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The Oneidas of the 14th Wisconsin Volunteer Infantry

1865

By James Thompson

For the Wisconsin Oneidas, the Civil War years were a disaster, ranking next in importance to the Oneida removal to Wisconsin and to allotment under the Dawes General Allotment Act of 1887. Estimates of Oneida enlistment in the Civil War range from 111 to 142 out of approximately 1,100 reservation residents. At least 46 of these volunteers for the Union were killed, missing in action, or died of disease while at war. Two tribal historians estimate that as many as 65 Oneidas were fatalities of the war.¹ Moreover, the Oneida Indian Reservation in Wisconsin was ravaged by a major smallpox epidemic, which raged from November 1864 through March 1865 and claimed 15 tribal members. While communities that suffered in the war were soon replenished with immigrants, but the Wisconsin Oneida Indian community faced a 4- to 5-percent population decline, which had severe and debilitating repercussions well into the future.²

In contrast to the Iroquois Indians of D Company of the 132d New York State Volunteer Infantry, who eagerly sought entry into the Union army, most Wisconsin Oneidas were reluctant combatants who were late-comers to military service. Many Oneidas enlisted in late 1863 and early 1864, nearly three years after the conflict had erupted at Fort Sumter; nevertheless, their contributions were extensive.

Reginald Horsman has written that the Oneidas' participation in the Union effort was a logical extension of their past history and worldview: "Most of the Oneidas still thought of themselves as allies rather than enemies of the United States. . . . The Oneidas felt they had a tradition of fighting with the Americans because of their service in the Revolution, and patriotism is a theme that runs through many Oneida petitions and letters

missionaries such as Eleazar Williams and corrupt Indian agents such as Jasper Parrish. Although they were proud of their military successes at Oriskany in the American Revolution and at engagements in the War of 1812, they had the bitter memories of frauds such as those perpetrated on them in the Treaty of Buffalo Creek of 1838. Besides the pain of removal, the Oneidas in Wisconsin were a divided people who could not reach consensus throughout much of the nineteenth century. Politically divided into three separate factions from their days in New York — the First and Second Christian and Orchard parties — the Oneidas remained divided in Wisconsin. Leaders of these groups attempted to assert their hereditary rights, chiefs' prerogatives, and other claims to power that they had had in New York, resulting in the continuation of factional behavior. Further contributing to chaos, a sizable number of so-called homeless Indians settled at Oneida after moving west from New York and Canada. The status of these newcomers remained bitterly debated until the tribe accepted them at the end of the nineteenth century.⁵

Intratribal conflict was exacerbated by timber cutting and proposed land sales. By the 1850s, Green Bay and environs had become of prime interest to lumbermen. After the surrounding area was denuded of white pine, lumbermen sought the timber of the nearby Oneida Indian Reservation, which contained sixty-five thousand acres of virgin land. Soon the possibilities of hauling timber for quick cash sales to adjacent white-owned sawmills put new pressures on tribal unity. Individual Oneida entrepreneurs seeking a steady income and tribal leaders protecting the tribal inheritance or feathering their own nests fought it out. The commissioner of Indian affairs reported in 1864: "Greatly to the injury of the common property of this tribe [Oneida], some of its more shiftless members have been engaged, contrary to the direct orders of the agent, issued by direction of this office, in cutting and hauling away for sale much of its valuable timber."⁶

Tribal leaders debated the wisdom of proposed land sales. Oneidas such as Daniel Bread, Jacob Cornelius, Cornelius Hill, and Elijah Skenandore appealed to Washington for assistance. During the height of the Civil War, one group headed by Chief Hill of the First Christian party petitioned President Lincoln, referred to as "the emancipator of slaves and the protector of the oppressed," protesting proposed Wisconsin land sales, including one to the Stockbridge Indians.⁷

Besides intratribal squabbles, there were other reasons for the Oneidas' hesitation to join the Union military effort. From the 1830s onward, some Wisconsinites attempted to remove the Oneidas from their midst. In 1845, Henry Dodge, the territorial governor of Wisconsin, began negotiations

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plicated formula intended to put pressure on states such as Wisconsin to stimulate volunteers. On August 8, the secretary ordered the states to enroll all able-bodied citizens between the ages of eighteen and forty-five by districts. If the states did not provide officers, the secretary authorized the governors to appoint them, and the federal government would pay all reasonable expenses. The draft of August 1862 was the first and only draft made by state authorities. All subsequent ones were supervised by the provost marshal general in Washington. Some states allowed drafted men to hire substitutes, while states and localities began the practice of paying bounties of \$100 or more to three-year volunteers, "justified" because these men had to leave their families and jobs behind to fight for the Union cause. Although the calls to service during the summer of 1862 produced the requisite numbers in the North, they introduced in Wisconsin as elsewhere a mercenary factor into volunteering that would become worse over time.¹²

In Wisconsin the draft of 1862 and later drafts resulted in massive popular resistance as well as civil disturbances at Green Bay in the late summer of 1862. Belgian-Americans marched on the home of the United States senator, whom they blamed for the Militia Act. He escaped before they exacted their wrath. In Ozaukee County, 150 people were arrested after the governor sent in eight companies of militia to quell a riot. The draft in Milwaukee had to be suspended for fear of riot; the draft commissioner was beaten by a mob and his house ransacked.¹³

A worse crisis materialized in 1863. Because fewer and fewer recruits were coming forward, Congress passed the Enrollment Act of March 3, 1863, making every able-bodied male citizen and resident alien who had filed for naturalization aged twenty to forty-five eligible for the draft. Wisconsin was divided into six draft districts, coinciding with congressional districts. Each district acquired a set of federal draft officers—a provost marshal, a commissioner, an examining physician, and a board of enrollment. The enrollment boards were to make up lists of eligible conscripts for military duty, leaving off those they considered exempt on physical or other grounds. Once a man's name was drawn, he had ten days in which to report for duty, furnish a substitute, or buy exemption by paying a \$300 fee. The War Department assigned each congressional district a quota based on a percentage of its eligible males minus the number of men who had already served in the army. A district would be given fifty days to fill its quota, and conscription would be a last resort in case of a shortfall after other methods—bounties, substitutions, and commutations—failed to meet the quota.

The bounty system became the chief means of stimulating volunteering. Districts competed for volunteers by offering greater bounties. Wealthier

Their white neighbors in Brown and Outagamie counties began to view poor Oneida Indians as replacement soldiers. The Indians also saw it as a viable option. From 1860 through 1863, the Oneida economy was in shambles. Agriculture, largely of a subsistence level, had been the basis of the Oneida economy before the Civil War. Oneidas had supplemented their farming with hunting game, fishing in Duck Creek, and gathering wild berries. Leasing land to whites and selling timber became increasingly important. During the early 1860s, the Oneidas suffered two years of drought, were affected by severe winters leading to livestock losses, and even witnessed a June frost. The *Annual Report* of the commissioner of Indian affairs for 1864 indicated that many were destitute and that school-age children did not have clothes to attend the Indian school. Hence, for the Oneidas, military service, despite the risk, became a way out of their desperate economic condition. War bounties and the substantial relief efforts of the Quakers in early 1864 enabled the Oneidas to survive.¹⁶

Most of the Oneida recruits in late 1863 and early 1864 filled the ranks of existing units. Although a sprinkling of Oneidas joined other units such as the 3d Wisconsin Volunteer Infantry, 49 men joined the 14th Wisconsin Volunteer Infantry, 39 of them assigned to F Company and 10 to G Company. The 14th had served with distinction at the battles of Corinth and Shiloh and during the Vicksburg Campaign. Despite heavy losses in 1862 and 1863, more than two-thirds of the regiment reenlisted on December 11, 1863, making it a veteran unit. To make up for its losses and restore it to its original strength of 970 men, the regiment began enlisting Oneida Indians from December 15, 1863, onward while it was on veteran furlough at Madison, Wisconsin.¹⁷

The descriptive muster rolls provide a statistical portrait of the Oneidas. Nineteen of the Indians were recruited by Captain C. R. Merrill, the Wisconsin state provost marshal, at Green Bay during a twelve-day period in December 1863 and early January 1864. The Oneidas volunteered for service together, enlisting in clusters of five on December 31, 1863, and six on both January 4 and 7, 1864, at the recruitment office at Green Bay. In addition, twelve Oneidas, recruited by one Captain Phillips, volunteered on March 4, 1864, at Fond du Lac. At least thirty-nine of the Indians gave Oneida, Wisconsin, as their residence. Nearly all of them were credited for enlistment purposes to nearby white communities around the reservation, including DePere, Fort Howard, Green Bay, and Lomira; a few were counted to Wisconsin communities such as Oshkosh and Sheboygan, which are a considerable distance from the Oneida Indian Reservation. The records reveal substantial personal information about the Oneida recruits, all of whom had the rank of private. Nine of the forty-nine were

CHART 3A
14th Wisconsin Volunteer Infantry F Company Oneidas

Name	Rank	Occupation	Birthplace	Residence	Age	Marital Status	Height
Antonc, Abram	pvt.	farmer	Wisconsin	Oneida	19	unknown	57½"
Archiquet, Aaron	pvt.	farmer	Wisconsin	Oneida	18	unknown	57½"
Archiquet, John	pvt.	farmer	Wisconsin	Oneida	19	unknown	57½"
Archiquet, Solomon	pvt.	farmer	New York	Oneida	40	married	511"
Baird, Thomas	pvt.	farmer	Wisconsin	Oneida	40	married	55"
Bread, Daniel	pvt.	farmer	Wisconsin	Oneida	22	unknown	59"
Chrisjohn, Daniel	pvt.	farmer	Wisconsin	Oneida	25	married	6'
Couon, Henry	pvt.	farmer	Wisconsin	Oneida	20	unknown	59"
Danforth, Cobus E.	pvt.	farmer	Wisconsin	Oneida	18	married	57½"
Danforth, John	pvt.	farmer	New York	Oneida	46	married	57½"
Daxlator, Cornelius	pvt.	farmer	New York	Oneida	46	married	57½"
Daxlator, George S.	pvt.	farmer	Wisconsin	Oneida	29	married	57½"
Daxlator, Jacob S.	pvt.	laborer	New York	Oneida	36	married	57½"
Daxlator, Paul C.	pvt.	farmer	Wisconsin	Green Bay	22	unknown	59"
Hill, Abram	pvt.	farmer	Wisconsin	Oneida	20	unknown	56½"
Hill, Abram C.	pvt.	farmer	Wisconsin	Oneida	23	unknown	57½"
Hill, David	pvt.	farmer	Wisconsin	Oneida	20	unknown	58½"
Hill, Henry	pvt.	farmer	Wisconsin	Oneida	19	unknown	58"
Hill, Henry	pvt.	farmer	Wisconsin	Oneida	28	unknown	57½"
Hill, Lewis	pvt.	farmer	Wisconsin	Oneida	20	unknown	57"
James, Antoine (Anthony)	pvt.	farmer	Wisconsin	Oneida	20	unknown	57"
Johnson, Peter	pvt.	farmer	Wisconsin	Oneida	29	unknown	59½"

Continued on next page

CHART 3B
14th Wisconsin Volunteer Infantry F Company Oneidas

Name	Enlistment Credited to	Place of Enlistment	Recruiting Officer	Date/Length of Enlistment	Date of Discharge
Antone, Abram	Fort Howard	Green Bay	Capt. E. R. Merrill	1/4/1864 3 years	Died at Vicksburg 6/11/1864 of chronic diarrhea
Archiquet, Aaron	Fort Howard	Green Bay	Capt. E. R. Merrill	1/4/1864 3 years	5/18/1865
Archiquet, John	Sheboygan	Fond du Lac	Capt. Phillips	9/8/1864 3 years	10/19/1865
Archiquet, Solomon	Fort Howard	Green Bay	Capt. E. R. Merrill	3/8/1864 1 year	5/31/1865
Baird, Thomas	Oshkosh	Green Bay	Capt. E. R. Merrill	4/19/1864 3 years	Died at Big Shanty, Ga., 6/16/1864 of typhoid
Bread, Daniel	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	Disability discharge 10/1865
Chrisohn, Daniel	Sheboygan	Fond du Lac	Capt. Phillips	3/11/1864 3 years	10/9/1865
Coulon, Henry	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	10/9/1865
Danforth, Cobus F.	Fort Howard	Green Bay	Capt. E. R. Merrill	1/4/1864 3 years	Died in service 8/24/1864
Danforth, John	Lomira	Fond du Lac	Capt. Phillips	3/5/1864 3 years	10/9/1865
Doxlator, Cornelius	Oakfield	Fond du Lac	Capt. Phillips	2/3/1864 3 years	Deserted 11/30/1864; returned 4/26/1865; Discharge -
Doxlator, George S.	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	10/9/1865
Doxlator, Jacob S.	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	Deserted 11/30/1864 Dishonorable discharge 4/16/1869
Doxlator, Paul C.	Lawrence	Green Bay	Capt. E. R. Merrill	1/2/1864 3 years	Deserted 11/23/1864; returned 4/1865 Discharge 10/9/1865
Hill, Abram	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	10/9/1865
Hill, Abram C.	Lomira	Fond du Lac	Capt. Phillips	3/11/1864 3 years	10/9/1865
Hill, David	Lomira	Fond du Lac	Capt. Phillips	3/4/1864 3 years	Deserted 2/5/1865; returned 4/22/1865; discharge 5/15/1865

Continued on next page

CHART 4
14th Wisconsin Volunteer Infantry G Company Oneida

Name	Rank	Occupation	Birthplace	Residence	Age	Married Status	Height	Enlistment Certificate to	Place of Enlistment	Recruiting Officer	Date/Length of Enlistment	Date of Discharge
Anthony, John 1st	pvt.	farmer	New York	Oneida	19	single	5'8"	Green Bay	Green Bay	Capt. E. R. Merrill	12/31/1863 3 years	10/9/1865
Anthony, John 2d	pvt.	farmer	Wisconsin	unknown	42	unknown	5'6"	unknown	Green Bay	Capt. E. R. Merrill	8/18/1864 1 year	7/21/1865
Anthony (Antone),	pvt.	farmer	New York	Oneida	43	married	5'6"	De Pere	Green Bay	Capt. E. R. Merrill	12/30/1863 3 years	Died in service 6/26/1865
Thomas Bread, Peter	pvt.	farmer	Wisconsin	Oneida	18	single	5'5 1/2"	Green Bay	Green Bay	Capt. E. R. Merrill	12/31/1863 3 years	10/9/1865
Doxlator, Charles	pvt.	farmer	Wisconsin	Oneida	28	single	5'8"	De Pere	Green Bay	Capt. E. R. Merrill	12/31/1863 3 years	Presidential discharge 11/13/1864
Doxlator, Paul	pvt.	farmer	Wisconsin	Fort Howard	20	married	5'9"	unknown	Green Bay	Capt. E. R. Merrill	12/31/1863 3 years	Died of disease in service of dysentery 5/3/1864
Powlas, August	pvt.	farmer	Wisconsin	unknown	18	single	5'9 1/2"	De Pere	Green Bay	Capt. E. R. Merrill	12/31/1863 3 years	Died of disease in service 8/18/1864
Powlas, Cobus	pvt.	farmer	Wisconsin	unknown	25	married	5'6"	Green Bay	Green Bay	Capt. E. R. Merrill	1/ 5/1864 3 years	10/9/1865

Source: Descriptive Muster Rolls, SHSW and NA, and the Records of the Oneida Nation of Indians of Wisconsin.

discharge. Others were less fortunate. Tribal records indicate that Simon King, an Oneida recruit, was "shot in the head while lying on the ground at Kennesaw Mountain."²²

According to historian Richard Current, "the shared experience of the Civil War reinforced rather than modified the mental stereotypes that already prevailed among the native white Wisconsinites when thinking about immigrants, or Indians or blacks." Although Indians were usually given more credit than black troops, officers commanding Indians recruits repeated that they were "good soldiers, being unsurpassed for scouting or picket duty, but quite unable to stand a charge or artillery fire."²³ Provost Marshal Merrill perpetuated this simplistic picture by suggesting that "the Oneida Indians, always a warlike people, organized a company of sharpshooters [3d Wisconsin Volunteer Infantry] under command of Cornelius Doxtator."²⁴ The same stereotype appears in Elisha Stockwell's account, but he also provides insights into special problems faced by Indians. Stockwell described an incident during the Atlanta Campaign in which an Oneida recruit could not understand or speak English. Another Oneida had to translate orders given to the recruit by a corporal on picket duty. One of these two Oneidas decided to proceed on his own "down the road some forty rods to woods, where he could get out of sight, as it was open ground where I had posted him." Stockwell falsely generalized that the "Indians were good skirmishers, but didn't like the open country or pitched battle."²⁵

The Wisconsin Oneidas participated in frontal assaults and defended their position as did the Tuscarora Company in North Carolina. On July 22, 1864, during the Battle of Atlanta, certain units, including D, E, and F companies of the 14th Wisconsin, were cited for heroism in the official record by Lieutenant Colonel John C. Abercrombie of the 11th Iowa Volunteer Infantry. After returning from picket duty, they turned back an assault on a small fort on a hill and on the immediate line of works connected with it. Abercrombie insisted: "Many acts of bravery were performed by officers and men of the regiment which might be mentioned if time and opportunity permit."²⁶ General John McArthur, who commanded the 1st Division at the Battle of Nashville, cited the regiment "for their promptness in moving forward to support my left on the first day's battle and securing many prisoners."²⁷

The Oneida troops were members of a much traveled unit; some were on detached service in different theaters of the war. Indians died at Cairo, Illinois; Vicksburg, Mississippi; Atlanta, Big Shanty, and Rome, Georgia; Montgomery and Spanish Fort, Alabama; Keokuk, Louisiana; and Memphis, Tennessee. In 1864, some Oneidas from the 14th Regiment took part in the ill-fated Red River Expedition. They encountered rebels at Pleasant

1865 NYAD 69- no 198

State of New York.

No. 198.

IN ASSEMBLY,

March 12, 1865.

REPORT

OF THE COMMITTEE ON INDIAN AFFAIRS RELATIVE TO THE PETITION OF DANIEL BREAD AND OTHERS.

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For Relief on
Land Claims

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through a long term of years, all of which should be minutely examined to a proper and intelligent investigation of the subject, requiring more time than we are able to give to it consistent with other duties incumbent on us, consequently we are unable to arrive at any positive or definite conclusions as to its merits; but from the facts presented for our consideration, sustained by apparently responsible evidence, we do not feel authorized to report adversely to the prayer of the petitioners, neither do we feel justified from the ex parte proof offered in reporting a bill for their relief. The necessitous condition of their tribe is but too self-evidently shown; they are fast passing away, and are, to a great degree, cared for and their wants supplied by the benevolence and charity of the inhabitants surrounding them. They appeal to our sympathies; they recite the loyalty of their nation to our national cause in the hour of our extremity, of battle-fields won by their valor; they name their honored chiefs and warriors fallen in our wars. Their poverty, their inability to sustain their families amid their

[Assem. No. 198.]

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April 10, 1865. }
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city.
ED H. BROWN, Clerk.

surroundings, their hunting grounds occupied by "our white brethren," and while your committee must admit all their statements as facts, it still affords us no sufficient data on which to grant the relief they ask. But your committee would be just to them, and give to their alleged claim a full and impartial examination; and if on such examination it should prove to be founded in equity and justice—justifying a bill for their relief, we would most cheerfully extend to them that aid which they seem so much to need, that the remnant of a race once powerful, whose loyalty to our flag is historic, may spend their last days in happiness and comfort.

The Cayuga nation of Indians are pressing a similar claim, and for the purpose of having these claims adjusted and settled, we therefore unanimously recommend the passage of the following resolution:

Resolved, (if the Senate concur), That the Governor is hereby empowered to appoint a commission to consist of three suitable persons to investigate (during the coming summer), the claims of the Onondaga Indians and other tribes of this State, to balances equitably due said tribes, and report the result of their conclusion to the next Legislature for their action—the compensation of said commission to be fixed by the Governor.

B. W. CLOSE,
 H. P. TOLMAN,
 HENRY C. PLATT,
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[Assembly

mined by the constituted authorities abundant for all the purposes intended to be occupied by the State for the object proposed;

And we do further offer and agree to erect thereon, free of all cost and charge to the State, of such materials and upon plans and specifications as shall be determined by the authorities, or officers having charge of the construction, a capitol building or capitol buildings equal to those of any capitol of any State in the Union; with all the necessary apartments and equipments and conveniences which shall be required, and with full capacity for all the legislative chambers, supreme court rooms, State library, executive, military, and all the State offices and departments.

CITY CLERK'S OFFICE,
SYRACUSE, April 10, 1865.

I hereby certify that the annexed resolution has been unanimously adopted by the common council of this city and received the mayor's approval.

WITNESS my hand and the seal of said city.
EDWARD E. BROWN, Clerk.

State of New York.

No. 198.

IN ASSEMBLY,

March 12, 1865.

REPORT

OF THE COMMITTEE ON INDIAN AFFAIRS RELATIVE TO THE PETITION OF DANIEL BREAD AND OTHERS.

The committee on the affairs of Indians, to whom was referred the petition of Daniel Bread and others, heard and considered the petition of Daniel Bread, asking for relief similar to that granted by the State to the Stockbridge Indians, respectfully

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That your committee have examined the petition and report of the committee on the petition of Daniel Bread and others, and find that the petition is well founded and that the relief requested is just and proper. The committee therefore recommend that the petition be granted.

VII

That your committee have examined the petition and report of the committee on the petition of Daniel Bread and others, and find that the petition is well founded and that the relief requested is just and proper. The committee therefore recommend that the petition be granted.

groundings, their hunting grounds occupied by "our white brethren," and while your committee must admit all their statements as facts, it still affords us no sufficient data on which to grant the relief they ask. But your committee would be just to them, and give to their alleged claim a full and impartial examination; and if on such examination it should prove to be founded in equity and justice—justifying a bill for their relief, we would cheerfully extend to them that aid which they seem so much to need; that the remnant of a race once powerful, whose loyalty our flag is historic, may spend their last days in happiness and comfort.

The Cayuga nation of Indians are pressing a similar claim, and the purpose of having these claims adjusted and settled, we therefore unanimously recommend the passage of the following resolution:

Resolved (if the Senate concur), That the Governor is hereby authorized to appoint a commission to consist of three suitable persons to investigate (during the coming summer), the claims of Oneida Indians and other tribes of this State, to balance said claims; and report the result of their conclusions to the next Legislature for their action—in the compensation said commission to be fixed by the Governor.

B. W. GROSE,
H. P. FOLLIOTT,
HENRY C. PLATT,
E. C. TOPPLIFF.

IN ASSEMBLY,

April 12, 1865.

REPORT

OF THE COMMITTEE ON CLAIMS ON THE PETITION OF LAWRENCE HELM.

The committee on claims, to which was referred the petition of Lawrence Helm for damages caused by the leakage of the Erie canal at West Troy, respectfully

REPORT:

The petitioner is the lessee of a tract of land in West Troy, lying along the berm bank of the Erie canal. The soil is gravelly and exceedingly porous; so much so, that in the construction of the canal both banks and the bottom had to be puddled with an intermixture of clay in order to retain the water. During the winter and spring of 1864, the slope wall and bench on the towing-path bank were removed and a vertical wall substituted—no lining or puddling being used. As soon as the water was let into the canal it passed through the wall and the towing-path bank, flooded the cellars and basements of the buildings adjacent, passed under the canal, and on the berm side rose to the same height as the canal level, completely submerging a portion of the petitioner's premises, and causing him much damage. The surface of his ground is below the water level of the canal.

The statements here made were abundantly proved before the committee by disinterested witnesses.

Under these circumstances, the committee have come to a favorable conclusion, and report by bill.

General Board of War
Washington at May 18th

War Office

Paul & Johnston

June 27th 1864

Remittance in case of Paul & Johnston

Mr Wm. H. ...
Washington D.C. July 15th 1865

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Wm. H. ...
July 15th 1865

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Proceedings of a General Court Martial,
which commenced at Montgomery, Alabama, by virtue of
the following General Order.

Head Quarters 3^d Division 16th Army Corps

Montgomery Ala. May 20th 1865

General Order }
No 12

A General Court Martial is hereby
appointed to meet at Montgomery Ala. on the 22nd
day of May 1865 or as soon thereafter as practicable
for the trial of Private Silas Ransom "E" Co.
14th Wisconsin Vet. Vols. and such other prisoners as
may be brought before it.

Detail for the Court

- 1st Major George Hoffman 40th Mo. Infy. Vols.
 - 2nd Captain Morris Harrison "C" Co. 40th Mo. Infy. Vols.
 - 3rd Captain Andrius Spatanlost "K" Co. 49th Mo. Infy. Vols.
 - 4th 1st Lieut. John F. Prosser "H" Co. 14th Wis. Infy. Vols.
 - 5th 1st Lieut. Thomas Hess "B" Co. 49th Mo. Infy. Vols.
 - 6th 1st Lieut. John J. Spencer "H" Co. 49th Mo. Infy. Vols.
 - 7th 2nd Lieut. Charles F. Knoll "D" Co. 40th Mo. Infy. Vols.
 - 8th 2nd Lieut. Reuben Wheeler "F" Co. 14th Wis. Infy. Vols.
 - 9th 2nd Lieut. Philetus M. Croft "C" Co. 14th Wis. Infy. Vols.
 - and 1st Lieut. Joseph Harrison Jr. "F" Co. 40th Mo. Infy. Vols.
- Judge Advocate.

No other officers than those named can be assembled
without manifest injury to the service.

The Court will sit without regard to hours.

By Command of
Lieut. General E. A. Carr
"Sgd" B. Wilson
Captain "G" A. A. General.

General Order }
No 12

A General Court Martial is hereby appointed to meet at Montgomery Ala. on the 22nd day of May 1865 or as soon thereafter as practicable for the trial of Private Silas Rawson "E" Co 114th Wisconsin Vet. Vols. and such other prisoners as may be brought before it.

Detail for the Court

- 1st Major George Hoffman 40th Mo. Infy. Vols.
 - 2nd Captain Morris Harrison "E" Co. 40th Mo. Infy. Vols.
 - 3rd Captain Fredrick Spaulding "E" Co. 49th Mo. Infy. Vols.
 - 4th 1st Lieut. John F. Proctor "H" Co. 114th Wis. Infy. Vols.
 - 5th 1st Lieut. Thomas Hesse "B" Co. 49th Mo. Infy. Vols.
 - 6th 1st Lieut. John J. Spencer "H" Co. 49th Mo. Infy. Vols.
 - 7th 2nd Lieut. Charles F. Knott "D" Co. 40th Mo. Infy. Vols.
 - 8th 2nd Lieut. Reuben Wheeler "F" Co. 114th Wis. Infy. Vols.
 - 9th 2nd Lieut. Philetus M. Croft "C" Co. 114th Wis. Infy. Vols.
 - And 1st Lieut. Joseph Harrison Jr. "F" Co. 40th Mo. Infy. Vols.
- Judge Advocate.

No other officers than those named can be assembled without manifest injury to the service.

The Court will sit without regard to honor.

By Command of
Brig. General E. A. Carr
Capt. B. Wilson
Captain G. A. General.

Montgomery Alabama May 25th 1864
9 A.M. The Court Met pursuant to adjournment
Present

1st Major George Hoffman 10th Mo. Infy Vols
2nd Captain Moses Harrison "C" Co. 110th Mo. Infy Vols
3rd Captain Fredrick Spambornet "K" Co. 119th Mo. Infy Vols
4th 1st Lieut. John F. Prosser "H" Co. 11th Wis. Infy Vols
5th 1st Lieut. Thomas Heft "D" Co. 119th Mo. Infy Vols
6th 1st Lieut. John J. Speman "H" Co. 119th Mo. Infy Vols
7th 2^d Lieut. Charles F. Knell "I" Co. 110th Mo. Infy Vols
8th 2^d Lieut. Reuben Wheeler "F" Co. 11th Wis. Infy Vols
9th 2^d Lieut. Mathias A. Croft "C" Co. 11th Wis. Infy Vols
And 1st Lieut. Joseph Harrison Jr "F" Co. 110th Mo. Infy Vols

Judge Advocate.

The Court then proceeded to the trial of Pirate Paul C. Postator "F" Co. 11th Regiment Wisconsin Vet. Vols who was called before the Court, and having heard the order read appointing the Court, was asked, if he had any objections to any member named in the order.

The accused having no objections to any of the members, the Court and the Judge Advocate swore them, in his presence, duty sworn according to law.

The accused, Pirate Paul C. Postator "F" Co. 11th Regiment Wisconsin Vet. Vols Infantry was arraigned on the following charge and specification.

Charge - Desertion

Specification. - In this, that he, Paul C. Postator a private of "F" Co. 11th Regiment Wisconsin Vet. Vols Infantry did, on or about the 20th day of November 1864, desert the service of the United States, remaining

absent until the 9th day of May 1865, when he voluntarily returned to his said Company and Regiment at Montgomery Ala. This at Saint Louis Mo. on or about the 20th day of November 1864.

To which charge and specification the accused pleaded as follows:

To the Specification— Guilty Except the words "in the service of the United States."

To the Charge— Not Guilty.

Captain John P. Ryan of Co. 14th Regiment Wis. Vet. Inf. Infantry was duly sworn, as a witness for the prosecution.

Question by Judge Advocate: Do you know the Prisoner?

Answer: I do.

Question by Judge Advocate: Give his name, rank, Company, and Regiment?

Answer: His name is Paul L. Novator of Co. 14th Regiment Wisconsin Vet. Infantry and Private Soldier.

Question by Judge Advocate: How long have you known him?

Answer: Since the 7th or 8th of March 1864.

Question by Judge Advocate: State to the Court all you know about the case in hearing:

Answer: The accused was with the Regiment from the time he joined at Milwaukee Wisconsin until on or about the 20th day of November 1864. He left us about that date and remained absent until May 9th 1865 at which time he rejoined his Company.

Question by Judge Advocate: Why did the accused leave?

Answer: I do not know, we were at the time embarking on Steamboat at Saint Louis Mo. to go down the river, I think he was accidentally left.

about" the 20th day of November 1864

To which charge and specification the accused pleaded as follows:

To the Specification - Guilty Except the words "Saint the service of the United States."

To the Charge - Not Guilty.

Captain John P. Ryan of F. Co. 1stth Regiment Wis. Vet. Inf. Infantry was duly sworn, as a witness for the prosecution.

Question by Judge Advocate: Do you know the Prisoner?

Answer: I do.

Question by Judge Advocate: Give his name, rank, company, and Regiment?

Answer: His name is Paul G. Dostaler of F. Co. 1stth Regiment Wisconsin Vet. Infantry and Private Soldier.

Question by Judge Advocate: How long have you known him?

Answer: Since the 7th or 8th of March 1864.

Question by Judge Advocate: State to the Court all you know about the case in hearing.

Answer: The accused was with the Regiment from the time he joined at Milwaukee Wisconsin, until on or about the 20th day of November 1864. He left us about that date and remained absent until May 9th 1865 at which time he rejoined his company.

Question by Judge Advocate: Why did the accused leave?

Answer: I do not know, we were at the time embarking on steamboat at Saint Louis Mo. to go down the river, I think he was accidentally left.

Question by the Court: What was his conduct as a soldier prior to his leaving?

Answer: He was a good faithful soldier up to the time of his leaving.

Question by the Court: Where was the accused during his absence?

Answer: I do not know.

Question by the Court: Was he under arrest or in confinement all or any portion of the time of absence?

Answer: I do not know.

James H. Newton 1st Sergeant Co. 14th Wis. Vet. Inf., a witness for the prosecution, was duly sworn.

Question by Judge Advocate: What is your name, rank, company and Regiment?

Answer: My name is James H. Newton, I am 1st Sergeant of Company Co. 14th Regiment Wis. Vet. Inf.

Question by Judge Advocate: Do you know the Prisoner?

Answer: I do.

Question by Judge Advocate: What is his name, rank, company and Regiment?

Answer: Paul C. Dostler a Private of Company Co. 14th Regiment Wisconsin Vet. Inf.

Question by the Court: How long have you known him?

Answer: Since February 1864.

Question by Judge Advocate: Has the Prisoner ever absented himself from his company without leave?

Answer: He has.

Question by Judge Advocate: At what time?

Answer: On or about the 20th day of November 1864.

Question by Judge Adams: At what place?

Answer: At Saint Louis Mo.

Question by Judge Adams: What do you know concerning the Prisoner's absence?

Answer: On or about the 20th day of November 1864 we went on board Steamer at Saint Louis Mo. to go down the River. I did not know the prisoner was absent until next day. I do not know whether he left on purpose, or was accidentally left. I next saw the accused near Montgomery Alabama, on May 9th 1865. He returned to the Company with several other members of the Co.

Question by the Court: You say the Prisoner returned with others; who were the others?

Answer: One was a recruit for the Company and another was a man who had been sick in Hospital.

Question by Judge Adams: Had the accused ever absented himself previous to this?

Answer: Not that I know of.

Question by the Court: Did the Prisoner return alone or under guard?

Answer: He did not return under guard.

Question by Judge Adams: What was the conduct of the accused as a soldier?

Answer: His conduct was always good.

Question by the Court: When did the Prisoner start from when he started for his Regiment?

Answer: I do not know.

Question by the Court: Did he receive Government transportation from any authority?

Answer: I do not know.

5 This closed the presentation.

The accused being asked if he had any statement to make, submitted the following: I went up town to buy some butter and when I came back the boat had left. I then went and asked off the authorities a pass to rejoin my Regiment but they told me to stay until I was reported. Next day I went home which is in Green Bay, Wisconsin, and reported to the Provost Marshal. He told me to stay two or three days and he would send me back. The day I was to return I started to feel very sick with the small-Pox and remained so until I started for the Regiment.

The Judge Advocate submitted the case to the Court without remark.

The Court was then cleared for deliberation, and having maturely considered the evidence adduced, find the accused, Private Paul C. Dostator of F Co. 114th Regiment Wisconsin Vol. Inf. Defiantly, as follows:
Of the Specification - Guilty except the words about the serving of the said Specification of the Charge - Not Guilty.

And the Court do, therefore, sentence him, Private Paul C. Dostator of F Co. 114th Regiment Wisconsin Vol. Inf. Defiantly to forfeit all pay and allowances for the time absent and to be returned to duty with his command.

Geo Hoffmann
Major 110th Mo. Vol. Infantry
President
Joseph Harrison Jr.
1st Lieut. of F Co. 114th Mo. Vol. Infy
Judge Advocate

The Court then adjourned until 9 o'clock A.M. tomorrow (May 31st)
Geo Hoffmann
Major 110th Mo. Vol. Infy
President
6. Joseph Harrison Jr.
1st Lieut. of Judge Advocate