he wishes to entertain favorably. Your prompt earnest and most diligent attention to this matter the major-general commanding directs me to ask, suggesting, in the interest of humanity as well as of the service, that every energy possible should be exerted to perfect the necessary arrangements at the earliest moment. It is to be regretted that earlier notice could not be given of this change. The major-general commanding trusts, however, that acting upon the intimation given you some time since of the proposed change, you are not entirely unprepared for it. I am etc. Sam W. Melton, Major and Assistant Adjutant General.

Johnson's Island

War of Rebellion, Series II, Vol VII p 710

Sandusky, Ohio, November 14, 1862

Col. William Hoffman, Commissary-General of Prisoners, Washington D.C.
Colonel: I have the honor to ask if I shall make preparations to store provisions for the winter. Thus far I have only required about ten or twelve days' rations to be furnished ahead. Today I have ordered one-months supplies. I would be glad if you inform me at your earliest convenience whether I shall store three months supplies or not. Today I received \$27,000 subsistence funds.

I can now pay up everything in the subsistence department, but in the quartermaster's department I owe over ~~\$222~~ \$20,000 to Gregg and West and to Master's department about \$5,000 of long standing; to Bristol, pay for his boats since 1st of June. My requisitions have all been allowed by the Quartermaster-General and he has informed me that he has required on the Treasury for the amount, but still I hear nothing from it. The money is very much needed. I would like to pay Bristol very much. He is sorely in need of money. I am etc.

E.W.H. Read, captain U.S. Army, acting
assistant quartermaster.

Guerrillas....situations McNeil

War of Rebellion, Series II, Vol VII, p 947

Executive Department, Richmond, November 17, 1862

Lieut. Gen. T.H. Holmes, commanding Trans-Mississippi Department

General: Inclosed you will find a slip from the Memphis Daily Appeal of the 3d instant, containing an ~~unreliable~~ account purporting to be derived from the Palmyra (Missouri) Courier, a Federal journal, of the murder of ten Confederate citizens of Missouri by General McNeil of the U.S. Army.

You will communicate by flag of truce with the Federal officer commanding that department and ascertain if the facts are as stated. If they be so you will demand the surrender of General McNeil to the Confederate authorities and if this demand is not complied with you will inform said commanding officer that you are ordered to execute the first ten U.S. officers who may be captured and fall into your hands.

Very respectfully etc.

Jefferson Davis.

Situation: Attitudes in 1862

War of Rebellion, Series II, Vol VII p 949

Richmond, Nov. 20, 1862

His Excellency Jefferson Davis, President of the Confederate States

Sir: having been so unfortunate as to fall a prisoner into the hands of the enemy near the Appahannock on the 6th day of this month I have made use of every opportunity to get useful information for our generals while in their hands, which I had a good opportunity to do the first five days of my captivity as I was not confined closely.

In the first place I ascertained that General Burnside's army only consists of seven corps all told, and that their original number was much reduced by sickness, desertion etc. I was sent from Warrenton to Washington on the 13th instant after being paroled and then sent to the Old Capitol Prison and locked up and a guard placed at the door, all of which has been duly set out and forwarded to you through the Secretary of War for action. While running at large in their lines at Warrenton many of their privates came to me secretly and asked what disposition would be made with them when taken prisoners.

I informed them that our Government would send them home, which gave great satisfaction to them. I find that the object is to get back home in some way and not go through the hands of their officers. I do not think their army will fight with confidence as there is much dissatisfaction at General McClellan's dismissal.

I was informed that eight-tenths of the citizens of Washington were as much opposed to Mr. Lincoln's administration as ever. Two or three regiments laid down their arms when news of General McClellan's dismissal came. Others were ordered to arrest and march them off and refused to obey. This is beyond the question, as the officers were loud and open in my hearing to denounce Mr. Lincoln for the removal. I heard officers remark they hoped the rebel army might cut them all to pieces and similar other remarks.

I was also credibly informed that General Banks is soon to command a large fleet to sail in a few weeks from Fortress Monroe against our Southern ports. Did not ascertain the time or number. I was told in Washington that Mr. Lincoln was shot at in the daytime last week while walking out but it was not ascertained by whom.

The officials I conversed with about the war did not seem to have that confidence in their immediate success of subjugating us, but said it would and must eventually be done; that they would fill their work and machine shops with foreigners to send every man at the north against us but they could conquer us, and I think that project is being put on foot to bring out every man against us....

Robert (Robt.) P.

Blount, Lieut. Col. Provost-Marshal First Corps, Army of Northern Virginia.

Johnson's Island Disposition of bodies

War of Rebellion, Series II, Vol. VII

Office Commissary-General of Prisoners, Washington, D.C., November 24, 1862

C.F. Cushing, demonstrator of anatomy, Cleveland College, Ohio

Sir: I have the honor to acknowledge the receipt of your communication of the 19th instant in relation to your procuring from Johnson's Island the bodies of deceased rebel soldiers, or those of such as may die during the winter.

In reply I am directed by the commissary-general of prisoners to inform you that your request cannot be complied with.

Very respectfully, your obedient servant

H.M. Lazelle

Capt, Eighth Infy. U.S. Army, Asst. to Com. Gen of Prisoners.

Johnson's Island

Depot Prisoners of War Near Sandusky, Ohio, November 28, 1862

Col. W. Hoffman, commissary-general of prisoners.

I send you by this day's mail the roll of prisoners from Alton.

I also inclose a roll of prisoners released on the order of Judge Turner. They have just arrived thirty-seven prisoners from Kentucky under guard of Capt. E. A. Baker, Sixty-fifth Regiment Indiana Volunteers sent from Henderson, Ky. by order of Col. John W. Foster, commanding post.

I desire to call your attention to the subject of transportation. None is provided for the return of these guards and Captain Read has to provide ~~for the return of these guards and Captain Read has to~~ it as well as rations. There was a guard of over 200 men came from Alton. It will make a very heavy item if all is paid at this post. Those prisoners from Alton were in wretched condition.

About fifty had to go to the hospital at once and without stoppint to be accurate I should think eight or ten have died, more than usual for two months. Most of the deaths at this post have been of those who came here to die, and would have died very soon anywhere.

very etc.

Wm. S. Pierson, Major Hoffman's

Battalion, commanding.

P.S. I would like to hear what became of General Barrow. I have forwarded some letters to him at Washington but do not know as he received them. I am this day in receipt of a bond for him to execute from Governor Johnson of Tennessee, who requests his discharge etc.

Slaves..prisoners

War of Rebellion, Series II, Vol VII p 954

War Department, Richmond, Va. November 30, 1862

General G.T. Beauregard , commanding ,etc

General: The question as to the slaves taken in Federal uniform and with arms in their hands as presented to you by the letter of Brigadier-General Mercer of the 14th instant, and by you forwarded to this Department has been considered in conference with the President.

Slaves in flagrant rebellion are subject to death by the laws of every slave-holding state, and did circumstances admit without too great delays and military inconvenience might be handed over to the civil tribunals for condemnation.

They cannot be recognized in any way as soldiers subject to the rules of war and to trial by military courts; yet for example and to repress any spirit of insubordination it is deemed essential that slaves in armed insurrection should meet condign punishment.

Summary execution must therefore be inflicted on those taken, as with the slaves referred to by General Mercer, under circumstances indicative beyond doubt of actual rebellion. To guard however against the possible abuse of this grave power under the immediate excitement of capture or through over-zeal on the part of subordinate officers it is deemed judicious that the discretion of deciding and giving the order of execution should be reposed in the general commanding the special locality of the capture.

You will therefore instruct Brigadier-General Mercer to exercise this discretion of decision and summary execution in the case of slaves referred to by him and any others hereafter captured under like circumstances. I am etc. James A. Seddon, secretary of war. (Copy to General Forney, Mobile, Ala. December 13, 1862, for his guidance)

Headquarters Department of Henrico, Richmond, November 27, 1862

Captain Turner, commanding C.S. Prisons.

Sir: You will call upon Major Griswold, Captain Warner and

Captain Alexander to deliver to you all of the negro prisoners now in their possession and give account of all that have been delivered to them. You will please attend to this immediately. By order of

General Winder.

W.S. Winder, Assistant Adjutant-General.

Headquarters District of Georgia, Savannah, November 14, 1862.

Brigadier-General Jordan, Chief of Staff and Assistant Adjutant-General

Charleston, S.C. General: I have the honor to report the following facts to the general commanding and beg that they may be referred to the Secretary of War for his decision:

A few days since Captain Brailsford, of the Lamar Rangers, landed on Saint Catherine's Island and while there encountered six negroes in Federal uniforms with arms (muskets) in their hands. Captain B. killed two of them and captured the other four. One of these negroes a boy named Manuel, is now in the possession of Messrs Plount & Dawson, negro brokers in this city, for sale, to prevent which - have just ordered one of ~~xxxx~~ my officers to take him out of their hands and to lodge him in jail there to await the decision of Mr. Randolph.

If I may be permitted to express an opinion upon the subject I most earnestly request that these negroes be made an example of. They are slaves taken with arms in hand against their masters and wearing the abolition uniform. Some swift and terrible punishment should be inflicted that their fellows may be deterred from following their example. This is by no means the first case that has arisen and I much

fear that unless something be done to prevent similar outrages it will not be the last.

Feeling assured that the commanding general will see the necessity of speedy action in the matter. I have etc.

H. W. Mercer, Brigadier-General
commanding

Hdqs Dept of South Carolina and Georgia, Charleston, Nov. 17, 1862

The general instructions of the War Department respectfully requested for my guidance in such cases.

G. T. Beauregard, general commanding

Second indorsement

Respectfully referred to the President. With his concurrence my decision is that the negro be executed as an example.

J. A. S. Secretary of War.