

The Huntsville Historical Review

Spring-Summer 2003

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The Huntsville Historical Review

Spring-Summer 2003



MRS. J.B. CLOPTON
EIGHT & NINETH GRADES

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COVER ART

Photo of Mrs. J. B. Clopton courtesy of Huntsville Public Library, taken from
1923 Joe Bradley School Annual.

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President's Page

April 2003

Dear Patron:

As I near the end of my tenure as President of the Huntsville-Madison County Historical Society, I want to take this opportunity to thank all of you for your support during the past year. Serving as president of this society, and working with all of you who give of your time and talents to make its work possible, will always rank among my proudest accomplishments.

During the past year, we have undertaken several initiatives to enhance the society's ability to preserve the history of Huntsville and Madison County. These have included strengthening the society's financial base, redesign of *The Huntsville Historical Review*, and, most recently, the allocation by the Board of Directors of funds for the development of a Huntsville-Madison County Historical Society Internet web site. Development of a society web site is intended to greatly expand our outreach into the community, and to spark greater public interest in the history of Huntsville and Madison County.

On June 8, 2003 the society will host the annual Dr. Frances Cabaniss Roberts Lecture at the Huntsville-Madison County Public Library. This year's speaker will be Mrs. Nancy Rohr. Also, as Huntsville nears its bicentennial, several of our members and patrons are serving in leadership positions, planning the commemoration celebrations.

Again, my heartfelt thanks to the many wonderful people who make the society's work possible.

Sincerely,



David Edward Milam
President

Editor's Notes

Welcome to the Spring / Summer 2003 edition of *The Huntsville Historical Review*. In this issue of the *Review*, we present four original works authored by Ms. Venita Helton, Mr. Brian Hogan, and Mr. Norman M. Shapiro.

In our lead article, "Spiders in the Attic," Venita Helton recounts the life and work of Huntsville's Anne Bradshaw Clopton, whose spider web paintings continue to represent a unique and fascinating art form. In "Norton Versus Mitchel," Brian Hogan describes the role played by Colonel Jesse S. Horton in General Ormsby McKnight Mitchel's relief from command of Union forces in Northern Alabama during the Civil War. Norman Shapiro's article, "Captain David H. Todd: 'A Brother of Mr. Lincoln's Wife,'" examines the life of Mary Todd Lincoln's half-brother – Abraham Lincoln's brother-in-law – particularly his service as a Confederate officer during the Civil War. Finally, Brian Hogan presents the second of a two-part series publishing for the first time the Civil War letters of Corporal Henry Ackerman Smith of the 21st Regiment of Ohio Volunteers, written during the occupation of Huntsville in 1862.

In keeping with our objective to serve as the authoritative historical journal of record for Huntsville and Madison County, Alabama, we welcome submissions of articles related to all aspects of this area's history, as well as those dealing with local genealogy and folklore. Our editorial staff reviews article submissions for both style and content, and is particularly happy to work with new or inexperienced authors seeking an outlet for their works.

Ed Cochran
Editor

Spiders in the Attic: Anne Bradshaw Clopton's Cobweb Paintings

VENITA SMITH HELTON*

*"Will you walk into my parlor?" said the Spider to the Fly--
"Tis the prettiest little parlor that ever you did spy;
The way into my parlor is up a winding stair, And I have
Many curious things to show you when you're there."*

*"Oh, no, no," said the little Fly, "to ask me is in vain,
For who goes up your winding stair can ne'er come down again."*

*The Spider turned him round about, and went into his den,
For well he knew the silly Fly would soon come back again;
So he wove a subtle web, in a little corner sly,
And set his table ready, to dine upon the Fly.*

*Alas, alas! How very soon this silly little Fly,
Hearing his wily, flattering words, came slowly flitting by:
With buzzing wings she hung aloft, then near and nearer drew
Thinking only of her brilliant eyes, and green and purple hue,
Thinking only of her crested head- poor foolish thing! At last,
Up jumped the cunning Spider, and fiercely held her fast;
He dragged her up his winding stair into his dismal den,
Within his little parlor- but she ne'er came out again!*

Mary Howitt, "The Spider and the Fly," stanzas 1,2,9, and 11¹

The spider would have missed his dinner if young Anne Bradshaw had spied his pretty web. Many years ago, a little girl from neighboring Shelbyville, Tennessee, who lived in Huntsville for most of her life, invented a very odd method of painting that the world has not seen before or since. Unafraid of spiders, Anne painted pictures on their "parlors."

Anne was born to Professor Robert Samuel Bradshaw and Sarah Caldwell Bradshaw on July 22, 1878. When the family moved to Fayetteville, where Professor Bradshaw administered Dick White College (which was actually a secondary school), Anne studied Latin, Greek, crafts, drawing and other "lady-like accomplishments," although she said she never received any instruction in painting. This was probably a good thing, as it made it possible for Anne to exercise her creativity outside the rigid boundaries of traditional painting instruction.

* I want to take this opportunity to thank James Malvern Clopton, who passed away in 2002, as well as Mrs. Bitsy Studdard Thornton and Mrs. Sarah Huff Fisk for generously sharing their memories of Mrs. Clopton's life and work with me. I would also like to thank Burritt Museum for allowing me to photograph and publish the paintings in the Clopton collection. The only way to truly preserve history is to share it.

Still, her drawing teachers recognized talent when they saw it. When Anne was about thirteen years old, one of her teachers gave her a number of art magazines. Anne found an account of a professor in Germany who painted on spider webs. The problem was that the author did not explain how the man accomplished such a feat.

Anne was intrigued, yet perplexed as she pondered the question of how he could possibly paint on an ordinary spider web. She later revealed that when she read the article, she had no idea that there were over 25,000 varieties of spiders in the world, that each kind spun a different sort of web, and that the web of a German spider might be a little different than the ones she could find under her bed. Indeed, it would be *fifty years* before Anne finally discovered that the spider webs the German used were almost an inch thick and as strong as fish net. The German's painting technique was entirely different from the one Anne was about to invent.

"If some man across the ocean can paint on cobwebs, I can, too," the girl told her father. I intend to start right away."² The only problem was that the article had offered no instructions. How could she paint on a spider web's few, tiny strands? "Writers ought to be more accurate," she said.³

"There are webs and then there are webs," Professor Bradshaw said. "Have you been up in the attic lately? I saw a great big one up there just last week."⁴

Professor Bradshaw didn't appear to reflect on the notion that a *spider* had spun that web, and that nineteenth-century homemakers such as his wife detested spiders in the attic, no matter what make and model they were. Anne later said, "If my mother had seen that web, she would have taken a broom to it."⁵ Fortunately, Anne got to the web before her mother did. She borrowed her little sister's watercolor paints and scrambled upstairs to turn that web into a masterpiece.

Her first brushstroke tore straight through the web. Never a quitter when she had a project in mind, Anne found other webs for her grand experiment. After destroying five that afternoon, she discovered that if she gently touched the brush tip to a single strand, she could leave a dot of paint on it. She pursued her method for over an hour, leaving dot after dot of paint to gradually fill in the holes between the strands. Although a "real" artist might not want to apply the term "stippling" to Anne's technique, this is the closest descriptor of her method. Only when the fragile web began to sag under the weight of the paint did Anne put away her brushes for the night.

When she returned to her makeshift "studio" late the next day, she found that Mr. Spider had spun his cottony web all over her painting. Anne spent two hours repainting the sticky canvas. The next day she returned to the attic to find still more cotton gauze over her masterpiece.

Anne now faced a dilemma: even if she could manage to complete the picture before the spider returned to his parlor to spin more webs, how could she get it downstairs without tearing it to bits? She tried a variety of “enterprises,”⁶ tore up quite a few webs, and then finally cut a frame out of cardboard. She eased the frame under a web she had not yet painted and gently began to lift. The web’s mooring lines broke, the sticky strands adhered to the cardboard, and Anne held a filmy “canvas” stretched over the frame. She could see right through the web, as there was no backing on the cardboard frame. Triumphant, she carried the web downstairs and began painting in the comfort of the kitchen. History does not record what her mother had to say about that spider web or her daughter’s unusual endeavor.

Before long, Anne discovered that the watercolor paints she was using dried out and cracked the spider webs, causing her paintings to disintegrate. Unwilling to give up her new avocation, she collected enough pennies to buy some oil paints. “I spent all my allowance on supplies,” she later recalled in a magazine interview. “I nearly ran my family crazy talking about it, but finally I painted a picture.”⁷

Using bottle caps for palettes and pig’s hair brushes no thicker than a toothpick, Anne tackled another web. However, the heavy oil paint soon stretched and broke the web. She next tried thinning the oils with turpentine to make a watery tint. This time the paint adhered without cracking the web. The problem was that the oils were so heavy in comparison to the web that she had to let the paint dry before proceeding to the next part of the picture; this meant that she could only paint a little each day. By experimenting with different kinds of webs, she discovered that the little brown grass spider spun the best ones of all. Apparently, the strands were closer together and a little bit stronger than other webs. Anne later discussed her painting technique in a short autobiographical sketch, *On Gossamer Threads—The Life and Works of Anne Bradshaw Clopton*.⁸

After two painstaking years, Anne finally completed a picture she deemed worthy to display. It was a landscape of a cemetery viewed through the arch of an old stone bridge. Her mother called the painting *God’s Acre*. Her son, James Malvern “Clop” Clopton, reported that Anne’s mother showed the painting to a schoolteacher friend. He stared hard at the painting, studying it from every angle and holding it up to the window. Finally, the would-be art critic pronounced, “That can’t be a cobweb.” Before Anne’s mother could stop him, he poked his finger straight through the stone bridge. “Well I’ll be John Brown—I guess it was, after all,” he said, then handed Mrs. Bradshaw the tattered painting and hurried away.

Other artists might have taken a broom to the schoolteacher, but Anne controlled her temper. She wasn’t about to let a skeptical academic who couldn’t even draw a chalk man on a sidewalk spoil her entry into the art

world. She painted people, animals, flowers, buildings, and landscapes. Everybody in town came to see her work, and everybody had an opinion. Some people said she was a fraud, while others dismissed her as just plain crazy. Anne later said that hardly a day went by without a housewife sending word of a "first-rate cobweb at her house," and would Anne please grab a cardboard square and hurry over and get it. "I knew everybody in town was laughing at me," she said. "When I look back, I don't blame them. They thought it was something I'd get over when I met a nice young man."⁹

At age 15 or 16, Anne graduated from Dick White College and began to teach Latin and Greek. When she wasn't teaching or painting, she prowled attics, barns, and bushes for spider webs. She found that the eaves of the house provided many artistic "canvases," as the webs were cleaner and more accessible there.

And then disaster struck. According to her brother James, Anne was stricken with an illness that blinded her for nearly two years. (Mr. Clopton indicated that Anne had probably contracted polio.) During those years Anne lay in darkness, her eyes covered with thick bandages. It was a miracle that she recovered full sight in one eye and partial vision in the other. She immediately resumed painting on spider webs.

Anne recalled that after she had recovered her sight, she gradually improved her painting technique. Her first pictures had encompassed the entire web, but now she left "holes" in clouds and around her subjects to show the web itself.

The painting below, *Big Spring in 1915*, is part of the collection her family donated to Burritt Museum after her death. (This picture was painted in 1938. Although the photo reproduced here is in black and white, Anne painted in full color. Despite the passage of years, the paintings have retained most of their original brightness.)



Big Spring in 1915

Even though the spider webs were clearly visible, Anne's art critics still suspected she was playing a trick; they couldn't resist poking the webs to "prove" they were phony. These "tests" destroyed the paintings. Since even a very small picture took Anne a month to complete, and larger ones anywhere from three to four months, the tests of these doubters sorely tried her patience.

In 1896, Anne was invited to display her cobweb paintings at the World's Fair in Saint Louis. Because Anne was a great admirer of President McKinley, she painted his portrait and showcased it at the fair. When a skeptic poked his pinky right through President McKinley's face, Anne knew she had to take action to protect her paintings.

She devised a method to suspend the fragile webs between thick cardboard frames and double sheets of glass in such a way that the web did not touch the glass on either side. Without this protection, none of her cobweb paintings would have survived. According to her autobiography, "This fact [people poking the web] and the tendency of the web to deteriorate if exposed to the open air made it necessary for the pictures to be placed between glass with thick mats so that the painted surface never touches the glass and then sealed air tight for protection."¹⁰

Anne also suspended some of her paintings in old watch casings to make locket for people to wear. She framed another of her paintings, *Golden Rod and Butterflies*, between two glass domes taped together to form a sphere. Unfortunately, Anne could not afford to frame all her paintings, so people continued to poke and prod the delicate portraits at every opportunity. The painting below, *President McKinley*, which is similar to the painting Anne displayed at the World's Fair, was painted in 1902. This is the oldest cobweb painting in the collection at Burritt Museum. Imagine, it's over a hundred years old!



President McKinley

Around 1900, Professor Bradshaw became president of the Huntsville Female College. Anne taught classes at the seminary and painted a picture of the building, shown below.



Huntsville Female College

In 1906, Anne married Blunt Clopton, a local farmer and businessman. Blunt owned two large farms near the Merrimack Cotton Mill, a grocery store, and a dry goods store. James Clopton described his father as a good, kind man “who never took up any bad habits.” After World War I, Blunt Clopton became an agent for the Metropolitan Insurance Company. James Clopton recalled that although his father had only attended school until the eighth grade, he was very intelligent and became the company’s top salesman.

The family lived on C Street, which was renamed Clopton Street in Anne’s honor after she became famous for her paintings. Despite the neighbors’ prophesies of years before, meeting a “nice boy” failed to stop Anne from painting on cobwebs. Somehow, she found time to sew clothes for all their children.

Anne also taught at Merrimack School, half a mile from her home, riding a bicycle to work every day. Anne was much loved by her students, so much so that even years later many graduates kept in touch with her. A homemade Valentine’s Day card is included in the Clopton Collection at Burritt Museum, drawn by a former student who had gone into the Navy. When Merrimack School was later renamed Joseph J. Bradley School and expanded to include the upper grades, Anne transferred to the high school department to teach arithmetic and Latin.

James Clopton stated that although his mother was busy rearing six children and teaching at Bradley, she started the first Girl Scout troop in

Alabama. She obtained some World War I surplus Army tents and took the girls on two-week camping trips. This was the first organized camping for girls in the state.

In 1932, the Clopton home burned to the ground. Blunt Clopton rebuilt it as a one-story house that still stands today. Anne sometimes called it "a little half house." She converted a broom closet into a miniature studio, stacking her completed pictures and spare cobweb "canvases" on its shelves. In the summer and fall she stockpiled enough webs to supply her needs throughout the winter when the spiders were dormant. James Clopton stated that his mother often asked him to climb up in the barn loft to collect cobwebs for her.

In 1938, the president of Hobby Lobby, Dave Elman, heard about the lady who painted on cobwebs. After examining the paintings to see if they were genuine, he brought Anne to Radio City in New York to interview her on the Hobby Lobby program. Anne's fame was growing. She would return in 1943 as his guest, "this time broadcast over CBS from Columbia Studios in New York."¹¹

Tragedy struck the Cloptons in late 1938. Not long after Anne returned from her first visit to Radio City, her grandson, five-year-old Bobby Kring, the son of their daughter, Mary Caldwell Kring, came to Anne's house to have his portrait painted. The day after Christmas, Bobby went outside to play by the lily pond in front of the Clopton home. James Clopton recalled that Bobby had a "big Collie dog." The boy "tried to push the dog into the pond but the dog folded up on itself as dogs will do, and Bobby fell into the cold water."¹² The shock stopped his breathing and caused him to drown.

The grief-stricken Cloptons filled in the lily pond. Anne then completed Bobby's picture. One can imagine the sorrowing grandmother applying thousands of dots of paint to a spider's web, the paint dropping like tears for the little boy. Anne kept Bobby's portrait for herself. Years later, Burritt Museum received the treasured portrait from her estate. Although many decades have passed, the little boy in the sailor suit looks out from the cobweb, his eyes as blue as the sea and his cheeks as rosy as the flowers in his grandmother's garden. It is as though time stood still, captured in the fragile web of a little brown spider.



Bobby Kring

In 1939, Anne was again invited to the World's Fair, this time sponsored by Dave Elman. At the Hobby Lobby booth, Anne demonstrated her painting technique to amazed crowds.

By this time, James Clopton had entered the U.S. Naval Academy. He sent his mother a photograph of a ship he wanted her to paint for him. She did so, and entitled it *Blue Ship*. Before she could give it to him, curators came from the Smithsonian Museum to study her work. They took *Blue Ship* and one other painting to Washington, D.C. When James got home and asked for his picture, his mother had to tell him it was in a museum. She set to work painting him another *Blue Ship*, which now exists as part of the James Malvern Clopton estate.

Anne later painted another replica of the piece, but it was destroyed enroute to the fair in New York. Burritt Museum has the shattered painting in its collection to illustrate the fragility of the portraits. Imagine the heavy paint weighing down the web and gradually causing it to crack. If dropped, the web shatters like blown glass.

It is interesting that many years later, Anne toured the Smithsonian Institution and discovered that the German professor she had read about in the art magazine had used "big old thick German spider webs about like cotton batting."¹³ What a difference from Anne's canvas, the gossamer web of the little brown spider! The German artist could paint on his webs much as he would ordinary canvas, with broad swatches of color and a manly handling of the brush, whereas Anne's technique required her to stipple thousands of tiny dots on a web so fragile that it could break if she breathed on it too hard. Anne Bradshaw Clopton learned that she had invented an entirely different cobweb painting technique, one which no other artist has ever replicated.

Anne's fame was such that during World War II, Universal Picture Corporation sent a crew to Anne's house to make a "Stranger Than Fiction" movie of her gathering and painting webs. Soldiers in army camps and hospitals all over the world viewed the movie, leading to worldwide recognition of Anne Clopton's talent.¹⁴

Not to let Universal Studios outdo them, Columbia Pictures came to film Anne painting on cobwebs as part of their "People at Work" film series. Additionally, the National Association of Manufacturers came to Huntsville to film Mrs. Clopton as part of its "Industry on Parade" film series. The film now rests in the Archives Department at the Smithsonian Institution.¹⁵

When representatives from Ripley's *Believe It Or Not!* Museum heard about Anne's paintings, they hurried to Huntsville to obtain several paintings for their collection of "oddities."

Magazine editors were also keen to interview Anne. An article in *The Southerner* contains a photograph showing her gathering webs while her favorite cat, Honey, watches her. Honey was a favorite subject for Anne to paint. The cat's portrait, painted in 1941, is held by Burritt Museum. According to Anne's autobiography, "the 1940s and 1950s saw numerous newspaper columnists and cartoonists around the country feature Mrs. Clopton's paintings."¹⁶ Her book contains two cartoon portraits most likely drawn by artists other than her.¹⁷

Besides painting on cobwebs, Anne painted on lamp globes, fashioned jewel boxes from goose eggs, and made doll furniture out of turkey quills. Anne was a charter member of the Culture Club, a group of Huntsville women who met to discuss art, literature, and current events. The group is still in existence today. Anne also served as president of the Madison County Art Association.

In her never-ending thirst for knowledge, Anne took university classes all her life. "The teacher who isn't learning isn't really teaching," she said. "When the time comes that I can't teach better than the year before, I'm going to retire."¹⁸

By the mid 1940s, Anne had painted more than four hundred pictures. One of her favorites was a portrait of Robert E. Lee's home in Virginia, painted on a cobweb she had plucked from one of the general's very own bushes. Although she was famous, Anne still used her humble little broom closet as an art studio. Her eyesight, weak since her childhood illness, worsened until she was obliged to wear thick glasses and peer through a magnifying glass as she painted each web, one dot at a time.

By the early 1950s, hundreds of Anne's cobweb paintings were in the hands of collectors from around the world. Many traded not money for her paintings, but art objects and curiosities, such as spider brooches and a grain of rice embellished with miniature writing. Anne especially liked a spider someone had painted for her on the head of a pin. She catalogued each piece so she could remember who gave it to her and when she received it.¹⁹

A Huntsville resident, Bitsy Studdard Thornton, offered additional insight into Anne's personality. "I was only nine-and-a-half years old and hadn't lived in Huntsville very long when I met Mrs. Clopton. I wasn't happy about being here. One day my mother took me over to the Cloptons' house. Mrs. Clopton was heavy and small, not much taller than me, and had snow-white hair. She had a twinkle in her eye. She asked me, 'Do you want to see what I do?' I walked into a room and here were all these paintings and memorabilia from all over the world. I was in fairyland. That first impression will always stick with me."²⁰

Mrs. Thornton recalled that Anne Clopton let her help collect cobwebs. "I broke more than anybody in the world," she said. However, wrapped in Mrs. Clopton's magical world, the young girl became happier about living in Huntsville. "I always went into that room with the wonderful paintings. She would use a little bitty brush to 'peck' little dots. I saw a lot of cobwebs go 'pssh!' All of a sudden they'd disintegrate. One moment the web was there and the next it was gone. She just let it go and didn't get ruffled. She was calm and gentle."²¹

Although in her 70s, Anne still traveled on a limited basis to show her work. Notes accompanying a portrait of four red roses reveal that Anne showed a similar piece at the 1950 National Pacific Exhibition at Vancouver, Canada. "It was hung upside down," she wrote.

In spite of her fame, Anne never became a rich artist. Sarah Huff Fisk of Huntsville, one of Mrs. Clopton's friends, recalled that in the 1950s, Anne's miniature cobweb paintings framed in old watch casings and worn as locket cost about \$25. Even by that day's economic standards, \$25 wasn't much for a month's painstaking work. On September 14, 1952, *The Atlanta Journal and Constitution* reported that Anne received \$25 for a 3x5-inch portrait, and \$75 for a 6x8.²² The same article revealed that she "derived a better income" from painting on glass globes, as she could complete them quickly and received "from \$15 to \$25 for each one, depending on size and design. But she is a bit scornful of this sideline. 'Anyone can paint on a piece of glass,'" she said.²³

Anne's eyesight finally failed her, stealing the tiny paintbrush from her hand and leaving only memories of the industrious spiders' cobweb canvases. She had painted between 600 and 700 cobweb pictures since climbing into the attic nearly 64 years before.

Anne Bradshaw Clopton died at her home on February 4, 1956. Her ingenuity, artistic skill, and girlish enthusiasm resonate in the rare collection of cobweb paintings housed at Burritt Museum and in the hands of collectors in Huntsville and throughout the world. Because of their age and fragility, the paintings at Burritt Museum are boxed and will never again be put on public display.

Before his death, James Clopton revealed that when the family donated the collection to the museum, it was appraised at \$96,000. At that time, the collection contained many cobweb paintings in lockets and small frames. Mr. Clopton stated that the museum sponsored a "big art show of Mother's work. They hung the lockets all over the doorjamb. People came in by the hundreds, and by the end of the show, there wasn't a single locket left—people just put them in their pockets and walked away. They took the small paintings, too—anything small enough to make off with. The museum people should have known it would happen. They should have put the pictures in a display case."²⁴

While it is sad to think of Anne's beloved paintings being stolen, it is amazing to think that a woman from our town created a painting method that will probably never be seen again. Those of us who admire creative people can imagine Anne crawling around in a dusty old attic, looking for the spider's parlor. We will remember her immortal words: "Anyone can paint on a piece of glass. Now you take cobwebs- well, I have to do something to fill up my spare time!"²⁵

Clopton Collection Held by Burritt Museum

Description of contents of paintings from catalog cards dated Feb. 12, 1986:

- *Big Spring in 1915*, painted in 1938. Framing: standing wood frame with cream mat with white paint on bevel edge (has fixed footed base). Tall 8 ¼" x 13 (standing height). Signed lower right "ABC, '38." Catalog Card Access # 1986-2-14.
- *Comic Man in the Moon Laughing at Frogs*, painted in 1940. Framed: 4 ¼" x 6 ¼". Silver curved wood; cream oval mat. Contents- clouds yellow moon with smiling face and six frogs on a log. Signed lower right "ABC." Catalog Card Access # 1986-2-20a and -20b.
- *Christmas Motif,* painted 1938. Circular painting of three magi and palm tree. Framed: black wood frame- cream mat with circular cut out. Measures: 7 ½" x 7 ½". Signed lower right "ABC, '38." Catalog Card Access # 1986-3a and -3b.
- *Bobby Kring*, painted 1938. Son of Mary Clopton Kring. This painting is a portrait of Mrs. Clopton's grandson who drowned in a pond on the family home while this painting was being done. He was trying to push his dog in the pond- water too cold. Framed in incised silver frame with cream mat. Measures 7 ¾" x 5 ¾". Catalog Card Access # 1986-2-15a and -15b.
- *Honey, Mrs. Clopton's Cat*, painted in 1941. Framed in metal frame (gold) with cream mat. Measures: 4 ½" x 3 ½". Signed upper right corner "ABC '41." Catalog Card Access # 1986-2-21a and -21b.
- *Spider on a Spider Web*, painted 1948. Contents: painting of a brown spider on spider web with garden flowers (Black-eyed Susans) in foreground. Signed "ABC '48." Medium: oil. Inlaid wood frame, cream mat. Dimension 8 ¾" x 6 ½". Catalog Card Access # 1986-2-8a and -8b.

- *Scene of Big Spring Masonry Pump House Built 1860*, painted in 1949. Gold tone cutwork carved frame, crème mat. Dimensions 11"x9". Catalog Card Access # 1986-2-5a – 5b.
- *Picture of Mrs. Clopton's Home*, painted 1947. Framed in gold wooden frame- cream mat. Measures: 9 7/8"x 6". Originally inventoried in Clopton Collection as #28 of her paintings. Signed: Lower left, "ABC." Catalog Card Access # 1986-2-1a and -1b.
- *World's Fair 1939*, painted while at the Fair. 7 1/2"x 5 3/4". Originally catalogued as #7 of her paintings. Framed in silver tone wood frame, carved black embossed mat. Catalog Card Access # 1986-2-2.
- *Lotus in Fish Pond*, painted 1938. A small garden scene painted from pond in front yard, which was later, filled in. Medium: oil paints on cobweb. Measures 6"x10". Catalog Card Access # 1986-2-4a and – 4b.
- *Snow Scene*, painted 1938. Landscape snow scene of houses, stream, and bridge. Framed: black wood with cream mat 10 1/4"x6". Medium: oil on cobweb. Catalog Card Access # 1986-2-13a and –13b.
- *Huntsville Seminary Eustis and Randolph Streets*, painted 1940. Framed: black wood frame- cream mat. 6 7/8"x7 5/8". Medium: oil paint on cobweb. Catalog Card Access # 1986-2-7a and –7b.
- *Four Red Roses*, painted 1953. Painting of "Four Red Roses" was copied from the original *Four Red Roses* painted in 1938. Shown at 1950 National Pacific Exhibition at Vancouver, CA. Signed "ABC, '53." Note: It was hung upside down at the exhibition. Medium: oil. Dimension: 7 3/4" x 5 3/4". Originally catalogued as #12 of Clopton's paintings. Catalog Card Access # 1986-2-12 a-c.
- *Clay-Colored Sparrow* with dogwood branch. Catalogued as #24 of Clopton's paintings. Medium: oil. Dimensions: 5 3/4"x7 1/2". Wood rectangular frame, inner black, cream mat, double frame, varnished. Double wood frame, varnished. Catalog Card Access # 1986-2-19 a-c.
- Untitled bust portrait of woman in black Victorian dress with embroidered or lace flowers on yoke, painted 1940. "Gibson Girl" hairstyle. Head of woman tilted. Medium: oil. Dimension: 5"x 7". Catalog Card Access # 1986-2-16a and –16b.

- *Blue Ship*, painted 1940. Destroyed in transportation to exhibition in New York in the 1960s—a replica of the one donated to the Smithsonian Institution. Framed in black wood frame, cream mat. Measures 7 $\frac{3}{4}$ "x5 $\frac{3}{4}$ ". Medium: oil on cobweb. Catalog Card Access # 1986-2-16a and -16b.
- *President William McKinley*, three-quarter bust view, signed lower right corner "ABC, 1902." Antiqued, carved square frame. Circular cut-out cream mat. Medium: oil. Dimension: 8 $\frac{3}{4}$ "x 8 $\frac{3}{4}$ ". Catalog Card Access # 1986-2a and -2b.
- *Huntsville Female College Randolph and Clinton Streets*, painted 1953. Measures 8"x 9 $\frac{3}{4}$ ". Framed: 2 black wood frames, cream mat with "Frenchline" edge. Catalog Card Access # 1986-2-6 a-c.
- *Golden Rod and Butterflies*, painted 1948. Framed between two domes of glass making a small sphere—the two domes are sealed with dogtooth cut tape. Web matted with foil paper. Signed lower right "ABC, 1948." Painted on both sides of the web so that the painting could be seen on all sides. Measures 4" diameter by $\frac{3}{4}$ " thick. (Note to reader: The thickness measurement refers to the edges where the half-domes are joined.) Catalog Card Access # 1986-2-18.
- *Frog and Water Lilies*, painted 1948. Framed in a plastic domed paintbrush box. Matted with foil paper and suspended over a silver foil field. Measures 9 $\frac{1}{2}$ "x 2 $\frac{3}{4}$ ". Catalog Card Access # 1986-2-17 a-c.

Memorabilia and Awards

The following memorabilia and awards were part of the Clopton collection catalogued and donated to Burritt Museum.

Memorabilia

These memorabilia were created and presented to Mrs. Clopton either in exchange for cobweb paintings, or as gifts by admirers.

- *Rice Writing*, by William J. Nordvedt. Two cards with a grain of rice attached. Upon the rice is written, "Mrs. James Blunt Clopton Paints Pictures on Cobwebs Huntsville, Alabama." (Note: catalog card states, "See article about Nordvedt in Clopton Papers.") Access # 1986-2-55.

- *V-Mail Valentine*, from Paul Reavis, a sailor in the Pacific fleet during WWII, sent January 22, 1943 from the Solomon Islands to Mrs. J.B. Clopton. Framed in wooden frame- painted white with glass. Measures 4 $\frac{5}{8}$ " x 5 $\frac{1}{2}$ ". Originally item 88 in Clopton inventory. (Note: This Valentine's card came from Anne Clopton's former student.)
- *Miniature Photograph of Joseph H. Gray*, within the dot after the H in his signature. Framed in small metal frame with glass 2 $\frac{1}{2}$ "x 3 $\frac{1}{2}$ ". Unframed card with Joseph H. Gray's signature which bears a photo of him within the period of the H. 3 $\frac{1}{4}$ "x 1 $\frac{5}{8}$ ". Gray was a collector of miniatures in Chicago, IL during the 1950s.
- Photograph of American Indian. Access # 1986-2-108.
- *Mrs. Clopton's Spider jewelry*. Access * 1986-2-27 a-h.
Set, two 1- $\frac{1}{2}$ " blue costume spider pins with 6 $\frac{1}{4}$ " gold link chain.
1 $\frac{1}{2}$ " silver costume spider pin with green (olive) rectangle design on top dorsal side.
3" black metal costume spider pin with polished rock body.
2 $\frac{1}{4}$ " orange oval plastic spider pin with spider resting on oval black center, rhinestone and pink gems.
1 $\frac{1}{2}$ " spider pin metal with unknown round black stone.
1 $\frac{3}{4}$ " spider and spider web pin, gold tone costume web with rhinestone, red and light blue gems with artificial pears and red bumblebee with spring resting atop spider.

Awards

- Orange and blue $\frac{1}{2}$ " button (pin) reading: "New York World's Fair. I was there. 1939." Access #1986-2-106 a.
- Blue Ribbon: "Special Award." White button. 1946 Hobby Lobby Show. Access #1986-2-106 b.
- Blue Honorable Mention: 10th Annual American Hobby Show, Hearn, 1947. Ribbon. Access #1986-2-106 c.
- Blue Ribbon: "First Premium," Madison County Fair, Huntsville, AL (AL Great Seal). Access #1986-2-106 d.
- Exhibited by Invitation: National Hobby Exposition, July 8-July 16, Toronto, Ontario, CA 1949. Access #1986-2-106 e.

ENDNOTES

- ¹ Mary Howitt, "The Spider and the Fly," stanzas 1,2,9, and 11.
- ² Recollection of Anne Bradshaw Clopton's son, James Malvern Clopton, February 1998. "Clop" passed away in 2002.
- ³ "Cobweb Paintings," *Scenic South*, Vol. 11, No. 4 (April 1954).
- ⁴ Ibid.
- ⁵ Ibid.
- ⁶ Recollection of James Malvern Clopton, February 1998.
- ⁷ Joyce L. Jones, "The Picture on the Web," *The Southerner*, (May 1949), pp. 46-64.
- ⁸ Clopton, Anne Bradshaw. *On Gossamer Threads, The Life and Works of Anne Bradshaw Clopton* (Huntsville, AL: Burritt Museum, reprint 1986).
- ⁹ Recollection of James Malvern Clopton, April 1998.
- ¹⁰ Clopton, pp. 6-7.
- ¹¹ Ibid, p. 24.
- ¹² Recollection of James Malvern Clopton, April 1998.
- ¹³ Ibid.
- ¹⁴ Clopton , pp.22-23.
- ¹⁵ Reel number 221. Industry on Parade Film Collection, National Museum of American History Archives Center. The film has not been transferred to video because of the expense (several hundred dollars, according to Reference Specialist Susan Strange). The films in this collection were made by the National Association of Manufacturers between 1950-1960, comprising 428 reels of 16mm black and white composite optical track motion picture film prints, and were then donated to the museum in 1974. The collection covers thousands of topics, providing a comprehensive portrait of American business and manufacturing during the 1950s. The films portray work processes, community life, recreation, and reveal through narration the ideology of American business during this era. The films are available for research viewing at the Archives Center.
- ¹⁶ Clopton, p. 24.
- ¹⁷ Ibid, p. 23.
- ¹⁸ Anne Clopton retired at age 63, after twenty-two years of teaching. Her children shared her love of helping others to learn. According to James Malvern Clopton, his elder brother, Robert, became a college professor and taught at the University of Hawaii. The oldest daughter, Mary (Bobby Kring's mother), rode a horse to Kentucky and taught the mountain women how to can vegetables. James Clopton helped found a Campus Crusades Ministry and remained active in the organization until shortly before his death.
- ¹⁹ Recollection of James Malvern Clopton, March 1998.

²⁰ Recollection of Betsy Studdard Thornton, October 1998.

²¹ Ibid.

²² McCormick, John. "Pictures on Cobwebs." *The Atlanta Journal and Constitution*, Sept. 14, 1952.

²³ Ibid.

²⁴ Recollection of James Malvern Clopton, March 1998.

²⁵ Ibid. Also partially quoted in Jones, "The Picture on the Web."

Norton Versus Mitchel

BRIAN HOGAN

“His plans for revenge on General Mitchel turned out to be a pit for himself.”

General Ormsby McKnight Mitchel is commonly believed to have been relieved of command in North Alabama because of outrages committed by his troops here, especially in Athens. That was not the case. The real reasons are related here, along with a description of the role played by one of his colonels, Jesse S. Norton, who tried his best to make that connection.

Jesse S. Norton was born in 1826 in New York and raised in the small city of Perrysburg, Wood County, Ohio, where he married his wife, Martha. They had five children. Norton was a prominent member of the community of 2,000 citizens, where he was employed as the agent for the Dayton and Michigan Railroad, and also as a real estate and land agent. He also served on the city council, being elected in 1855, 1856, 1857, and 1858. In 1859 he was elected mayor, and in 1860 was again elected as a council member.¹

Norton was actively involved in the first war meeting held in Perrysburg on April 19, 1861, shortly after the surrender of Fort Sumter on April 11, where a resolution was adopted that stated, “The citizens of Wood County will stand by the government of the country in any emergency,” and that “We pledge ourselves, our property and sacred honor to the support of the government. That we will ever be faithful to the families of those who fall in their country’s service. That we pledge ourselves to maintain the families of those who volunteer in obedience to the call of the country’s present emergency.”²

One week later, Norton was appointed by Ohio Governor William Dennison to command the 21st Ohio Volunteer Infantry Regiment when it was initially mustered in as a three-month regiment on April 27, 1861 at Camp Taylor, Cleveland, Ohio. Many Wood County men were represented in the regiment: Captain Arnold McMahan’s Company C, and Captain Milo Caton’s Company H were made up entirely of men from that county.³

The regiment was armed with old smoothbore muskets at Columbus, Ohio on May 23, then marched to Gallipolis, Ohio, where it camped until July 3, when it was assigned to Union Brigadier General Jacob Dotson Cox’s forces. In an expedition up the Great Kanawha River in Western Virginia they became engaged on July 17 with Confederate forces led by ex-Virginia Governor, now Brigadier General Henry A. Wise, at Scareytown, near Charleston.⁴

As recorded in the *Official Roster of the Soldiers of the State of Ohio*, “The fight opened at great disadvantage to the Federals, from the fact that their old United States smooth-bore muskets did not carry far enough to reach the enemy, who were stationed in the bed of [Scarey Creek], and protected by high banks. Colonel Norton, seeing the disadvantage, determined to drive the enemy out of the creek with the bayonet...The charge was successfully made by Colonel Norton...the enemy being lifted out of the creek and the whole Rebel force driven back.” Colonel Norton was painfully wounded in this affair, but remained on the field, hoping for support from other Federal units, which was not forthcoming. In the meantime General Wise reinforced his troops and drove the Federals from the field, capturing Norton and a Lieutenant Brown of the 12th Ohio Infantry, who had remained with Norton and the other wounded. ⁵ The 21st Ohio lost two men killed outright, two mortally wounded, and three slightly wounded in this engagement. General Wise reported Confederate losses at “1 killed and 2 wounded, but 1 mortally.” ⁶ In addition to Colonel Norton, the Confederates captured five other officers, including Colonel W. E. Woodruff of the Second Kentucky Infantry, and members of his staff. ⁷ In the twilight following the battle these officers, who were unaware of the Federal retreat and who had proceeded to the battlefield by a different road from that on which the main Federal force was retreating, had mistaken Confederate cavalry for their own and had rode up to them. After saying, “Well, you have given the Rebels a good sound thrashing today,” the Confederate cavalry commander, a Captain Jenkins, ordered them to surrender, which they did with “considerable grumbling.” ⁸

One Confederate officer, Colonel George S. Patton,⁹ 22nd Regiment of Virginia Volunteers, was severely wounded and helped off the field by Colonel Milton J. Ferguson, 16th Virginia Cavalry. Colonel Patton was captured after General Wise, fearing that more Union troops would be arriving soon, retreated the next day. (Colonel Ferguson was captured on July 26 and sent as a prisoner of war to Camp Chase, Ohio. ¹⁰)

The two wounded officers, Colonel Norton and Colonel Patton, were exchanged “without any further formality to be executed” according to General Wise’s understanding. General Cox understood them as being paroled, not to serve again until formally exchanged. (The difference between the two arrangements was significant. A paroled officer, not formally exchanged and subsequently re-captured while on active duty, was subject to execution.) Colonel Patton honored his release as a parolee and did not return to duty until he had been assured by Confederate Secretary of War Judah P. Benjamin on March 13, 1862, that he had been exchanged. (This was somewhat premature as he was not formally exchanged until May 25, when he was exchanged for Colonel A. M. Wood, 14th New York State

Militia, who had been captured during the battle at Bull Run in July, 1861.)¹¹

Colonel Norton, on the other hand, returned to active duty as soon as he recovered from his wounds, and proceeded to organize the 21st Ohio as a three- year regiment, the original three- month regiment having been mustered out at Columbus, Ohio on August 12, 1861. This, and Norton's subsequent active service, learned of through the press and from other Confederate officers incarcerated in Camp Chase, was noted by Colonel Ferguson, himself still held as a prisoner of war. Ferguson wrote a letter, dated March 18, 1862, to the Governor of Virginia, John Letcher, informing him of Norton's apparent parole violations. It would take three months for "corrective action" to be taken.¹²

The 21st Ohio (now a three-year regiment) was mustered in on September 19, 1861 and was soon ordered to Camp Dennison, near Cincinnati, where it received its arms and equipment. On October 1, the regiment was ordered to Nicholasville, Kentucky, and on October 14 was ordered to prepare to march the next morning. An order issued by Colonel Norton on October 6, which stated, "It is also ordered that they [our men] refrain from any conversation with colored people concerning domestic slavery, or concerning the institution of slavery." exposed him as a political conservative, a fact that would bear him bitter fruit later on.¹³

The subsequent history of the 21st Ohio has been described in the previous Summer-Fall 2002 issue of *The Huntsville Historical Review* and will not be repeated here. Our focus in this essay will be on Colonel Norton, his "exchange problem," and his relationship with Major General Ormsby McKnight Mitchel that led to Norton's early resignation from the army.

After Union forces under the command of then-Brigadier General Mitchel entered Huntsville on April 11, 1862, the 21st Ohio was assigned Provost Guard duty with Colonel Norton serving as Provost Marshal, charged with maintaining order in the community. Colonel Norton was inclined to support the "limited war" philosophy of Major General George McClellan and Major General Don Carlos Buell, which is to say that they viewed the war strictly in terms of defeating Confederate armies, not interfering with Southern property rights (i.e., freeing or protecting the slaves). General Mitchel, on the other hand, promised government protection to slaves who provided useful intelligence about the movements of Confederate troops in the area.¹⁴

Colonel Norton's philosophy led to a close relationship with Huntsville's affluent society. Captain Silas S. Canfield, author of the *History of the 21st Regiment Ohio Volunteer Infantry*, wrote:

We were not long in Huntsville until some of the planters came into the camp of the regiment to recover fugitive slaves, who were often se-

creted in the tents of northern Democrats. There were very few men in the regiment who would deceive the slaves. [The slaves] were always told that we could not take care of them, and that the land of freedom was directly under the north star. Colonel Jesse S. Norton, who was in command at that time, would allow no interference by the men, and the slaves were retaken without trouble, to the great disgust of the Yankees, as well as the agreeable surprise of the planters, and the slaves. They were only chattles [sic] then. This state of affairs and the prominence of Colonel Norton soon introduced him into Southern society, and directly thereafter a party was made up, and a fish-bake arranged at a resort south of Huntsville, beyond the Union picket line, to which he was invited; and he went. That same day General Mitchel collected a mounted escort, and led a reconnaissance on his own account, and for the second time the local statesmen of Huntsville, who were all rebels, as well as Colonel Norton, were not only surprised, but dismayed to see the General and his hobbling dragoons tumble in upon them, in the midst of their hilarity. The fish-bake was broken up, and Colonel Norton was reprimanded in severe terms in the presence of the party for being absent from his command, and outside of the army lines without permission, and ordered to return to his quarters under arrest.¹⁵

Second Lieutenant Robert S. Dilworth of Company G wrote in his diary for May 16 that “Colonel Norton, Colonel [Lorenzo A.] Harris of the 2nd Ohio, Captain [George F.] Walker, of the 21st Ohio, and another Captain of the 2nd Ohio under arrest [undoubtedly for these infractions.]” On May 22, Dilworth reported that Colonel Norton and Captain Walker had been relieved from arrest and their swords returned to them.¹⁶

Canfield continues:

This humiliation was the sole cause of that bitter personal warfare, which Colonel Norton afterwards waged against General Mitchel, and which ended in his own downfall, and the removal of General Mitchel to another department. Colonel Norton was relieved from arrest, after being confined to his quarters for two days, but never took any interest in his regiment afterwards. He bent his attention to forming the acquaintance of the planters, and prominent men of the country, and laying plans for revenge on General Mitchel, *which turned out to be a pit for himself.*

Perhaps feeling that Colonel Norton had compromised his authority by his close association with “Southern society,” Mitchel ordered the regiment to Athens on May 26. Norton’s arrest, and embarrassment, seemed not to have affected a change in attitude. As Canfield wrote:

After the regiment occupied Athens on the 28th of May and went into camp south of the town, he took up his quarters at the residence of a

planter some distance north of town, and remained there until relieved from duty on the 4th of July, and although he did not resign until the 20th of December following, his military career was practically ended. The reasons for his release from duty are given in a letter of General J. D. Cox further on.... Thus while Colonel Norton had no clear convictions on the slavery question, his affiliation with pro-slavery men, who were also enemies of his government, worked his ruin, and deprived the regiment of its commander and original organizer.

Canfield went on to relate that, while in Athens,

[I]t was openly asserted by citizens, that [the regiment] would not be attacked while it remained in Athens... officers and citizens met on friendly terms, chatted, drank together and were merry...[and] citizens passed in and out of lines at will. Several times the commandant at Decatur Junction received written orders from Colonel Norton to "pass Mr. _____ through his lines, and assist him to cross the Tennessee River. This gentleman always carried a well-filled satchel, which we have every reason to believe contained mail for the southern army."¹⁷

Mary Fielding, a prominent citizen of Athens, related in her diary, "Everyone who has seen Colonel Norton speaks well of him. He certainly has his regiment under better control than the others who have been here; you rarely see any of them in the streets. The town begins to look a little like it did, before the Yankees came." She also wrote that, on Sunday, June 1, that she had seen Colonel Norton's wife there, "who is staying at Mr. Donnel's [sic] house."¹⁸

All of these events point to a cozy relationship with the well-to-do citizens of Athens, as at Huntsville, which may well have added impetus to Norton's desire to get even with General Mitchel.

The letter to Colonel Norton from General Cox, referred to earlier and dated June 25, 1862, was to inform Colonel Norton that he had received a letter from Confederate Colonel George S. Patton, who had been wounded and captured on July 17, 1861, the same day that Colonel Norton had been wounded and captured. Colonel Patton pointed out that, while he had been officially exchanged, Colonel Norton had not been and was thus a "prisoner of war on parole." As General Cox stated in a letter to Union Army Adjutant-General Lorenzo Thomas, this "would place Colonel Norton in the embarrassing position of serving while his parole is in force which he most assuredly has not done knowingly." He further wrote, "If the chances of war should put Colonel Norton in the power of the enemy his position would be a difficult one, since it is manifest that they now claim that he is not exchanged."

General Cox did not go so far as to relieve Colonel Norton from command; indeed he had no power to do so. He simply stated, "I have written

to the Adjutant-General in order to have the matter promptly corrected if Colonel Patton is right in his statement, as otherwise it might cause you trouble should the chances of war ever put you in the rebels' power, and besides this I know your own sense of honor would make you very desirous to leave no possible question on the subject." ¹⁹

On July 4, Norton requested to be "relieved of duty and permitted to visit the city of Washington to facilitate my exchange." His request was approved and, relieved of his regimental command by General Buell, he soon departed Athens. ²⁰ Later events suggest that correcting his parole violation was probably not foremost in his mind.

By sheer coincidence, General Mitchel was also on his way to Washington, having been ordered there by Adjutant-General Lorenzo Thomas on July 2, in response to General Mitchel's telegram of the day before to Secretary of War, Edwin Stanton. ²¹ Mitchel's telegram read: "Finding it impossible to serve my country longer under my present commander [General Buell], I have today forwarded through him my unconditional resignation, and respectfully solicit leave of absence for 20 days." ²²

On May 28, Mitchel had requested that he be given a command in the Army of the Potomac, "simply and solely because I am confident I can do there more effective service than here in Alabama. My advance beyond the Tennessee River seem impossible, and others are here abundantly qualified to do all that is required." ²³ His request was denied because "the President thinks that at the present juncture it would not be advisable to remove you from a command where you have rendered such distinguished service and where your abilities cannot be supplied." ²⁴

On June 21 Mitchel had again telegraphed Stanton, "I respectfully solicit more active duty, "to which Stanton replied, "It would also gratify me very much to have your eminent military genius employed actively in the East, but the President regards the advance on East Tennessee as only second in importance to Richmond, and that you cannot safely withdraw from that field, so that at present the Department cannot gratify your wishes." ²⁵ On June 30, Mitchel repeated his request, asking for a transfer with his division to the Army of the Potomac. Having received no immediate answer he had tendered his resignation to General Buell, but it was not accepted. ²⁶

Mitchel, we can speculate, was acting out of frustration, apparently believing that his superiors could not see what was so clear to him. He had captured Huntsville on April 11, severing the vital Memphis & Charleston Railroad, and in a week or so had extended Union control from Bridgeport to Tusculumbia with the 6,000 troops available to him. He had urged Generals Buell and Henry Halleck on many occasions to transfer additional forces to him so as to enable him to capture Chattanooga and east Tennessee, which at the time were lightly defended, but to no avail.

Mitchel had seen the glacial pace of Major General Henry Halleck's approach to Corinth (taking 40 days to move his 120,000 troops 23 miles against Confederate General Beauregard's 30,000 troops defending there, only to find that place deserted when he arrived), and the slow pace of General Buell's subsequent march from Corinth to Huntsville, as squandering a golden opportunity to deal the Confederate cause another major defeat.

When Buell arrived in Huntsville on June 27, Mitchel once again urged immediate action to carry out the plan. Buell was not at all impressed with the need for haste. Indeed, he was more interested in instilling discipline in Mitchel's troops and improving relations with the local citizenry by removing Colonel John B. Turchin from brigade command, disbursing his brigade, and ordering the court martial of Turchin and two of his regimental commanders.²⁷ He was not to begin a campaign for another six weeks, which was too late. By that time General Braxton Bragg had moved his troops, which Halleck could have defeated had he moved quickly on Corinth, to Chattanooga and across the Tennessee River to begin his Kentucky campaign.

Mitchel, after having been ordered to Washington on the morning of July 2, lost no time in departing Alabama. On that evening he did stop at Athens and spoke to the troops there. Corporal Alfred Searles, Company H, 21st Ohio, wrote in a letter to his parents, "General O. M. Mitchel passed through here last night [July 2]. He gave us a short speech and said he was ordered to Washington without one hour[']s delay and he was on his road there then. He said he did not know what for. It raises quite a wonder among the boys here and some of the officers are not behind in wonder."²⁸ Captain Canfield wrote:

I am safe in saying the officers and enlisted men of the regiment who were in favor of the vigorous prosecution of the war, regretted his departure. By his kind manner, by his untiring zeal, by his energy, activity and perseverance, by his watchfulness, his impetuosity [sic], his firmness, and I may add his method of discipline, he had endeared himself to every lover of his country; every true patriot under him. The seductive arts of southern hospitality had no charm for him....It is related that in passing through...several planters entered his car. The General inquired of their business, and their spokesman began to tell him that they called to pay their respects and - He suddenly interrupted him, saying, if that was all he should have to ask them to withdraw at once: - he had no time for such business - his entire time and attention was required for the suppression of 'this unholy rebellion.'²⁹

Mitchel, who the *Louisville Journal* reported as passing through that city on the evening of July 3, arrived in Washington on July 5 to discuss his situation with Stanton, but was unable to arrange an immediate audience

with him. He waited a few days and then decided to visit his daughter and son-in-law, W. B. Hook, in New York City, arriving there on the afternoon of July 8.³⁰

On July 9, Colonel Norton was in Louisville, where he began his campaign to vilify General Mitchel. He found a ready audience with George Denison Prentice, editor of the *Louisville Journal*. Prentice – journalist, poet, and lawyer – became editor of the daily *Louisville Journal* in 1831. Prentice made his paper “the principal advocate of the Whig party in that region, and won a reputation for political ability, wit, and satire. In 1860 he sustained the Union party, but although maintaining its cause during the Civil War he was not a zealous supporter of President Lincoln’s administration.”³¹

On October 26, 1860 Prentice had written to Lincoln, “There is evidently a very strong probability of your being elected to the Presidency by the popular vote. Whilst I have the strongest confidence in both your personal and political integrity, and have at no time hesitated to express it in my paper, I have warmly opposed and am still opposing your election because I greatly fear its influence upon the peace of the country. You undoubtedly know the condition of public sentiment in the far South as well as I do. I dread lest, almost as soon as the fact of your election shall be proclaimed, a desperate blow will be struck for the dismemberment of the Union.”³²

Prentice had two sons, Courtland and Clarence, who served in the Confederate Army. Courtland, who served in Harris’ Kentucky Light Artillery, was killed in a skirmish at Augusta, Kentucky on September 27, 1862. Clarence, a major in the Second Kentucky Battalion, was captured in 1863 when he made a “clandestine” visit to his father’s home in Louisville, and was imprisoned at Camp Chase, Ohio. His father made a plea to President Lincoln to parole him on the condition that he would take a non-combatant’s oath and never bear arms again. Lincoln was amenable to this request but by the time it reached the Union Army’s Commissary-General of Prisoners for action, Clarence had been formally exchanged.³³ He returned to the Confederate Army, where he was promoted to Lieutenant Colonel. He was paroled in May, 1865 and returned home. He was killed several years after the war, when he was thrown from a buggy.

It is not difficult to understand why Prentice’s sympathies lie with General Buell, and why he would eagerly assist in ruining the reputation of General Mitchel. The border state of Kentucky was a slave state, many of whose citizens feared that the war would ultimately lead to an abolitionist war against slavery, and freedom for the 225,000 slaves in that state.

On July 10, the day after Norton’s meeting with Prentice, the following article appeared in the *Louisville Journal*:

SERIOUS CHARGES AGAINST GEN. MITCHEL

There seems, unhappily, to be no room for doubt that the course of this officer in North Alabama has been marked by conduct not only injurious to the Government but disgraceful to humanity. We are assured of this fact on authority we do not doubt and cannot doubt. The fact is thoroughly attested. We believe it, and believing it, we proclaim it. We proclaim it with emphasis. Gen. Mitchel and a portion of his command have perpetrated in North Alabama deeds of cruelty and of guilt the bare narration of which makes the heart sick. The particulars in the case will be laid before the authorities at Washington in the course of a few days, when, we take it for granted, the honor of the nation and the welfare of the National cause will be promptly vindicated. The case will not brook delay. It cries out for investigation and determination. Let it be investigated and determined at once. We at present forbear to go into the heart-sickening particulars of the case, but, if necessary we will not do so hereafter. Meanwhile, we invoke the authorities as they value the National honor and cherish the National cause, to visit swift justice upon the epauletted miscreant who has set both at defiance. Gen. Mitchel is now in Washington, and can answer the charges against him, if they are answerable, without delay. We hope, for the country's sake, there will be in the matter no delay and no clemency. The matter justly admits of neither. Feeling deeply, we speak strongly, but not certainly without the keenest sorrow. Gen. Mitchel's villainous misconduct is a National calamity. It must pierce with sorrow the heart of every patriot as of every man.

Mitchel was alerted to the inflammatory contents of this article on July 13 by the New York financier B. F. Camp.³⁴ Camp wrote to Mitchel, "Those of us who know you personally know that the charge is utterly false. The world needs only your denial, under your signature." Returning immediately to Washington, Mitchel replied, "I have your note of the 13th inst., calling my attention to an editorial in the *Louisville Journal* of the 10th inst., in which I am charged with conduct "not only injurious to the Government but disgraceful to humanity. As there are no specifications to this charge, I can only pronounce it to be in the broadest sense unjust, unfounded, false, and calumnious. I have never, in all my life, consciously done an injury to any human being. As to deeds of cruelty and guilt, my entire nature revolts at both; and my countrymen can never be persuaded that I have been guilty of either. I demand the specifications, pronouncing the charges utterly and absolutely false."³⁵

The same day, Mitchel wrote the following to the *Louisville Journal*:

Washington, July 14, 1862

Geo. D. Prentice, *Journal*:

Sir - I pronounce the charges published in your paper of the 10th inst. absolutely false and without foundation. I am amazed at this act of horrible injustice to one who has conscientiously never wronged, in his whole life, a human being. You owe it to the country and to yourself, if not to me, to give exact shape and form to the specifications, and name the accuser who has thus dared to vilify and destroy an officer who has ever tried faithfully to discharge his duties

O. M. Mitchel

Major-General

Prentice's response to Mitchel was published on July 16 in an article headlined:

THE CHARGES AGAINST GEN. MITCHEL-THE LOUISVILLE JOURNAL REITERATES ITS ACCUSATIONS

Acknowledging the receipt of Mitchel's telegram, Prentice wrote:

The particulars in the case, we said in the short article to which Gen. Mitchell alludes will be laid before the authorities at Washington in the course of a few days, when, we take it for granted, the honor of this nation and the welfare of the national cause will be promptly vindicated. The person charged with the duty of laying these particulars before the authorities at Washington, and who accepts the responsibility of standing as Gen. Mitchel's accuser, is Col. J. S. Norton, commanding the 21st regiment of Ohio volunteers. Colonel Norton, as we are informed, left this city for Washington on the evening of the 9th inst., and doubtless has now reached the Capital, and has engaged upon the discharge of his painful mission. To him, for the present at least, we beg respectfully to refer Gen. Mitchel. Colonel Norton, we may properly add, has during the war served with distinction in Western Virginia, in Eastern Kentucky, and in Northern Alabama. He is at this time, we believe, the Provost Marshal of Huntsville, Alabama. His character as an officer and as a gentleman is above reproach. We, however, need scarcely add further that he does not in any degree rely on his own personal character to substantiate the grave charges against Gen. Mitchel. Here, for the present, we think fit to rest the subject, with the single additional remark that all our prepossessions were strongly in favor of Gen. Mitchel, and that, being thus prepossessed, we held out against the thickening reports to his dishonor until we felt that we could no longer either doubt

without dissembling or forbear without faithlessness. Assuredly the duty we performed was not a welcome one.

Norton next stopped in Cincinnati, a one-day steamboat trip up the Ohio River from Louisville. There he visited the offices of the Cincinnati *Commercial* whose editor, Murat Halsted, had been one of the first journalists in the United States to openly criticize the performance of military commanders in the field. Halsted had written a scathing attack on the handling of Union forces at the battle at Big Bethel on June 10, 1861. He characterized the Union commander there, Gen. Benjamin Butler, as “politically corruptible and militarily incompetent,” and did not waste time informing his readership of these opinions. Later that year, Halsted had been quick to report as fact that General William T. Sherman was insane.³⁶ In his efforts to be first with a story, Halsted was known to publish first and find substantiation later.

Either because or in spite of Halsted’s editorial policies, the *Commercial* had earned the reputation of being the “soldiers’ paper,” widely read in the western Union armies – an ideal vehicle for Norton’s diatribes.³⁷ Halsted, noting the lack of details in the Louisville *Journal*’s reporting and sensing a sensational episode of a military commander “running amok,” quickly took advantage of the situation and published the following:

THE CHARGES AGAINST GEN. MITCHEL

There is a great deal said all over the country about the somewhat vague publication of charges made against Gen. Mitchel, and there is a general demand for specifications. As we happen to be pretty well informed about those points, we presume it is our duty to make known definitely what the charges against Gen. Mitchel are. He is accused of speculations in cotton. It is alleged that he granted special facilities to a certain cotton buyer, in the way of guards and government wagons, and that this individual was detected in passing counterfeit and bogus money among the people, and, being arrested for it, was summarily discharged by order of the General. We have seen in the hands of Col. Norton, of the Twenty-first Ohio, documents on this point, which, if genuine, and he assured us they were, would be exceedingly difficult to explain. It is not charged that Gen. Mitchel had anything to do in the way of shoving bogus money upon the people, but many of his officers do believe that he is interested in the cotton business, and used his official position for speculative purposes. While we desire distinctly to disclaim any personal knowledge or responsibility as to the justice of these charges, we feel bound to state that we know more than one prominent officer who has served under Gen. Mitchel who is firmly persuaded of their truth.

Another charge against the General is that of unmilitary conduct in his correspondence with the Government.

It is said that Gen. Mitchel's "battle of Bridgeport," which made a good deal of noise by telegraph, was an insignificant affair, in which three regiments of infantry and a battery on our side were engaged with a squad of less than a hundred rebel cavalry, over whom the glorious triumph was obtained without the loss of a man. But in this affair Gen. Mitchel is said to have been crazy with excitement, and to have shown his incapacity to handle three regiments in the field. One of his colonels refused to obey his orders repeatedly in consequence of their glaring absurdity, and has never been reprimanded for his insubordination, and was not permitted to resign.

The panic which at one time prevailed in Gen. Mitchel's department, about being cut off by the right wing of the rebel army at Corinth, is charged to the General, and was a wholly and gratuitous and discreditable affair. There was no reason to suppose that Beauregard, with his hands full, as they were, at Corinth, could reach around, beyond the breaks in the Charleston road made by Gen. Sherman, and strike Gen. Mitchel. But just after one hundred thousand rations were sent by Gen. Halleck, for the subsistence of Col. Turchin's brigade at Tuscumbia, a party of guerrillas made a clatter in that quarter, and Turchin was ordered to fall back in haste, which he did, destroying three-fourths of the one hundred thousand rations sent by Gen. Halleck.

The next thing was the destruction of the great bridge across the Tennessee River near Decatur - a most unwise proceeding uncalled for by any exigency, and which has seriously embarrassed our military operations in the far South.

The panic-like retreat from Athens, Alabama was likewise a grave mistake. A force of rebel cavalry, said to have been precisely one hundred and four in number, crossed the Tennessee River, and were magnified into a vast horde by an "intelligent contraband," who is believed to have been manipulated by the rebels for the occasion. The consequence was a precipitate retreat from Athens made by Turchin's Brigade, which resulted in a considerable destruction of Government property. The retreat was made by order of Gen. Mitchel. It was when Col. Turchin returned to Athens, that he permitted his soldiers to pillage the town. The sacking of Athens was the most shameful affair of the war, soldiers of Turchin's Brigade were then and there guilty of outrages unfit to be named. Gen. Mitchel, for the sake of the preservation of discipline in his army, should have brought them to punishment. He did nothing of the sort.

The advance upon Chattanooga was about as purposeless and imbecile an affair as the retreat from Tuscumbia and Athens, and the destruction of the Decatur bridge. The force sent on the Chattanooga expedition was utterly

inadequate to take or hold the place, and if it had been competent in other respects, was unable to cross the Tennessee River. The retreat in this case was about as rapid as the advance, and the result was the premature display of loyalty by a few East Tennesseans, who were immediately set upon by their traitor neighbors when our forces retired.

Gen. Mitchel's measures for the suppression are also complained of. It is stated that wherever, along the line of the railroad, his trains have been fired into, he has burned houses indiscriminately, and to an extent that is astonishing. It also appears that this vigorous policy has not had the effect of decreasing the number of marauders, but rather the reverse.

The deportment of Gen. Mitchel toward the inhabitants of Huntsville is said to have been marked, at times, by remarkable demonstrations of personal eccentricity. We are informed that he would make his appearance on the public square with a most austere countenance, and discovering a group of the male inhabitants talking or playing marbles, that he would gesticulate in the most imposing manner and cry out with an awful voice: "*Traitors, out of my sight*", "*Rats, to your holes!*" and so forth, so that the poor butternuts did not know whether to be most amazed or alarmed.

The substance of these charges has been formally placed before the President, and Col. Norton, of the Twenty-first Ohio, passed through this city the other day with a bundle of documents, with which he proposed to substantiate them.

When examining these allegations it is important to be aware that Colonel Norton was Provost Marshal in Huntsville during the time that most of these events occurred, thus could not be reporting "first-hand" information. He apparently eagerly accepted as fact information from other, unnamed, sources that shared, for diverse reasons, his hatred of General Mitchel.

The accusations of cotton speculation and complicity in Turchin's Brigade's "Sack of Athens" are the only two of these allegations that would be presented to the Committee on the Conduct of the War. Mitchel deals with these matters in his statement to Secretary of War Stanton detailed later. However, it should be noted here that neither Turchin nor Mitchel was present at Athens when the "precipitate retreat from Athens" was made. It was Colonel T. R. Stanley's 18th Ohio Infantry of Turchin's Brigade, that was attacked by Colonel J. S. Scott's First Louisiana Cavalry regiment of 112 men and a battery of three mountain howitzers, which had crossed the Tennessee River near Tusculumbia after Turchin retreated from there.³⁸

The rest of the allegations either do not stand up under review of official records, or there are logical reasons for what is claimed to be irrational

behavior on Mitchel's part. For example, while it is true that the "battle of Bridgeport" turned out to be an "insignificant affair," Mitchel's information as to the size of the Confederate forces there had been variously reported as "about 8,000 rebels with two pieces of artillery" by a trusted spy, Corporal Pike of the Fourth Ohio Cavalry,³⁹ to a low estimate of "a regiment of infantry and one of cavalry."⁴⁰ Consequently Mitchel planning for the worst case, took four regiments of infantry, a battery of artillery, and two companies of cavalry to Bridgeport. The "battle" was over in two hours, the Confederates retreating across, and subsequently burning, the bridge across the Tennessee River. Evidence of Mitchel being "crazy with excitement" or of being incapable of handling his forces simply do not exist. Additionally, if, in fact, one of his colonels "refused to obey his orders," Mitchel's record just does not support his ignoring it.

The allegation that Colonel Turchin was forced to destroy 75,000 rations when he retreated from Tusculumbia is untrue. Official records confirm that 100,000 rations were delivered to Tusculumbia on April 22, moved across to the north side of the Tennessee River by the 24th, and were on the way to Huntsville on the 25th.⁴¹ Similarly, "the destruction of the great bridge across the Tennessee River near Decatur" can be shown to have been ordered by General Buell, in the event that Mitchel was forced to retreat from the south side of the river.⁴²

There is no doubt that houses were burned in retaliation for trains being fired upon, but the first case of house burning was not done at Mitchel's order, but by that of Colonel Beatty, Third Ohio Infantry, on May 2, when his train was fired upon at Paint Rock, wounding six or eight soldiers. Stopping the train, Beatty returned to the village and, finding the telegraph wire cut, called the citizens together, warning them that he would burn a house every time a wire was cut and hang a man every time a train was fired upon. He then set fire to the town and proceeded to Huntsville. On May 5, he wrote, "General Mitchel is well pleased with my action in the Paint Rock matter," and the policy became general thereafter.⁴³

Leaping to the defense of General Mitchel, who had been prominent in Cincinnati since moving there in 1832, lecturing on astronomy at Cincinnati College, founding the Cincinnati Astronomical Society and the Cincinnati Observatory, was Whitelaw Reid, the Washington correspondent for the Cincinnati *Gazette*.

Reid, who wrote under the pseudonym "Agate," was a young but experienced journalist who made his mark as a war correspondent in the field before the *Gazette* sent him to Washington in June, 1862. Later that summer he began working part-time for the New York *Times*. Subsequently, so long as he remained in Washington a combination of newspapers including the Chicago *Tribune*, the St. Louis *Democrat*, the Cleveland *Leader*, the

Detroit *Tribune*, and the Pittsburgh *Gazette*, shared with the Cincinnati *Gazette* his voluminous dispatches, but not his letters to the *Gazette*. He came to know many leading figures in Washington, including Senator Benjamin F. Wade, chairman of the Joint Committee on the Conduct of the Civil War. Reid was thus in a unique position, with access to “insiders,” and could wield enormous influence through the many newspapers he wrote for.⁴⁴

On July 15, Reid published the following:

THE CHARGES AGAINST GEN. MITCHEL

A messenger [Colonel Norton] arrived today from Buell with voluminous charges against Major-General Mitchel. It is understood that these charges relate to pillage by our soldiers in the town of Athens, Ala., which is said to have been almost ruined, notwithstanding that it was Union even after Bull Run. It is also charged that other outrages have been committed by the troops under Mitchel's command, and with his knowledge, and that Mitchell has been insubordinate. It is the general belief here that the chief trouble in the case is that Mitchel's system of war involves hurting the rebels, and leaves the burden of supporting the army as much upon the seceded as upon the loyal States. It should be remembered that bad feeling has long existed between Buell and Mitchel, and that two of Buell's division commanders, McCook and Nelson, have long been violent in their hatred of him. These things, it is thought, may have a share in causing the present difficulties.

Reid followed up the next day with a long article offering detailed refutation of the allegations contained in the Louisville *Journal* articles:

GENERAL MITCHEL'S CASE! **Flagrant Calumnies on a Gallant Officer-The Whole Story** **About His “Excesses”-** **No Charges Against Him-Etc., Etc.**

Washington, July 16

The Late Attack On General Mitchel

If the utter recklessness and school boy exaggerations of the Louisville *Journal* were not so well known in the West, I should fear that its late tirade of vague abuse against Major-General Mitchel might receive some credit - if only on the ground that such extraordinary violence of language must have had some strong cause to provoke it. The blameless life and exalted

character of our distinguished townsman ought surely to protect him from attacks for which no sustaining facts are shown, but unfortunately, to these extraordinary times, the public is learning to lose faith rapidly in any man.

The Secret of the Attack

When we remember, however, whom the *Louisville Journal* has made its especial pets, and the jealousy and malignant spite these persons have all along exhibited toward their brother General, whose reputation as a *savan[t]* had extended to both hemispheres before they had ceased to be simply unknown, whisky-drinking, blackguard story telling Lieutenants and who had won a Major General's promotion by brilliant services in the field, while they were quarrelling about the order in which they should make their deliberate marches - those, I say, who remember how the *Journal* has made these men its especial pets will be at no loss to understand its virulent assault on Gen. Mitchel. His theory of war is different from theirs. He believes in hurting those *against* whom the war is waged; they, in letting nobody suffer by the war save those who wage it. He believes in hunting the enemy; they in fortifying. He wants to end the war; they want to "hold their positions." It is natural, therefore, that they should hate him, and to be expected, that their organ should abuse him like a fishwoman.

The Attack Utterly Groundless

Nevertheless the public will, I think, be somewhat astonished to learn that there is absolutely not one solitary fact or even "charge," on which to base the *Journal's* attack. Let me be distinctly understood. The *Journal* (in one of its periodic fits of Sophomoric writing, let me hope.) proclaimed the General who has tendered the most brilliant service of any in this war, "an epauleted miscreant;" denounced his conduct as "not only injurious to the Government, but disgraceful to humanity;" "declared he had perpetrated deeds of cruelty and guile; the bare narration of which makes the heart sick;" demanded "swift justice," and hoped "for the country's sake, there would be no delay and no clemency," *without having one word or syllable of truth to warrant such extraordinary abuse of a distinguished man.*

There are *no* charges against General Mitchel. General Buell prefers none. The *Journal's* other special pets prefer none. No "particulars have been laid before the authorities in Washington," as the *Journal* promised, that in the slightest degree affect General Mitchel! The "particulars" to which it refers have arrived, but General Mitchel happens not to be involved! In short, the whole assault is simply a piece of gratuitous, malicious, reckless abuse, without one particle of basis in fact.

The Authors of the Calumny Called on to Retreat

I happen to know that General Mitchel yesterday, as soon as he had seen how he was abused as an "epauleted miscreant" by a newspaper which claims to be one of the leading organs of opinion in the very State from which he had driven the invaders who, a few months before, had been threatening Louisville itself, at once telegraphed the *Journal* that its charges were utterly false and baseless, that he had done nothing in Alabama which the Administration and the country would not sustain, and that he demanded either a retraction of its calumnies or some production of proof, and to this dispatch no answer has been received! They have nothing to say to the gallant soldier whom they have slandered, in reward for his delivering them from invasion and carrying the war two States away from their borders! He certainly will take no further steps. His character has been established before the public too long for him to fear anything from assaults like these.

The Facts in the Whole Case

The whole story to which the *Journal's* distorted charges vaguely refer, is this: Some of Gen. Mitchel's troops were at one time driven out of the town of Athens, Alabama, by a superior force of rebels. A few of the inhabitants were charged with uniting with the rebels in the attack. Subsequently other troops, under Col. Turchin, one of Gen. Mitchel's brigade commanders, retook the place. On taking possession, our soldiers, in revenge for the sympathy a few of the inhabitants had shown for the rebels, committed the grossest outrages. The town was literally sacked and pillaged. What added to the enormity of the case was the fact that Athens was really one of the staunchest Union towns in Alabama, and had actually held out for the Union, and against the Confederacy, till after Bull Run, and till there was danger of having troops quartered on them. They made tough resistance. The infamy of giving up such a people to be robbed and plundered by Union troops is unquestioned.

But let it rest on the right head, Gen. Mitchel was not there; the outrage was in direct violation of his orders, and he used every possible energy alike to repair the injury and to have its perpetrators brought to condign [deserved] punishment. Of this the records of the War Office themselves furnish ample evidence. Since General Buell's arrival he has been attempting the same thing; and without being placed in a perilous and exposed condition; and without having, like Gen. Mitchell, a wary foe, of superior force, hovering along his unprecedentedly extended lines, and tasking every exertion to hold him at bay - without any of these other cares with which Gen. Mitchel was compelled to be absorbed. Gen. Buell has hitherto found it impossible,

as did his predecessors, to secure the evidence that might warrant the punishment of these offenders.

The matter, then, sums itself up thus: A great outrage was committed by a detachment of troops under the command of one of Gen. Mitchel's acting Brigadiers. Gen. Mitchel did everything he could, as soon as he heard of it, to have the guilty parties punished. Gen. Buell is attempting the same thing, and they have met with about equal success. Gen. Mitchel is not blamed at the War Department for the affair - to blame him would, in fact, be as ridiculous as to blame Gov. Tod because occasional robberies in Cincinnati go unpunished - there are no charges against him, he stands as high in favor as ever, and the astonishing abuse that has been heaped upon him in one or two newspapers, is utterly and entirely without cause.

A Coincidence

It is not without its significance that these slanderous accusations against Gen. Mitchel should reach Washington with the same mail that brings us particulars of the reappearance of rebels in Tennessee, the taking of Murfreesboro and the danger of Nashville. The public will be forcibly reminded that it was not under Mitchel's management these disasters befell us. That officer removed the war from Tennessee, and pushed it down into Alabama, With only ten thousand men he held it there, and no rebels broke through his lines to menace Tennessee again.

Four times that force now hold the lines, but Mitchel is not there, and the new Generals have a different theory of war.

Why General Mitchell Is Here

It is not amiss to add that General Mitchell has been called here by express order of the Secretary of War. The Government knows well enough that a military genius like his must be untrammelled, or it cannot work. As an independent commander he has rendered the nation most brilliant service, in another independent command, as much is hoped for from him again.
AGATE

In another article, datelined at Washington also on July 16, but not published until July 19, Reid sought to absolve General Buell from responsibility for exerting pressure on the administration to censure Mitchel. He wrote:

Mitchel

There are stories in circulation that General Buell is doing what he can to prejudice the Administration and the public mind against General Mitchel;

and that it was owing to a violent quarrel between Buell and Mitchel that the latter was so hurriedly ordered to Washington. I take great pleasure in being able emphatically to contradict the statements. I do not believe Gen. Buell to be a brilliant General, but I do believe him to be a *just man*, and I know that he is greatly wronged by the circulation of such stories. Gens. Buell and Mitchel failed to harmonize in their views and modes of action. They could not co-operate in the same Department, and the fact was mutually recognized and accepted, without quarrel, and without bitter feeling. More: When there was fear of General Mitchel's resigning, in consequence of this state of affairs, Gen. Buell emphatically declared it should not be, and that, rather than suffer the Government to lose Mitchel's services in a time like this, he would resign himself! If either of them had to leave the service, he declared that he, not Mitchel, should be the man.⁴⁵ Let not those of us, therefore, who admire Mitchel's abilities and brilliant services, fail to do justice to Buell's high-toned and honorable course.

Gen. Mitchel's Family in Possible Danger

The recent intelligence that since his departure the rebels are a hundred miles within the lines, is sad news to Gen. Mitchel personally, as well as in a military point of view. He had just taken his family down to Huntsville, Alabama, hoping to be able to enjoy their society for a short time at least; when the order came from the War Department to repair to Washington instantly, he was compelled to leave his three daughters there, and now the prospect seems to be that they are cut off from communication with the North.⁴⁶

The full extent of the charges Colonel Norton lodged against Mitchel were not known to the public until an abstract of his testimony before the *Committee on the Conduct of the War* was published on July 24 in the *Cincinnati Gazette*, as follows:

Colonel J. S. Norton, Twenty first Ohio Volunteers, submitted the following brief statement in regard to the conduct of the officers and soldiers under the command of General Mitchel of the Third division of the Army of Ohio, in North Alabama:

'I claim, in the first place, that General Mitchel took possession of cotton in a rebel fortification, and sold that cotton for three cents per pound to a man by the name of Clark when he was offered seven cents per pound by a man named Fuller. Mr. Clark lives in Ohio, Mr. Fuller in Athens, Ala. I claim also that he gave this man Clark and his associates the exclusive privilege of transporting cotton by Government wag-

ons from Huntsville and Athens to a point on the railroad or roads leading to Nashville; that he would permit no one else to use the teams or transport cotton by them; I have a statement here, as sworn to by a man named D. A. Saxon, who is in the employ of the Government - a mail agent between Huntsville and Reynold's Station on the railroad - of a conversation in which Clark said that he got his cotton through by sleight of hand; that it cost him nothing to get it through, as Gen. Mitchel sent it through in Government wagons. Mr. Ball, of Cincinnati told me that Gen. Mitchel said to him that he had made a large amount of cotton through his son-in-law in North Alabama. His son-in-law was there, and I was introduced to him by the General. That son-in-law was understood to be connected with Mr. Clark in these cotton transactions; it would so seem from Gen. Mitchel's statement to Mr. Ball that he had made a large amount in cotton through his son-in-law.

I charge Col. Turchin, and the officers and soldiers under his command, with having committed outrages and depredations upon the people of Limestone county and the county west to Tusculum, contrary to the printed orders of Gen. Buell for the government of the army under his command - in that they have stolen horses, mules, bacon, corn and fodder from the inhabitants, without receipting therefore or giving any account of the same. I charge that they have plundered houses, taken from them ladies' wearing apparel, gentlemen's clothing, and have broken furniture and windows, broken locks off drawers, and destroyed everything in and about various premises. I charge them with committing rape upon servant girls in the presence of their mistresses, with stripping rings from ladies' fingers, cutting bacon upon pianos, and being quartered in houses when they should have been quartered in their tents; robbing citizens upon the highway, breaking open safes and stores, in two or three instances. They have also taken away horses, mules, buggies and harness.

I further state General Mitchel knew of these things; that I took written statements to him on two occasions; that I introduced committees of citizens to him for the purpose of getting some redress for these grievances or a cessation of them; that he paid no attention to them, or rather failed to stop the depredations up to the time that the brigade was ordered to march to another section of the country. In proof of these charges, I will submit the sworn statements of the citizens who suffered under this treatment, as well as the statements of officers of the army, who were cognizant of the facts. These sworn statements will be submitted to the committee whenever they ask for them. My regiment is located at Athens, Ala., and I propose to rejoin it as soon as I conclude the business that brought me to this city. My residence is

Perrysburg, Wood County, Ohio, and a letter addressed to me there in care of my wife, Mrs. J. S. Norton. would reach me.

Gen. Mitchel required of those who applied for permission to buy cotton, that they should give him one cent per pound on all they bought for the privilege of buying.'

General Mitchel responded to these charges in a report to Secretary of War Stanton, dated July 19, as follows:

Sir,

In my note of July 18 I made a distinct denial of the charges made against me before the Military Committee of having failed to do my duty in repressing pillaging and plundering by the troops under my command.

I now desire to lay before you positive evidence of having done my duty in this particular in the most earnest and energetic manner.

First I send you copies of the orders issued by me against all irregularities of every kind.

[Extracts of orders that had been issued to Col. J. B. Turchin, and other officers were included. Some examples: on May 2 his order to Turchin read, 'No violence will be permitted nor property destroyed until the facts are reported to me and the destruction is ordered under my own hand.' On May 5 he wrote, 'rigid discipline must be enforced among your troops.' On May 7, 'be vigilant and repress pillaging. Shave the heads of the offenders, brand them thieves, and drive them out of camp.' On May 16 he ordered Turchin to 'report whether any, and, if any, what excesses and depredations on private property were committed by the troops under your command in Athens and the vicinity after the late expulsion of the enemy from that region.' On May 20 he wrote to Colonel Lytle, 'See that your men do not pillage and plunder. They shall not steal horses or mules or enter private houses on any pretense whatever.']

Second. The record will show that, notwithstanding the fact that my troops were perpetually in motion and almost daily engaged in repelling the attacks of the enemy, I managed to keep a division court-martial in session during the whole [time] that I had command in Middle Tennessee and Northern Alabama; and that offenders, wherever they could be found, were brought before the court, tried, convicted, sentenced, and punished.

Third. In the special cases of the excesses committed by the soldiers of the Eighth Brigade on the recapture of Athens, I visited the town, addressed the citizens, induced them to organize a committee to hear all complaints, and then ordered that the brigade commanders should cause every soldier under his command to be searched and every officer to state in writing upon honor that he had not in his possession any property said to have been pillaged.

The committee of citizens finally reported to me, but in this report no charge was made against any particular officer or soldier, and the committee simply presented the bills against the Government of the United States of 45 individuals, who claimed to have suffered damage at the hands of the soldiers of the Eighth Brigade. I send you a copy of my letter addressed to the committee. [This letter, addressed to a General George S. Hunter, chairman of the citizens committee, and dated May 3, acknowledged the receipt of affidavits from 45 individuals claiming to have suffered losses to the amount of \$54,689.80, but that he couldn't "arraign before a court, civil or military, a brigade." He expressed "regret that a portion at least of your time had not been occupied in searching for the testimony which would have fixed the charge of pillage and plunder upon some individual officer under my command." but they hadn't done this. He kept open the hope that such evidence "which may convict before a court-martial those guilty" could be provided him.⁴⁷]

Touching the outrage said to have been committed upon a [N]egro girl in the presence of her mistress, I went myself and saw the mistress; heard her own statement; assured her if the perpetrators could be found they should be punished; assembled all the officers of the brigade; addressed them in the most sternest language I could employ, denouncing these outrages as disgraceful to humanity, and then ordered the specific search above alluded to. That search was made; not an article was found upon any soldier. The reports were signed by the officers, and they were placed by me in the hands of General Buell. It was impossible to arrest any officer or soldier against whom no specific charge could be made. But I never relaxed my efforts to learn the facts and to ferret out the guilty ones who were engaged in these terrible excesses. Not that I had any special sympathy with the citizens, for I believed that they had led the enemy to the attack upon Athens, and when my troops were driven from town they had cursed, hooted, and spit upon [them.] Two of their comrades on the day before were burned alive. One of these, caught between the tender and the engine when the train was destroyed at Limestone Creek Bridge, was actually roasted alive, in the presence of barbarians, who swore they would kill the [N]egroes who offered to cut away and rescue the unfortunate man.

The orders against pillaging and plundering, which I send you in the order of their date, I deemed it my duty to issue and to enforce, in order to preserve the discipline of my troops and to protect the innocent and the helpless.

These orders will show what earnest and continuous efforts were made to accomplish this object.

I now ask your attention to the second charge. I am accused of speculating in cotton and of using the Government train for my private purposes. I send you copies of communications addressed to yourself, to Secretary Chase,

and to General Buell, announcing my plan with reference to opening the trade in cotton, and all these communications are dated prior to the selling of a single bale.

Here are the facts set forth in these very communications. I had more than a hundred miles of railway to protect; this was impossible without running my train. This could not be done without money. I begged you for money, and none could be immediately furnished. I had captured a fort built of cotton bales, driving the enemy before us, and preserving this very cotton from destruction by fire already kindled. With these cotton bales I built a bridge more than 300 feet long. Over this bridge I passed my infantry, artillery, and cavalry, and with this force captured Bridgeport. These same cotton bales were taken from the water and were sold for more than \$20,000; every cent of which went into the Treasury of the United States and has been accounted for by my quartermaster. But to make this sale I must furnish transportation to the buyer. I had reported this fact to yourself and the Secretary of the Treasury. My quartermaster was directed to consult with judicious citizens, and to charge for the cotton and its transportation to market at fair prices. This cotton was sold to a perfect stranger to me, a gentleman named Clark,⁴⁸ who was first to reach the market. Failing to induce buyers to come to Huntsville, I had urged Mr. W. B. Hook, of New York, my son-in-law, to lay this matter before his friends, and to assure them that I would do everything in my power to aid them in case they would make the venture. He succeeded in inducing two persons to join him, and they reached Nashville, but unfortunately, on the 1st of May, one of these persons was captured at Pulaski by the guerrilla chief Col. John H. Morgan. He was finally released, and having witnessed the burning of cotton on the road to market, he was satisfied that the cotton trade was too hazardous, and returned to New York.

Thus you will perceive that all the cotton I had captured was sold to persons of whom I had no knowledge previously, and Mr. Hook never reached Huntsville, to carry out his original intention, for six weeks after these transactions, and when the market was already crowded with buyers.

I affirm in the most solemn manner that I never derived, directly or indirectly, one particle of personal pecuniary advantage from any of the transactions in cotton.

I trust that my former character is a sufficient guarantee to yourself and my countrymen that I am perfectly incapable of doing anything to the injury of the Government and to my private advantage.

The positions in which I have been placed and the duties which have devolved upon me as a commanding officer have been responsible and arduous, but never for a moment have I halted or hesitated. I have done my very utmost to discharge my duties faithfully and honestly, and it is with proud

satisfaction that I now declare that since I have been in the service of the United States my head has never rested at night upon my pillow with one solitary particle of the day's duty unperformed. Each day brought its new duties and responsibilities, but no fragments of those former days remained to be gathered up. I have assurances that I have heretofore enjoyed the confidence of yourself, of the President, and of my countrymen.

I am guiltless of anything which should in the smallest degree diminish that confidence, and here I rest my case.

Very respectfully, your obedient servant

O. M. Mitchel

Major-General, U. S. Army ⁴⁹

On the same day, "Agate" wrote a follow-up to his letter of July 16 to the *Gazette*, in which he acknowledged that Colonel Norton had arrived since then, "bearing voluminous papers relating to the sacking of Athens and other outrages of Turchin's brigade, and to an alleged connection between General Mitchel and certain cotton speculators," which had been submitted to the Committee on the Conduct of the War "though what military object is sought to be attained in that way it would be hard to see. If any military proceedings were intended, charges should have been made out in due form, and forwarded through the proper officers. A Board of Investigation or a Court Martial would have followed, and the matter would have been decided one way or the other. As it stands now, it is difficult to see how anything is expected to be accomplished."

If he had known the real reason why Colonel Norton had preferred the charges, some frivolous, some serious, and some out-right lies, he would have realized that Norton had accomplished what he had set out to do, which was to embarrass General Mitchel more than he had been shamed by his own arrest in May. Defaming Mitchel as a pillager and a cotton stealer from one end of the land to the other was, in his mind, simple justice.

Norton must surely have been aware that the Committee on the Conduct of the War, dominated by Republicans, would have been sympathetic to General Mitchel for his methods of waging war, and would be unlikely to bring him before the full Committee for interrogation, on an expedited basis as Congress was set to adjourn on July 21, thus ending the Committee's work until the next session. And they did not, effectively ending the Norton vs. Mitchel controversy.

General Mitchel still without a new command, had a number of discussions with Secretary of the Treasury Salmon P. Chase, Secretary of War Edwin Stanton, Major-General Henry Halleck, who had been elevated to the position of General-in-Chief of United States Armies, and President

Lincoln concerning the President's idea of freeing the Mississippi River from Confederate control by capturing Vicksburg. Stanton urged the President to consider sending Mitchel to command the operation, and the President agreed to discuss it with him. During their meeting Lincoln asked Mitchel what force he would need, to which Mitchel responded, "My Third Division and Curtis' Army of Missouri," a total force of about 27,000 men. Lincoln was impressed with Mitchel's ideas, but said he would have to confer with Halleck before giving approval.⁵⁰

Halleck, never fond of Mitchel, decided against the plan in early August on the grounds that Mitchel's Division could not be spared from Buell's command, and Curtis' army was needed to prevent Confederate forays into Arkansas.

Mitchel returned to New York where he waited through the month of August for notification that another command had been found for him. The *New York Times* may have prompted action when it published an article on September 2, complimenting Mitchel "for his eloquent speech at the war meeting in that city on Wednesday last [August 27]." The article went on to question,

Why, in this hour of tremendous peril, is this accomplished, gallant and educated soldier, clad in his Major-General's uniform, haranguing a crowd in the highways of New York? Why is he not given back to his command, that he may have a fresh opportunity to demonstrate that his style of strategy - the strategy of activity and aggression - is the true style, as it is avowedly the only one that will prevent the rebels from extirpating our Southwestern armies in course of time, and carrying their raids up to the Ohio. When the Union army is so disgraced, and our soldiers suffer so severely from imbeciles, quacks, and political Generals, it is certainly strange that General Mitchel, whose military record is one of the brightest which can be shown by any man in the service, should be exiled to New York, where, in order to do some little work for his country, he is driven to the necessity of speechifying before an assemblage in the City Hall Park.

Very shortly thereafter Mitchel received orders assigning him to command of the Department of the South, headquartered at Hilton Head, South Carolina. He arrived there soon after and, after inspecting fortifications at Beaufort, Fort Pulaski, and Hilton Head Island, began planning for operations against Charleston, S.C. and Savannah, Georgia.⁵¹ Before any substantial actions could be undertaken, Mitchel fell ill with yellow fever on October 26, and died on October 30.⁵² His successor, Brigadier General J. M. Brannum, wrote in his eulogy, "Brief as was his career in the Department of the South, yet had he already won the esteem of all by his energy and activity in directing the movements of the corps against the adjoining

rebels and the firmness and tempered justice with which he conducted the administrative duties of the department.”⁵³ Precisely what he had done before in North Alabama.

And what of Colonel Norton? According to Mitchel’s biographer, Frederick A. Mitchel, Secretary of War Stanton was so incensed at Norton’s breach of military protocol that he ordered him arrested and confined in the Old Capitol Prison. Hearing of this order, Norton vanished from Washington.⁵⁴ Colonel Norton is believed to have returned to his home in Perrysburgh until being notified some time after August 27 that he had been exchanged for a Colonel C. Dorsey, from Missouri.⁵⁵

In the meantime, General Buell had abandoned North Alabama, under threat of being out-flanked by Confederate General Braxton Bragg’s army, which had crossed the Tennessee River at Chattanooga. Buell, believing that Bragg’s target was Nashville, moved his army there. When Buell realized that Bragg’s target was really Kentucky, he moved north. The 21st Ohio was left as part of the Nashville garrison.

Sometime in late November, Norton visited his old regiment for the last time. Captain Canfield, in his regimental history, related that after Norton left Washington he had reported to the commanding officer at Louisville, Kentucky and was assigned to duty on his staff. Canfield described his visit to the regiment:

On the morning of the 26th of November, it was announced that he was in camp. Several of the officers called on him, but no particular attention was paid to him, and after spending a very quiet day in camp, he left promising to return next morning. This was the last seen of him by his regiment. As already stated, his resignation was accepted on the 20th of December, There was much chagrin felt toward him, for the course he had pursued at Huntsville and Athens, and for his acts toward General Mitchel, the reason for which we may never know.⁵⁶

Eighteen years later Norton was invited to deliver an address at the annual reunion of the 21st Ohio Regiment, but declined, writing that he was “expecting to start for a trip to Utah...and would be absent for a considerable time and hence cannot be with you.”⁵⁷ This was apparently the last time any of his old regiment heard from him. Norton received an invalid pension in 1879, and his wife a widow’s pension in 1887.⁵⁸ Perhaps a review of these pension records, copies of which this author has requested from the National Archives, will reveal more details of Norton’s life following the Civil War.

Addendum

Nashville, Tenn. July 26, 1862

Maj.Genl. O.M. Mitchel
Washington, D.C.

Dear Sir,

I notice in Cin. Gazette of July 24th an "Abstract of the Testimony of Col. Norton before the Committee on the Conduct of the War," in which my name appears with yours, in reference to certain cotton transactions, & Govt. transportation. Desirous of doing all in my power to vindicate your spotless integrity in this whole transaction, I beg leave to submit a few facts in reference to Col. Norton.

I became acquainted with him as Col. of the 21st Regt. O.V. in June 1861 in the 3 months service at Gallipolis, Ohio, I being then Commissary & Act. Quarter Master at that post.

Our official as well as social relations were ever of the most friendly kind. On going to Huntsville I immediately called upon Col. N as a friend, for advice and information respecting my business. He was ever ready to render me any assistance or favor in his power. At various times both at Huntsville & also at Athens, he tendered me the use of his Regimental teams to haul cotton from Plantations to a shipping point which owing to the great scarcity of private teams we were very glad to avail ourselves of & for which the Quarter Master has received full & ample compensation at the same or higher rates than we paid others.

He never to my knowledge objected to this use of the Regimental teams. He uniformly expressed a desire in every possible way to aid buyers with purchase & assistance in the transportation of cotton to a market. I was very intimate with Col. N, giving him in detail my plans as well as purchases & I supposed him to be fully posted. With all this knowledge which I had imparted to him as a friend I cannot for the life of me, see how he could swear to statements contained in that "Abstract of Charges" as follows. "That Genl Mitchell (sic) took possession of cotton in a Rebel fortification & sold that cotton for three cents per pound to a man by the name of Clark when he was offered seven cents per pound by a man named Fuller." Mr. D. A. Saxons' statement is utterly false. I don't recollect of any conversation with him upon that subject. Saxon is Le-Abels stage agent at Reynolds Station. As to the prices paid for the fortification cotton they are as follows.

14 bales at 10 cents per pd. in Treasury Notes

374 " " 8 " " " " " "

25 " " 4 " " " " " "

The 14 bales were good fair merchantable cotton & was the same price I paid Jere Clemens for his entire crop 260 bales & was at that time the highest market price. Several purchases were made at 10 cents in Southern currency then at a discount of 40 to 50 per cent in Nashville. The 374 bales was none of it merchantable- it was wet, muddy & mildewed in several inches besides being almost entirely destitute of baling & in many cases of

rope. Nearly 150 bales of it had to be rebaled. The 25 bales was more than half rotten having lain for months in the base of the fortifications or floating around the pond. It was nearly worthless. Several of these bales after being transported to Shelbyville at \$7 per bale frt. were left as unfit to move.

For every bale of cotton transported by Govt. wagons from Huntsville to Shelbyville & Columbia respectively we paid the Quarter Master & have his receipt therefor. \$7 & \$9 per bale- at least twice prices in ordinary times. From Elk River to Reynolds Station 22 miles we paid \$5 per bale. I regret exceedingly that I should in the remotest degree be the cause of this unholy conspiracy against one whom I know to be in every respect pure as the Angels of Light from these charges of cotton speculation & whose every energy of soul & body is devoted to the good of his country in putting down Rebellion.

Col. Norton's Regiment from Lt. Col. Neibling down to private would today, to a man, go through fire & flood after the enemy, under the lead of their brave old General. I write what I know. Col. Norton is the tool to do the dirty work of others more cunning & artful.

If I can be of any service to you in putting these miserable conspirators where they belong I am at your service.

I may be here yet some two weeks & after that shall return to my home at Cleveland, Ohio.

Very Respectfully

Your Obt Servant

J.H.Clark

ENDNOTES

¹ 1860 Ohio Census; Perrysburg, Ohio City Directory, 1859-60.

² *History of Wood County, Ohio, 1895*, Internet, www.heritagepursuit.com/wood/woodchapXVIII.htm.

³ Ibid.

⁴ Ibid.

⁵ Roster Commission, General Assembly of Ohio, *Official Roster of the Soldiers of the State of Ohio*, cited by Historical Data Systems, Inc., Internet, www.civilwardata.com.

⁶ *Official Records of the War of the Rebellion*, Series I, Vol. 2, p. 291. (Hereinafter cited as *OR*, Series I unless otherwise specified.)

⁷ Ibid. Officers captured with Colonel Woodruff included Colonel Charles A. DeVilliers, 11th Ohio Infantry; Lieutenant Colonel George W. Neff, Sec-

ond Kentucky Infantry; and Captains George Austin, Company B, and John R. Hurd, Company F, Second Kentucky Infantry.

⁸ *War Time Reminiscences of James D. Sedinger, Company E, 8th Virginia Cavalry*, Internet, www.wvculture.org/history/Journal_vvh/vvh51-5.html

⁹ Colonel Patton was the grandfather of U. S. Army's General George S. Patton, of WW II fame.

¹⁰ *OR*, Series II, Vol. 3, p. 824.

¹¹ *Ibid.*, pp. 879 and 894.

¹² *Ibid.*, p. 824.

¹³ Center for Archival Collections, Bowling Green (Ohio) State University, MS562, Internet, www.bgsu.edu/colleges/library/cac.

¹⁴ *OR*, Series II, Vol. 10, p. 163. Mitchel had the support of Secretary of War Edwin Stanton, who had written him on May 5, "The assistance of slaves is an element of military strength which you are fully justified in employing...It has been freely employed by the enemy and to abstain from its judicious use when it can be employed with military advantage would be a failure to employ means to suppress the Rebellion and restore the authority of the Government." Frank A. Flowers, *Edwin McMasters Stanton, The Autocrat of Rebellion* (NY: Saalfield, 1905), p. 183.

¹⁵ Captain S. S. Canfield, *History of the 21st Regiment Ohio Volunteer Infantry* (Toledo, OH: Higginson Book Company, Salem, MA, reproduction 1998), p 52. The resort referred to, "south of Huntsville...beyond the Union picket line" is thought to be the J. J. Giers resort at Valhermosa Springs, about 15 miles from Huntsville.

¹⁶ Center for Archival Collections, Bowling Green (Ohio) State University, MS800.

¹⁷ Canfield, p. 50.

¹⁸ Donnell Acton and Faye Action, *To Lochaber Na Mair* (Athens, AL: Athens Publishing Company, 1986), pp. 56 and 58.

¹⁹ *OR*, Series II, Vol. 4, p. 125.

²⁰ *Ibid.*, p. 124.

²¹ *OR*, Series II, Vol. 16, p. 92.

²² This telegram is not included in the *OR*, but General Buell stated that he saw the original telegram on file in the telegraph office the day after Mitchel left. See *Battles and Leaders of the Civil War, Vol. II* (Secaucus, NJ: reproduction by Castle Division of Book Sales, Inc., n. d.), p, 706.

²³ *OR*, Series II, Vol. 10, p. 222.

²⁴ *Ibid.*

²⁵ *OR*, Series II, Vol. 16, p. 46.

²⁶ *Battles and Leaders of the Civil War, Vol. II*, p. 706.

²⁷ Thomas P. Lowry, *Tarnished Eagles* (Mechanicsburg, PA: 1997). Colonel Carter Gazlay, 37th Indiana Infantry and Colonel Geza Mihalotzy, 24th

Illinois, were court-martialed. Gazlay was charged with stealing and selling, 2 horses and 22 bales of cotton. He was dismissed from the army. Mihalotzy was found guilty of quartering two companies of soldiers in the home of J. H. Jones, which led to destruction of this property. He was sentenced with dismissal, but Buell disagreed with the sentence and restored him to command. Turchin was ordered dismissed from the Army, but as he had been promoted to Brigadier General on July 17, he was no longer subject to this court martial.

²⁸ Center for Archival Collections, MS597mf.

²⁹ Canfield, p. 58.

³⁰ *New York Times*, July 8, 1862.

³¹ *Virtual American Biographies*, Internet, www.virtualology.com/georgedenisonprentice.

³² Lincoln Studies Center, Knox College, Galesburg, IL, Internet, <http://memory.loc.gov>.

³³ *OR*, Series II, Vol. 5, p. 528.

³⁴ Benjamin F. Camp was a financier investing in the Leavenworth, Pawnee, and Western Railway, predecessor of the Kansas Pacific Railway, for which he became a commissioner. Internet, www.cpr.org/Museum/Pacific_Railroad_Acts.html.

³⁵ *Washington Evening Star*, July 17, 1862.

³⁶ David S. Heidler and Jeanne T. Heidler (eds.), *Encyclopedia of the Civil War* (NY: W. W. Norton, 2000), p. 912.

³⁷ J. Cutler, *The North Reports the Civil War* (Pittsburgh, PA: University of Pittsburgh Press, 1985), p. 28.

³⁸ *OR*, Vol. 10, pp. 876 and 878.

³⁹ Nancy Pape-Findley, *The Invincibles: The Story of the Fourth Ohio Veteran Volunteer Cavalry, 1861-1865* (Tecumseh, MI: Blood Road Publishing, 2002), p. 87.

⁴⁰ *OR*, Series II, Vol. 10, p. 125.

⁴¹ *Ibid.*, pp. 113, 124, and 133.

⁴² *Ibid.*, pp. 119 and 125.

⁴³ John Beatty, *Memoirs of a Volunteer*, ed. by Harvey S. Ford (NY: W. W. Norton, 1946), pp. 108-109.

⁴⁴ *Encyclopedia of the Civil War*, p. 1622.

⁴⁵ *Battles and Leaders of the Civil War*, Vol. II, p. 707. Buell wrote, "Whitelaw Reid, in his sketch of him [Mitchel] in "Ohio in the Civil War," no doubt on Mitchel's authority, gives me a credit to which I am not entitled, as having said to Mitchel at Huntsville that I would myself resign rather than that the country should be deprived of his valuable services."

⁴⁶ Mary Jane Chadick recorded in her diary entry for July 10, "This day has been made memorable by the departure of the family of Gen. Mitchel. Joy

go with them.” Mitchel’s daughters were Harriet DeWitt, age 30, Louise, age 20, and Virginia, age 18. Virginia had married William B. Hook of New York City sometime between 1860 and May 1862. It is possible that he accompanied them to Huntsville when he went there to buy cotton.

⁴⁷ *OR*, Series II, Vol. 10, p. 212.

⁴⁸ J. H. Clark, who had seen his name mentioned in the Abstract of Testimony Of Col. Norton. published in the Cincinnati Gazette, wrote a letter to Mitchel, dated July 26. This letter is in the O. M .Mitchel file at the National Archives, and is transcribed as an addendum to this article.

⁴⁹ *Ibid.*, pp 290-295.

⁵⁰ David Donald (ed). *Inside Lincoln’s Cabinet: The Civil War Diaries of Salmon P. Chase* (NY: Longmans, Green and Co., 1954), pp. 100-102 and 107.

⁵¹ *OR*, Vol. 14, pp. 380 and 383.

⁵² Originally buried in Beaufort, South Carolina, his remains were removed to New York in 1863, where he was re-interred in Green Wood Cemetery, Brooklyn, Kings County, New York.

⁵³ *OR*, Vol. 14, p. 388.

⁵⁴ F. A. Mitchel, *Ormsby McKnight Mitchel: Astronomer and General, A Biographical Narrative* (Boston: Houghton Mifflin, 1887), p. 354.

⁵⁵ *OR*, Series II, Vol. 4, p. 473.

⁵⁶ Canfield, p. 70. The discerning reader will note that Canfield here seems to have forgotten what he earlier wrote concerning the reason for Norton’s animosity toward Mitchel. See note 16.

⁵⁷ Center for Archival Collections, MS562.

⁵⁸ National Archives and Records Administration, Pension file for Jesse S. Norton, No. 292014, June 13, 1879, and Martha D. Norton, No. 353257, April 11, 1887.

CAPTAIN DAVID H. TODD **“A BROTHER OF MR. LINCOLN’S WIFE”**

NORMAN M. SHAPIRO

The following notice appeared in the Madison County, Alabama, newspaper, *The Weekly Huntsville Advocate*, of August 4, 1871:

DIED,

At his residence in this place, on Sunday night 30th July, 1871, of consumption, Capt. DAVID H. TODD, formerly of Kentucky, but for the last six years a resident of Huntsville, in his 40th year. He served in the Mexican war, was engaged in a revolution in Chile, and visited Japan, &c., and was a Captain in the Confederate army.



David Todd, Mary Todd Lincoln’s Half Brother

Source: Katherine Helm, *The True Story of Mary, Wife of Lincoln*
(NY: Harper and Brothes, 1928)

The notice omitted an interesting fact that impacted much of his short life: David Todd was Mary Todd Lincoln's half-brother and Abraham Lincoln's brother-in-law. The omission was not surprising; Alabama was still under post-war military occupation and much wartime bitterness remained. Although it has been said that David Todd tried to hide the Lincoln "connection", the documented information that we have seems to indicate otherwise.

I "discovered" David Todd in the preparation of an earlier paper on the history of the Confederate battle flag that is in the collection of Huntsville's Burritt Museum.¹ The flag, and a number of other relics, were donated to the Huntsville-Madison County Historical Society in the Civil War Centennial Year 1961 by a step-granddaughter of David Todd. The items were subsequently placed in the holdings of the Burritt Museum. The few words of the death notice that described his life were certainly intriguing and I have attempted to learn more. I found, however, only a few personal writings and have had to rely primarily on information provided in his Combined Military Service Records (CSRs) and in references to Mary Todd Lincoln.

David Humphreys Todd was born March 30, 1832 in Lexington, Kentucky, the ninth of Robert Smith Todd's fourteen living children of two marriages. Two children died in infancy. His half-sister, Mary Ann, was fourteen when he was born and she married Abraham Lincoln when he was ten. The Todd family was comfortably situated and the children of both families had the "usual advantages" of the time. During the war years, six siblings supported the Union; eight supported the Confederacy and their actions plagued Mary for most of her married life. Southerners scorned her as a traitor to her birth, and citizens loyal to the Union suspected her of treason. David and the other brothers are only slightly and often incorrectly mentioned in the several Mary Todd Lincoln biographies. Jean Baker's *Mary Todd Lincoln: A Biography*, for example, states, "Mary Lincoln did not know David well. The second of Betsey's sons, he had run away from home as a boy and was notorious in family annals for the Chilean flag tattooed on his arm. Posted to the West, David was mortally wounded at Vicksburg in 1863."² Another account states, "David would die later from wounds received at Vicksburg."³ And still another "David, a Confederate soldier, was shot through the lungs at the Siege of Vicksburg and died after the surrender."⁴ Katherine Helm, daughter of David's sister, Emilie Todd Helm,⁵ published in 1928 her mother's recollections of Mary Lincoln.⁶ On page 15 she writes, "David, died from the effect of wounds received at Vicksburg" and in a note on page 193, "David Todd, never recovered from wound received at Vicksburg. Though reported 'dying,' he survived, an invalid, for a few years after the war was over." One would think that Emilie (1836-1930) and Katherine (1857-1937) would have been well acquainted

with the circumstances of David Todd's death; however, I have found no evidence that David was even wounded at Vicksburg although it is certainly possible that he may have received a superficial wound. We will see later that he was indeed under fire at Vicksburg, but in one of his CSRs is an application to be examined for disability retirement, dated January 6, 1865, from Hospital, Marion, Alabama, in which he states the cause of disability is "Phthisis Pulmonulis [sic], i.e. 'wasting away of lungs', caused by exposure & from which I have suffered for the past two years with frequent attacks of Hoemaptysis [sic] i.e. 'expectoration of blood or bloody mucus'. I have been absent from my command unable to perform duty for the past few months". And as noted above, some eight years after Vicksburg it was stated in his death notice that he died of consumption.

"Running away from home as a boy" may well describe David Todd's Mexican War service. He enlisted on September 15, 1847, in Captain Robinson's Company (later Company C), Third Regiment (Thomson's) Kentucky Volunteers at Lexington, Kentucky, at age the age of 15. His service dates are documented in the company muster rolls obtained from the National Archives and Records Administration. Two new Kentucky regiments, the Third and Fourth, were mustered into service on October 4, 1847, at Louisville. John C. Breckinridge who was James Buchanan's vice president (1857-1861) was a major in the Third Regiment and the unit's war record is described in his biography.⁷ The regiment trained until the end of October and then boarded transport at New Orleans for Vera Cruz, where it arrived on November 18. After more training they made their way to Mexico City, arriving on December 18, 1847. They did no fighting, Mexico City having been taken by Winfield Scott on September 18. They remained in Mexico City until May, when the Treaty of Guadalupe-Hidalgo was ratified by Congress (the treaty had been signed on February 2). The regiment then marched back to Vera Cruz and set out for New Orleans on June 29 and finally reached Louisville on July 16, 1848. Private David H. Todd was mustered out July 21, 1848. His age was listed on the muster-out roll as 19. His widow, Susan S. Todd, later received a Mexican War Widow's Service Pension of \$8.00 per month, commencing in 1887 until her death in 1894.⁸

Documentation for David Todd's "Chilean episode" and foreign travels has not been found. The Department of State has issued transports to U.S. citizens traveling abroad since 1789. With two exceptions, which do not apply here, there was no statutory requirement that American citizens have a passport for travel abroad until 1941. A search of the Indexes to Passport Applications at the National Archives and Records Administration revealed no applications for David Humphreys Todd. The information in his death notice must certainly have been provided by his widow and the

incidents occurred between his Mexican War service and his Civil War service. Jean Baker writes that after their father's death in 1849, the boys (i.e., the three half-brothers, Sam, David and Aleck) moved to New Orleans, where a maternal uncle owned a prosperous sugar plantation.⁹ They are all listed, however, in the 1850 United States Census of Franklin County, Kentucky, in the household of their mother. The listing, which was enumerated September 3, 1850, is as follows:

- Elizabeth L. Todd 50 [years of age]
- Samuel B. Todd 20
- David H. Todd 18
- Martha Todd 17
- Emmily T. Todd 13
- Alexander H. Todd 11
- Jane B. Todd 10
- Catherine B. Todd 8

The oldest surviving child of this "second " family of Robert Smith Todd, Margaret Todd, had married in 1846.



Mary Todd's sister Elodie (Jane B.), Who Married
Colonel N. H. R. Dawson of Selma, Alabama

Source: William C. Davis, *Breckenridge: Statesman, Soldier, Symbol*
(Baton Rouge, LA: Louisiana State University Press, 1974)

At the beginning of the Civil War, Katherine Helm writes that Sam and David Todd were in business in New Orleans, Louisiana,¹⁰ and sisters Martha and Elodie Todd were living in Selma, Alabama.¹¹ Martha had married Clement B. White in 1852 and Elodie was engaged to Nathaniel Henry Rhodes Dawson of Selma, whom she married in 1865. Dawson was a Captain in the Fourth Alabama Infantry Regiment and he and Elodie carried on an extensive correspondence during the war.¹² While many of Elodie's letters were "cross-hatched" or otherwise illegible, three of them were found that mentioned brother David and were quite illuminating. They will be shown later.

David Todd's military record is for the most part delineated in three CSR's: First Lieutenant in Lieutenant W. B. Ochiltree's Detachment of Recruits (Detachment of Regulars); First Lieutenant in the First Kentucky Infantry; and Captain, Company A, 21st Louisiana Infantry. Ochiltree's Detachment was one of the many organizations that were considered to have been raised directly or otherwise formed by the Confederate government and therefore not identified with any one state. They comprised organizations of all sizes and designations including companies, battalions, regiments etc. Ochiltree's Detachment was apparently an administrative convenience created to handle a singular appointment. The jacket envelope of the unit also indicates, "Formerly Lieut. Todd's Detachment of Recruits" and contains his initial appointment as a First Lieutenant of Infantry in the Confederate States Army, dated April 27, 1861, accepted April 30, 1861, and delivered at Baton Rouge, Louisiana.¹³

The Adjutant & Inspector General's Office of the Confederate States Army issued Special Order Number 40/3, dated May 1, 1861 detailing First Lieutenant David H. Todd. The particulars of the detail were not given; however, it was evidently to Richmond, Virginia, as there is a pay voucher in the detachment envelope for the period 27 April 1861 to 31 May 1861 issued by Major Larkin Smith, Quartermaster, at Richmond for \$101.99 (\$90.00 per month) and accepted 14 June 1861. Also, in one of the letters "E.T. to N.H.R.D." (from the *Dawson Papers*) dated Summerfield (Alabama), June 27th 1861, Elodie writes, "My Bro David wrote from Richmond that he expected to leave in a day or two for Staunton & has been appointed one of Genl Holmes' aides."¹⁴ This appointment was obviously not effected inasmuch as Special Orders No. 85, dated July 1, 1861 at Richmond orders First Lieutenant David H. Todd, Infantry, and two other officers to "report for duty to General [John H.] Winder, in this city."¹⁵ Brigadier General Winder had been appointed Inspector General of the Richmond area prison camps on June 22, 1861.¹⁶ This led to the following hand-written posting which was found in the Detachment envelope:

Richmond
July 4, 1861

Lt. Todd will proceed to the prison corner of Main & 26th Streets & relieve Lt. Archer. Should Lt. Archer be absent, he will take possession of the premises & receive from Lt. Archer all orders etc. when he shall have seen him.

Jn H Winder, Brig Gen

While the rationale for this appointment is unknown, it would be difficult to believe that David Todd would have desired or sought such an assignment. In the Introduction to *Civil War Prisons* William B. Hesseltine writes, "The Civil War left behind it a long list of controversies – yet no controversy ever evoked such emotions as the mutual recrimination between Northern and Southern partisans over the treatment of prisoners of war. Hardly had the war begun when the first prisoners alleged that their captors mistreated them."¹⁷ The recriminations continued throughout the war and, "To the end of their lives ex-prisoners wrote books or letters-to-the-editor, told their stories to country-store gatherings, appeared before congressional committees, or addressed conventions of veterans to recount their adversaries and to point accusing fingers at their cruel and conspiratorial enemy." As Ernest B. Ferguson commented, "Todd may have drawn special criticism because of who he was, but in the long run his name barely made the list of Civil War villains, far below that of his orderly sergeant that summer, a Swiss-born Louisiana physician named Henry Wirz. [later the notorious commandant of Andersonville prison.]"¹⁸ Further investigation has indicated that Todd did indeed receive special attention as his "special relationship" is mentioned in almost every one of the accusations that will be described later.

The prison at the corner of Main and 26th Streets to which Lieutenant Todd was assigned was formerly the tobacco factory of George D. Harwood. It was also called Harwood's Hospital and/or General Hospital No. 24, and later called Moore's Hospital and North Carolina Hospital.¹⁹ It was one of many Civil War prisons in Richmond; Blakey lists fourteen, twelve of them former tobacco factories.²⁰ Michael D. Gorman lists even more buildings that were used variously as prisons and/or hospitals.²¹ This led to much confusion in the reporting of prison history as well as prison incidents. For example, there was a General Hospital No. 22 (also called Howard's Hospital) located on Main Street between 25th and 26th Streets which is identified by Wait as both the former tobacco factory of George D. Howard and the former tobacco factory of J. W. Atkinson. The 1860 Federal Census for Richmond lists a George D. Harwood as a tobacco factory

proprietor, but no George D. Howard. In the Ochiltree Detachment envelope, however, there is a requisition and receipt for twenty cords of wood for Howard's Jail, dated 2 August 1861, and signed by "D.H. Todd, 1Lt., CSA, in chge Prison."

The accusations of mistreatment had their origin here a few days after the first Union prisoners arrived in Richmond after "First Manassas."²² This first big battle of the war was fought on July 21, 1861, and Richmond was not prepared to receive shortly thereafter the approximately 1,000 Union prisoners and 1,500 Confederate wounded. There was no official agreement on parole of prisoners at this stage of the war. Abraham Lincoln's position was that that the South was in rebellion and secession was illegal. He refused to recognize the southern captives as prisoners of war and this influenced the treatment of captives on both sides. Some of the first prisoners were confined in Ligon's (or Liggon's) prison, also known as General Hospital No. 23, and in Harwood's prison. The opening paragraphs of an early and colorful report of prison life in Richmond, which may have influenced later accounts, appear below. It was published in the New York *Sunday Mercury* on June 1, 1862, by William H. Kellogg, of Company K, 38th Infantry, New York State Militia. Mr. Kellogg was a journalist.

Now that our forces are so near Richmond, a few incidents in the prison life in the tobacco manufactories might be interesting to the reader in search of truth. After the Battle of Bull Run, on the 21st of July, 1861, among those captured I was marched to Manassas Junction, where we remained in the drizzling rain, which fell all night. Owing to the extreme fatigue of the body attending on the heat of the day, forced marching, and the battlefield, I slept peaceably and sound, and for a moment on awakening the next morning, it was almost impossible for me to decide where I was, but gradually a vivid sense of my position forced itself upon me, and I realized I was a prisoner. All day on the 22nd, following the battle, we remained standing in the slowly-falling rain, wetting us to the skin. Around us stood guards, close together, and beyond them a gaping multitude of idle gazers, looking at the 'Yankees' – evidently, from the way they eyed us, supposing us to be some curious animal, and remarking: 'Why, they look just like our folks!' 'Lord, they're white folks just like we are.' And asking us: 'What made you come down here for?' All day long we were kept in this position, nothing given us to eat, and—must I say it? – water could not be attained, unless, thanks to God for the falling rain of that day, when caught in an India-rubber blanket, poured into a tin-cup. And bitter, brackish, sickish to the taste as was this water, 'twas like nectar to the half-famished men who, many of them, had not tasted a drop of water since the

previous bloody day. About 5 o'clock P.M., however, some hard biscuit and rancid bacon were divided among us, and we were marched to the railroad depot, and placed in baggage and freight cars, *en route* for Richmond. Here Fortune was propitious, for the rain dripping from the tops of the cars presented a rich harvest of pure water to the thirsty men. It was a perfect godsend. It was hard in the extreme to see the avidity with which the poor fellows sought to catch the falling drops, as their thirst was doubly increased by the salt meat just served out. About six o'clock the next afternoon, we arrived in Richmond, and, well guarded, were marched through the streets, hooted, hissed and blackguarded in a manner I could hardly have believed would have occurred in a city belonging to a civilized nation. But seeing what I have of them has changed my mind considerably. About dark, we reached one of the vile tobacco factories destined to receive us, and from whose doors many of the brave boys who entered them were never more to pass, until in a pine coffin, conveyed in a rickety cart, they should fill a grave in some distant portion of the [N]egro burying-ground of the capital city of Virginia. Is it too much to ask one passing thought to those who thus died and still fill the humble tenement? In the building with myself were five hundred and thirty-eight souls—two hundred on one floor, and three hundred and thirty-eight on the floor above, these floors being some one hundred by thirty feet. Here, for some three or four weeks – if I may be allowed the expression – we were left to rot; and ere that time, vermin had made their appearance, and, notwithstanding all endeavors to the contrary, 'reigned supreme.' It was a fine specimen of close packing, at night, when we turned in, and it would have been difficult to one not accustomed to moving among a crowd to have made their way through the room without stepping on some part of the human mass that strewed the floor. Even in the day it was difficult navigation.

Lieutenant [David] Todd, of Kentucky, C. S. A., notorious for his cruelty, was in charge of us. Much has already been said of his treatment of our suffering prisoners of his war. An incident, however, which I do not think has been in print, occurring at this time, and in which he was chief actor, will better prove his cruel treatment than any other I could mention.

One morning, in passing through one of the crowded rooms, stopped by the crowd who obstructed his passage, he bade them give way; they not obeying his order as quickly as he wished, he drew his sword, and making a step toward one of the nearest of the crowd, who belonged to the First Minnesota Regiment, passed it through the lower portion of the leg, and in withdrawing it he literally cut the piece of flesh to the

bone. Remarking coolly, as he passed on: 'Take care of the man and clear the road.' This act was on par with his other cruelties while in charge. By his orders our prisoners were fired on in the windows, and no less than five wounded and three killed. Another day we were refused water for more than six hours in the day for the mere crime of spilling some on the floor; and frequently our meals were not served until late in the day. Some four weeks after our arrival, the wounded from Bull Run arrived in Richmond, and some placed in the general hospital, and the remainder-by far the largest portion-conveyed in our prison, Hanwood's [Harwood's] Tobacco Factory, on Main, corner of Twenty-sixth street, it being the most convenient of access and best adapted to hospital purposes.

Many of the charges concerning David Todd's cruelty toward Union prisoners first appeared in a small volume published in 1893 by William H. Jeffrey comprising "Journals Kept by Union Prisoners of War with the Name, Rank, Company, Regiment and State of the Four Thousand Who Were Confined There" and are extracted here: ²³

During the afternoon of August 5th, Lieutenant Todd, who, by the way was a half-brother of President Lincoln's wife, and at that time in the immediate charge of the prisoners, ordered all servants belonging to the different messes out of the quarters. It was supposed to be for the reason that through them some of the officers had obtained ardent spirits and because of a disturbance created that morning by one Lyman H. Stone, a surgeon of the United States Army, who was arrested at Manassas and taken to Richmond on the 29th of July. Dr. Stone was a highly educated gentleman, unaccustomed to excessive indulgence in liquor, but it was supposed that the excitement of the battle and the circumstances of his arrest caused him to drink to freely. He started out soon after dinner, overturning the tables, dishes and all, and finally laid hold of one of the officers so roughly that it was evident that he was in a high state of frenzy. At last the turmoil became so great that Lieutenant Todd, rushing into the room with great fury, and seeing Dr. Stone clinched with one of the officers, drew his pistol and demanded that the disturbance should cease. It was stopped and Dr. Stone was taken out of the prison to a brick building in the rear and put in irons. There was, of course, nothing wrong in what Lieutenant Todd did in this instance, but the outrages subsequently committed by him upon the prisoners under his charge were spoken of by all in the severest of terms. ²⁴

The testimony of a Corporal Merrill on this point is as follows:

Lieutenant Todd was singularly vicious and brutal in his treatment of

the prisoners, and seldom entered the prison without grossly insulting some of them. He invariably entered with a drawn sword in his hand. His voice and manner, as he addressed the prisoners, always indicated a desire to commit some cruel wrong. Upon one occasion he struck an invalid soldier in the face with the flat side of his sword, simply because he did not obey the order to fall in for roll-call with sufficient alacrity. At another time one of the guards, in the presence and with the sanction of Lieutenant Todd, struck a prisoner upon the head with the butt-end of his musket.²⁵

Isaac N. Jennings of the First Connecticut Volunteers reported:

I can mention no bright spot in Richmond Prison life as I know of none, except the enjoyment derived from social communion with ourselves....A curious case of family unpleasantness was that the brother-in-law of President Lincoln was in charge of us. I never saw any one more bitter in his hatred of 'Yanks.' He seemed bound to make his reputation, which, as he said, '*might be injured by his relationship to Old Abe,*' by abusing the prisoners.²⁶

According to J. Lane Fitts of Company B, Second New Hampshire Volunteers:

In the evening of the fourth day after the battle of Manassas, or the first Bull Run, we arrived in Richmond. We were marched from the railroad station to one of the tobacco houses in the lower part of the city, near the James River and the Canal. — There were over fifty of us members of the 2nd New Hampshire Volunteers, including the wounded, who were put in another building near by. We were in charge of the notorious Wirz, known in prison at that time as the 'Dutch Sergeant.' The officer next him was Lieutenant Todd, a brother of Abraham Lincoln's wife. Lieutenant Todd, when upon the street near our windows one day, overheard some conversation that did not suit him. He drew his sword and rushing upstairs, stabbed the first man he came across, wounding him so that he had to be removed to the hospital. 'Every d——d Yankee,' he said, 'ought to be served the same way.' A favorite expression of his was, 'I would like to cut 'Old Abe's heart out.'²⁷

And from another member of Company B, Second New Hampshire Volunteers, we learn:

The officer who had chief charge of us was Lieut. Todd, a brother to Abraham Lincoln's wife. Once when a Yankee prisoner had died and the guards took the body down to headquarters, they thoughtlessly laid it on the doorstep while they rang the bell for the Lieutenant. This so exasperated him that he kicked the body out into the street, where it laid over night. With this man in command, and the notorious Wirz,

who was afterwards hanged, to execute his orders, the reader can judge something of the treatment we received. We afterwards heard he was killed in battle, and were not sorry to hear it, although he deserved hanging as richly as did Wirz.”²⁸

Additional, similar descriptions of Lieutenant Todd’s “cruelty” can be found on the Internet and are said to have taken place at Richmond’s Libby Prison, formerly the warehouse of L. Libby & Sons, Ship Chandlers. Richmond’s most famous prison, “Libby” was probably second only to Andersonville in the lexicon of notorious Confederate prisons. It was not, however, used as a prison until the summer of 1862 when David Todd was engaged in the fighting at Vicksburg.²⁹

The other two legible letter excerpts from his sister, Elodie to her fiancée, Nathaniel Dawson exemplify the additional perils associated with David Todd ‘s odious assignment.

E.T. to N. H. R. D.

23 July 1861, Selma, Alabama

I see from today’s paper Mrs. Lincoln is indignant at my Bro David’s being in the Confederate Service and declares ‘that by no words or act of hers should he escape punishment for his treason against her husband’s government should he fall into their hands.’ I do not believe she ever said it & if she did & meant it, she is no longer a sister of mine, nor deserved to be called a woman of nobleness or truth & God grant my noble and brave hearted brother will never fall into their hands and have to suffer death twice over. and he could do nothing which would make one prouder of him than he is doing now fighting for his country. What would she do to me, do you suppose? I have so much to answer for.”

E.T. to N. H. R. D.

15 September 1861, Selma, Alabama

I supposed you had seen an account of my Brother’s arrest in the Richmond papers. He was arrested for having some of the dead Yankee prisoners who had been dead a day or two in prison confined and sent to the Q’Master’s department as his commander told him ‘to be commented & gazed upon as a spectacle for the public’ by standing there before his, the Q’Masters’s door. I believe upon investigating the matter it was found he (the Quartermaster) had been in neglect of his duty & not my brother. At any rate, I hope he will not be called upon to play jailer any more.

His sister’s hopes were realized when First Lieutenant David H. Todd was assigned to duty with the First Regiment of Kentucky Infantry on Sep-

tember 19, 1861 by Special Order No. 336, Headquarters, Army of the Potomac. He reported to the regimental commander, Colonel Thomas H. Taylor, when the regiment returned to camp near Centreville, Virginia, on September 27, 1861. The First Kentucky was formed about July or August 1861, by consolidation of several smaller units. Camping around Manassas during the late summer of 1861, the regiment saw little action for the next three months beyond guard duty and skirmishes with the enemy. On 20 December, however, the regiment joined with the 6th South Carolina, 11th Virginia, 10th Alabama, Cutt's battery of artillery, and 150 cavalry under Brigadier General J.E.B. Stuart on a foraging expedition in the northern Virginia countryside. This substantial force encountered an even larger Union force near the small community of Dranesville about 20 miles from Centerville. After a stirring fight of several hours, the Confederates withdrew to Centreville, the First Kentucky having lost one killed, twenty-three wounded and two missing. The regiment went into winter camp near Centreville on Christmas Day, 1861 and performed sentry duty for the next three months. For most of this period (September 1861 – February 1862), David Todd was assigned to "Field and Staff" of the regiment, but the muster roll shows that he was on leave in New Orleans for 30 days during December-January and it is unknown if he participated in the fight described above. A copy of the following letter was in the 21st Louisiana CSR:

Head Qtrs 1st Ky. Regt.

Major Copeland

Comnd. 1st Ky. Regt.

Having no duties to perform in this Regt. and nothing to which I can be assigned and having an opportunity of obtaining a position in our Army at New Orleans where I can render needed services I request a transfer from this Regiment to Maj Genl Lovell's Command in New Orleans.

Yours Respect.

D.H. Todd 1st Lt. Inf. C.S.A.

This was followed in a few days by "Special Order Number 36/13, dated Feb. 13, 1862 Subject: Relieved & Assigned -Todd, D. H. 1st Lt. 1st Regt. Ky. Vols."

The next document in his CSR was dated May 9, 1862, Company D, where he, "Signs Certificate as Inspector and Mustering Officer," Muster Role of Miles Legion, Louisiana Volunteers (also known as 32nd Regiment Infantry). This was followed by similar documents for: "Co. F, Miles Le-

gion, La. Vols.," dated May 17, 1862; "Co. E, 30th Regt., La. Inf.," dated May 18, 1862; and "Co. B, Stockdale's [Battalion], Miss. Cav.," dated May 14, 1862 to May 27, 1862. There are also two pay vouchers: the first, for the month of April, dated 30 April and received at Richmond, Virginia, and the second, for the month of May, dated 31 May and received at Tangipahoa, Louisiana. His activities during the undocumented periods are unknown, however, three letters from the Emile Todd Helm Papers describe the death of his brother, Samuel B. Todd, at Shiloh, (6 – 7 April 1862), and suggest that David went to Tennessee to recover Sam's body in late April. (Two of the letters from his brother's fellow soldiers were previously unpublished and are shown in the appendix to this article.) David's letter to his sister Emile, which follows, is one of only two writings in his own hand (other than material requisitions and signatures) that were found in his documentation.

New Orleans, 15 April'62

Dear Sister,

It is my sad task to transmit the unwelcome news that our poor Brother Sam is no more. The report has been here for several days but I could not believe it as no one had seen him either dead or even wounded. I thought he might be a prisoner. Today his wounded Captain informs me with certainty of his decease. He was shot through the body in the first charge of the Crescent Regiment from this City on Monday, 7th April & lingered until Tuesday morning 8th inst. & was surrounded by kind friends & attentive surgeons who bore him off & attended his wants. I will procure his body as soon as Genl Beauregard will allow, Dr. Stille having kindly marked the spot he was buried on. I cannot describe the grief of his widow & with sorrow write these few lines.

I remain aff

Your Bro.

D. H. Todd

Special Order No.87, dated June 17, 1862 and signed, by Brigadier General. M. L. Smith, Dept. of Mississippi and East Louisiana assigned First Lieutenant. D. H. Todd to the 22nd Regiment of Louisiana Volunteers. ³⁰ Six days later, on June 23, 1862, he signed a requisition as "Captain, Co. A, 22nd Regt." for 20 pair shoes, 10 pair pants, 10 pair drawers, 10 shirts and 10 pair shoes, "my men having worn out their clothing in 12 months service". The official or effective date of his promotion is unknown. His service with this regiment continued until the end of the war. The regiment, which had actually trained as

heavy artillery, had other designations and so did the company which was sometimes consolidated with other units to form an artillery battery detachment.

The military situation in the Department of Mississippi and East Louisiana in the spring of 1862 was dominated by strategies concerning control of the Mississippi River. The Union wanted such control in order to split the Confederacy and restore free commerce to the politically important Northwest. The river cities New Orleans, Vicksburg and Memphis were critical to this control and in April 1862 a Union fleet under Flag Officer David G. Farragut began operations against New Orleans. The city was captured on May 1, 1862, Baton Rouge fell on May 8 and Farragut arrived at Vicksburg on May 18 to demand its surrender. The demand to surrender was emphatically refused and after a few days of ineffectual shelling, Farragut sailed back to New Orleans. He returned to Vicksburg on June 25^h and passed the city's defensive batteries on June 28 with tremendous shelling on both sides. It was at this critical stage in the defense of Vicksburg that Captain David Todd joined the action which is described in Bergeron's history of the 22nd Louisiana Infantry: ³¹

At Vicksburg, Company A, now under Captain David H. Todd, a brother-in-law to President Abraham Lincoln, was placed in Battery No. 8, which consisted of two 42-pounder smoothbores and two 32-pounder rifles on navy carriages. This battery was located near the Marine Hospital, about a half mile below the city and about fifty or sixty feet above the river, and was also known as the Marine Hospital Battery. Just where Company C was stationed is unknown, but it may have helped Company A at the Marine Hospital Battery.

Todd's battery was fired on occasionally by Federal gunboats from May 27 until June 21, but his men did not return the fire because General Smith had ordered his batteries not to do so unless the enemy came into close range (note: Todd did not join the unit until about June 25). The situation changed on June 28 when Farragut's fleet ran the Vicksburg batteries in attempt to knock them out. The Marine Hospital Battery was fired upon by each vessel as it passed and received special attention from the U.S.S. *Hartford*. Farragut's flagship forced Todd's men to abandon their guns and seek protection in their bombproofs. Once the *Hartford* got under weigh again, the men returned to their stations and 'renewed their fire with precision.'

As Edwin Bearss records,

Todd's gunners next engaged gunboats from the mortar fleet and the U.S.S. *Brooklyn*. The resulting momentary confusion among the enemy vessels gave Todd's men relatively stationary targets. Seizing their temporary advantage, they hit and disabled two of the gunboats with 32-pounder shells. The rest of the vessels withdrew rather than risk

running the gauntlet of Confederate fire. During the day the Confederate guns had been silenced intermittently but none had been disabled. Farragut had learned that only a land assault would reduce the Southern citadel.³²

The remainder of the operations were rather uneventful for Todd's men and the Union fleet withdrew on July 27. Highly praising his battery commanders and their men for their excellent defense of Vicksburg, General Smith noted that:

For more than seventy-five days and nights have these batteries been continuously manned and ready for action at a moment's notice; during much of this time the roar of cannon has been unceasing, and there have been portions of it during which the noise of falling shot and the explosion of shells have been such as might make the stoutest [sic] heart quail, yet none faltered; the blazing sun, the fatiguing night-watch, the storm of battle, all were alike cheerfully endured, and whenever called upon heavy and telling blows were dealt upon our foes in return. This last was from Brigadier General M. L. Smith's report on the operations at Vicksburg, May 18 — July 27, 1862.³³ General Smith also wrote:

It will thus be seen that the enemy were in front of Vicksburg sixty-seven days, during which the combined efforts of two powerful fleets have been foiled, and the accompanying land force, from 4,000 to 5,000 held at bay. The number of shot and shell thrown by the fleet is unknown; it had been estimated as high as 25,000 and put as low as 20,000. The number, however, is unimportant, and mentioned only to illustrate the fact that the loss to a land battery when attacked by one afloat is comparatively small. The casualties from the enemy's firing were 7 killed and 15 wounded; in the town 2 only are reported. The enemy fired at least ten shots to our one, and their number of killed and wounded can, from information, be safely put down at five times as great.

The companies of the regiment remained at Vicksburg through the summer and into the fall and then moved into the defensive perimeter of the city to counter General Grant's converging assault. Grant planned this operation early in November 1862 after his appointment as Commander, Department of Tennessee, on October 16. To this end, Sherman led an expedition down the river from Memphis to attack the city from the north, while Grant himself advanced overland from the east. Confederate cavalry under Van Dorn and Forrest cut Grant's line of communications, forcing him to retreat, and Sherman was repulsed in the battle of Chickasaw Bluffs. In January 1863, Grant concentrated his army across the river from Vicksburg. After several unsuccessful attempts to gain an approach to the seemingly impregnable city (February – March 1863), Grant in April began a brilliant move to capture the city from the south. He moved south and crossed the

river on Commodore Porter's fleet which had passed the Vicksburg batteries on the night of April 16-17. Joined by Sherman on May 7, he marched northeast and then turned west at Jackson. After defeating the Confederates at Champion's Hill and Big Black River Bridge, he eventually began the six-week siege of Vicksburg which culminated in the surrender on July 4, 1863.

In his history of the 22nd Louisiana Infantry, Bergeron writes (and in so doing compounds the inaccuracies of David Todd's demise), "the men of the 21st (the regimental designation had been changed in January, 1862) all became prisoners. During the siege the regiment's casualties had totaled 2 officers and 14 men killed, 7 officers and 43 men wounded, and one deserter. One of the wounded officers was Captain David H. Todd, who died in 1866 as a result of his injury."³⁴

At Vicksburg, on July 8, 1863, Todd gave his parole under oath as "Captain, Co. A, 21st Regt. Louisiana Vols., C. S. A." The regiment, now a part of Brigadier General. Louis Hébert's Brigade, moved to Demopolis, Alabama, during the last days of July or the first part of August to await exchange. On September 2, 1863, the 21st moved to a better – organized parole camp near Enterprise, Mississippi. David Todd spent much of this period on leave in Selma, Alabama, presumably with his sister, Elodie. As Bergeron concludes his history of the regiment:

On December 26 the regiment was partially exchanged, and within several days it was armed and equipped. Lieutenant General Leonidas Polk ordered on January 16, 1864, that the remnants of the 3rd, 17th, 21st, 22nd, 26th, 27th, 29th and 31st Louisiana regiments remaining east of the Mississippi be consolidated into one regiment. Consolidation accomplished by January 26, the new unit was designated the 22nd Louisiana Consolidated Infantry, or 22nd Heavy Artillery, with 780 men....During its Civil War career, the 22nd (21st) Louisiana Infantry had proven itself to be one of the finest heavy artillery units in the Confederate army despite the fact that that its men's disparate professional backgrounds had not prepared them for this aspect of military service.... Punishing blows were dealt to Federal gunboats and ironclads at Vicksburg and twice at Snyder's Bluff. So highly esteemed was the 22nd that it was assigned the task of defending the largest and most important fort on the Confederate line behind Vicksburg, a feat it performed exceptionally well. When the men were mustered into the new 22nd Consolidated Infantry, it could truly be said of them that they had borne themselves 'with distinguished gallantry.'³⁵

The records of David Todd's remaining Civil War service are incomplete, perhaps because he was on "detached" service for much of the time. The service began with another undesirable assignment outlined in a Spe-

cial Order issued at "Headquarters – Demopolis, Ala," dated February 23, 1864:

Capt. D. Todd P.A.C.S. will proceed at once, with a detail of Two Officers and Ten Men to Selma Ala. and report to Capt. J. C. Graham A.Q.M.[Assistant Quartermaster] to assist in impressing horses for the Artillery of this Army. Quartermaster will furnish the necessary transportation.

By Command of Lieut. Genl. Polk

Sd. Actg. Chf. Of Artillery

This was followed by a receipt for \$180.00 for his personal expenses from the February 24 – 9 March 1864; a receipt for \$87.60, dated February 22, 1864 from Selma Arsenal for "1 Officers Saddle, 1 Breast Strap and 1 Gripper, for his own use;" and two "Requisitions for Forage," also at Selma, dated May 17 and June 1, 1864. These requisitions were signed, "D. H. Todd, Capt. 21st La Rgt., Act (or Asst) Chf. Artillery, Lorings Div." All but two of the remaining papers pertain to another degrading situation he encountered in his assignment as Impressing Officer:

The incident, described in the following letters, occurred while he was performing his duties as Impressing Officer in the town of Claiborne, Monroe County, Alabama, in April 1864:

Meadow Bank, near Claiborne, Alabama

April 21, 1864

To the Honorable James A. Seddon
Secretary of War of the Confederate States

We have had & yet have at Claiborne, a captain D. H. Todd calling himself impressing officer acting under authority of Maj. A. M. Paxton, assistant Quarter Master, and against whom I prefer the annexed charges which I am prepared to establish. He has come here with the annunciation that he is the Brother in Law of Mr. Lincoln. I address this communication to you & hope to have early action in the matter. I am Respectfully

Your Obdt Servant

Robert G. Scott

1st I charge Cap. D. H. Todd with duplicity & deception in the discharge of his official duties as impressing officer of the Confederate States in the county of Monroe, acting as he represents under (authority) of Major A. M. Paxton, assistant Quarter Master.

2nd I charge him with insulting and striking in his office a citizen of the county of Monroe & otherwise maltreating him; that citizen being in the office attempting to transact business with the said Todd, & while the said officer was surrounded by his soldiers.

3rd I charge him with giving a false certificate in reference to impressed property.

4th I charge him with taking and holding property as condemned for the Confederate States & as regularly appraised for the Confederate Government that he never previous to such appraisement offered to purchase at any price.

5th I charge him with receiving a gift made to him individually of a horse from one with whom he had just transacted business in reference to the impressment of horses for the Confederate States.

Robert G. Scott

April 21, 1864

Mr. Scott wrote a second letter, dated April 27, 1864 to General Polk with the same five charges, but with a different introductory paragraph:

To Lt General L. Polk

Sir,

A Captain D. H. Todd calling himself impressing officer acting under authority of Major A. M. Paxton, has been here, & against whom I prefer the annexed charges & which I am prepared to establish. I am an entire stranger to you, but refer you the Honorable Mr. Lyon, member of Congress from the District in which Demopolis is, & to the Honorable Willis P. Bocock of the county of Marengo. I ask the arrest of D. H. Todd, if really a Confederate officer, & his trial. Be pleased to give me an early reply. I am

Your obdt Servt

Robert G. Scott

The letter did make its way to the Secretary of War, received his endorsement, and was sent by the Adjutant & Inspector General on May 28, 1864, to Major A. M. Paxton who was in charge of "Impressing Animals in Alabama" and directed him to investigate the charges.³⁶ It was noted on the correspondence that, "The writer is a responsible citizen of Alabama." Indeed he was; as noted by Thomas Owen in his *History of Alabama and Dictionary of Alabama Biography*:

Scott, Robert Gormain, lawyer, was born December 22, 1791, at Savannah, Ga., and died 1870 at Claiborne, Monroe County....He graduated at the University of Georgia and at William and Mary, Williamsburg, Va. where he practiced law before settling in Richmond, Va. He was a member of the Virginia legislature and afterward was elected a member of the council of state. He was a noted criminal lawyer and had a large practice outside of Virginia. He was a captain of cavalry in the War of 1812, a Democrat in politics and consul to Rio de

Janeiro, Brazil, under President Polk. At the age of seventy- five, he went to Mobile and volunteered to defend the city during the war of secession.³⁷

Major Paxton apparently replied to Mr. Scott on June 8, 1864 and Scott wrote to him on June 17, 1864:

Meadow Bank Near Claiborne, Alabama
June 17, 1864

Major A. M. Paxton

Sir,

Your letter of the 8th inst was received by me on the 14th just as I was about to leave home & I now hasten on my return to answer it: It has now been nearly two months since I preferred charges against a certain D. H. Todd acting as impressing officer; & hearing nothing officially of them (although I could hear he had knowledge of them by some instrumentality) I had concluded that the charges were deemed of too little importance by those high in authority for any notice from them. By your communication however, I am notified that they have been referred to you for investigation, & you inform me that the charges are in some respect indefinite, & you ask of me to be more specific. Before proceeding to comply with this request I have to enquire of you, if I make these charges specific & distinct, in what manner is the "investigation" to be made by you? – Shall I be heard in that investigation, & be permitted by proof to establish the charges I have made? – Will the proof be an oath, & be subject to cross examination? – Will the investigation be open or secret? – I ask to be informed on these points, as I learn the man accused has been busy in procuring certificates & endeavoring to forestall the enquiry into his conduct. I have nothing to conceal in this matter & I have in advance frankly to say that if the "investigation" is to [be] conducted before you upon such materials & secretly I would scorn to have part in it & I would not value it as worth a pepper corn. Give me a prompt reply to this, & I will according to what you inform me shape my future action in this matter.

Very Respectfully

Robert G. Scott

The "certificates" that Mr. Scott mentioned are apparently the three letters supporting Captain Todd that were in the CSR. One of the letters is completely illegible and the other two were written by Samuel Forwood of Gosport, Clarke County, Alabama:

Gosport, Clarke Co. Ala

To Capt. David H. Todd

Dear Sir,

You having informed me on yesterday that Col. R. G. Scott had preferred charges against you in regard to the performance of your duties as an "Impressing Officer" in impressing Horses whilst at Claiborne. One of the charges made by Col. Scott you informed me was that I had bribed you by giving you one of my Horses. I take occasion to say here it is an emphatically a foul and slanderous falsehood.

In this statement I will mention the facts as they occurred in reference to my Presenting you a Horse. After you had examined my Horses and refused them saying they were not suitable for artillery service, I afterwards insisted on your taking one of them as I wished to do something for the Government and said to you as an evidence of the fact, that I would present you with one, the largest Horse of them. You asked me if I meant it as a present to yourself. My reply was you were not a Government Officer. You answered in the affirmative. I then said I will present him to you; you replied that you could not accept of him, unless I would make you a Deed of Gift to him. I told you to write one out for your own benefit & use which was done and I signed it. On these terms you accepted it and mentioned previously you could not on any other terms, saying you might be accused of Impressing Horses for the Government and then appropriating them to your own use. I think I have recited the substance of the Horse case. Mr. Seymour and two other men were present and I am satisfied they will endorse the same.

I will further take occasion to state that I never saw you in my life only short time the day before when I went to Claiborne to see you to get you to come over to my House to get my Horses. You informed me that I must bring them the next morning which I did and the result was what I have stated in the foregoing. Sir I had, and still have, a better opinion of you than to have offered you a Horse to bribe you even had there been the remotest occasion to have done it. And will say even though I am 65 years of age I would spit in any man's face that would ask one of me.

I will further add in justice to you, as I think, no man could have given more satisfaction by doing impartial Justice than yourself, so far as came under my own knowledge.

There are men who ranted and bellowed for the war before it commenced - thinking it would be over before breakfast. But now call upon them to fight, or assist by giving a part of their substance to carry it on, you will find them the most cold & complaining beings in the Confederacy. They are mad with every body who will call upon them to help, or to fight. They will do neither if not forced. I say force them.

Respectfully Yrs.

S. Forwood

Gosport May 21st 1864

Capt. D. H. Todd

Selma, Ala

Dear Sir,

I wrote out a statement of facts in the Horse Present case, or as is insinuated by old Col. R. G. Scott, the Horse Bribery case. I put the letter on board the Steamer Rindin? myself today. I met the Col. on board of her and took him to one side and told him I understood he had preferred charges against you and that one of them was that I had bribed you by presenting you with a Horse. He denounced it as false. He took out the paper preferring charges against you and read them. He has several charges, and the Horse amongst this list. He says that he does not mean in the charge that you were bribed but that it was improper conduct in you to have received the Horse being Government Impressing Officer. It matters not to me in what light he places on it. So that he denied to me of saying it was a Bribe given by me to you. I read him the most of my letter, all of it, as far as the Horse matter was concerned, and sealed it in his presence. He asked if I was going to send it to you with out explaining what he said. I then opened it again and got the slip of Paper enclosed from the Clk. of the Boat and wrote what you will find on it. The Boat was about leaving. I did not have time to say more, consequently write now to explain fully.

Now I will give you what he says. He said he was a going to persist in the preferring of the charges to the death. My own opinion of them is they are simple and silly and founded in malice, and if proposed ought not to be noticed by any sensible Board of men. I also think what he has said about the Horse, if he sends up any such charge, though he avers to me was not a charge of bribery against me (as in my presence he dared not to make such a charge against me) that by the insinuating manner in which he has written it out it was intended to bear that light against you and common sense would say if you were guilty I participated in it and must be equally so. You are at liberty to use my letter as you please. I have had no connivance and have no secrets to conceal.

Mr. Jas. R. Bettis, Frank Nichols & Mr. Seymour will all endorse what I said in reference to the statement in regard to presenting you the horse.

It is a ponderous document of nonsense. I wrote to Lorenzo James, stating the facts you wished him to give about the Fuss. Right here I will say to you what Col. Scott said to me shortly after it happened. He said he was raising his stick to strike you but you struck to quick for him and knocked him down and persons present separated you. Otherwise he would have hurt you before he would have been done with you.

Respectfully Yrs.

S. Forwood

I have no stamps to pay Postage, being out, will send this on the morning Boat.

David Todd replied to the charges preferred against him by Robert G. Scott in a letter to Major A. M. Paxton dated September 27, 1864:

Selma, Ala, Sept 27, 1864

To Major A. M. Paxton
Chf Insp Field Transpn
Brandon, Miss

Sir

I am today in receipt of a Copy of the charges preferred against me by R. G. Scott a citizen of Monroe County Ala. To these charges I give a most distinct and positive denial and state they are malicious, false & unfounded, as well as absurd and ridiculous.

Previous to my entering Monroe County, and while on duty under your orders in the adjoining county of Wilcox, I notified the citizens of Monroe Co that I would attend at Claiborne, and Monroeville on certain days for the purpose of impressing artillery horses for the army then at Demopolis under Lt Genl Polk.

This R. G. Scott took great pains as I learned on my arrival in Monroe Co, to create a bad feeling amongst the Citizens of his County, not only against the duties I had to perform (already sufficiently disagreeable) but also against me personally, as being the Brother-in-Law of Mr. Lincoln, President of the U. S. This fact caused me some trouble and created a bad impression, which it required sometime to remove.

In the pursuance of my duties, I have always strictly adhered to the Law and the instructions furnished me: Giving notices of desire to purchase and in cases of impressment furnishing certificates on forms furnished for that purpose from the Quarter Master's Department.

It is true that a scuffle took place in my office at Claiborne, but caused in the endeavor to protect myself from assault made by this same R. G. Scott upon me (he being a very old man and feeble). When he entered my office, he commenced a furious tirade of abuse because I had impressed from his wife (he owning no property) a pair of carriage horses. He accused me of making a false certificate, of being a liar and used every term of abuse an angry man could. I told him I wished he had twenty years less upon his head; that his age protected him from my just resentment. Finally he raised

his cane to strike me, when I attempted to take from him the cane and in the scuffle for it, he fell to the floor. I did not strike him, though he well deserved a good beating from me. I append statement made by an intimate friend of Col Scott & a statement made by other citizens of Monroe County who were present at the time of the difficulty, which shows distinctly the forbearance I exercised.

As to the 5th charge – I accepted a horse from Col S. Forwood – a stranger to me. This gift from, so far from being a stain, I consider a great complement to me. Few officers on such duty can expect to make friends amongst the citizens however courteous and impartial.

I have good reason to believe I left behind me many friends and but one enemy in Monroe County that I know of, although I am conscious I performed my duty.

I could readily produce the evidence of my clerk and two other soldiers present at the time of the difficulty, said men being in the escort of Genl Hood, but think the evidence of citizens sufficient to prove the charges malicious, and having their origin in the brain of an irritable, arbitrary and avaricious dotard.

I am, very Respectfully
Your Obdt Servt
David H. Todd
Capt. 21 La Regt

There was no official document giving the final disposition of this case in the CSR's or in the Record Group 109 Letters at the National Archives. There was, however, this letter from Major G. W. Holt, Office of the Adjutant and Inspector General:

Meridian, Sept 6, 1864

Capt. D. H. Todd

Capt.

Your communication was received yesterday and in answer to your question I will inform you that I think you need not trouble yourself about the matter any longer. The letters you sent to me relieved you from all censure in the case, and the charges were deemed absurd. The reason the papers have not been returned to you is because they were referred to Maj. Paxton and he has not as yet returned them. Hoping this will prove satisfactory.

I am Capt.
Your Obd Sv
GW Holt, Maj A IG

The remaining documents of interest in the CSR's were David Todd's application for disability retirement from the hospital at Marion, Alabama, dated January 6, 1865, which was mentioned earlier and his parole after the surrender given at Meridian, Mississippi, and dated May 15, 1865. His illness probably accounts for the lack of documentation in his records for the last eight months of the war.

The circumstances of David Todd's marriage on April 4, 1865, in Marion, Alabama, to the young widow, Susan Turner Williamson, of Huntsville, Alabama, were told (so far as they were known) in my earlier article concerning him.³⁸ They moved to Huntsville in late April 1865, and took up residence in the Turner home at the corner of Franklin and Gates. David apparently joined his father-in-law, Daniel B. Turner, in his mercantile business which had its beginnings in the early 1820's. A daughter, Elise, was born to the couple on January 22, 1866. In order to regain the rights of full citizenship, David Todd applied in May 1867 for a pardon under President Andrew Johnson's amnesty proclamation of May 29, 1865. Johnson's proclamation supplemented President Lincoln's proclamation of December 8, 1863, which declared a general amnesty for most persons, but required applications for special pardons for seven classes of persons such as Confederate officials and Confederate military officers above the rank of colonel. Under Johnson's proclamation, 14 classes of persons were excluded from the general amnesty. The pardons of the 95 Madison County, Alabama residents in these categories are discussed in an earlier article by the author.³⁹ David Todd's request for pardon and the recommendation by his cousin, J.B. S. Todd, are shown below:

Huntsville, May 15, 1867

His Excellency
Andrew Johnson
President
Washington DC

Mr. President

Having taken an active part in the late war on the side of the South & having since the surrender of all the Southern armies taken at Nashville Tenn the oath described under the "Amnesty Proclamation" I would respectfully request that you grant me dispensation from the penalties of being worth more than \$20, 000 & having as a soldier in the Mexican war, taken an oath to support the Constitution of the United States, both exceptions being disqualifications to vote or have anything but an existence or privilege of living in my home with a keen patriotic feeling. I fought in

1846-47 and with the same idea of duty in the last war to the best of my ability & can again shoulder my gun in the defense of what is my country. Prior years have satisfied me as to what is my country and to that is my allegiance due.

Respectfully &
Your Servant
David H. Todd

Washington, D. C.
June 22nd 1867

The President:

I have the honor to enclose the application of David H. Todd of Huntsville, Alabama, for a release and pardon of the laws and penalties incurred in consequence of participation in the late rebellion, and to respectfully recommend and request that Executive clemency be extended to him. His letter is frank and explicit and the promise it contains explicit and positive. Knowing him from his boyhood I have every confidence in his plighted word. I also appeal to your Excellency's clemency in his behalf on my own account – twenty years of active service in the army of the United States and my services in the army during the late rebellion in defense of the Union, I promise myself, will induce you to favor this application.

I am very Respectfully

Your Obt Servt

J. B. S. Todd

Dakota Ty ⁴⁰

General J. B. S. Todd states that David Todd's letter is "frank and explicit" and it is certainly that and quite different from any of the other Madison County applications. Its tone is what one might expect from a "soldier of fortune" or, at least, a professional soldier and David Todd's career, to that point, is even suggestive of the former. This characterization together with the ever present factor of his special relationship could account for the problems he encountered during his Richmond prison assignment. He probably thought his responses, the accounts of which may have been exaggerated, were required to maintain order and, so far as is known, no official charges of cruelty were ever filed against him by either the Federal or the Confederate government. It will be noted that even the frivolous charges of Robert G. Scott were investigated expeditiously.

As yet, there is no other information available concerning David Todd's remaining years. He died on July 30, 1871 and was probably buried near

his father-in-law, Daniel B. Turner, in Plot 4-6-5 of Huntsville's Maple Hill Cemetery, but their stones have not survived. Turner died in January 1867. So let us think a little more kindly of Captain David H. Todd as we view the item below, which is a copy of his funeral notice in the Emile Todd Helm Helm Papers:

FUNERAL NOTICE

*The friends and acquaintances of the
Late CAPTAIN DAVID H. TODD and family, are
invited to attend his funeral at the Church
of the Nativity, this afternoon at
5 ° o'clock.*

HUNTSVILLE, ALABAMA August 1, 1871

APPENDIX

Camp near Corinth (Tennessee) April 21, 1862

Capt. D. Todd:

Dear Sir – I have just received your letter requesting particulars concerning the death of your brother, Sam'l B. Todd. He was my particular friend and I lament his loss as I would that of my own brother. We fought side-by-side unhurt through the battle of the 6th, and slept together that night in one of the enemy's tents. At about ten o'clock next day, when our regiment was making a charge upon the enemy, he fell, pierced through the lower part of the abdomen by what I suppose to have been a Minie ball, from the nature of the wound. As soon as possible afterwards, Lieut. Field, myself and two other men, carried him out of range in a blanket, procured an ambulance and sent him to the hospital. Our regiment was ordered to another part of the field, and I found it impossible to get an opportunity of seeing him afterwards

I understand that one of our men, named George French, who was wounded and returned to the city, stated before he left that your brother was put into one of our wagons, died on the way in to Corinth, and was buried by the side of the road. French can be found at French's Auction Store, Poydras St. See Directory. If this be true, I don't think that the men who were present, or who drove the wagon, belong to this regiment, as I have been unable to find any one who knows anything about it. If true, however, it would be easy to recover the body.

I have written to his widow, giving her the particulars of this unhappy affair, and should I obtain any further information I will communicate with you both.

Respectfully yours,

G. W. Stoddard

Corinth (Tennessee) 22 April '62

Friend Dave,

Yours of the 18th at hand, I regret sincerely that even at this late date you should not be in possession of the facts concerning the death of your Brother. It certainly has been from no fault of mine, as I have made a special request of each member of the company who has returned (and there has been some 10 or 12) to see that your brother's family were made acquainted with all the particulars in our possession. I thought they might do this much as a large portion of our time, immediately after our return from Shiloh, was absorbed in getting their furloughs, discharges, etc.

Well to the facts: from the time I first met you brother at Camp Crescent to the time I last saw him, can heartily testify that he conducted himself in every respect as becomes a first class soldier. On Sunday he fought with us the whole day. On Monday morning we were under fire for a considerable length of time without being able to reply. The Washington Artillery was placed in battery, a very advanced position – we supported them under the most murderous fire you ever had any idea of. The Yankees advanced steadily, the whiz of the minie balls increased at a fearful rate. I heard the artillery boys calling on their mates for “Cannister,” the Yankees were within 70 or 80 yards and becoming very visible. The artillery lumbered to the rear, one piece, of which one after another all the horses were shot down, by that delay lost our Regt some 3 or 4 gun shots – we were ordered to advance – done so – fired 3 or 4 rounds and drove the Yankees back and as we were in a very exposed position and the Yankees entirely under cover, we were ordered to fall back to a Ravine. It was in falling back that your brother was shot. I was not aware of his being absent when we formed in the Ravine, we had been there but a short time, however, when I saw him coming down the hill apparently wounded. Stoddard, myself and 2 or 3 others immediately ran to him. Bosworth unstrapped his blanket from his saddle and we put him in and carried him to the ambulance. He was shot by a minie ball, which I believe passed entirely through his body. I noticed the wound only in front in the lower part of the abdomen, from which the intestines protruded. We left him in the ambulance & cautioned the driver particularly about driving carefully. He seemed to think his wound mortal and the last remark in answer to mine saying “I hoped it was not serious” was “Ah. Lieut., I believe they have got me this time.” The ambulance drove off and that was the last time I ever saw him. Private Geo. B. French (now in the City) says he saw him afterwards in the ambulance and talked with him and afterwards saw the driver of the same ambulance who told him that his friend (meaning your brother) had died and they had buried him. This is all the information I have about his death. You had better call

on French. I gave three or four little things from his effects to your brother (who called on me) and to your brother-in-law - have forgotten the names of both – the remainder I sent to his wife – there was very little, but you know how soon a soldier gets rid of all surplus weight.

I made the following mention of him in my report to the Colonel:

“ON the 7th, in the first charge, Private Samuel B. Todd was mortally wounded (I may be permitted to observe that he is a brother-in-law of Abraham Lincoln, Prest. of the Northern Republic). Both here and in the engagement on the previous day, he displayed remarkable coolness, bravery and courage. His loss will be a source of deep regret to his fellow soldiers. Always pleasant and ready to do his duty, either in the trenches with a spade or on the field of battle, he died as he had lived, a true Knight worthy to be remembered hereafter”.

You must excuse not only the composition but the lack of legibility as I am flat on my back in the Crescent Hospital.

Yours,

Seth R. Field

Lt. Cmdg.

Co. A

Cres.Reg.

ENDNOTES

¹ Norman M. Shapiro, “The Star of the Collection,” *The Huntsville Historical Review*, Vol. 24, No. 1 (Winter-Spring 1997), pp. 1-17.

² Jean H. Baker, *Mary Todd Lincoln: A Biography* (NY: W. W. Norton, 1987), p. 223. Elizabeth “Betsey” Humphreys Todd, Robert Smith Todd’s second wife whom he married sixteen months after the death of his first wife, Eliza Parker Todd.

³ Justin G. Turner and Linda Levitt Turner, *Mary Todd Lincoln: Her Life and Letters* (NY: Alfred A. Knopf, 1972), p. 155.

⁴ C. W. Hackensmith, “Family Background and Education of Mary Todd Lincoln,” *Register of the Kentucky Historical Society*, Vol. 69 (July 1971), p. 192.

⁵ Emile Todd Helm was the only sibling of the “second” Todd family with whom Mary Lincoln maintained a close relationship during the war. She married Benjamin Hardin Helm, a distinguished Kentuckian and an 1851 graduate of West Point. A particular favorite of Lincoln, the President offered him a commission in the United States Army which he did not accept. He remained with the Confederacy, became a brigadier general, and was wounded and died at Chickamauga.

⁶ Katherine Helm, *The True Story of Mary, Wife of Lincoln, Containing the Recollections of May Lincoln's Sister Emilie (Mrs. Ben Hardin), Extracts from her War-Time Diary, Numerous Letters and Other Documents now First Published* (NY: Harper & Brothers, 1928).

⁷ William C. Davis, *Breckenridge: Statesman, Soldier, Symbol* (Baton Rouge: Louisiana State University Press, 1974).

⁸ Shapiro, "The Star of the Collection," p. 9.

⁹ Baker, p. 222.

¹⁰ Much of the 1860 New Orleans Population Census, which might have described this endeavor, was not legible.

¹¹ Helm, p. 210.

¹² Nathaniel Henry Rhodes Dawson, *Papers, 1851 – 1915*, No. 210 of the Southern Historical Collection, manuscripts Department, Library of the University of North Carolina at Chapel Hill.

¹³ At the bottom of the page is written "Died at B. Rouge". Apparently the copyist confused David Todd with his youngest brother, Alexander H. Todd, who was killed at Baton Rouge, Louisiana in 1862.

¹⁴ Theophilus Hunter Holmes was, in June 1861, Brig. General in the Provisional Confederate Army and then commanded Reserve Brigade at First Manassas.

¹⁵ *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, Series II, Vol. III* (Washington, DC: Government Printing Office, 1897), p. 687.

¹⁶ *Ibid.*, p. 683.

¹⁷ William B. Hesseltine, *Civil War Prisons* (Kent, OH: The Kent State University Press, 1962), p. 5.

¹⁸ Ernest B. Ferguson, *Ashes of Glory: Richmond at War* (NY: Alfred A. Knopf, 1996), p. 85.

¹⁹ Robert W. Wait, Jr., *Confederate Military Hospitals in Richmond*, Publication No. 22, Internet, www.mdgorman.com/general_hospital_24.htm.

²⁰ See Arch Frederic Blakey, *General John H. Winder, C. S. A.* (Gainesville, FL: University of Florida Press, 1990), p. 213.

²¹ Michael D. Gorman, *Civil War Richmond / Prisons*, Internet, www.mdgorman.com/prisons.htm.

²² This was the first of two battles near this place; the second battle was fought 29-30 August 1862. They were both Confederate victories. The Union called the battles, First and Second Bull Run.

²³ William H. Jeffrey, *Richmond Prisons, 1861 –1862* (St. Johnsbury, VT: The Republican Press, 1893).

²⁴ *Ibid.*, pp. 13-14.

²⁵ *Ibid.*, pp. 14-15

²⁶ *Ibid.*, p. 83.

²⁷ Ibid., p. 111.

²⁸ Ibid., p. 131.

²⁹ See, for example, C. T. Clyne, *Andersonville and Other Civil War Prisons, North and South* (Cincinnati OH: Cincinnati Civil War Roundtable, 1997), Internet, <http://members.aol.com/cinticwrt/anders.html>; and Harnett T. Kane, *Spies for the Blue and Gray* (Garden City, NY: Hanover House, 1954), p. 238, Internet, www.civilwarhome.com/crazybet.htm.

³⁰ The regiment was organized March 28, 1862, from independent companies, as the 22d Regiment Louisiana Infantry and the designation changed about January, 1863, to the 21st (Patton's) Regiment Louisiana Infantry. It was consolidated with the 3d, 17th, 22d, 26th, 27th, 28th and 31st Regiments Louisiana Infantry by S. O. No. 16, Department of Alabama, Mississippi and East Louisiana, dated January 16, 1864 to form one regiment which was designated the 22d Regiment (Consolidated) Louisiana Infantry by Special Order No. 34, Department of Alabama, Mississippi and East Louisiana, dated February 3, 1864. Battle History: New Orleans (April 18-25, 1862); Vicksburg Bombardments (May 18-July 27, 1862); Chickasaw Bayou (December 27-29, 1862); Snyder's Mill (December 27, 1862); Fort Pemberton (March 11-April 4, 1863); Snyder's Bluff (April 30-May 1, 1863); Vicksburg Campaign (May-July, 1863); Vicksburg Siege (May-July, 1863).

³¹ Arthur W. Bergeron, Jr., "They Bore Themselves with Distinguished Gallantry: The Twenty-Second Louisiana Infantry," *Louisiana History*, Vol. 13, No. 3 (1972), pp. 268-270.

³² Edwin C. Bearss, *Rebel Victory at Vicksburg* (Vicksburg, MI: The Vicksburg Centennial Commemoration Commission, 1963), p. 137.

³³ *War of the Rebellion, Series I, Vol. XV*, p. 10.

³⁴ Bergeron, pp. 279-280.

³⁵ Ibid.

³⁶ The letter sent to the Secretary of War and endorsements was in File 657-T-1864 (Letters Received by the Confederate Adjutant & Inspector General's Office) and was obtained from Record Group 109: War Department Collection of Confederate Records at the National Archives.

³⁷ Thomas McAdory Owen, *History of Alabama and Dictionary of Alabama Biography, Vol. III* (Chicago: J. S. Clarke, 1921), p. 1511.

³⁸ See Shapiro, "The Star of the Collection."

³⁹ Norman M. Shapiro, "The Pardons of Madison County," *The Huntsville Historical Review*, Vol. 22, No. 1 (Winter-Spring 1995), pp. 1-29.

⁴⁰ John Blair Smith (J. B. S.) Todd was David Todd's first cousin. A graduate of West Point, he was a brigadier general in the Union army during the war and the Dakota's first delegate to the U.S. Congress.

“My Very Dear Wife”: The Letters of a Union Corporal, Part II

BRIAN HOGAN

[Editor’s Note: This is a continuation of Brian Hogan’s article published in the Summer-Fall 2002 edition of The Huntsville Historical Review, based on the letters written by Corporal Henry Ackerman Smith, 21st Regiment, Ohio Volunteer Infantry to his wife during the Union occupation of Huntsville and Athens, Alabama during 1862. The second part of this article begins with two letters not published in Part I, and concludes with an epilogue which recounts Smith’s life after the Civil War.]

Author’s Acknowledgement: I want to take this opportunity to thank Renee Pruitt, Archivist at the Huntsville – Madison County Public Library and Pat Carpenter of the Library’s Heritage Room for their help in preparing this article. Renee transcribed a number of Henry Ackerman Smith’s letters to his wife, and Pat tracked down the authors of the poetry quoted by Henry in several of his letters.

Letters of Henry Ackerman Smith

*Camp Taylor
Huntsville, Alabama
May 12th, 1862*

My very dear wife,

I received a letter from you today written on the 19th of April and which I had accused Morgan of stealing but it has come around all safe only a little after time.

I likewise received three Commercials a few days ago for which you have my kindest thanks.

I perceive by the letter received today that my letters have not been reaching you regularly. This has been the fault of the mail and not mine, for I have written every five or six days ever since I left Nashville and never have I written less than 3 sheets during that time. But I will dismiss this topic hoping that by this time you receive my letters tolerably regular.

Note on Sources: The letters of Henry Ackerman Smith published here were obtained by the author from the holdings of the Western Historical Manuscripts Collection, 23 Ellis Library, University of Missouri – Columbia, Columbia, MO 65201-5149. Reference information is: Smith, Henry Ackerman (1837-1907), Papers, 1861-1907, (C431), 2 Rolls (Microfilm), Roll 1: Letters to his wife; Roll 2: Autobiography.

Since I wrote last we have had another of those sudden expeditionary journeys that characterize our stay here. On the night of the 9th ult we received orders to march at 10 o'clock P.M. and with utmost haste we packed up, called in guards, and were off. This was done so suddenly that we were gone before the citizens were aware of our intended departure. We were loaded on the cars together with the 15th [Kentucky Regiment] and away we went. Of course our trip was uninteresting as we went as darkness obscured every object and I slept most of the way. In the morning as old "Sol" sent forth his first rays we found ourselves in the pleasant town of Athens, Limestone Co. where we were informed the rebels were concentrating for the purpose of attacking us.

There we found the 8th Brigade and with our regiment we considered ourselves sufficiently strong to resist any attack.

Five dead bodies were brought in during the forenoon and we soon learned that the rebels retreated (according to their custom) as soon as they captured a company of our men (Co. E, 37[th] Indiana) after killing those above referred to.¹

We attended worship in the forenoon on yesterday and were addressed by the Chaplain of the 37th Indiana Reg. It was the funeral sermon [for] the five men buried the day before.

While yet the service was incomplete we were startled by the shrill notes of the bugle which we knew too well meant a march, but as soon as we found out that we were destined to this place we were well pleased as our tents had not been removed.

I was much pleased with the country between here and Athens and it will undoubtedly be very wealthy after awhile, when the forests are felled and their places supplied by fruitful fields.

One thing I perceive-that the planters are raising less cotton and more corn this year than ever before and I presumed they were admonished by the scarcity of provisions at this time.

We arrived here on yesterday eve and found everything as quiet as usual. On last night I was detailed for guard and as the night was very pretty I enjoyed it. The almost perfectly serene night was enlivened by the unceasing carols, chirrups, screams, and warbles of the mockingbirds. I have not heretofore referred to this splendid bird nor can I give you a very distinct description of it. The color is like that of the catbird of Ky., only the wings have a white spot on each, not unlike shoulder straps. The bird is as large as the dove with longer tail feathers and in mocking it does it to perfection. At one time a blue jay, then the plaintive notes of the whippoorwill, then the robin. Next the shrill notes of the hawk and so on through the category of feathered minstrels. I observe they do all their singing between sunset and sunrise and it is in the silent hours of the night when one can appreciate their notes.

Today I visited the famous Calhoun Garden of this city, ² reputed the best collection of rare plants in the U.S. and costing in the aggregate more than a quarter of a million of dollars. It is certainly one of the attractions of Huntsville and is well worth the visit. The beds are all tastefully laid off and bordered with box plant, a little evergreen shrub growing to the height of six or eight inches, and the walks are bordered with an evergreen which I judge to be a species of bay tree, and some with cedar which looks quite homely in this spot of beauty.

The roses I admired most and there were more species than I had an idea could be collected.

I do wish darling Minie that you could see this garden. I know your sensitive mind would sympathize with the surrounding objects and it would furnish you an agreeable hour. Or that I could stroll together with you and hear the sweet accents of your voice. What a pleasure this would afford me. Oh I want this hateful war to terminate that I can come to my long absent Minie and enjoy the long severed relations that we once enjoyed before this wicked war was.

I am in the enjoyment of the very best health and I am sure when I return to you dearest I will have a restored health, for I have been strengthened in adversity and now when good weather has set in no ills seem to betide me. I am gratified with the progress of events and I have no doubt that the war will be over, at least as far as fighting is concerned, by the 4th of July or even before that.

The weather now is very warm so that we have to suspend drilling generally but I am not sorry for that.

We have drilled so much that we consider ourselves veterans in practice and adepts in experience. (I should have said veterans in experience and adepts in practice.)

Minie my mind is dull and I cannot write anything like a letter as I should. This I suppose is owing to loss of sleep on last night and the warmth today. I will just say darling that I desire your kind prayers for my continued health and safety and to hear that you are still striving to gain the Eternal reward of righteousness in heaven.

Let nothing keep you from a studied obedience to your good and kind parents. Be cheerful and kind to your brothers and sisters and in all things comport yourself as becomes a child of God and the example of Christian virtue.

It cheers me dear to think that while I am to do battle for my country that you are at home having willingly sacrificed your hopes and aspirations for the future, for the good of our flag. I am persuaded that we will be rewarded.

Sweet peace will soon be restored and then I can rejoin you never to be parted except by death.

Write soon.

I am your affectionate Husband, Harrie

Direct in care of Co. D
21st Regiment O.V.
Mitchell's Division
via Nashville, Tenn.

Camp Taylor
Huntsville, Alabama
May 22nd, 1862

My sweet wife,

As I conjectured in my last letter, at this writing finds me once more restored to health and good spirits. I lost the pleasure of going on an expedition with my company by being unwell. They went to Fayetteville, Tenn. to break up some thieving bands of rebel plunderers and have not returned yet and of course cannot say what their success has been. I would like to have gone there as I hoped to meet with the 21st Ky. regiment which was there at latest accounts. But it may have gone away.³

My good spirits arises from the fact that I look upon a suspension of hostilities as a certainty and a speedy restoration of peace a matter of course. I expect to eat my 4th July dinner with you yet my dear and won't we be happy.

Oh will it not be a happy day when the herald of peace will proclaim the success of our arms and invite us, who have been shut out from the refinement of society, to our distant homes.

As the vindication of my country's honor how I shall rejoice to press the soil of Kentucky once more. But sweeter still will be the joy when I shall embrace you sweet Minie who have suffered the pangs of separation so long and trusted to the whims of fate. I thank God for his mercies to me & to you. Your fond and loving heart has not been made to bleed with sorrow while others have and soon in His mercy I believe I will be restored to you. Surely there is a Just God who rules the destinies of nations & though at first the rod of chastisement was laid heavily upon us but after we had drunk the dregs of a weak governmental policy we aroused, and by Almighty assistance stand out, an example of power. Our banners are inscribed with our achievements and our hearts are strong with the one feeling-"that in the right success attends the brave."

Our baggage train will without a doubt come through today and then I expect one of those sweet messages of love from you dear Minie, that so delight me.

I cannot complain. I have received letters with tolerable regularity while there are some here who have not heard from their families since we came here.

The weather is warm and pleasant and the nights are just right for our kind of houses. I discover that although we live "out of doors" that gnats and musketoës [sic] do not molest us in the least at night. Why this is I do not pretend to say unless there is yet a streak of sympathy in these pestiverous creatures and they think a soldier has trouble enough without submitting to their unwelcome attentions.

P.M. Joy! Joy! Joy!

A mail has come and as I expected I received a sweet message from you, but joy seems ever to be mixed with sorrow in this world. Accompanying [sic] your letter is one from Mr. Potts giving an account of the sad misfortune he met with. But we must be thankful that it was not worse and as no bones were broken I sincerely hope that he is entirely well before this time. I cannot find suitable expressions of thankfulness for all the kindness I have received at his hands and from his family. Let all please accept my sincere thanks for my being so kindly remembered at home, sweet home! To be thus remembered repays one though he must march over parched deserts or wade through seas of fire.

Oft in the stilly night when all is quiet (except the mockingbird-the Nightingale of the south) I think of home and to know that there is a reciprocal feeling, or that at home wishes are in unison with my own, makes me feel that the soldier's lot is not so hard as it might be. And this is the connecting link that binds us to society and makes our arms strong, and hearts brave, to encounter every obstacle.

Your letter dearest was written on the 25th & 28th of April and mailed May 3rd., Mr. Potts' written and mailed May 13th and I learn by his letter that you have been visiting your relations in Fayette. I hope you have had a pleasant time in your visit as you have been wanting to go there for some time.

I have only one source of annoyance and that is the unceasing impertinence of abolition scerners [sic] to keep these unhappy difficulties from coming to a close. They cannot wait for the close of war before they begin to plunder or to secure the spoil. I trust alone to the discretion of the President and hope he will still keep back these treasonable tricksters. By so doing he will be the savior of his country & by yielding he will be as one of [the] worst traitors.

I heard it rumed that Gen. Hunter had liberated the slaves of S. Carolina, Georgia & Florida. If he has and the president sanctions it I am ready to give up. It seems that there are always some blockheads who are undoing all that the rest does and if this is to be the way I cannot risk my life in sustaining it.⁴

I trust in God that this is not so and that I am needlessly alarmed. In what I say above, there are many who will do the same. Some say the three fourths of the regiment including the Colonel &c.

I could fight even better if I had the Abolition traitors together with the secesh, for then I would be assured that there are none behind to aggravate for us to remedy.

Excuse me darling for thus alluding to politics as I know it is an unpopular subject to you.

I have hitherto not told you of our camp at this place. It is a lot on which is an Academy⁵ and finely shaded, with large trees, just at the outskirts of town and with everything convenient except wood, which we get by railroad. Adjoining the rear is a wheat field already assuming the golden hue of harvest which reminds us that the true mission of man is not war, for here is other work for him to do. Gladly would I yield the paraphernalia of war and assume the garb of peace, but these unhappy difficulties must be settled if possible so that we may enjoy life in security.

But I ask again to be pardoned my dearest, because I am spinning out this letter without adding anything of special interest. Well, the fact is, here we are from day to day & nothing occurs but sameness and camp rumors and these latter it is useless to report as they are tracable [sic] to no reliable foundation and generally amount to nothing. We are doing nothing here now but holding this post which is considered of great importance.

But to conclude, be careful of yourself in every way. Expose yourself to no unnecessary danger. Be a good and candid Christian. Love and obey your good & kind parents. Esteem your brothers & sisters and merit their love. I return a kiss for Ninnie and wish it was a real instead of a paper kiss.

My kindest wishes to Mr. & Mrs. Potts & family.

My first offerings to you my dear Minie. Oh that I could see you & be with you.

Write every week, both your letters gave me sincere pleasure.

Address Mitchell's Division via Nashville, Tenn.

Your ever true and faithful,

Husband Harrie

Epilogue

Henry's last letter to his "darling sweet wife" is dated August 1, 1862. In that letter he wrote, "You say I ought to come home now. I promise you to be unceasing in my efforts to either get a discharge, or a furlough or a transfer. The last I can most readily get, and if I see that there is no chance of the other I will accept that and be transferred to a Kentucky regiment. Something seems to tell me that I will see you before another month."

Henry must have been notified later that same day that a transfer to a Kentucky regiment had been approved because his service record reflects a transfer date of August 1, 1862. Doubtless he would have left immediately, traveling by railroad via the Tennessee & Alabama railroad to Nashville and the Louisville & Nashville railroad to Nicholasville, a trip that would not have taken more than several days.

According to his autobiography ⁶ Henry was permitted to return to Jessamine County to enlist in the 9th Kentucky Cavalry ⁷. Shortly after he arrived in Nicholasville, he was captured, and paroled, by Confederate cavalry who had made an “irruption into Kentucky.” He claimed that he never had official notification of an exchange, so “didn’t again engage in active duty in the army.” This decision was to adversely affect him, and Minie, later in life.

Henry worked for a time in a mill at Hickman Bridge, Kentucky, and later at a store in the vicinity. In March, 1865 he moved to Indiana and taught school in North Vernon and Hardinsburg, where he connected with the Methodist Episcopal Southeast Conference and began preaching in various churches in that area. He returned to Kentucky in September, 1868, where he continued “teaching and preaching” in Kirksville until 1874, when he became a full-time preacher in the Methodist Episcopal Kentucky Conference, serving congregations in Mackville, Chaplin, Texas, and Bradfordsville, Kentucky. In 1882 he was asked to go to Cape Girardeau, Missouri to revive a church there. In 1891, he moved to West Plains, Missouri, and then to Poplar Bluff, Missouri in 1895, where, in 1899, he was placed in charge of the Bellevue Collegiate Institute, affiliated with the Methodist Episcopal Church, and in 1900, headed the Missouri Children’s Home Society.

Henry Ackerman Smith died on November 1, 1907 in Poplar Bluff, and his “Dear sweet Minie” joined him on November 6, 1931. They are buried side-by-side in the City Cemetery there. Henry and Minie had had eight children, five daughters and three sons. Their first-born, William Henry, was born July 19, 1863 while Minie was prostrated by typhoid fever and lived only twenty-one days. Their other children were:

- Eugene Herbert, born March 25, 1865, in Garrard County, Kentucky.
- Jessamine, born September 14, 1867, in Jennings County, Indiana.
- May, born September 2, 1869, in Kirksville, Kentucky.
- Blanche, born September 17, 1871, in Kirksville, Kentucky.
- Maggie Zue, born August 13, 1875, in Mackville, Kentucky.
- Mattie Ruby, born September 4, 1877, in Chaplin, Kentucky, and who died November 6, 1878.
- Roy Hiner, born January 30, 1880, in Texas, Washington County, Kentucky.

Henry applied for an Invalid Pension on February 9, 1903, at the age of 66.⁸ In his application he claimed permanent disability from "disease of urinary organs, nasal catarrh affecting nasal passages, auditory organ of right ear, (causing) gradual deafness, rupture of right side, and old age." On March 25, 1903, after investigating his military record the War Department reported:

The name Henry (or Harry) A. Smith has not been found on the rolls, on file in this office, of any company of the 9th Kentucky Cavalry Volunteers, nor has anything been found of record to show this man was a prisoner of war. His final record cannot be determined from the evidence before this Department. No record of his discharge from service has been found.

In a subsequent affidavit written in response to a request dated May 18, 1903 from the Bureau of Pensions Commissioner for further information, Henry wrote the following:

1. I failed to reach the 9th Kentucky Cavalry owing to the fact of my capture, and as I never received any notification of exchange while the regiment was in service, I never had any assignments.
2. I was on my way to where I was informed the regiment was on duty, (south of Richmond, Kentucky), when I was captured by a detachment of Morgan's⁹ cavalry about the time of the battle near Richmond, Kentucky¹⁰, and the next day I was guarded by one of Morgan's command, named Creath Robinson¹¹, who took me to Lexington, Kentucky, where I was paroled and allowed to return to my home. I was taken into custody at the turnpike crossing of the Kentucky River between Nicholasville and Danville, Kentucky.¹² The Provost Marshal who was my paroling officer was Colonel Gracie,¹³ who afterwards was Gen. Gracie of Alabama, and who belonged to Kirby Smith's Column. I continued to reside and work in Jessamine County, Kentucky, in that part of the county which became Camp Nelson, and was personally known to General Fry¹⁴ who was for long time commander of the post. My transfer and parole papers were lost in a desk carried away by a Tennessee company stationed for a time at Camp Nelson."
3. I never applied for, nor received a final discharge from the Ninth (9) Kentucky Cavalry.

Sincerely and fraternally, yours
Henry A. Smith

The War Department, obviously disbelieving Henry's statement, replied on July 29, 1903, that "Nothing has been found of record to warrant a change in the statement from this office, herewith, dated March 25, 1903, relative to the case of Henry A. Smith, Company D, 21st Ohio Infantry,

transferred to the 9th Kentucky Cavalry Volunteers.” This letter further stated, “ If this man was in fact captured and paroled by the enemy at or near Richmond, Kentucky, in August or September, 1862 as alleged, he became a deserter by failing to place himself under military control after having been declared duly exchanged in order from the War Department dated November 19, 1862.”¹⁵ The Bureau of Pensions disapproved Henry’s application.

There was no question that Morgan’s cavalry was in the area at the time, and had, in fact, camped in Nicholasville the night of September 3, proceeding to Lexington the next morning.¹⁶

There was also no question that two battalions of the 9th Kentucky Cavalry had been ordered to Richmond on August 30, only to find that Union forces were falling back, forcing the 9th Kentucky to pass around the town and join the retreat to Lexington, then to Louisville.¹⁷

It is questionable, given the state of disarray of the Union forces in Kentucky at the time, that Henry would have been notified of the existence of General Order No. 191. Camp Nelson, at the time, was primarily a rendezvous point without a command structure, so who would have notified him?

Henry can certainly be faulted for not being aggressive in seeking to determine his status, vis-à-vis parole and exchange, and it is likely that the Pension Bureau took note of this fact. In so doing, however, they ignored the fact that Henry had volunteered early in the war and had served with distinction for some 11 months. To deny him a pension seems harsh, especially so when others who served as little as 90 days were given them.

In December, 1907, U.S. Representative J. J. Russell of Missouri, wrote to the Pension Department on behalf of Minie, and asked them to review Henry’s file to see if there was any way to remove the charge of desertion from his record, thus allowing a widow’s pension based on his record with the 21st Ohio Infantry. He wrote:

Since his death his widow, who is very poor and deserving, is anxious to try to secure a pension, and it seems that in order to do so it would be necessary to have the charge of desertion removed from his record, and would be glad to know from you what the chances seem to be.

I have a long statement of his case, made to me by Mr. Smith in his lifetime, which, if true, would show that he was not at fault, and his widow naturally feels that she is justly entitled to a pension. There is a cryptic “OK” scrawled across the first paragraph above, and a word that seems to read, “removed” below it, but there is no letter response in the file and no record of Minie receiving a pension.

Conclusion

Henry's letters to Minie chronicle a transformation from a young, newly-wed teacher, to a soldier proud of his accomplishments and proud of his flag and the Union it stood for. Like many of the young men who volunteered early on he foresaw a short war, and a short separation from his "dear Minie," but became disillusioned as time passed with, seemingly, little progress. In his last letter to Minie he had gotten to the point where he would "almost doubt the ultimate success of our army." His transfer, and subsequent capture and parole by Confederate cavalry, were events that, most likely, he did not regret.

ENDNOTES

¹ These men were Privates James R. Conner, Robert F. Heaton, James Jordan, John T. Morgan, and Alfred C. Scull, all residents of Decatur County, Indiana, who had enlisted together on October 20, 1861. *Report of the Adjutant General of the State of Indiana, 1861 – 1865* (8 vols.) (Indianapolis, IN: Holloway, 1865-66). The *Supplement to the Official Records of the Union and Confederate Armies* provides the following information concerning this action:

Indianapolis, Indiana, December 31, 1862: May 4, 1862-The effective force of Company E, Thirty-seventh Indiana, were ordered by Colonel [John B.] Turchin, commanding the Eighth Brigade of General [Ormsby MacKnight] Mitchel's Division at Athens, Alabama to proceed twelve miles north of Athens on the Decatur and Nashville Railroad and guard trestleworks until relieved. May 9-Were attacked by 800 Rebel cavalry. Our whole command numbered forty-eight men in all. A fight ensued in which the Rebels acknowledged the loss of more men than were engaged on our side. Five of our own men were killed; the remainder taken prisoner, a number of which were wounded and paroled at Courtland, Alabama last June. The names which appear on this roll are those who served five months' imprisonment in southern prisons and were paroled at Richmond, Virginia October 19, 1862. (The roll was not listed.) *Supplement to the Official Records of the Union and Confederate Armies, Part II, Record of Events for the Thirty-Seventh Indiana Volunteer Infantry, Vol. 17, S/N 29* (Wilmington, NC: Broadfoot Publishing Co., 1994), p. 82.

² Presumably referring to the gardens at the Calhoun House, then located on the northeast corner of Green and Eustis Streets.

³ "On the 18th of May two thousand men, among whom were two companies and six men from each of the other companies of the 21st, having pro-

cured horses, started north to intercept a body of cavalry, who had been busy interrupting our communications. They were unable to compel them to fight, but succeeded in dispersing them, and returned.” Captain S. S. Canfield, *History of the 21st Regiment Ohio Volunteer Infantry* (Toledo, OH: 1893; reprint by Higginson Book Company, Salem, MA, 1998), p. 49. The *Official Records of the War of the Rebellion, Vol. X, Part 1 (S/N 10)*, pp 893-894, reports: “Three hundred men from the Ninth Brigade, under command of Colonel Lytle, marched to Winchester on the 18th [and] arrived there on the morning of the 24th. After a skirmish, dispersed a body of rebel cavalry, and occupied the town, and returned to Huntsville May 24.”

⁴ “ May 9, 1862, Maj. General David Hunter at Hilton Head, SC ordered emancipation of slaves in Florida, Georgia, and South Carolina, and authorized the arming of all able-bodied [N]egroes in those states. This order, without the approval of Congress or President Lincoln, caused a lively ferment at the North and was disavowed May 19 by Lincoln.” E. B. Long, *The Civil War, Day By Day* (NY: DeCapo Press, reprint by Doubleday and Company, 1971), p209.

⁵ The Greene Academy, which was located between Calhoun Street and the eastern Corporation limits, between Holmes Clinton Streets

⁶ Western Historical Manuscripts Collection, University of Missouri-Columbia, Smith, Henry Ackerman Papers, C431, Roll 2, Autobiography.

⁷ The 9th Kentucky Cavalry was organized at Eminence, Kentucky, and mustered in there on August 22, 1862. Eminence is about 60 miles northwest of Nicholasville, Jessamine County. Frank J. Welcher, *The Union Army, Vol. 4* (Bloomington, IN: Indiana University Press, 1993), p.352. See also *Report of the Adjutant General of the State of Kentucky, 1861-62* (2 vols.) (Frankfort, KY: State Journal, 1866).

⁸ National Archives and Records Administration, Pension file No. 1296213.

⁹ Colonel John Hunt Morgan’s 2nd Kentucky Cavalry C.S.A. plus 2 companies of Texas cavalry had left Hartsville, Tennessee on August 29, with orders to meet Confederate General E. Kirby Smith’s forces at Lexington, Kentucky on September 2. Morgan reached Nicholasville on September 3, and arrived in Lexington in mid-morning of the 4th. See Robert Underwood Johnson and Clarence Clough Buel (eds.), *Battles and Leaders of the Civil War, Vol. III* (NY: Thomas Yoselof, 1956), p. 26.

¹⁰ The Battle of Richmond, KY took place August 29-30, 1862. Confederate General E. Kirby Smith’s forces of about 5,000 men routed a Union force of 6, 500 newly-enlisted men led by General William Nelson, capturing some 4,000 troops. Another 1,000 were killed and wounded. The survivors retreated to Lexington, then to Louisville. Morgan’s Cavalry was not involved in this battle. See Long, pp. 258-9.

¹¹ There is no record of a “Creath Robinson” having served in any of the

Kentucky or Texas cavalry units with Morgan. Civil War Soldiers and Sailors System, Internet, www.itd.nps.gov/cwss. Perhaps Henry's memory was not quite so good after some 40 years.

¹² This crossing was located near the village of Shakertown and was named Lewis' Ferry.

¹³ Colonel Archibald Gracie, Jr. commanded the 43rd Alabama Infantry in the 1st Brigade, 2nd Division under General Henry Heth in Major General E. Kirby Smith's Army of Kentucky. Willis Brewer, *Alabama: Her History, Resources* (Spartanburg, SC: The Reprint Co., 1988), p. 654.

¹⁴ On May 26, 1863 General Speed Smith Fry was given command of the Eastern Military District of Kentucky. He established his headquarters at Camp Nelson, which was located about 6 miles south of Nicholasville, on the Kentucky River. Camp Nelson was a major Union supply depot. David and Jeanne Heidler (eds.), *Encyclopedia of the American Civil War* (NY: W. W. Norton, 2000), p. 793.

¹⁵ This is a reference to General Order No. 191 from the Adjutant General's Office in Washington, published as the result of a general exchange of prisoners of war arranged at Aiken's Landing, VA on November 11, 1862. Among those declared exchanged were "All officers and enlisted men captured at or near Richmond and Lexington, Ky., by the forces under the command of General E. Kirby Smith." These men were to report to Camp Benton, Missouri. It was the responsibility of commanding officers "to use their utmost exertions not only to give it the widest circulation in their neighborhoods, but to see that it is faithfully carried out." *The Official records of the War of Rebellion, Series II, Vol. 4*, p. 735.

¹⁶ See *Rebel Raider, The Life of General John Hunt Morgan*, James A. Ramage, University Press of Kentucky, 1986. p.120.

¹⁷ *Official Records of the War of the Rebellion, Series I, Vol. 16*, p.91

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