

The Memoirs of General Philip H. Sheridan, Vol. II., Part 5

P. H. Sheridan

The Project Gutenberg EBook of The Memoirs of General Philip H. Sheridan, Vol. II., Part 5, by P. H. Sheridan

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.net

Title: The Memoirs of General Philip H. Sheridan, Vol. II., Part 5

Author: P. H. Sheridan

Release Date: June 7, 2004 [EBook #5858]

Language: English

Character set encoding: ASCII

*** START OF THIS PROJECT GUTENBERG EBOOK MEMOIRS OF GENERAL SHERIDAN ***

Produced by David Widger

PERSONAL MEMOIRES OF P. H. SHERIDAN

VOLUME 2.

Part 5

By Philip Henry Sheridan

CHAPTER VI.

BATTLE OF DINWIDDIE COURT HOUSE--PICKETT REPULSED--REINFORCED BY THE FIFTH CORPS--BATTLE OF FIVE FORKS--TURNING THE CONFEDERATE LEFT--AN UNQUALIFIED SUCCESS--RELIEVING GENERAL WARREN--THE WARREN COURT OF INQUIRY--GENERAL SHERMAN'S OPINION.

The night of March 30 Merritt, with Devin's division and Davies's brigade, was camped on the Five Forks road about two miles in front of Dinwiddie, near J. Boisseau's. Crook, with Smith and Gregg's

Livros Grátis

<http://www.livrosgratis.com.br>

Milhares de livros grátis para download.

brigades, continued to cover Stony Creek, and Custer was still back at Rowanty Creek, trying to get the trains up. This force had been counted while crossing the creek on the 29th, the three divisions numbering 9,000 enlisted men, Crook having 3,300, and Custer and Devin 5,700.

During the 30th, the enemy had been concentrating his cavalry, and by evening General W. H. F. Lee and General Rosser had joined Fitzhugh Lee near Five Forks. To this force was added, about dark, five brigades of infantry--three from Pickett's division, and two from Johnson's--all under command of Pickett. The infantry came by the White Oak road from the right of General Lee's intrenchments, and their arrival became positively known to me about dark, the confirmatory intelligence being brought in then by some of Young's scouts who had been inside the Confederate lines.

On the 31st, the rain having ceased, directions were given at an early hour to both Merritt and Crook to make reconnoissances preparatory to securing Five Forks, and about 9 o'clock Merritt started for the crossroads, Davies's brigade supporting him. His march was necessarily slow because of the mud, and the enemy's pickets resisted with obstinacy also, but the coveted crossroads fell to Merritt without much trouble, as the bulk of the enemy was just then bent on other things. At the same hour that Merritt started, Crook moved Smith's brigade out northwest from Dinwiddie to Fitzgerald's crossing of Chamberlain's Creek, to cover Merritt's left, supporting Smith by placing Gregg to his right and rear. The occupation of this ford was timely, for Pickett, now in command of both the cavalry and infantry, was already marching to get in Merritt's rear by crossing Chamberlain's Creek.

To hold on to Fitzgerald's ford Smith had to make a sharp fight, but Mumford's cavalry attacking Devin, the enemy's infantry succeeded in getting over Chamberlain's Creek at a point higher up than Fitzgerald's ford, and assailing Davies, forced him back in a northeasterly direction toward the Dinwiddie and Five Forks road in company with Devin. The retreat of Davies permitted Pickett to pass between Crook and Merritt, which he promptly did, effectually separating them and cutting off both Davies and Devin from the road to Dinwiddie, so that to get to that point they had to retreat across the country to B. Boisseau's and then down the Boydton road.

Gibbs's brigade had been in reserve near the intersection of the Five Forks and Dabney roads, and directing Merritt to hold on there, I ordered Gregg's brigade to be mounted and brought to Merritt's aid, for if Pickett continued in pursuit north of the Five Forks road he would expose his right and rear, and I determined to attack him, in such case, from Gibbs's position. Gregg arrived in good season, and as soon as his men were dismounted on Gibbs's left, Merritt assailed fiercely, compelling Pickett to halt and face a new foe, thus interrupting an advance that would finally have carried Pickett into the rear of Warren's corps.

It was now about 4 o'clock in the afternoon and we were in a critical situation, but having ordered Merritt to bring Devin and Davies to Dinwiddie by the Boydton road, staff-officers were sent to hurry Custer to the same point, for with its several diverging roads the Court House was of vital importance, and I determined to stay there at all hazards. At the same time orders were sent to Smith's

brigade, which, by the advance of Pickett past its right flank and the pressure of W. H. F. Lee on its front, had been compelled to give up Fitzgerald's crossing, to fall back toward Dinwiddie but to contest every inch of ground so as to gain time.

When halted by the attack of Gregg and Gibbs, Pickett, desisting from his pursuit of Devin, as already stated, turned his undivided attention to this unexpected force, and with his preponderating infantry pressed it back on the Five Forks road toward Dinwiddie, though our men, fighting dismounted behind barricades at different points, displayed such obstinacy as to make Pickett's progress slow, and thus give me time to look out a line for defending the Court House. I selected a place about three-fourths of a mile northwest of the crossroads, and Custer coming up quickly with Capehart's brigade, took position on the left of the road to Five Forks in some open ground along the crest of a gentle ridge. Custer got Capehart into place just in time to lend a hand to Smith, who, severely pressed, came back on us here from his retreat along Chamberlain's "bed"--the vernacular for a woody swamp such as that through which Smith retired. A little later the brigades of Gregg and Gibbs, falling to the rear slowly and steadily, took up in the woods a line which covered the Boydton Road some distance to the right of Capehart, the intervening gap to be filled with Pennington's brigade. By this time our horse-artillery, which for two days had been stuck in the mud, was all up, and every gun was posted in this line.

It was now near sunset, and the enemy's cavalry thinking the day was theirs, made a dash at Smith, but just as the assailants appeared in the open fields, Capehart's men opened so suddenly on their left flank as to cause it to recoil in astonishment, which permitted Smith to connect his brigade with Custer unmolested. We were now in good shape behind the familiar barricades, and having a continuous line, excepting only the gap to be filled with Pennington, that covered Dinwiddie and the Boydton Road. My left rested in the woods about half a mile west of the Court House, and the barricades extended from this flank in a semicircle through the open fields in a northeasterly direction, to a piece-of thick timber on the right, near the Boydton Road.

A little before the sun went down the Confederate infantry was formed for the attack, and, fortunately for us, Pennington's brigade came up and filled the space to which it was assigned between Capehart and Gibbs, just as Pickett moved out across the cleared fields in front of Custer, in deep lines that plainly told how greatly we were outnumbered.

Accompanied by Generals Merritt and Custer and my staff, I now rode along the barricades to encourage the men. Our enthusiastic reception showed that they were determined to stay. The cavalcade drew the enemy's fire, which emptied several of the saddles--among others Mr. Theodore Wilson, correspondent of the New York Herald, being wounded. In reply our horse-artillery opened on the advancing Confederates, but the men behind the barricades lay still till Pickett's troops were within short range. Then they opened, Custer's repeating rifles pouring out such a shower of lead that nothing could stand up against it. The repulse was very quick, and as the gray lines retired to the woods from which but a few minutes before they had so confidently advanced, all danger of their taking Dinwiddie or marching to the left and rear of our infantry line was over, at least

for the night. The enemy being thus checked, I sent a staff-officer--Captain Sheridan--to General Grant to report what had taken place during the afternoon, and to say that I proposed to stay at Dinwiddie, but if ultimately compelled to abandon the place, I would do so by retiring on the Vaughn road toward Hatcher's Run, for I then thought the attack might be renewed next morning. Devin and Davies joined me about dark, and my troops being now well in hand, I sent a second staff-officer--Colonel John Kellogg--to explain my situation more fully, and to assure General Grant that I would hold on at Dinwiddie till forced to let go.

By following me to Dinwiddie the enemy's infantry had completely isolated itself, and hence there was now offered the Union troops a rare opportunity. Lee was outside of his works, just as we desired, and the general-in-chief realized this the moment he received the first report of my situation; General Meade appreciated it too from the information he got from Captain Sheridan, en route to army headquarters with the first tidings, and sent this telegram to General Grant:

"HEADQUARTERS OF THE ARMY OF THE POTOMAC,
"March 31, 1865. 9:45 p.m.

"LIEUTENANT-GENERAL GRANT:

"Would it not be well for Warren to go down with his whole corps and smash up the force in front of Sheridan? Humphreys can hold the line to the Boydton plank-road, and the refusal along with it. Bartlett's brigade is now on the road from G. Boisseau's, running north, where it crosses Gravelly Run, he having gone down the White Oak road. Warren could go at once that way, and take the force threatening Sheridan in rear at Dinwiddie, and move on the enemy's rear with the other two.

"G. G. MEADE, Major-General."

An hour later General Grant replied in these words:

"HEADQUARTERS ARMIES OF THE UNITED STATES,
"DABNEY'S MILLS, March 31, 1865. 10:15 P. M.

"MAJOR-GENERAL MEADE,
"Commanding Army of the Potomac.

Let Warren move in the way you propose, and urge him not to stop for anything. Let Griffin (Griffin had been ordered by Warren to the Boydton road to protect his rear) go on as he was first directed.

"U. S. GRANT, Lieutenant-General."

These two despatches were the initiatory steps in sending the Fifth Corps, under Major-General G. K. Warren, to report to me, and when I received word of its coming and also that General Mackenzie's cavalry from the Army of the James was likewise to be added to my command, and that discretionary authority was given me to use all my forces against Pickett, I resolved to destroy him, if it was within the bounds of possibility, before he could rejoin Lee.

In a despatch, dated 10:05 p.m., telling me of the coming of Warren and Mackenzie, General Grant also said that the Fifth Corps should reach me by 12 o'clock that night, but at that hour not only had none of the corps arrived, but no report from it, so believing that if it came all the way down to Dinwiddie the next morning, our opportunity would be gone, I concluded that it would be best to order Warren to move in on the enemy's rear while the cavalry attacked in front, and, therefore, at 3 o'clock in the morning of April 1 sent this despatch to General Warren:

"CAVALRY HEADQUARTERS, DINWIDDIE C. H.,
"April 1, 1865--3. A.M.

"MAJOR-GENERAL WARREN,
"Commanding Fifth Army Corps.

"I am holding in front of Dinwiddie Court House, on the road leading to Five Forks, for three-quarters of a mile with General Custer's division. The enemy are in his immediate front, lying so as to cover the road just this side of A. Adams's house, which leads across Chamberlain's bed, or run. I understand you have a division at J.[G] Boisseau's; if so, you are in rear of the enemy's line and almost on his flank. I will hold on here. Possibly they may attack Custer at daylight; if so, attack instantly and in full force. Attack at daylight anyhow, and I will make an effort to get the road this side of Adams's house, and if I do, you can capture the whole of them. Any force moving down the road I am holding, or on the White Oak road, will be in the enemy's rear, and in all probability get any force that may escape you by a flank movement. Do not fear my leaving here. If the enemy remains, I shall fight at daylight.

"P. H. SHERIDAN, Major-General."

With daylight came a slight fog, but it lifted almost immediately, and Merritt moved Custer and Devin forward. As these divisions advanced the enemy's infantry fell back on the Five Forks road, Devin pressing him along the road, while Custer extended on the left over toward Chamberlain's Run, Crook being held in watch along Stony Creek, meanwhile, to be utilized as circumstances might require when Warren attacked.

The order of General Meade to Warren the night of March 31--a copy being sent me also--was positive in its directions, but as midnight came without a sign of or word from the Fifth Corps, notwithstanding that was the hour fixed for its arrival, I nevertheless assumed that there were good reasons for its non-appearance, but never once doubted that measures would be taken to comply with my despatch Of 3 A. M. and therefore hoped that, as Pickett was falling back slowly toward Five Forks, Griffin's and Crawford's divisions would come in on the Confederate left and rear by the Crump road near J.[G] Boisseau's house.

But they did not reach there till after the enemy had got by. As a matter of fact, when Pickett was passing the all-important point Warren's men were just breaking from the bivouac in which their chief had placed them the night before, and the head of Griffin's division did not get to Boisseau's till after my cavalry, which meanwhile had

been joined by Ayres's division of the Fifth Corps by way of the Boydton and Dabney roads. By reason of the delay in moving Griffin and Crawford, the enemy having escaped, I massed the Fifth Corps at J.[G] Boisseau's so that the men could be rested, and directed it to remain there; General Warren himself had not then come up. General Mackenzie, who had reported just after daybreak, was ordered at first to stay at Dinwiddie Court House, but later was brought along the Five Forks road to Dr. Smith's, and Crook's division was directed to continue watching the crossings of Stony Creek and Chamberlain's Run.

That we had accomplished nothing but to oblige our foe to retreat was to me bitterly disappointing, but still feeling sure that he would not give up the Five Forks crossroads without a fight, I pressed him back there with Merritt's cavalry, Custer advancing on the Scott road, while Devin drove the rearguard along that leading from J.[G] Boisseau's to Five Forks.

By 2 o'clock in the afternoon Merritt had forced the enemy inside his intrenchments, which began with a short return about three-quarters of a mile east of the Forks and ran along the south side of the White Oak road to a point about a mile west of the Forks. From the left of the return over toward Hatcher's Run was posted Mumford's cavalry, dismounted. In the return itself was Wallace's brigade, and next on its right came Ransom's, then Stewart's, then Terry's, then Corse's. On the right of Corse was W. H. F. Lee's division of cavalry. Ten pieces of artillery also were in this line, three on the right of the works, three near the centre at the crossroads, and four on the left, in the return. Rosser's cavalry was guarding the Confederate trains north of Hatcher's Run beyond the crossing of the Ford road.

I felt certain the enemy would fight at Five Forks--he had to--so, while we were getting up to his intrenchments, I decided on my plan of battle. This was to attack his whole front with Merritt's two cavalry divisions, make a feint of turning his right flank, and with the Fifth Corps assail his left. As the Fifth Corps moved into action, its right flank was to be covered by Mackenzie's cavalry, thus entirely cutting off Pickett's troops from communication with Lee's right flank, which rested near the Butler house at the junction of the Claiborne and White Oaks roads. In execution of this plan, Merritt worked his men close in toward the intrenchments, and while he was thus engaged, I ordered Warren to bring up the Fifth Corps, sending the order by my engineer officer, Captain Gillespie, who had reconnoitred the ground in the neighborhood of Gravelly Run Church, where the infantry was to form for attack.

Gillespie delivered the order about 1 o'clock, and when the corps was put in motion, General Warren joined me at the front. Before he came, I had received, through Colonel Babcock, authority from General Grant to relieve him, but I did not wish to do it, particularly on the eve of battle; so, saying nothing at all about the message brought me, I entered at once on the plan for defeating Pickett, telling Warren how the enemy was posted, explaining with considerable detail, and concluding by stating that I wished his troops to be formed on the Gravelly Church road, near its junction with the White Oak road, with two divisions to the front, aligned obliquely to the White Oak road, and one in reserve, opposite the centre of these two.

General Warren seemed to understand me clearly, and then left to join his command, while I turned my attention to the cavalry, instructing

Merritt to begin by making demonstrations as though to turn the enemy's right, and to assault the front of the works with his dismounted cavalry as soon as Warren became engaged. Afterward I rode around to Gravelly Run Church, and found the head of Warren's column just appearing, while he was sitting under a tree making a rough sketch of the ground. I was disappointed that more of the corps was not already up, and as the precious minutes went by without any apparent effort to hurry the troops on to the field, this disappointment grew into disgust. At last I expressed to Warren my fears that the cavalry might expend all their ammunition before the attack could be made, that the sun would go down before the battle could be begun, or that troops from Lee's right, which, be it remembered, was less than three miles away from my right, might, by striking my rear, or even by threatening it, prevent the attack on Pickett.

Warren did not seem to me to be at all solicitous; his manner exhibited decided apathy, and he remarked with indifference that "Bobby Lee was always getting people into trouble." With unconcern such as this, it is no wonder that fully three hours' time was consumed in marching his corps from J.[G] Boisseau's to Gravelly Run Church, though the distance was but two miles. However, when my patience was almost worn out, Warren reported his troops ready, Ayres's division being formed on the west side of the Gravelly Church road, Crawford's on the east side, and Griffin in reserve behind the right of Crawford, a little different from my instructions. The corps had no artillery present, its batteries, on account of the mud, being still north of Gravelly Run. Meanwhile Merritt had been busy working his men close up to the intrenchments from the angle of the return west, along the White Oak road.

About 4 o'clock Warren began the attack. He was to assault the left flank of the Confederate infantry at a point where I knew Pickett's intrenchments were refused, almost at right angles with the White Oak road. I did not know exactly how far toward Hatcher's Run this part of the works extended, for here the videttes of Mumford's cavalry were covering, but I did know where the refusal began. This return, then, was the point I wished to assail, believing that if the assault was made with spirit, the line could be turned. I therefore intended that Ayres and Crawford should attack the refused trenches squarely, and when these two divisions and Merritt's cavalry became hotly engaged, Griffin's division was to pass around the left of the Confederate line; and I personally instructed Griffin how I wished him to go in, telling him also that as he advanced, his right flank would be taken care of by Mackenzie, who was to be pushed over toward the Ford road and Hatcher's Run.

The front of the corps was oblique to the White Oak road; and on getting there, it was to swing round to the left till perpendicular to the road, keeping closed to the left. Ayres did his part well, and to the letter, bringing his division square up to the front of the return near the angle; but Crawford did not wheel to the left, as was intended. On the contrary, on receiving fire from Mumford's cavalry, Crawford swerved to the right and moved north from the return, thus isolating his division from Ayres; and Griffin, uncertain of the enemy's position, naturally followed Crawford.

The deflection of this division on a line of march which finally brought it out on the Ford road near C. Young's house, frustrated the

purpose I had in mind when ordering the attack, and caused a gap between Ayres and Crawford, of which the enemy quickly took advantage, and succeeded in throwing a part of Ayres's division into confusion. At this juncture I sent word to General Warren to have Crawford recalled; for the direction he was following was not only a mistaken one, but, in case the assault at the return failed, he ran great risk of capture. Warren could not be found, so I then sent for Griffin--first by Colonel Newhall, and then by Colonel Sherman--to come to the aid of Ayres, who was now contending alone with that part of the enemy's infantry at the return. By this time Griffin had observed and appreciated Crawford's mistake, however, and when the staff-officers reached him, was already faced to the left; so, marching across Crawford's rear, he quickly joined Ayres, who meanwhile had rallied his troops and carried the return.

When Ayres's division went over the flank of the enemy's works, Devin's division of cavalry, which had been assaulting the front, went over in company with it; and hardly halting to reform, the intermingling infantry and dismounted cavalry swept down inside the intrenchments, pushing to and beyond Five Forks, capturing thousands of prisoners. The only stand the enemy tried to make was when he attempted to form near the Ford road. Griffin pressed him so hard there, however, that he had to give way in short order, and many of his men, with three pieces of artillery, fell into the hands of Crawford while on his circuitous march.

The right of Custer's division gained a foothold on the enemy's works simultaneously with Devin's, but on the extreme left Custer had a very severe combat with W. H. F. Lee's cavalry, as well as with Corse's and Terry's infantry. Attacking Terry and Corse with Pennington's brigade dismounted, he assailed Lee's cavalry with his other two brigades mounted, but Lee held on so obstinately that Custer gained but little ground till our troops, advancing behind the works, drove Corse and Terry out. Then Lee made no further stand except at the west side of the Gillian field, where, assisted by Corse's brigade, he endeavored to cover the retreat, but just before dark Custer, in concert with some Fifth Corps regiments under Colonel Richardson, drove the last of the enemy westward on the White Oak road.

Our success was unqualified; we had overthrown Pickett, taken six guns, thirteen battle-flags, and nearly six thousand prisoners. When the battle was practically over, I turned to consider my position with reference to the main Confederate army. My troops, though victorious, were isolated from the Army of the Potomac, for on the 31st of March the extreme left of that army had been thrown back nearly to the Boydton plank-road, and hence there was nothing to prevent the enemy's issuing from his trenches at the intersection of the White Oak and Claiborne roads and marching directly on my rear. I surmised that he might do this that night or early next morning. It was therefore necessary to protect myself in this critical situation, and General Warren having sorely disappointed me, both in the moving of his corps and in its management during the battle, I felt that he was not the man to rely upon under such circumstances, and deeming that it was to the best interest of the service as well as but just to myself, I relieved him, ordering him to report to General Grant.

I then put Griffin in command of the Fifth Corps, and directed him to

withdraw from the pursuit as quickly as he could after following the enemy a short distance, and form in line of battle near Gravelly Run Church, at right angles with the White Oak road, with Ayres and Crawford facing toward the enemy at the junction of the White Oak and Claiborne roads, leaving Bartlett, now commanding Griffin's division, near the Ford road. Mackenzie also was left on the Ford road at the crossing of Hatcher's Run, Merritt going into camp on the Widow Gillian's plantation. As I had been obliged to keep Crook's division along Stony Creek throughout the day, it had taken no active part in the battle.

Years after the war, in 1879, a Court of Inquiry was given General Warren in relation to his conduct on the day of the battle. He assumed that the delay in not granting his request for an inquiry, which was first made at the close of the war, was due to opposition on my part. In this he was in error; I never opposed the ordering of the Court, but when it was finally decided to convene it I naturally asked to be represented by counsel, for the authorization of the Inquiry was so peculiarly phrased that it made me practically a respondent.

"NEW YORK CITY, May 3, 1880

"MAJOR-GENERAL W. S. HANCOCK, U. S. A.
"President Court of Inquiry, Governor's Island.

"Sir: Since my arrival in this city, under a subpoena to appear and testify before the Court of which you are president, I have been indirectly and unofficially informed that the Court some time ago forwarded an invitation to me (which has not been received) to appear personally or by counsel, in order to aid it in obtaining a knowledge as to the facts concerning the movements terminating in the battle of 'Five Forks,' with reference to the direct subjects of its inquiry. Any invitation of this character I should always and do consider it incumbent on me to accede to, and do everything in my power in furtherance of the specific purposes for which courts of inquiry are by law instituted.

"The order convening the Court (a copy of which was not received by me at my division headquarters until two days after the time appointed for the Court to assemble) contemplates an inquiry based on the application of Lieutenant Colonel G. K. Warren, Corps of Engineers, as to his conduct while major-general commanding the Fifth Army Corps, under my command, in reference to accusations or imputations assumed in the order to have been made against him, and I understand through the daily press that my official report of the battle of Five Forks has been submitted by him as a basis of inquiry.

"If it is proposed to inquire, either directly or indirectly, as to any action of mine so far as the commanding general Fifth Army Corps was concerned, or my motives for such action, I desire to be specifically informed wherein such action or transaction is alleged to contain an accusation or imputation to become a subject of inquiry, so that, knowing what issues are raised, I may intelligently aid the Court in arriving at the facts.

"It is a long time since the battle of Five Forks was fought, and during the time that has elapsed the official reports of that battle

have been received and acknowledged by the Government; but now, when the memory of events has in many instances grown dim, and three of the principal actors on that field are dead--Generals Griffin, Custer, and Devin, whose testimony would have been valuable--an investigation is ordered which might perhaps do injustice unless the facts pertinent to the issues are fully developed.

"My duties are such that it will not be convenient for me to be present continuously during the sessions of the Court. In order, however, that everything may be laid before it in my power pertinent to such specific issues as are legally raised, I beg leave to introduce Major Asa Bird Gardner as my counsel.

"Very respectfully,

"P. H. SHERIDAN, Lieut.-General."

Briefly stated, in my report of the battle of Five Forks there were four imputations concerning General Warren. The first implied that Warren failed to reach me on the 1st of April, when I had reason to expect him; the second, that the tactical handling of his corps was unskillful; the third, that he did not exert himself to get his corps up to Gravelly Run Church; and the fourth, that when portions of his line gave way he did not exert himself to restore confidence to his troops. The Court found against him on the first and second counts, and for him on the third and fourth. This finding was unsatisfactory to General Warren, for he hoped to obtain such an unequivocal recognition of his services as to cast discredit on my motives for relieving him. These were prompted by the conditions alone--by the conduct of General Warren as described, and my consequent lack of confidence in him.

It will be remembered that in my conversation with General Grant on the 30th, relative to the suspension of operations because of the mud, I asked him to let me have the Sixth Corps to help me in breaking in on the enemy's right, but that it could not be sent me; it will be recalled also that the Fifth Corps was afterward tendered and declined. From these facts it has been alleged that I was prejudiced against General Warren, but this is not true. As we had never been thrown much together I knew but little of him. I had no personal objection to him, and certainly could have none to his corps. I was expected to do an extremely dangerous piece of work, and knowing the Sixth Corps well--my cavalry having campaigned with it so successfully in the Shenandoah Valley, I naturally preferred it, and declined the Fifth for no other reason. But the Sixth could not be given, and the turn of events finally brought me the Fifth after my cavalry, under the most trying difficulties, had drawn the enemy from his works, and into such a position as to permit the realization of General Grant's hope to break up with my force Lee's right flank. Pickett's isolation offered an opportunity which we could not afford to neglect, and the destruction of his command would fill the measure of General Grant's expectations as well as meet my own desires. The occasion was not an ordinary one, and as I thought that Warren had not risen to its demand in the battle, I deemed it injudicious and unsafe under the critical conditions existing to retain him longer. That I was justified in this is plain to all who are disposed to be fair-minded, so with the following extract from General Sherman's review of the proceedings of the Warren Court, and

with which I am convinced the judgment of history will accord, I leave the subject:

"....It would be an unsafe and dangerous rule to hold the commander of an army in battle to a technical adherence to any rule of conduct for managing his command. He is responsible for results, and holds the lives and reputations of every officer and soldier under his orders as subordinate to the great end--victory. The most important events are usually compressed into an hour, a minute, and he cannot stop to analyze his reasons. He must act on the impulse, the conviction, of the instant, and should be sustained in his conclusions, if not manifestly unjust. The power to command men, and give vehement impulse to their joint action, is something which cannot be defined by words, but it is plain and manifest in battles, and whoever commands an army in chief must choose his subordinates by reason of qualities which can alone be tested in actual conflict.

"No one has questioned the patriotism, integrity, and great intelligence of General Warren. These are attested by a long record of most excellent service, but in the clash of arms at and near Five Forks, March 31 and April 1, 1865, his personal activity fell short of the standard fixed by General Sheridan, on whom alone rested the great responsibility for that and succeeding days.

"My conclusion is that General Sheridan was perfectly justified in his action in this case, and he must be fully and entirely sustained if the United States expects great victories by her arms in the future."

CHAPTER VII.

RESULT OF THE BATTLE OF FIVE FORKS--RETREAT OF LEE--AN INTERCEPTED DESPATCH--AT AMELIA COURT HOUSE--BATTLE OF SAILOR'S CREEK--THE CONFEDERATES' STUBBORN RESISTANCE--A COMPLETE VICTORY--IMPORTANCE OF THE BATTLE.

When the news of the battle at Five Forks reached General Grant, he realized that the decisive character of our victory would necessitate the immediate abandonment of Richmond and Petersburg by the enemy; and fearing that Lee would escape without further injury, he issued orders, the propriety of which must be settled by history, to assault next morning the whole intrenched line. But Lee could not retreat at once. He had not anticipated disaster at Five Forks, and hence was unprepared to withdraw on the moment; and the necessity of getting off his trains and munitions of war, as well as being obliged to cover the flight of the Confederate Government, compelled him to hold on to Richmond and Petersburg till the afternoon of the 2d, though before that Parke, Ord, and Wright had carried his outer intrenchments at several points, thus materially shortening the line of investment.

The night of the 1st of April, General Humphreys's corps--the Second--had extended its left toward the White Oak road, and early next morning, under instructions from General Grant, Miles's division of that corps reported to me, and supporting him with Ayres's and Crawford's divisions of the Fifth Corps, I then directed him to

advance toward Petersburg and attack the enemy's works at the intersection of the Claiborne and White Oak roads.

Such of the enemy as were still in the works Miles easily forced across Hatcher's Run, in the direction of Sutherland's depot, but the Confederates promptly took up a position north of the little stream, and Miles being anxious to attack, I gave him leave, but just at this time General Humphreys came up with a request to me from General Meade to return Miles. On this request I relinquished command of the division, when, supported by the Fifth Corps it could have broken in the enemy's right at a vital point; and I have always since regretted that I did so, for the message Humphreys conveyed was without authority from General Grant, by whom Miles had been sent to me, but thinking good feeling a desideratum just then, and wishing to avoid wrangles, I faced the Fifth Corps about and marched it down to Five Forks, and out the Ford road to the crossing of Hatcher's Run. After we had gone, General Grant, intending this quarter of the field to be under my control, ordered Humphreys with his other two divisions to move to the right, in toward Petersburg. This left Miles entirely unsupported, and his gallant attack made soon after was unsuccessful at first, but about 3 o'clock in the afternoon he carried the point which covered the retreat from Petersburg and Richmond.

Merritt had been sent westward, meanwhile, in the direction of Ford's Station, to break the enemy's horse which had been collecting to the north of Hatcher's Run. Meeting, with but little opposition, Merritt drove this cavalry force in a northerly direction toward Scott's Corners, while the Fifth Corps was pushed toward Sutherland's depot, in the hope of coming in on the rear of the force that was confronting Miles when I left him. Crawford and Merritt engaged the enemy lightly just before night, but his main column, retreating along the river road south of the Appomattox, had got across Namozine Creek, and the darkness prevented our doing more than to pick up some stragglers. The next morning the pursuit was resumed, the cavalry again in advance, the Fifth Corps keeping up with it all the while, and as we pressed our adversaries hundreds and hundreds of prisoners, armed and unarmed, fell into our hands, together with many wagons and five pieces of artillery. At Deep Creek the rearguard turned on us, and a severe skirmish took place. Merritt, finding the enemy very strong, was directed to await the arrival of Crook and for the rear division of the Fifth Corps; but by the time they reached the creek, darkness had again come to protect the Confederates, and we had to be content with meagre results at that point.

From the beginning it was apparent that Lee, in his retreat, was making for Amelia Court House, where his columns north and south of the Appomattox River could join, and where, no doubt, he expected to meet supplies, so Crook was ordered to march early on April 4 to strike the Danville railroad, between Jettersville and Burkeville, and then move south along the railroad toward Jettersville, Merritt to move toward Amelia Court House, and the Fifth Corps to Jettersville itself.

The Fifth Corps got to Jettersville about 5 in the afternoon, and I immediately intrenched it across the Burkeville road with the determination to stay there till the main army could come up, for I hoped we could force Lee to surrender at Amelia Court House, since a firm hold on Jettersville would cut him off from his line of retreat toward Burkeville.

Accompanied only by my escort--the First United States Cavalry, about two hundred strong--I reached Jettersville some little time before the Fifth Corps, and having nothing else at hand I at once deployed this handful of men to cover the crossroads till the arrival of the corps. Just as the troopers were deploying, a man on a mule, heading for Burkeville, rode into my pickets. He was arrested, of course, and being searched there was found in his boots this telegram in duplicate, signed by Lee's Commissary General.

"The army is at Amelia Court House, short of provisions. Send 300,000 rations quickly to Burkeville Junction." One copy was addressed to the supply department at Danville, and the other to that at Lynchburg. I surmised that the telegraph lines north of Burkeville had been broken by Crook after the despatches were written, which would account for their being transmitted by messenger. There was thus revealed not only the important fact that Lee was concentrating at Amelia Court House, but also a trustworthy basis for estimating his troops, so I sent word to Crook to strike up the railroad toward me, and to Merritt--who, as I have said, had followed on the heels of the enemy--to leave Mackenzie there and himself close in on Jettersville. Staff-officers were also despatched to hurry up Griffin with the Fifth Corps, and his tired men redoubled their strides.

My troops too were hard up for rations, for in the pursuit we could not wait for our trains, so I concluded to secure if possible these provisions intended for Lee. To this end I directed Young to send four of his best scouts to Burkeville Junction. There they were to separate, two taking the railroad toward Lynchburg and two toward Danville, and as soon as a telegraph station was reached the telegram was to be transmitted as it had been written and the provisions thus hurried forward.

Although the Fifth Corps arrived at Jettersville the evening of April 4, as did also Crook's and Merritt's cavalry, yet none of the army of the Potomac came up till about 3 o'clock the afternoon of the 5th, the Second Corps, followed by the Sixth, joining us then. General Meade arrived at Jettersville an hour earlier, but being ill, requested me to put his troops in position. The Fifth Corps being already intrenched across the Amelia Court House road facing north, I placed the Sixth on its right and the Second on its left as they reached the ground.

As the enemy had been feeling us ever since morning--to learn what he was up to I directed Crook to send Davies's brigade on a reconnoissance to Paine's crossroads. Davies soon found out that Lee was trying to escape by that flank, for at the crossroads he found the Confederate trains and artillery moving rapidly westward. Having driven away the escort, Davies succeeded in burning nearly two hundred wagons, and brought off five pieces of artillery. Among these wagons were some belonging to General, Lee's and to General Fitzhugh Lee's headquarters. This work through, Davies withdrew and rejoined Crook, who, with Smith and Gregg, was established near Flat Creek.

It being plain that Lee would attempt to escape as soon as his trains were out of the way, I was most anxious to attack him when the Second Corps began to arrive, for I felt certain that unless we did so he

would succeed in passing by our left flank, and would thus again make our pursuit a stern-chase; but General Meade, whose plan of attack was to advance his right flank on Amelia Court House, objected to assailing before all his troops were up.

I then sent despatches to General Grant, explaining what Davies had done, and telling him that the Second Corps was arriving, and that I wished he himself was present. I assured him of my confidence in our capturing Lee if we properly exerted ourselves, and informed him, finally, that I would put all my cavalry, except Mackenzie, on my left, and that, with such a disposition of my forces, I could see no escape for Lee. I also inclosed him this letter, which had just been captured:

"AMELIA C. H., April 5, 1865.

"DEAR MAMMA:

"Our army is ruined, I fear. We are all safe as yet. Shyron left us sick. John Taylor is well--saw him yesterday. We are in line of battle this morning. General Robert Lee is in the field near us. My trust is still in the justice of our cause, and that of God. General Hill is killed. I saw Murray a few minutes since. Bernard, Terry said, was taken prisoner, but may yet get out. I send this by a negro I see passing up the railroad to Mechlenburg. Love to all.

"Your devoted son,

"Wm. B. TAYLOR, Colonel."

General Grant, who on the 5th was accompanying General Ord's column toward Burkeville Junction, did not receive this intelligence till nearly nightfall, when within about ten miles of the Junction. He set out for Jetersville immediately, but did not reach us till near midnight, too late of course to do anything that night. Taking me with him, we went over to see Meade, whom he then directed to advance early in the morning on Amelia Court House. In this interview Grant also stated that the orders Meade had already issued would permit Lee's escape, and therefore must be changed, for it was not the aim only to follow the enemy, but to get ahead of him, remarking during the conversation that, "he had no doubt Lee was moving right then." On this same occasion Meade expressed a desire to have in the proposed attack all the troops of the Army of the Potomac under his own command, and asked for the return of the Fifth Corps. I made no objections, and it was ordered to report, to him.

When, on the morning of the 6th, Meade advanced toward Amelia Court House, he found, as predicted, that Lee was gone. It turned out that the retreat began the evening of the 5th and continued all night. Satisfied that this would be the case, I did not permit the cavalry to participate in Meade's useless advance, but shifted it out toward the left to the road running from Deatonville to Rice's station, Crook leading and Merritt close up. Before long the enemy's trains were discovered on this road, but Crook could make but little impression on them, they were so strongly guarded; so, leaving Stagg's brigade and Miller's battery about three miles southwest of Deatonville--where the road forks, with a branch leading north toward the Appomattox--to harass the retreating column and find a

vulnerable point, I again shifted the rest of the cavalry toward the left, across-country, but still keeping parallel to the enemy's line of march.

Just after crossing Sailor's Creek, a favorable opportunity offering, both Merritt and Crook attacked vigorously, gained the Rice's Station road, destroyed several hundred wagons, made many prisoners, and captured sixteen pieces of artillery. This was important, but more valuable still was the fact that we were astride the enemy's line of retreat, and had cut off from joining Longstreet, waiting at Rice's Station, a corps of Confederate infantry under General Ewell, composed of Anderson's, Kershaw's, and Custis Lee's divisions. Stagg's brigade and Miller's battery, which, as I have said, had been left at the forks of the Deatonsville road, had meanwhile broken in between the rear of Ewell's column and the head of Gordon's, forcing Gordon to abandon his march for Rice's Station, and to take the right-hand road at the forks, on which he was pursued by General Humphreys.

The complete isolation of Ewell from Longstreet in his front and Gordon in his rear led to the battle of Sailor's Creek, one of the severest conflicts of the war, for the enemy fought with desperation to escape capture, and we, bent on his destruction, were no less eager and determined. The capture of Ewell, with six of his generals and most of his troops, crowned our success, but the fight was so overshadowed by the stirring events of the surrender three days later, that the battle has never been accorded the prominence it deserves.

The small creek from which the field takes its name flows in a northwesterly direction across the road leading from Deatonsville to Rice's Station. By shifting to the left, Merritt gained the Rice's Station road west of the creek, making havoc of the wagon-trains, while Crook struck them further on and planted himself square across the road. This blocked Ewell, who, advancing Anderson to some high ground west of the creek, posted him behind barricades, with the intention of making a hard fight there, while the main body should escape through the woods in a westerly direction to roads that led to Farmville. This was prevented, however, by Crook forming his division, two brigades dismounted and one mounted, and at once assaulting all along Anderson's front and overlapping his right, while Merritt fiercely attacked to the right of Crook. The enemy being thus held, enabled the Sixth Corps--which in the meantime I had sent for--to come upon the ground, and Ewell, still contending with the cavalry, found himself suddenly beset by this new danger from his rear. To meet it, he placed Kershaw to the right and Custis Lee to the left of the Rice's Station road, facing them north toward and some little distance from Sailor's Creek, supporting Kershaw with Commander Tucker's Marine brigade. Ewell's skirmishers held the line of Sailor's Creek, which runs through a gentle valley, the north slope of which was cleared ground.

By General Grant's directions the Sixth Corps had been following my route of march since the discovery, about 9 o'clock in the morning, that Lee had decamped from Amelia Court House. Grant had promptly informed me of this in a note, saying, "The Sixth Corps will go in with a vim any place you may dictate," so when I sent word to Wright of the enemy's isolation, and asked him to hurry on with all speed, his gallant corps came as fast as legs could carry them, he sending

to me successively Major McClellan and Colonel Franklin, of his staff, to report his approach.

I was well advised as to the position of the enemy through information brought me by an intelligent young soldier, William A. Richardson, Company "A," Second Ohio, who, in one of the cavalry charges on Anderson, had cleared the barricades and made his way back to my front through Ewell's line. Richardson had told me just how the main body of the enemy was posted, so as Seymour's division arrived I directed General Wright to put it on the right of the road, while Wheaton's men, coming up all hot and out of breath, promptly formed on Seymour's left. Both divisions thus aligned faced southwest toward Sailor's Creek, and the artillery of the corps being massed to the left and front of the Hibbon house, without waiting for Getty's division--for I feared that if we delayed longer the enemy might effect his escape toward Farmville--the general attack was begun. Seymour and Wheaton, moving forward together, assailed the enemy's front and left, and Stagg's brigade, too, which in the mean time had been placed between Wheaton's left and Devin's right, went at him along with them, Merritt and Crook resuming the fight from their positions in front of Anderson. The enemy, seeing little chance of escape, fought like a tiger at bay, but both Seymour and Wheaton pressed him vigorously, gaining ground at all points except just to the right of the road, where Seymour's left was checked. Here the Confederates burst back on us in a counter-charge, surging down almost to the creek, but the artillery, supported by Getty, who in the mean time had come on the ground, opened on them so terribly that this audacious and furious onset was completely broken, though the gallant fellows fell back to their original line doggedly, and not until after they had almost gained the creek. Ewell was now hemmed in on every side, and all those under his immediate command were captured. Merritt and Crook had also broken up Anderson by this time, but he himself, and about two thousand disorganized men escaped by making their way through the woods toward the Appomattox River before they could be entirely enveloped. Night had fallen when the fight was entirely over, but Devin was pushed on in pursuit for about two miles, part of the Sixth Corps following to clinch a victory which not only led to the annihilation of one corps of Lee's retreating army, but obliged Longstreet to move up to Farmville, so as to take a road north of the Appomattox River toward Lynchburg instead of continuing toward Danville.

At the close of the battle I sent one of my staff--Colonel Redwood Price--to General Grant to report what had been done; that we had taken six generals and from nine to ten thousand prisoners. On his way Price stopped at the headquarters of General Meade, where he learned that not the slightest intelligence of the occurrence on my line had been received, for I not being under Meade's command, he had paid no attention to my movements. Price gave the story of the battle, and General Meade, realizing its importance, sent directions immediately to General Wright to make his report of the engagement to the headquarters of the Army of the Potomac, assuming that Wright was operating independently of me in the face of Grant's despatch of 2 o'clock, which said that Wright was following the cavalry and would "go in with a vim" wherever I dictated. Wright could not do else than comply with Meade's orders in the case, and I, being then in ignorance of Meade's reasons for the assumption, could say nothing. But General Grant plainly intending, and even directing, that the corps should be under my command, remedied this phase of the matter,

when informed of what had taken place, by requiring Wright to send a report of the battle through me. What he then did, and what his intentions and orders were, are further confirmed by a reference to the episode in his "Memoirs," where he gives his reasons for ordering the Sixth Corps to abandon the move on Amelia Court House and pass to the left of the army. On the same page he also says, referring to the 6th of April: "The Sixth Corps now remained with the cavalry under Sheridan's direct command until after the surrender." He unquestionably intended all of this, but his purpose was partly frustrated by General Meade's action next morning in assuming direction of the movements of the corps; and before General Grant became aware of the actual conditions the surrender was at hand.

CHAPTER VIII.

LINCOLN'S LACONIC DESPATCH--CAPTURING LEE'S SUPPLIES--DELIGHTED ENGINEERS--THE CONFEDERATES' LAST EFFORT--A FLAG OF TRUCE--GENERAL GEARY'S "LAST DITCH" ABSURDITY--MEETING OF GRANT AND LEE--THE SURRENDER--ESTIMATE OF GENERAL GRANT.

The first report of the battle of Sailor's Creek that General Grant received was, as already stated, an oral message carried by Colonel Price, of my staff. Near midnight I sent a despatch giving the names of the generals captured. These were Ewell, Kershaw, Barton, Corse, Dubose, and Custis Lee. In the same despatch I wrote: "If the thing is pressed, I think that Lee will surrender." When Mr. Lincoln, at City Point, received this word from General Grant, who was transmitting every item of news to the President, he telegraphed Grant the laconic message: "Let the thing be pressed." The morning of the 7th we moved out at a very early hour, Crook's division marching toward Farmville in direct pursuit, while Merritt and Mackenzie were ordered to Prince Edward's Court House to anticipate any effort Lee might make to escape through that place toward Danville since it had been discovered that Longstreet had slipped away already from the front of General Ord's troops at Rice's Station. Crook overtook the main body of the Confederates at Farmville, and promptly attacked their trains on the north side of the Appomattox with Gregg's brigade, which was fiercely turned upon and forced to re-cross the river with the loss of a number of prisoner's, among them Gregg himself. When Crook sent word of this fight, it was clear that Lee had abandoned all effort to escape to the southwest by way of Danville. Lynchburg was undoubtedly his objective point now; so, resolving to throw my cavalry again across his path, and hold him till the infantry could overtake him, I directed everything on Appomattox depot, recalling Crook the night of the 7th to Prospect Station, while Merritt camped at Buffalo Creek, and Mackenzie made a reconnoissance along the Lynchburg railroad.

At break of day, April 8, Merritt and Mackenzie united with Crook at Prospect Station, and the cavalry all moved then toward Appomattox depot. Hardly had it started when one of the scouts--Sergeant White--informed me that there were four trains of cars at the depot loaded with supplies for Lee's army; these had been sent from Lynchburg, in compliance with the telegram of Lee's commissary-general, which message, it will be remembered, was captured and transmitted to Lynchburg by two of Young's scouts on the 4th. Sergeant White, who

had been on the lookout for the trains ever since sending the despatch, found them several miles west of Appomattox depot feeling their way along, in ignorance of Lee's exact position. As he had the original despatch with him, and took pains to dwell upon the pitiable condition of Lee's army, he had little difficulty in persuading the men in charge of the trains to bring them east of Appomattox Station, but fearing that the true state of affairs would be learned before long, and the trains be returned to Lynchburg, he was painfully anxious to have them cut off by breaking the track west of the station.

The intelligence as to the trains was immediately despatched to Crook, and I pushed on to join him with Merritt's command. Custer having the advance, moved rapidly, and on nearing the station detailed two regiments to make a detour southward to strike the railroad some distance beyond and break the track. These regiments set off at a gallop, and in short order broke up the railroad enough to prevent the escape of the trains, Custer meanwhile taking possession of the station, but none too soon, for almost at the moment he did so the advance-guard of Lee's army appeared, bent on securing the trains. Without halting to look after the cars further, Custer attacked this advance-guard and had a spirited fight, in which he drove the Confederates away from the station, captured twenty-five pieces of artillery, a hospital train, and a large park of wagons, which, in the hope that they would reach Lynchburg next day, were being pushed ahead of Lee's main body.

Devin coming up a little before dusk, was put in on the right of Custer, and one of Crook's brigades was sent to our left and the other two held in reserve. I then forced the enemy back on the Appomattox road to the vicinity of the Court House, and that the Confederates might have no rest, gave orders to continue the skirmishing throughout the night. Meanwhile the captured trains had been taken charge of by locomotive engineers, soldiers of the command, who were delighted evidently to get back at their old calling. They amused themselves by running the trains to and fro, creating much confusion, and keeping up such an unearthly screeching with the whistles that I was on the point of ordering the cars burned. They finally wearied of their fun, however, and ran the trains off to the east toward General Ord's column.

The night of the 8th I made my headquarters at a little frame house just south of the station. I did not sleep at all, nor did anybody else, the entire command being up all night long; indeed, there had been little rest in the cavalry for the past eight days. The necessity of getting Ord's column up was so obvious now that staff-officer after staff-officer was sent to him and to General Grant requesting that the infantry be pushed on, for if it could get to the front, all knew that the rebellion would be ended on the morrow. Merritt, Crook, Custer, and Devin were present at frequent intervals during the night, and everybody was overjoyed at the prospect that our weary work was about to end so happily. Before sun-up General Ord arrived, and informed me of the approach of his column, it having been marching the whole night. As he ranked me, of course I could give him no orders, so after a hasty consultation as to where his troops should be placed we separated, I riding to the front to overlook my line near Appomattox Court House, while he went back to urge along his weary troops.

The night before General Lee had held a council with his principal generals, when it was arranged that in the morning General Gordon should undertake to break through my cavalry, and when I neared my troops this movement was beginning, a heavy line of infantry bearing down on us from the direction of the village. In front of Crook and Mackenzie firing had already begun, so riding to a slight elevation where a good view of the Confederates could be had, I there came to the conclusion that it would be unwise to offer more resistance than that necessary to give Ord time to form, so I directed Merritt to fall back, and in retiring to shift Devin and Custer to the right so as to make room for Ord, now in the woods to my rear. Crook, who with his own and Mackenzie's divisions was on my extreme left covering some by-roads, was ordered to hold his ground as long as practicable without sacrificing his men, and, if forced to retire, to contest with obstinacy the enemy's advance.

As already stated, I could not direct General Ord's course, he being my senior, but hastily galloping back to where he was, at the edge of the timber, I explained to him what was taking place at the front. Merritt's withdrawal inspired the Confederates, who forthwith began to press Crook, their line of battle advancing with confidence till it reached the crest whence I had reconnoitred them. From this ground they could see Ord's men emerging from the woods, and the hopelessness of a further attack being plain, the gray lines instinctively halted, and then began to retire toward a ridge immediately fronting Appomattox Court House, while Ord, joined on his right by the Fifth Corps, advanced on them over the ground that Merritt had abandoned.

I now directed my steps toward Merritt, who, having mounted his troopers, had moved them off to the right, and by the time I reached his headquarters flag he was ready for work, so a move on the enemy's left was ordered, and every guidon was bent to the front. As the cavalry marched along parallel with the Confederate line, and in toward its left, a heavy fire of artillery opened on us, but this could not check us at such a time, and we soon reached some high ground about half a mile from the Court House, and from here I could see in the low valley beyond the village the bivouac undoubtedly of Lee's army. The troops did not seem to be disposed in battle order, but on the other side of the bivouac was a line of battle--a heavy rear-guard--confronting, presumably, General Meade.

I decided to attack at once, and formations were ordered at a trot for a charge by Custer's and Devin's divisions down the slope leading to the camps. Custer was soon ready, but Devin's division being in rear its formation took longer, since he had to shift further to the right; Devin's preparations were, therefore, but partially completed when an aide-de-camp galloped up to with the word from Custer, "Lee has surrendered; do not charge; the white flag is up." The enemy perceiving that Custer was forming for attack, had sent the flag out to his front and stopped the charge just in time. I at once sent word of the truce to General Ord, and hearing nothing more from Custer himself, I supposed that he had gone down to the Court House to join a mounted group of Confederates that I could see near there, so I, too, went toward them, galloping down a narrow ridge, staff and orderlies following; but we had not got half way to the Court House when, from a skirt of timber to our right, not more than three hundred yards distant, a musketry fire was opened on us. This halted us, when, waving my hat, I called out to the firing party that we

were under a truce, and they were violating it. This did not stop them, however, so we hastily took shelter in a ravine so situated as to throw a ridge between us and the danger.

We traveled in safety down this depression to its mouth, and thence by a gentle ascent approached the Court House. I was in advance, followed by a sergeant carrying my battleflag. When I got within about a hundred and fifty yards of the enemy's line, which was immediately in front of the Court House, some of the Confederates leveled their pieces at us, and I again halted. Their officers kept their men from firing, however, but meanwhile a single-handed contest had begun behind me, for on looking back I heard a Confederate soldier demanding my battle-flag from the color-bearer, thinking, no doubt, that we were coming in as prisoners. The sergeant had drawn his sabre and was about to cut the man down, but at a word from me he desisted and carried the flag back to my staff, his assailant quickly realizing that the boot was on the other leg.

These incidents determined me to remain where I was till the return of a staff-officer whom I had sent over to demand an explanation from the group of Confederates for which I had been heading. He came back in a few minutes with apologies for what had occurred, and informed me that General Gordon and General Wilcox were the superior officers in the group. As they wished me to join them I rode up with my staff, but we had hardly met when in front of Merritt firing began. At the sound I turned to General Gordon, who seemed embarrassed by the occurrence, and remarked: "General, your men fired on me as I was coming over here, and undoubtedly they are treating Merritt and Custer the same way. We might as well let them fight it out." He replied, "There must be some mistake." I then asked, "Why not send a staff-officer and have your people cease firing; they are violating the flag." He answered, "I have no staff-officer to send." Whereupon I said that I would let him have one of mine, and calling for Lieutenant Vanderbilt Allen, I directed him to carry General Gordon's orders to General Geary, commanding a small brigade of South Carolina cavalry, to discontinue firing. Allen dashed off with the message and soon delivered it, but was made a prisoner, Geary saying, "I do not care for white flags: South Carolinians never surrender...." By this time Merritt's patience being exhausted, he ordered an attack, and this in short order put an end to General Geary's "last ditch" absurdity, and extricated Allen from his predicament.

When quiet was restored Gordon remarked: "General Lee asks for a suspension of hostilities pending the negotiations which he is having with General Grant." I rejoined: "I have been constantly informed of the progress of the negotiations, and think it singular that while such discussions are going on, General Lee should have continued his march and attempted to break through my lines this morning. I will entertain no terms except that General Lee shall surrender to General Grant on his arrival here. If these terms are not accepted we will renew hostilities." Gordon replied: "General Lee's army is exhausted. There is no doubt of his surrender to General Grant."

It was then that General Ord joined us, and after shaking hands all around, I related the situation to him, and Gordon went away agreeing to meet us again in half an hour. When the time was up he came back accompanied by General Longstreet, who brought with him a despatch, the duplicate of one that had been sent General Grant through General Meade's lines back on the road over which Lee had been retreating.

General Longstreet renewed the assurances that already had been given by Gordon, and I sent Colonel Newhall with the despatch to find General Grant and bring him to the front. When Newhall started, everything on our side of the Appomattox Court House was quiet, for inevitable surrender was at hand, but Longstreet feared that Meade, in ignorance of the new conditions on my front might attack the Confederate rearguard. To prevent this I offered to send Colonel J. W. Forsyth through the enemy's lines to let Meade know of my agreement, for he too was suspicious that by a renewed correspondence Lee was endeavoring to gain time for escape. My offer being accepted, Forsyth set out accompanied by Colonel Fairfax, of Longstreet's staff, and had no difficulty in accomplishing his mission.

About five or six miles from Appomattox, on the road toward Prospect Station near its intersection with the Walker's Church road, my adjutant-general, Colonel Newhall, met General Grant, he having started from north of the Appomattox River for my front the morning of April 9, in consequence of the following despatches which had been sent him the night before, after we had captured Appomattox Station and established a line intercepting Lee:

"CAVALRY HEADQUARTERS, April 8, 1865--9:20 P. M.

"LIEUTENANT-GENERAL U. S. GRANT,
"Commanding Armies of the U. S.

"General: I marched early this morning from Buffalo Creek and Prospect Station on Appomattox Station, where my scouts had reported trains of cars with supplies for Lee's army. A short time before dark General Custer, who had the advance, made a dash at the station, capturing four trains of supplies with locomotives. One of the trains was burned and the others were run back toward Farmville for security. Custer then pushed on toward Appomattox Court House, driving the enemy--who kept up a heavy fire of artillery--charging them repeatedly and capturing, as far as reported, twenty-five pieces of artillery and a number of prisoners and wagons. The First Cavalry Division supported him on the right. A reconnoissance sent across the Appomattox reports the enemy moving on the Cumberland road to Appomattox Station, where they expect to get supplies. Custer is still pushing on. If General Gibbon and the Fifth Corps can get up to-night, we will perhaps finish the job in the morning. I do not think Lee means to surrender until compelled to do so.

"P. H. SHERIDAN, Major-General."

"HEADQUARTERS CAVALRY, April 8, 1865--9:40 p.m.

"LIEUTENANT-GENERAL U. S. GRANT.
"Commanding Armies U. S.

"GENERAL: Since writing the accompanying despatch, General Custer reports that his command has captured in all thirty-five pieces of artillery, one thousand prisoners--including one general officer--and from one hundred and fifty to two hundred wagons.

"P. H. SHERIDAN, Major-General."

In attempting to conduct the lieutenant-general and staff back by a short route, Newhall lost his bearings for a time, inclining in toward the enemy's lines too far, but regained the proper direction without serious loss of time. General Grant arrived about 1 o'clock in the afternoon, Ord and I, dismounted, meeting him at the edge of the town, or crossroads, for it was little more. He remaining mounted, spoke first to me, saying simply,

"How are you, Sheridan?" I assured him with thanks that I was "first-rate," when, pointing toward the village, he asked, "Is General Lee up there?" and I replied: "There is his army down in that valley, and he himself is over in that house (designating McLean's house) waiting to surrender to you." The General then said, "Come, let us go over," this last remark being addressed to both Ord and me. We two then mounted and joined him, while our staff-officers followed, intermingling with those of the general-in-chief as the cavalcade took its way to McLean's house near by, and where General Lee had arrived some time before, in consequence of a message from General Grant consenting to the interview asked for by Lee through Meade's front that morning--the consent having been carried by Colonel Babcock.

When I entered McLean's house General Lee was standing, as was also his military secretary, Colonel Marshall, his only staff-officer present. General Lee was dressed in a new uniform and wore a handsome sword. His tall, commanding form thus set off contrasted strongly with the short figure of General Grant, clothed as he was in a soiled suit, without sword or other insignia of his position except a pair of dingy shoulder-straps. After being presented, Ord and I, and nearly all of General Grant's staff, withdrew to await the agreement as to terms, and in a little while Colonel Babcock came to the door and said, "The surrender had been made; you can come in again."

When we re-entered General Grant was writing; and General Lee, having in his hand two despatches, which I that morning requested might be returned, as I had no copies of them, addressed me with the remark: "I am sorry. It is probable that my cavalry at that point of the line did not fully understand the agreement." These despatches had been sent in the forenoon, after the fighting had been stopped, notifying General Lee that some of his cavalry in front of Crook was violating the suspension of hostilities by withdrawing. About 3 o'clock in the afternoon the terms of surrender were written out and accepted, and General Lee left the house, as he departed cordially shaking hands with General Grant. A moment later he mounted his chunky gray horse, and lifting his hat as he passed out of the yard, rode off toward his army, his arrival there being announced to us by cheering, which, as it progressed, varying in loudness, told he was riding through the bivouac of the Army of Northern Virginia.

The surrender of General Lee practically ended the war of the rebellion. For four years his army had been the main-stay of the Confederacy; and the marked ability with which he directed its operations is evidenced both by his frequent successes and the length of time he kept up the contest. Indeed, it may be said that till

General Grant was matched against him, he never met an opponent he did not vanquish, for while it is true that defeat was inflicted on the Confederates at Antietam and Gettysburg, yet the fruits of these victories were not gathered, for after each of these battles Lee was left unmolested till he had a chance to recuperate.

The assignment of General Grant to the command of the Union armies in the winter of 1863-64 gave presage of success from the start, for his eminent abilities had already been proved, and besides, he was a tower of strength to the Government, because he had the confidence of the people. They knew that henceforth systematic direction would be given to our armies in every section of the vast territory over which active operations were being prosecuted, and further, that this coherence, this harmony of plan, was the one thing needed to end the war, for in the three preceding years there had been illustrated most lamentable effects of the absence of system. From the moment he set our armies in motion simultaneously, in the spring of 1864, it could be seen that we should be victorious ultimately, for though on different lines we were checked now and then, yet we were harassing the Confederacy at so many vital points that plainly it must yield to our blows. Against Lee's army, the forefront of the Confederacy, Grant pitted himself; and it may be said that the Confederate commander was now, for the first time, overmatched, for against all his devices--the products of a mind fertile in defense--General Grant brought to bear not only the wealth of expedient which had hitherto distinguished him, but also an imperturbable tenacity, particularly in the Wilderness and on the march to the James, without which the almost insurmountable obstacles of that campaign could not have been overcome. During it and in the siege of Petersburg he met with many disappointments--on several occasions the shortcomings of generals, when at the point of success, leading to wretched failures. But so far as he was concerned, the only apparent effect of these discomfitures was to make him all the more determined to discharge successfully the stupendous trust committed to his care, and to bring into play the manifold resources of his well ordered military mind. He guided every subordinate then, and in the last days of the rebellion, with a fund of common sense and superiority of intellect, which have left an impress so distinct as to exhibit his great personality. When his military history is analyzed after the lapse of years, it will show, even more clearly than now, that during these as well as in his previous campaigns he was the steadfast Centre about and on which everything else turned.

CHAPTER IX.

ORDERED TO GREENSBORO', N. C.--MARCH TO THE DAN RIVER--ASSIGNED TO THE COMMAND WEST OF THE MISSISSIPPI--LEAVING WASHINGTON--FLIGHT OF GENERAL EARLY--MAXIMILIAN--MAKING DEMONSTRATIONS ON THE UPPER RIO GRANDE--CONFEDERATES JOIN MAXIMILIAN--THE FRENCH INVASION OF MEXICO AND ITS RELATIONS TO THE REBELLION--ASSISTING THE LIBERALS --RESTORATION OF THE REPUBLIC.

The surrender at Appomattox put a stop to all military operations on the part of General Grant's forces, and the morning of April 10 my cavalry began its march to Petersburg, the men anticipating that they would soon be mustered out and returned to their homes. At Nottoway

Court House I heard of the assassination of the President. The first news came to us the night after the dastardly deed, the telegraph operator having taken it from the wires while in transmission to General Meade. The despatch ran that Mr. Lincoln had been, shot at 10 o'clock that morning at Willard's Hotel, but as I could conceive of nothing to take the President there I set the story down as a canard, and went to bed without giving it further thought. Next morning, however, an official telegram confirmed the fact of the assassination, though eliminating the distorted circumstances that had been communicated the night before.

When we reached Petersburg my column was halted, and instructions given me to march the cavalry and the Sixth Corps to Greensboro', North Carolina, for the purpose of aiding General Sherman (the surrender of General Johnston having not yet been effected), so I made the necessary preparations and moved on the 24th of April, arriving at South Boston, on the Dan River, the 28th, the Sixth Corps having reached Danville meanwhile. At South Boston I received a despatch from General Halleck, who immediately after Lee's surrender had been assigned to command at Richmond, informing me that General Johnston had been brought to terms. The necessity for going farther south being thus obviated we retraced our steps to Petersburg, from which place I proceeded by steamer to Washington, leaving, the cavalry to be marched thither by easy stages.

The day after my arrival in Washington an important order was sent me, accompanied by the following letter of instructions, transferring me to a new field of operations:

"HEADQUARTERS ARMIES OF THE UNITED STATES.

"Washington, D. C., May 17, 1865.

"GENERAL: Under the orders relieving you from the command of the Middle Military Division and assigning you to command west of the Mississippi, you will proceed without delay to the West to arrange all preliminaries for your new field of duties.

"Your duty is to restore Texas, and that part of Louisiana held by the enemy, to the Union in the shortest practicable time, in a way most effectual for securing permanent peace.

"To do this, you will be given all the troops that can be spared by Major-General Canby, probably twenty-five thousand men of all arms; the troops with Major-General J. J. Reynolds, in Arkansas, say twelve thousand, Reynolds to command; the Fourth Army Corps, now at Nashville, Tennessee, awaiting orders; and the Twenty-Fifth Army Corps, now at City Point, Virginia, ready to embark.

"I do not wish to trammel you with instructions; I will state, however, that if Smith holds out, without even an ostensible government to receive orders from or to report to, he and his men are not entitled to the considerations due to an acknowledged belligerent. Theirs are the conditions of outlaws, making war against the only Government having an existence over the territory where war is now being waged.

"You may notify the rebel commander west of the Mississippi--holding

intercourse with him in person, or through such officers of the rank of major-general as you may select--that he will be allowed to surrender all his forces on the same terms as were accorded to Lee and Johnston. If he accedes, proceed to garrison the Red River as high up as Shreveport, the seaboard at Galveston, Malagorda Bay, Corpus Christi, and mouth of the Rio Grande.

"Place a strong force on the Rio Grande, holding it at least to a point opposite Camargo, and above that if supplies can be procured.

"In case of an active campaign (a hostile one) I think a heavy force should be put on the Rio Grande as a first preliminary. Troops for this might be started at once. The Twenty-Fifth Corps is now available, and to it should be added a force of white troops, say those now under Major-General Steele.

"To be clear on this last point, I think the Rio Grande should be strongly held, whether the forces in Texas surrender or not, and that no time should be lost in getting troops there. If war is to be made, they will be in the right place; if Kirby Smith surrenders, they will be on the line which is to be strongly garrisoned.

"Should any force be necessary other than those designated, they can be had by calling for them on Army Headquarters.

"U. S. GRANT,
"Lieutenant-General.

"To MAJOR-GENERAL P. H. SHERIDAN,
"United States Army."

On receipt of these instructions I called at once on General Grant, to see if they were to be considered so pressing as to preclude my remaining in Washington till after the Grand Review, which was fixed for the 23d and 24th of May, for naturally I had a strong desire to head my command on that great occasion. But the General told me that it was absolutely necessary to go at once to force the surrender of the Confederates under Kirby Smith. He also told me that the States lately in rebellion would be embraced in two or three military departments, the commanders of which would control civil affairs until Congress took action about restoring them to the Union, since that course would not only be economical and simple, but would give the Southern people confidence, and encourage them to go to work, instead of distracting them with politics.

At this same interview he informed me that there was an additional motive in sending me to the new command, a motive not explained by the instructions themselves, and went on to say that, as a matter of fact, he looked upon the invasion of Mexico by Maximilian as a part of the rebellion itself, because of the encouragement that invasion had received from the Confederacy, and that our success in putting down secession would never be complete till the French and Austrian invaders were compelled to quit the territory of our sister republic. With regard to this matter, though, he said it would be necessary for me to act with great circumspection, since the Secretary of State, Mr. Seward, was much opposed to the use of our troops along the border in any active way that would be likely to involve us in a war with European powers.

Under the circumstances, my disappointment at not being permitted to participate in the review had to be submitted to, and I left Washington without an opportunity of seeing again in a body the men who, while under my command, had gone through so many trials and unremittingly pursued and, assailed the enemy, from the beginning of the campaign of 1864 till the white flag came into their hands at Appomattox Court House.

I went first to St. Louis, and there took the steamboat for New Orleans, and when near the mouth of the Red River received word from General Canby that Kirby Smith had surrendered under terms similar to those accorded Lee and Johnston. But the surrender was not carried out in good faith, particularly by the Texas troops, though this I did not learn till some little time afterward when I was informed that they had marched off to the interior of the State in several organized bodies, carrying with them their camp equipage, arms, ammunition, and even some artillery, with the ultimate purpose of going to Mexico. In consequence of this, and also because of the desire of the Government to make a strong showing of force in Texas, I decided to traverse the State with two columns of cavalry, directing one to San Antonio under Merritt, the other to Houston under Custer. Both commands were to start from the Red River --Shreveport and Alexandria--being the respective initial points--and in organizing the columns, to the mounted force already on the Red River were added several regiments of cavalry from the east bank of the, Mississippi, and in a singular way one of these fell upon the trail of my old antagonist, General Early. While crossing the river somewhere below Vicksburg some of the men noticed a suspicious looking party being ferried over in a rowboat, behind which two horses were swimming in tow. Chase was given, and the horses, being abandoned by the party, fell into the hands of our troopers, who, however, failed to capture or identify the people in the boat. As subsequently ascertained, the men were companions of Early, who was already across the Mississippi, hidden in the woods, on his way with two or three of these followers to join the Confederates in Texas, not having heard of Kirby Smith's surrender. A week or two later I received a letter from Early describing the affair, and the capture of the horses, for which he claimed pay, on the ground that they were private property, because he had taken them in battle. The letter also said that any further pursuit of Early would be useless, as he "expected to be on the deep blue sea" by the time his communication reached me. The unfortunate man was fleeing from imaginary dangers, however, for striking his trail was purely accidental, and no effort whatever was being made to arrest him personally. Had this been especially desired it might have been accomplished very readily just after Lee's surrender, for it was an open secret that Early was then not far away, pretty badly disabled with rheumatism.

By the time the two columns were ready to set out for San Antonio and Houston, General Frank Herron,--with one division of the Thirteenth Corps, occupied Galveston, and another division under General Fred Steele had gone to Brazos Santiago, to hold Brownsville and the line of the Rio Grande, the object being to prevent, as far as possible, the escaping Confederates from joining Maximilian. With this purpose in view, and not forgetting Grant's conviction that the French invasion of Mexico was linked with the rebellion, I asked for an increase of force to send troops into Texas in fact, to concentrate at available points in the State an army strong enough to move

against the invaders of Mexico if occasion demanded. The Fourth and Twenty-fifth army corps being ordered to report to me, accordingly, I sent the Fourth Corps to Victoria and San Antonio, and the bulk of the Twenty-fifth to Brownsville. Then came the feeding and caring for all these troops--a difficult matter--for those at Victoria and San Antonio had to be provisioned overland from Indianola across the "hog-wallow prairie," while the supplies for the forces at Brownsville and along the Rio Grande must come by way of Brazos Santiago, from which point I was obliged to construct, with the labor of the men, a railroad to Clarksville, a distance of about eighteen miles.

The latter part of June I repaired to Brownsville myself to impress the Imperialists, as much as possible, with the idea that we intended hostilities, and took along my chief of scouts--Major Young--and four of his most trusty men, whom I had had sent from Washington. From Brownsville I despatched all these men to important points in northern Mexico, to glean information regarding the movements of the Imperial forces, and also to gather intelligence about the ex-Confederates who had crossed the Rio Grande. On information furnished by these scouts, I caused General Steele to make demonstrations all along the lower Rio Grande, and at the same time demanded the return of certain munitions of war that had been turned over by ex-Confederates to the Imperial General (Mejia) commanding at Matamoras. These demands, backed up as they were by such a formidable show of force created much agitation and demoralization among the Imperial troops, and measures looking to the abandonment of northern Mexico were forthwith adopted by those in authority--a policy that would have resulted in the speedy evacuation of the entire country by Maximilian, had not our Government weakened; contenting itself with a few pieces of the contraband artillery varnished over with the Imperial apologies. A golden opportunity was lost, for we had ample excuse for crossing the boundary, but Mr. Seward being, as I have already stated, unalterably opposed to any act likely to involve us in war, insisted on his course of negotiation with Napoleon.

As the summer wore away, Maximilian, under Mr. Seward's policy, gained in strength till finally all the accessible sections of Mexico were in his possession, and the Republic under President Juarez almost succumbed. Growing impatient at this, in the latter part of September I decided to try again what virtue there might be in a hostile demonstration, and selected the upper Rio Grande for the scene of my attempt. Merritt's cavalry and the Fourth Corps still being at San Antonio, I went to that place and reviewed these troops, and having prepared them with some ostentation for a campaign, of course it was bruited about that we were going to invade Mexico. Then, escorted by a regiment of horse I proceeded hastily to Fort Duncan, on the Rio Grande just opposite the Mexican town of Piedras Negras. Here I opened communication with President Juarez, through one of his staff, taking care not to do this in the dark, and the news, spreading like wildfire, the greatest significance was ascribed to my action, it being reported most positively and with many specific details that I was only awaiting the arrival of the troops, then under marching orders at San Antonio, to cross the Rio Grande in behalf of the Liberal cause.

Ample corroboration of the reports then circulated was found in my inquiries regarding the quantity of forage we could depend upon

getting in Mexico, our arrangements for its purchase, and my sending a pontoon train to Brownsville, together with which was cited the renewed activity of the troops along the lower Rio Grande. These reports and demonstrations resulted in alarming the Imperialists so much that they withdrew the French and Austrian soldiers from Matamoras, and practically abandoned the whole of northern Mexico as far down as Monterey, with the exception of Matamoras, where General Mejia continued to hang on with a garrison of renegade Mexicans.

The abandonment of so much territory in northern Mexico encouraged General Escobedo and other Liberal leaders to such a degree that they collected a considerable army of their followers at Comargo, Mier, and other points. At the same time that unknown quantity, Cortinas, suspended his free-booting for the nonce, and stoutly harassing Matamoras, succeeded in keeping its Imperial garrison within the fortifications. Thus countenanced and stimulated, and largely supplied with arms and ammunition, which we left at convenient places on our side of the river to fall into their hands, the Liberals, under General Escobedo--a man of much force of character--were enabled in northern Mexico to place the affairs of the Republic on a substantial basis.

But in the midst of what bade fair to cause a final withdrawal of the foreigners, we were again checked by our Government, as a result of representations of the French Minister at Washington. In October, he wrote to Mr. Seward that the United States troops on the Rio Grande were acting "in exact opposition to the repeated assurances Your Excellency has given me concerning the desire of the Cabinet at Washington to preserve the most strict neutrality in the events now taking place in Mexico," and followed this statement with an emphatic protest against our course. Without any investigation whatever by our State Department, this letter of the French Minister was transmitted to me, accompanied by directions to preserve a strict neutrality; so, of course, we were again debarred from anything like active sympathy.

After this, it required the patience of Job to abide the slow and poky methods of our State Department, and, in truth, it was often very difficult to restrain officers and men from crossing the Rio Grande with hostile purpose. Within the knowledge of my troops, there had gone on formerly the transfer of organized bodies of ex-Confederates to Mexico, in aid of the Imperialists, and at this period it was known that there was in preparation an immigration scheme having in view the colonizing, at Cordova and one or two other places, of all the discontented elements of the defunct Confederacy--Generals Price, Magruder, Maury, and other high personages being promoters of the enterprise, which Maximilian took to readily. He saw in it the possibilities of a staunch support to his throne, and therefore not only sanctioned the project, but encouraged it with large grants of land, inspirited the promoters with titles of nobility, and, in addition, instituted a system of peonage, expecting that the silver hook thus baited would be largely swallowed by the Southern people.

The announcement of the scheme was followed by the appointment of commissioners in each of the Southern States to send out emigrants; but before any were deluded into starting, I made to General Grant a report of what was going on, with the recommendation that measures be taken, through our State Department, looking to the suppression of

the colony; but, as usual, nothing could be effected through that channel; so, as an alternative, I published, in April, 1866, by authority of General Grant, an order prohibiting the embarkation from ports in Louisiana and Texas, for ports in Mexico, of any person without a permit from my headquarters. This dampened the ardor of everybody in the Gulf States who had planned to go to Mexico; and although the projectors of the Cordova Colonization Scheme--the name by which it was known--secured a few innocents from other districts, yet this set-back led ultimately to failure.

Among the Liberal leaders along the Rio Grande during this period there sprang up many factional differences from various causes, some personal, others political, and some, I regret to say, from downright moral obliquity--as, for example, those between Cortinas and Canales --who, though generally hostile to the Imperialists, were freebooters enough to take a shy at each other frequently, and now and then even to join forces against Escobedo, unless we prevented them by coaxing or threats. A general who could unite these several factions was therefore greatly needed, and on my return to New Orleans I so telegraphed General Grant, and he, thinking General Caravajal (then in Washington seeking aid for the Republic) would answer the purpose, persuaded him to report to me in New Orleans. Caravajal promptly appeared, but he did not impress me very favorably. He was old and cranky, yet, as he seemed anxious to do his best, I sent him over to Brownsville, with credentials, authorizing him to cross into Mexico, and followed him myself by the next boat. When I arrived in Brownsville, matters in Matamoras had already reached a crisis. General Mejia, feeling keenly the moral support we were giving the Liberals, and hard pressed by the harassing attacks of Cortinas and Canales, had abandoned the place, and Caravajal, because of his credentials from our side, was in command, much to the dissatisfaction of both those chiefs whose differences it was intended he should reconcile.

The day after I got to Brownsville I visited Matamoras, and had a long interview with Caravajal. The outcome of this meeting was, on my part, a stronger conviction than ever that he was unsuitable, and I feared that either Canales or Cortinas would get possession of the city. Caravajal made too many professions of what he would do--in short, bragged too much--but as there was no help for the situation, I made the best of it by trying to smooth down the ruffled feathers of Canales and Cortinas. In my interview with Caravajal I recommended Major Young as a confidential man, whom he could rely upon as a "go-between" for communicating with our people at Brownsville, and whom he could trust to keep him informed of the affairs of his own country as well.

A day or two afterward I recrossed the Gulf to New Orleans, and then, being called from my headquarters to the interior of Texas, a fortnight passed before I heard anything from Brownsville. In the meanwhile Major Young had come to New Orleans, and organized there a band of men to act as a body-guard for Caravajal, the old wretch having induced him to accept the proposition by representing that it had my concurrence. I at once condemned the whole business, but Young, having been furnished with seven thousand dollars to recruit the men and buy their arms, had already secured both, and was so deeply involved in the transaction, he said, that he could not withdraw without dishonor, and with tears in his eyes he besought me to help him. He told me he had entered upon the adventure in the

firm belief that I would countenance it; that the men and their equipment were on his hands; that he must make good his word at all hazards; and that while I need not approve, yet I must go far enough to consent to the departure of the men, and to loan him the money necessary to provision his party and hire a schooner to carry them to Brazos. It was hard in deed to resist the appeals of this man, who had served me so long and so well, and the result of his pleading was that I gave him permission to sail, and also loaned him the sum asked for; but I have never ceased to regret my consent, for misfortune fell upon the enterprise almost from its inception.

By the time the party got across the Gulf and over to Brownsville, Caravajal had been deposed by Canales, and the latter would not accept their services. This left Young with about fifty men to whom he was accountable, and as he had no money to procure them subsistence, they were in a bad fix. The only thing left to do was to tender their services to General Escobedo, and with this in view the party set out to reach the General's camp, marching up the Rio Grande on the American side, intending to cross near Ringgold Barracks. In advance of them, however, had spread far and wide the tidings of who they were, what they proposed to do, and where they were going, and before they could cross into Mexico they were attacked by a party of ex-Confederates and renegade Mexican rancheros. Being on American soil, Young forbade his men to return the fire, and bent all his efforts to getting them over the river; but in this attempt they were broken up, and became completely demoralized. A number of the men were drowned while swimming the river, Young himself was shot and killed, a few were captured, and those who escaped--about twenty in all--finally joined Escobedo, but in such a plight as to be of little use. With this distressing affair came to an end pretty much all open participation of American sympathizers with the Liberal cause, but the moral support afforded by the presence of our forces continued, and this was frequently supplemented with material aid in the shape of munitions of war, which we liberally supplied, though constrained to do so by the most secret methods.

The term of office of Juarez as President of the Mexican Republic expired in December, 1865, but to meet existing exigencies he had continued himself in office by proclamation, a course rendered necessary by the fact that no elections could be held on account of the Imperial occupation of most of the country. The official who, by the Mexican Constitution, is designated for the succession in such an emergency, is the President of the Supreme Court, and the person then eligible under this provision was General Ortega, but in the interest of the Imperialists he had absented himself from Mexico, hence the patriotic course of Juarez in continuing himself at the head of affairs was a necessity of the situation. This action of the President gave the Imperialists little concern at first, but with the revival of the Liberal cause they availed themselves of every means to divide its supporters, and Ortega, who had been lying low in the United States, now came forward to claim the Presidency. Though ridiculously late for such a step, his first act was to issue a manifesto protesting against the assumption of the executive authority by Juarez. The protest had little effect, however, and his next proceeding was to come to New Orleans, get into correspondence with other disaffected Mexicans, and thus perfect his plans. When he thought his intrigue ripe enough for action, he sailed for Brazos, intending to cross the Rio Grande and assert his claims with arms.

While he was scheming in New Orleans, however, I had learned what he was up to, and in advance of his departure had sent instructions to have him arrested on American soil. Colonel Sedgwick, commanding at Brownsville, was now temporary master of Matamoras also, by reason of having stationed some American troops there for the protection of neutral merchants, so when Ortega appeared at Brazos, Sedgwick quietly arrested him and held him till the city of Matamoras was turned over to General Escobedo, the authorized representative of Juarez; then Escobedo took charge, of Ortega, and with ease prevented his further machinations.

During the winter and spring of 1866 we continued covertly supplying arms and ammunition to the Liberals--sending as many as 30,000 muskets from Baton Rouge Arsenal alone--and by mid-summer Juarez, having organized a pretty good sized army, was in possession of the whole line of the Rio Grande, and, in fact, of nearly the whole of Mexico down to San Louis Potosi. Then thick and fast came rumors pointing to the tottering condition of Maximilian's Empire--first, that Orizaba and Vera Cruz were being fortified; then, that the French were to be withdrawn; and later came the intelligence that the Empress Carlotta had gone home to beg assistance from Napoleon, the author of all of her husband's troubles. But the situation forced Napoleon to turn a deaf ear to Carlotta's prayers. The brokenhearted woman besought him on her knees, but his fear of losing an army made all pleadings vain. In fact, as I ascertained by the following cablegram which came into my hands, Napoleon's instructions for the French evacuation were in Mexico at the very time of this pathetic scene between him and Carlotta. The despatch was in cipher when I received it, but was translated by the telegraph operator at my headquarters, who long before had mastered the key of the French cipher:

"PARIS, January 10, 1867. FRENCH CONSUL, New Orleans, La.

"To GENERAL CASTELNAU, at Mexico.

"Received your despatch of the 9th December. Do not compel the Emperor to abdicate, but do not delay the departure of the troops; bring back all those who will not remain there. Most of the fleet has left.

"NAPOLEON."

This meant the immediate withdrawal of the French. The rest of the story--which has necessarily been but in outline--is soon told. Maximilian, though deserted, determined to hold out to the last, and with the aid of disloyal Mexicans stuck to his cause till the spring. When taken prisoner at Queretaro, he was tried and executed under circumstances that are well known. From promptings of humanity Secretary Seward tried hard to save the Imperial prisoner, but without success. The Secretary's plea for mercy was sent through me at New Orleans, and to make speed I hired a steamer to proceed with it across the Gulf to Tampico. The document was carried by Sergeant White, one of my scouts, who crossed the country from Tampico, and delivered it to Escobedo at Queretaro; but Mr. Seward's representations were without avail--refused probably because little mercy had been shown certain Liberal leaders unfortunate enough to fall into Maximilian's hands during the prosperous days of his

Empire.

At the close of our war there was little hope for the Republic of Mexico. Indeed, till our troops were concentrated on the Rio Grande there was none. Our appearance in such force along the border permitted the Liberal leaders, refugees from their homes, to establish rendezvous whence they could promulgate their plans in safety, while the countenance thus given the cause, when hope was well-nigh gone, incited the Mexican people to renewed resistance. Beginning again with very scant means, for they had lost about all, the Liberals saw their cause, under the influence of such significant and powerful backing, progress and steadily grow so strong that within two years Imperialism had received its death-blow. I doubt very much whether such results could have been achieved without the presence of an American army on the Rio Grande, which, be it remembered, was sent there because, in General Grant's words, the French invasion of Mexico was so closely related to the rebellion as to be essentially a part of it.

CHAPTER X.

A. J. HAMILTON APPOINTED PROVISIONAL GOVERNOR OF TEXAS--ASSEMBLES A CONSTITUTIONAL CONVENTION--THE TEXANS DISSATISFIED--LAWLESSNESS --OPPRESSIVE LEGISLATION--EX-CONFEDERATES CONTROLLING LOUISIANA--A CONSTITUTIONAL CONVENTION--THE MEETING SUPPRESSED--A BLOODY RIOT--MY REPORTS OF THE MASSACRE--PORTIONS SUPPRESSED BY PRESIDENT JOHNSON --SUSTAINED BY A CONGRESSIONAL COMMITTEE--THE RECONSTRUCTION LAWS.

Although in 1865-66 much of my attention was directed to international matters along the Rio Grande, the civil affairs of Texas and Louisiana required a certain amount of military supervision also in the absence of regularly established civil authority. At the time of Kirby Smith's surrender the National Government had formulated no plan with regard to these or the other States lately in rebellion, though a provisional Government had been set up in Louisiana as early as 1864. In consequence of this lack of system, Governor Pendleton Murray, of Texas, who was elected under Confederate rule, continued to discharge the duties of Governor till President Johnson, on June 17, in harmony with his amnesty proclamation of May 29, 1865, appointed A. J. Hamilton provisional Governor. Hamilton was empowered by the President to call a Constitutional convention, the delegates to which were to be elected, under certain prescribed qualifications, for the purpose of organizing the political affairs of the State, the Governor to be guided by instructions similar to those given the provisional Governor of North Carolina (W. W. Holden), when appointed in May.

The convening of this body gave rise to much dissatisfaction among the people of Texas. They had assumed that affairs were to go on as of old, and that the reintegration of the State was to take place under the administration of Governor Murray, who, meanwhile, had taken it upon himself, together with the Legislature, to authorize the election of delegates to a State Convention, without restriction as to who should be entitled to vote. Thus encouraged, the element but lately in armed rebellion was now fully bent on restoring the State to the Union without any intervention whatever of the Federal

Government; but the advent of Hamilton put an end to such illusions, since his proclamation promptly disfranchised the element in question, whose consequent disappointment and chagrin were so great as to render this factor of the community almost uncontrollable. The provisional Governor at once rescinded the edict of Governor Murray, prohibited the assembling of his convention, and shortly after called, one himself, the delegates to which were to be chosen by voters who could take the amnesty-oath. The proclamation convening this assemblage also announced the policy that would be pursued in governing the State until its affairs were satisfactorily reorganized, defined in brief the course to be followed by the Judiciary, and provided for the appointment, by the Governor, of county officials to succeed those known to be disloyal. As this action of Hamilton's disfranchised all who could not take the amnesty oath, and of course deprived them of the offices, it met at once with pronounced and serious opposition, and he quickly realized that he had on his hands an arduous task to protect the colored people, particularly as in the transition state of society just after the close of the war there prevailed much lawlessness, which vented itself chiefly on the freedmen. It was greatly feared that political rights were to be given those so recently in servitude, and as it was generally believed that such enfranchisement would precipitate a race war unless the freedmen were overawed and kept in a state of subjection, acts of intimidation were soon reported from all parts of the State.

Hamilton, an able, determined, and fearless man, tried hard to curb this terrorism, but public opinion being strong against him, he could accomplish little without military aid. As department commander, I was required, whenever called upon, to assist his government, and as these requisitions for help became necessarily very frequent, the result was that shortly after he assumed his duties, detachments of troops were stationed in nearly every county of the State. By such disposition of my forces fairly good order was maintained under the administration of Hamilton, and all went well till the inauguration of J. W. Throckmorton, who, elected Governor in pursuance of an authorization granted by the convention which Hamilton had called together, assumed the duties of the office August 9, 1866.

One of Governor Throckmorton's first acts was to ask the withdrawal or non-interference of the military. This was not all granted, but under his ingenious persuasion President Johnson, on the 13th of August, 1866, directed that the new State officials be entrusted with the unhampered control of civil affairs, and this was more than enough to revive the bulldozing methods that had characterized the beginning of Hamilton's administration. Oppressive legislation in the shape of certain apprentice and vagrant laws quickly followed, developing a policy of gross injustice toward the colored people on the part of the courts, and a reign of lawlessness and disorder ensued which, throughout the remote districts of the State at least, continued till Congress, by what are known as the Reconstruction Acts, took into its own hands the rehabilitation of the seceded States.

In the State of Louisiana a provisional government, chosen by the loyal element, had been put in operation, as already mentioned, as early as 1864. This was effected under encouragement given by President Lincoln, through the medium of a Constitutional convention, which met at New Orleans in April, 1864, and adjourned in July. The

constitution then agreed upon was submitted to the people, and in September, 1864, was ratified by a vote of the few loyal residents of the State.

The government provided under this constitution being looked upon as provisional merely, was never recognized by Congress, and in 1865 the returned Confederates, restored to citizenship by the President's amnesty proclamation, soon got control of almost all the State. The Legislature was in their hands, as well as most of the State and municipal offices; so, when the President, on the 20th of August, 1866, by proclamation, extended his previous instructions regarding civil affairs in Texas so as to have them apply to all the seceded States, there at once began in Louisiana a system of discriminative legislation directed against the freedmen, that led to flagrant wrongs in the enforcement of labor contracts, and in the remote parishes to numbers of outrages and murders.

To remedy this deplorable condition of things, it was proposed, by those who had established the government of 1864, to remodel the constitution of the State; and they sought to do this by reassembling the convention, that body before its adjournment having provided for reconvening under certain conditions, in obedience to the call of its president. Therefore, early in the summer of 1866, many members of this convention met in conference at New Orleans, and decided that a necessity existed for reconvening the delegates, and a proclamation was issued accordingly by B. K. Howell, President-pro-tempore.

Mayor John T. Monroe and the other officials of New Orleans looked upon this proposed action as revolutionary, and by the time the convention assembled (July 30), such bitterness of feeling prevailed that efforts were made by the mayor and city police to suppress the meeting. A bloody riot followed, resulting, in the killing and wounding of about a hundred and sixty persons.

I happened to be absent from the city at the time, returning from Texas, where I had been called by affairs on the Rio Grande. On my way up from the mouth of the Mississippi I was met on the night of July 30 by one of my staff, who reported what had occurred, giving the details of the massacre--no milder term is fitting--and informing me that, to prevent further slaughter, General Baird, the senior military officer present, had assumed control of the municipal government. On reaching the city I made an investigation, and that night sent the following report of the affair:

"HEADQUARTERS MILITARY DIVISION OF THE GULF,
"NEW ORLEANS, LA., Aug. 1, 1866.

"GENERAL U. S. GRANT:

"You are doubtless aware of the serious riot which occurred in this city on the 30th. A political body, styling themselves the Convention of 1864, met on the 30th, for, as it is alleged, the purpose of remodeling the present constitution of the State. The leaders were political agitators and revolutionary men, and the action of the convention was liable to produce breaches of the public peace. I had made up my mind to arrest the head men, if the proceedings of the convention were calculated to disturb the tranquility of the Department; but I had no cause for action until they committed the overt act. In the meantime official duty called

me to Texas, and the mayor of the city, during my absence suppressed the convention by the use of the police force, and in so doing attacked the members of the convention, and a party of two hundred negroes, with fire-arms, clubs, and knives, in a manner so unnecessary and atrocious as to compel me to say that it was murder. About forty whites and blacks were thus killed, and about one hundred and sixty wounded. Everything is now quiet, but I deem it best to maintain a military supremacy in the city for a few days, until the affair is fully investigated. I believe the sentiment of the general community is great regret at this unnecessary cruelty, and that the police could have made any arrest they saw fit without sacrificing lives.

"P. H. SHERIDAN,
"Major-General Commanding."

On receiving the telegram, General Grant immediately submitted it to the President. Much clamor being made at the North for the publication of the despatch, Mr. Johnson pretended to give it to the newspapers. It appeared in the issues of August 4, but with this paragraph omitted, viz.:

"I had made up my mind to arrest the head men, if the proceedings of the convention were calculated to disturb the tranquility of the Department, but I had no cause for action until they committed the overt act. In the mean time official duty called me to Texas, and the mayor of the city, during my absence, suppressed the convention by the use of the police force, and in so doing attacked the members of the convention, and a party of two hundred negroes, with fire-arms, clubs, and knives, in a manner so unnecessary and atrocious as to compel me to say it was murder."

Against this garbling of my report--done by the President's own order --I strongly demurred; and this emphatic protest marks the beginning of Mr. Johnson's well-known personal hostility toward me. In the mean time I received (on August 3) the following despatch from General Grant approving my course:

"HEADQUARTERS ARMIES OF THE UNITED STATES,
"WAR DEPT., WASHINGTON, D. C., "August 3, 1866--5 p.m.

"MAJOR-GENERAL P. H. SHERIDAN,
"Commanding Mil. Div. of the Gulf,
"New Orleans, La.

"Continue to enforce martial law, so far as may be necessary to preserve the peace; and do not allow any of the civil authorities to act, if you deem such action dangerous to the public safety. Lose no time in investigating and reporting the causes that led to the riot, and the facts which occurred.

"U. S. GRANT,
"Lieutenant-General."

In obedience to the President's directions, My report of August 1 was followed by another, more in detail, which I give in full, since it tells the whole story of the riot:

"HEADQUARTERS MILITARY DIVISION OF THE GULF,
"NEW ORLEANS, LA., August 6, 1866.

"His EXCELLENCY ANDREW JOHNSON,
"President United States

"I have the honor to make the following reply to your despatch of August 4. A very large number of colored people marched in procession on Friday night, July twenty-seven (27), and were addressed from the steps of the City Hall by Dr. Dostie, ex-Governor Hahn, and others. The speech of Dostie was intemperate in language and sentiment. The speeches of the others, so far as I can learn, were characterized by moderation. I have not given you the words of Dostie's speech, as the version published was denied; but from what I have learned of the man, I believe they were intemperate.

"The convention assembled at twelve (12) M. on the thirtieth (30), the timid members absenting themselves because the tone of the general public was ominous of trouble. I think there were about twenty-six (26) members present. In front of the Mechanics Institute, where the meeting was held, there were assembled some colored men, women, and children, perhaps eighteen (18) or twenty (20), and in the Institute a number of colored men, probably one hundred and fifty (150). Among those outside and inside there might have been a pistol in the possession of every tenth (10) man.

"About one (1) p. m. a procession of say from sixty (60) to one hundred and thirty (130) colored men marched up Burgundy Street and across Canal Street toward the convention, carrying an American flag. These men had about one pistol to every ten men, and canes and clubs in addition. While crossing Canal Street a row occurred. There were many spectators on the street, and their manner and tone toward the procession unfriendly. A shot was fired, by whom I am not able to state, but believe it to have been by a policeman, or some colored man in the procession. This led to other shots and a rush after the procession. On arrival at the front of the Institute there was some throwing of brickbats by both sides. The police, who had been held well in hand, were vigorously marched to the scene of disorder. The procession entered the Institute with the flag, about six (6) or eight (8) remaining outside. A row occurred between a policeman and one of these colored men, and a shot was again fired by one of the parties, which led to an indiscriminate fire on the building through the windows by the policemen. This had been going on for a short time, when a white flag was displayed from the windows of the Institute, whereupon the firing ceased, and the police rushed into the building.

"From the testimony of wounded men, and others who were inside the building, the policemen opened an indiscriminate fire upon the audience until they had emptied their revolvers, when they retired, and those inside barricaded the doors. The door was broken in, and the firing again commenced, when many of the colored and white people either escaped throughout the door or were passed out by the policemen inside; but as they came out the policemen who formed the circle nearest the building fired upon them, and they were again fired upon by the citizens that formed the outer circle. Many of those wounded and taken prisoners, and others who were prisoners and not wounded, were fired upon by their captors and by citizens. The

wounded were stabbed while lying on the ground, and their heads beaten with brickbats. In the yard of the building, whither some of the colored men had escaped and partially secreted themselves, they were fired upon and killed or wounded by policemen. Some were killed and wounded several squares from the scene. Members of the convention were wounded by the police while in their hands as prisoners, some of them mortally.

"The immediate cause of this terrible affair was the assemblage of this Convention; the remote cause was the bitter and antagonistic feeling which has been growing in this community since the advent of the present Mayor, who, in the organization of his police force, selected many desperate men, and some of them known murderers. People of clear views were overawed by want of confidence in the Mayor, and fear of the thugs, many of which he had selected for his police force. I have frequently been spoken to by prominent citizens on this subject, and have heard them express fear, and want of confidence in Mayor Monroe. Ever since the intimation of this last convention movement I must condemn the course of several of the city papers for supporting, by their articles, the bitter feeling of bad men. As to the merciless manner in which the convention was broken up, I feel obliged to confess strong repugnance.

"It is useless to disguise the hostility that exists on the part of a great many here toward Northern men, and this unfortunate affair has so precipitated matters that there is now a test of what shall be the status of Northern men--whether they can live here without being in constant dread or not, whether they can be protected in life and property, and have justice in the courts. If this matter is permitted to pass over without a thorough and determined prosecution of those engaged in it, we may look out for frequent scenes of the same kind, not only here, but in other places. No steps have as yet been taken by the civil authorities to arrest citizens who were engaged in this massacre, or policemen who perpetrated such cruelties. The members of the convention have been indicted by the grand jury, and many of them arrested and held to bail. As to whether the civil authorities can mete out ample justice to the guilty parties on both sides, I must say it is my opinion, unequivocally, that they cannot. Judge Abell, whose course I have closely watched for nearly a year, I now consider one of the most dangerous men that we have here to the peace and quiet of the city. The leading men of the convention--King, Cutler, Hahn, and others--have been political agitators, and are bad men. I regret to say that the course of Governor Wells has been vacillating, and that during the late trouble he has shown very little of the man.

"P. H. SHERIDAN,
"Major-General Commanding."

Subsequently a military commission investigated the subject of the riot, taking a great deal of testimony. The commission substantially confirmed the conclusions given in my despatches, and still later there was an investigation by a select committee of the House of Representatives, of which the Honorables Samuel Shellabarger, of Ohio, H. L. Elliot, of Massachusetts, and B. M. Boyer, of Pennsylvania, were the members. The majority report of the committee also corroborated, in all essentials, my reports of the distressing occurrence. The committee likewise called attention to a violent

speech made by Mr. Johnson at St. Louis in September, 1866, charging the origin of the riot to Congress, and went on to say of the speech that "it was an unwarranted and unjust expression of hostile feeling, without pretext or foundation in fact." A list of the killed and wounded was embraced in the committee's report, and among other conclusions reached were the following: "That the meeting of July 30 was a meeting of quiet citizens, who came together without arms and with intent peaceably to discuss questions of public concern.... There has been no occasion during our National history when a riot has occurred so destitute of justifiable cause, resulting in a massacre so inhuman and fiend-like, as that which took place at New Orleans on the 30th of July last. This riotous attack upon the convention, with its terrible results of massacre and murder, was not an accident. It was the determined purpose of the mayor of the city of New Orleans to break up this convention by armed force."

The statement is also made, that, "He [the President] knew that 'rebels' and 'thugs' and disloyal men had controlled the election of Mayor Monroe, and that such men composed chiefly his police force."

The committee held that no legal government existed in Louisiana, and recommended the temporary establishment of a provisional government therein; the report concluding that "in the meantime the safety of all Union men within the State demands that such government be formed for their protection, for the well being of the nation and the permanent peace of the Republic."

The New Orleans riot agitated the whole country, and the official and other reports served to intensify and concentrate the opposition to President Johnson's policy of reconstruction, a policy resting exclusively on and inspired solely by the executive authority--for it was made plain, by his language and his acts, that he was seeking to rehabilitate the seceded States under conditions differing not a whit from those existing before the rebellion; that is to say, without the slightest constitutional provision regarding the status of the emancipated slaves, and with no assurances of protection for men who had remained loyal in the war.

In December, 1866, Congress took hold of the subject with such vigor as to promise relief from all these perplexing disorders, and, after much investigation and a great deal of debate, there resulted the so-called "Reconstruction Laws," which, for a clear understanding of the powers conferred on the military commanders, I deem best to append in full:

AN ACT to provide for the more efficient government of the rebel States.

WHEREAS, no legal State governments or adequate protection for life or property now exist in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas, it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established; therefore,

BE IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled, That said rebel States shall be divided into military districts and made subject to the military authority of the United States as hereinafter

prescribed; and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina, the second district; Georgia, Alabama, and Florida, the third district; Mississippi and Arkansas, the fourth district; and Louisiana and Texas, the fifth district.

SEC. 2. And be it further enacted, That it shall be the duty of the President to assign to the command of each of said districts an officer of the army not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. And be it further enacted, That it shall be the duty of each officer assigned as aforesaid to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals, and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose, and all interference, under cover of State authority, with the exercise of military authority under this act, shall be null and void.

SEC. 4. And be it further enacted, That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unjust punishment shall be inflicted; and no sentence of any military commission or tribunal hereby authorized affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district; and the laws and regulations for the government of the army shall not be affected by this act except in so far as they conflict with its provisions: Provided, That no sentence of death, under the provisions of this act, shall be carried into effect without the approval of the President.

SEC. 5. And be it further enacted, That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion, or for felony at common law; and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates; and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same; and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress, and known as article fourteen; and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and senators and representatives shall be admitted therefrom on their

taking the oath prescribed by law; and then and thereafter the preceding sections of this act shall be inoperative in said State: Provided, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

SEC. 6. And be it further enacted, That until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil government which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same; and in all elections to any office under such provisional governments all persons shall be entitled to vote, and none others, who are entitled to vote under the fifth section of this act; and no person shall be eligible to any office under any such provisional governments who would be disqualified from holding office under the provisions of the third article of said constitutional amendment.

SCHUYLER COLFAX,
Speaker of the House of Representatives.

LAFAYETTE S. FOSTER,
President of the Senate pro tempore.

AN ACT supplementary to an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, and to facilitate restoration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That before the first day of September, eighteen hundred and sixty-seven, the commanding general in each district defined by an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, shall cause a registration to be made of the male citizens of the United States, twenty-one years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the act aforesaid, and who shall have taken and subscribed the following oath or affirmation: "I,-----, do solemnly swear (or affirm), in the presence of the Almighty God, that I am a citizen of the State of -----; that I have resided in said State for----- months next preceding this day, and now reside in the county of -----, or the parish of -----, in said State, (as the case may be); that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State Legislature, nor held any executive or judicial office in any State, and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the constitution of the United States, and

afterwards engaged in insurrection or rebellion against the United States or given aid or comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do: so help me God."; which oath or affirmation may be administered by any registering officer.

SEC. 2. And be it further enacted, That after the completion of the registration hereby provided for in any State, at such time and places therein as the commanding general shall appoint and direct, of which at least thirty days' public notice shall be given, an election shall be held of delegates to a convention for the purpose of establishing a constitution and civil government for such State loyal to the Union, said convention in each State, except Virginia, to consist of the same number of members as the most numerous branch of the State Legislature of such State in the year eighteen hundred and sixty, to be apportioned among the several districts, counties, or parishes of such State by the commanding general, giving each representation in the ratio of voters registered as aforesaid as nearly as may be. The convention in Virginia shall consist of the same number of members as represented the territory now constituting Virginia in the most numerous branch of the Legislature of said State in the year eighteen hundred and sixty, to be apportioned as aforesaid.

SEC. 3. And be it further enacted, That at said election the registered voters of each State shall vote for or against a convention to form a constitution therefor under this act. Those voting in favor of such a convention shall have written or printed on the ballots by which they vote for delegates, as aforesaid, the words "For a convention," and those voting against such a convention shall have written or printed on such ballot the words "Against a convention." The persons appointed to superintend said election, and to make return of the votes given thereat, as herein provided, shall count and make return of the votes given for and against a convention; and the commanding general to whom the same shall have been returned shall ascertain and declare the total vote in each State for and against a convention. If a majority of the votes given on that question shall be for a convention, then such convention shall be held as hereinafter provided; but if a majority of said votes shall, be against a convention, then no such convention shall be held under this act: Provided, That such convention shall not be held unless a majority of all such registered voters shall have voted on the question of holding such convention.

SEC. 4. And be it further enacted, That the commanding general of each district shall appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons, to make and complete the registration, superintend the election, and make return to him of the votes, list of voters, and of the persons elected as delegates by a plurality of the votes cast at said election; and upon receiving said returns he shall open the same, ascertain the persons elected as delegates, according to the returns of the officers who conducted said election, and make proclamation thereof; and if a majority of the votes given on that question shall be for a convention, the commanding general, within sixty days from the date of election, shall notify the delegates to assemble in convention, at a time and place to be mentioned in the notification, and said convention, when organized, shall proceed to frame a constitution and

civil government according to the provisions of this act, and the act to which it is supplementary; and when the same shall have been so framed, said constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act at an election to be conducted by the officers or persons appointed or to be appointed by the commanding general, as hereinbefore provided, and to be held after the expiration of thirty days from the date of notice thereof, to be given by said convention; and the returns thereof shall be made to the commanding general of the district.

SEC. 5. And be it further enacted, That if, according to said returns, the constitution shall be ratified by a majority of the votes of the registered electors qualified as herein specified, cast at said election, at least one-half of all the registered voters voting upon the question of such ratification, the president of the convention shall transmit a copy of the same, duly certified, to the President of the United States, who shall forthwith transmit the same to Congress, if then in session, and if not in session, then immediately upon its next assembling; and if it shall moreover appear to Congress that the election was one at which all the registered and qualified electors in the State had an opportunity to vote freely, and without restraint, fear, or the influence of fraud, and if the Congress shall be satisfied that such constitution meets the approval of a majority of all the qualified electors in the State, and if the said constitution shall be declared by Congress to be in conformity with the provisions of the act to which this is supplementary, and the other provisions of said act shall have been complied with, and the said constitution shall be approved by Congress, the State shall be declared entitled to representation, and senators and representatives shall be admitted therefrom as therein provided.

SEC. 6. And be it further enacted, That all elections in the States mentioned in the said "Act to provide for the more efficient government of the rebel States" shall, during the operation of said act, be by ballot; and all officers making the said registration of voters and conducting said elections, shall, before entering upon the discharge of their duties, take and subscribe the oath prescribed by the act approved July second, eighteen hundred and sixty-two, entitled "An act to prescribe an oath of office": Provided, That if any person shall knowingly and falsely take and subscribe any oath in this act prescribed, such person so offending and being thereof duly convicted, shall be subject to the pains, penalties, and disabilities which by law are provided for the punishment of the crime of wilful and corrupt perjury.

SEC. 7. And be it further enacted, That all expenses incurred by the several commanding generals, or by virtue of any orders issued, or appointments made, by them, under or by virtue of this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 8. And be it further enacted, That the convention for each State shall prescribe the fees, salary, and compensation to be paid to all delegates and other officers and agents herein authorized or necessary to carry into effect the purposes of this act not herein otherwise provided for, and shall provide for the levy and collection of such taxes on the property in such State as may be necessary to pay the same.

SEC. 9. And be it further enacted, That the word "article," in the sixth section of the act to which this is supplementary, shall be construed to mean, "section."

SCHUYLER COLFAX,
Speaker of the House of Representatives.

B. F. WADE,
President of the Senate pro tempore.

CHAPTER XI.

PASSAGE OF THE RECONSTRUCTION ACT OVER THE PRESIDENT'S VETO--PLACED IN COMMAND OF THE FIFTH MILITARY DISTRICT--REMOVING OFFICERS--MY REASONS FOR SUCH ACTION--AFFAIRS IN LOUISIANA AND TEXAS--REMOVAL OF GOVERNOR WELLS--REVISION OF THE JURY LISTS--RELIEVED FROM THE COMMAND OF THE FIFTH MILITARY DISTRICT.

The first of the Reconstruction laws was passed March 2, 1867, and though vetoed by the President, such was the unanimity of loyal sentiment and the urgency demanding the measure, that the bill became a law over the veto the day the President returned it to Congress. March the 11th this law was published in General Orders No. 10, from the Headquarters of the Army, the same order assigning certain officers to take charge of the five military districts into which the States lately in rebellion were subdivided, I being announced as the commander of the Fifth Military District, which embraced Louisiana and Texas, a territory that had formed the main portion of my command since the close of the war.

Between the date of the Act and that of my assignment, the Louisiana Legislature, then in special session, had rejected a proposed repeal of an Act it had previously passed providing for an election of certain municipal officers in New Orleans. This election was set for March 11, but the mayor and the chief of police, together with General Mower, commanding the troops in the city, having expressed to me personally their fears that the public peace would be disturbed by the election, I, in this emergency, though not yet assigned to the district, assuming the authority which the Act conferred on district commanders, declared that the election should not take place; that no polls should be opened on the day fixed; and that the whole matter would stand postponed till the district commander should be appointed, or special instructions be had. This, my first official act under the Reconstruction laws, was rendered necessary by the course of a body of obstructionists, who had already begun to give unequivocal indications of their intention to ignore the laws of Congress.

A copy of the order embodying the Reconstruction law, together with my assignment, having reached me a few days after, I regularly assumed control of the Fifth Military District on March 19, by an order wherein I declared the State and municipal governments of the district to be provisional only, and, under the provisions of the sixth section of the Act, subject to be controlled, modified, superseded, or abolished. I also announced that no removals from office would be made unless the incumbents failed to carry out the

provisions of the law or impeded reorganization, or unless willful delays should necessitate a change, and added: "Pending the reorganization, it is, desirable and intended to create as little disturbance in the machinery of the various branches of the provisional governments as possible, consistent with the law of Congress and its successful execution, but this condition is dependent upon the disposition shown by the people, and upon the length of time required for reorganization."

Under these limitations Louisiana and Texas retained their former designations as military districts, the officers in command exercising their military powers as heretofore. In addition, these officers were to carry out in their respective commands all provisions of the law except those specially requiring the action of the district commander, and in cases of removals from and appointment to office.

In the course of legislation the first Reconstruction act, as I have heretofore noted, had been vetoed. On the very day of the veto, however, despite the President's adverse action, it passed each House of Congress by such an overwhelming majority as not only to give it the effect of law, but to prove clearly that the plan of reconstruction presented was, beyond question, the policy endorsed by the people of the country. It was, therefore, my determination to see to the law's zealous execution in my district, though I felt certain that the President would endeavor to embarrass me by every means in his power, not only on account of his pronounced personal hostility, but also because of his determination not to execute but to obstruct the measures enacted by Congress.

Having come to this conclusion, I laid down, as a rule for my guidance, the principle of non-interference with the provisional State governments, and though many appeals were made to have me rescind rulings of the courts, or interpose to forestall some presupposed action to be taken by them, my invariable reply was that I would not take cognizance of such matters, except in cases of absolute necessity. The same policy was announced also in reference to municipal affairs throughout the district, so long as the action of the local officers did not conflict with the law.

In a very short time, however, I was obliged to interfere in municipal matters in New Orleans, for it had become clearly apparent that several of the officials were, both by acts of omission and commission, ignoring the law, so on the 27th of March I removed from office the Mayor, John T. Monroe; the Judge of the First District Court, E. Abell; and the Attorney-General of the State, Andrew S. Herron; at the same time appointing to the respective offices thus vacated Edward Heath, W. W. Howe, and B. L. Lynch. The officials thus removed had taken upon themselves from the start to pronounce the Reconstruction acts unconstitutional, and to advise such a course of obstruction that I found it necessary at an early day to replace them by men in sympathy with the law, in order to make plain my determination to have its provisions enforced. The President at once made inquiry, through General Grant, for the cause of the removal, and I replied:

"HEADQUARTERS FIFTH MILITARY DISTRICT,
"New Orleans, La., April 19, 1867.

"GENERAL: On the 27th day of March last I removed from office Judge E. Abell, of the Criminal Court of New Orleans; Andrew S. Herron, Attorney-General of the State of Louisiana; and John T. Monroe, Mayor of the City of New Orleans. These removals were made under the powers granted me in what is usually termed the 'military bill,' passed March 2, 1867, by the Congress of the United States.

"I did not deem it necessary to give any reason for the removal of these men, especially after the investigations made by the military board on the massacre Of July 30, 1866, and the report of the congressional committee on the same massacre; but as some inquiry has been made for the cause of removal, I would respectfully state as follows:

"The court over which judge Abell presided is the only criminal court in the city of New Orleans, and for a period of at least nine months previous to the riot Of July 30 he had been educating a large portion of the community to the perpetration of this outrage, by almost promising no prosecution in his court against the offenders, in case such an event occurred. The records of his court will show that he fulfilled his promise, as not one of the guilty has been prosecuted.

"In reference to Andrew J. Herron, Attorney-General of the State of Louisiana, I considered it his duty to indict these men before this criminal court. This he failed to do, but went so far as to attempt to impose on the good sense of the whole nation by indicting the victims of the riot instead of the rioters; in other words, making the innocent guilty and the guilty innocent. He was therefore, in my belief, an able coadjutor with judge Abell in bringing on the massacre of July 30.

"Mayor Monroe controlled the element engaged in this riot, and when backed by an attorney-general who would not prosecute the guilty, and a judge who advised the grand jury to find the innocent guilty and let the murderers go free, felt secure in engaging his police force in the riot and massacre.

"With these three men exercising a large influence over the worst elements of the population of this city, giving to those elements an immunity for riot and bloodshed, the general-in-chief will see how insecurely I felt in letting them occupy their respective positions in the troubles which might occur in registration and voting in the reorganization of this State.

"I am, General, very respectfully, your obedient servant,

"P. H. SHERIDAN,
"Major-General U. S. A.

"GENERAL U. S. GRANT,
"Commanding Armies of the United States,
"Washington, D. C."

To General Grant my reasons were satisfactory, but not so to the President, who took no steps, however, to rescind my action, for he knew that the removals were commended by well-nigh the entire community in the city, for it will be understood that Mr. Johnson

was, through his friends and adherents in Louisiana and Texas, kept constantly advised of every step taken by me. Many of these persons were active and open opponents of mine, while others were spies, doing their work so secretly and quickly that sometimes Mr. Johnson knew of my official acts before I could report them to General Grant.

The supplemental Reconstruction act which defined the method of reconstruction became a law despite the President's veto on March 23. This was a curative act, authorizing elections and prescribing methods of registration. When it reached me officially I began measures for carrying out its provisions, and on the 28th of March issued an order to the effect that no elections for the State, parish, or municipal officers would be held in Louisiana until the provisions of the laws of Congress entitled "An act to provide for the more efficient government of the rebel States," and of the act supplemental thereto, should have been complied with. I also announced that until elections were held in accordance with these acts, the law of the Legislature of the State providing for the holding over of those persons whose terms of office otherwise would have expired, would govern in all cases excepting only those special ones in which I myself might take action. There was one parish, Livingston, which this order did not reach in time to prevent the election previously ordered there, and which therefore took place, but by a supplemental order this election was declared null and void.

In April. I began the work of administering the Supplemental Law, which, under certain condition of eligibility, required a registration of the voter of the State, for the purpose of electing delegate to a Constitutional convention. It therefore became necessary to appoint Boards of Registration throughout the election districts, and on April 10 the boards for the Parish of Orleans were given out, those for the other parishes being appointed ten days later. Before announcing these boards, I had asked to be advised definitely as to what persons were disfranchised by the law, and was directed by General Grant to act upon my own interpretation of it, pending an opinion expected shortly from the Attorney-General--Mr. Henry Stanbery--so, for the guidance of the boards, I gave the following instructions:

"HEADQUARTERS FIFTH MILITARY DISTRICT.
"New Orleans, La., April 10, 1867.

"Special Orders, No. 15.

"....In obedience to the directions contained in the first section of the Law of Congress entitled "An Act supplemental to an Act entitled 'An Act to provide for the more efficient government of the rebel States'" the registration of the legal voters, according to that law in the Parish of Orleans, will be commenced on the 15th instant, and must be completed by the 15th of May.

"The four municipal districts of the City of New Orleans and the Parish of Orleans, right bank (Algiers), will each constitute a Registration district. Election precincts will remain as at present constituted.

"....Each member of the Board of Registers, before commencing his duties, will file in the office of the Assistant-Inspector-General at these headquarters, the oath required in the sixth section of the Act

referred to, and be governed in the execution of his duty by the provisions of the first section of that Act, faithfully administering the oath therein prescribed to each person registered.

"Boards of Registers will immediately select suitable offices within their respective districts, having reference to convenience and facility of registration, and will enter upon their duties on the day designated. Each Board will be entitled to two clerks. Office-hours for registration will be from 8 o'clock till 12 A. M., and from 4 till 7 P. M.

"When elections are ordered, the Board of Registers for each district will designate the number of polls and the places where they shall be opened in the election precincts within its district, appoint the commissioners and other officers necessary for properly conducting the elections, and will superintend the same.

"They will also receive from the commissioners of elections of the different precincts the result of the vote, consolidate the same, and forward it to the commanding general.

"Registers and all officers connected with elections will be held to a rigid accountability and will be subject to trial by military commission for fraud, or unlawful or improper conduct in the performance of their duties. Their rate of compensation and manner of payment will be in accordance with the provisions of sections six and seven of the supplemental act.

"....Every male citizen of the United States, twenty-one years old and upward, of whatever race, color, or previous condition, who has been resident in the State of Louisiana for one year and Parish of Orleans for three months previous to the date at which he presents himself for registration, and who has not been disfranchised by act of Congress or for felony at common law, shall, after having taken and subscribed the oath prescribed in the first section of the act herein referred to, be entitled to be, and shall be, registered as a legal voter in the Parish of Orleans and State of Louisiana.

"Pending the decision of the Attorney-General of the United States on the question as to who are disfranchised by law, registers will give the most rigid interpretation to the law, and exclude from registration every person about whose right to vote there may be a doubt. Any person so excluded who may, under the decision of the Attorney-General, be entitled to vote, shall be permitted to register after that decision is received, due notice of which will be given.

"By command of Major-General P. H. SHERIDAN,

"GEO. L. HARTSUFF,
"Assistant Adjutant-General."

The parish Boards of Registration were composed of three members each. Ability to take what was known as the "ironclad oath" was the qualification exacted of the members, and they were prohibited from becoming candidates for office. In the execution of their duties they were to be governed by the provisions of the supplemental act. It was also made one of their functions to designate the number and location of the polling-places in the several districts, to appoint

commissioners for receiving the votes and in general to attend to such other matters as were necessary, in order properly to conduct the voting, and afterward to receive from the commissioners the result of the vote and forward it to my headquarters. These registers, and all other officers having to do with elections, were to be held to a rigid accountability, and be subject to trial by military commission for fraud or unlawful or improper conduct in the performance of their duties; and in order to be certain that the Registration Boards performed their work faithfully and intelligently, officers of the army were appointed as supervisors. To this end the parishes were grouped together conveniently in temporary districts, each officer having from three to five parishes to supervise. The programme thus mapped out for carrying out the law in Louisiana was likewise adhered to in Texas, and indeed was followed as a model in some of the other military districts.

Although Military Commissions were fully authorized by the Reconstruction acts, yet I did not favor their use in governing the district, and probably would never have convened one had these acts been observed in good faith. I much preferred that the civil courts, and the State and municipal authorities already in existence, should perform their functions without military control or interference, but occasionally, because the civil authorities neglected their duty, I was obliged to resort to this means to ensure the punishment Of offenders. At this time the condition of the negroes in Texas and Louisiana was lamentable, though, in fact, not worse than that of the few white loyalists who had been true to the Union during the war. These last were singled out as special objects of attack, and were, therefore, obliged at all times to be on the alert for the protection of their lives and property. This was the natural outcome of Mr. Johnson's defiance of Congress, coupled with the sudden conversion to his cause of persons in the North--who but a short time before had been his bitterest enemies; for all this had aroused among the disaffected element new hopes of power and place, hopes of being at once put in political control again, with a resumption of their functions in State and National matters without any preliminary authorization by Congress. In fact, it was not only hoped, but expected, that things were presently to go on just as if there had been no war.

In the State of Texas there were in 1865 about 200,000 of the colored race--roughly, a third of the entire population--while in Louisiana there were not less than 350,000, or more than one-half of all the people in the State. Until the enactment of the Reconstruction laws these negroes were without rights, and though they had been liberated by the war, Mr. Johnson's policy now proposed that they should have no political status at all, and consequently be at the mercy of a people who, recently their masters, now seemed to look upon them as the authors of all the misfortunes that had come upon the land. Under these circumstances the blacks naturally turned for protection to those who had been the means of their liberation, and it would have been little less than inhuman to deny them sympathy. Their freedom had been given them, and it was the plain duty of those in authority to make it secure, and screen them from the bitter political resentment that beset them, and to see that they had a fair chance in the battle of life. Therefore, when outrages and murders grew frequent, and the aid of the military power was an absolute necessity for the protection of life, I employed it unhesitatingly --the guilty parties being brought to trial before military

commissions--and for a time, at least, there occurred a halt in the march of terrorism inaugurated by the people whom Mr. Johnson had deluded.

The first, Military Commission was convened to try the case of John W. Walker, charged with shooting a negro in the parish of St. John. The proper civil authorities had made no effort to arrest Walker, and even connived at his escape, so I had him taken into custody in New Orleans, and ordered him tried, the commission finding him guilty, and sentencing him to confinement in the penitentiary for six months. This shooting was the third occurrence of the kind that had taken place in St. John's parish, a negro being wounded in each case, and it was plain that the intention was to institute there a practice of intimidation which should be effective to subject the freedmen to the will of their late masters, whether in making labor contracts, or in case these newly enfranchised negroes should evince a disposition to avail themselves of the privilege to vote.

The trial and conviction of Walker, and of one or two others for similar outrages, soon put a stop to every kind of "bull-dozing" in the country parishes; but about this time I discovered that many members of the police force in New Orleans were covertly intimidating the freedmen there, and preventing their appearance at the registration offices, using milder methods than had obtained in the country, it is true, but none the less effective.

Early in 1866 the Legislature had passed an act which created for the police of New Orleans a residence qualification, the object of which was to discharge and exclude from the force ex-Union soldiers. This of course would make room for the appointment of ex-Confederates, and Mayor Monroe had not been slow in enforcing the provisions of the law. It was, in fact, a result of this enactment that the police was so reorganized as to become the willing and efficient tool which it proved to be in the riot of 1866; and having still the same personnel, it was now in shape to prevent registration by threats, unwarranted arrests, and by various other influences, all operating to keep the timid blacks away from the registration places.

That the police were taking a hand in this practice of repression, I first discovered by the conduct of the assistant to the chief of the body, and at once removed the offender, but finding this ineffectual I annulled that part of the State law fixing the five years' residence restriction, and restored the two years' qualification, thus enabling Mayor Heath, who by my appointment had succeeded Monroe, to organize the force anew, and take about one-half of its members from ex-Union soldiers who when discharged had settled in New Orleans. This action put an end to intimidation in the parish of Orleans; and now were put in operation in all sections the processes provided by the supplemental Reconstruction law for the summoning of a convention to form a Constitution preparatory to the readmission of the State, and I was full of hope that there would now be much less difficulty in administering the trust imposed by Congress.

During the two years previous great damage had been done the agricultural interests of Louisiana by the overflow of the Mississippi, the levees being so badly broken as to require extensive repairs, and the Legislature of 1866 had appropriated for the purpose \$4,000,000, to be raised by an issue of bonds. This money was to be disbursed by a Board of Levee Commissioners then in existence, but

the term of service of these commissioners, and the law creating the board, would expire in the spring of 1867. In order to overcome this difficulty the Legislature passed a bill continuing the commissioners in office but as the act was passed inside of ten days before the adjournment of the Legislature, Governor Wells pocketed the bill, and it failed to become a law. The Governor then appointed a board of his own, without any warrant of law whatever. The old commissioners refused to recognize this new board, and of course a conflict of authority ensued, which, it was clear, would lead to vicious results if allowed to continue; so, as the people of the State had no confidence in either of the boards, I decided to end the contention summarily by appointing an entirely new commission, which would disburse the money honestly, and further the real purpose for which it had been appropriated. When I took this course the legislative board acquiesced, but Governor Wells immediately requested the President to revoke my order, which, however, was not done, but meanwhile the Secretary of War directed me to suspend all proceedings in the matter, and make a report of the facts. I complied in the following telegram:

"HEADQUARTERS FIFTH MILITARY DISTRICT,
"NEW ORLEANS, La., June 3, 1867.

"SIR: I have the honor to acknowledge the receipt of your telegram of this date in reference to the Levee Commissioners in this State.

"The following were my reasons for abolishing the two former boards, although I intended that my order should be sufficiently explanatory:

"Previous to the adjournment of the Legislature last winter it passed an act continuing the old Levee board in office, so that the four millions of dollars (\$4,000,000) in bonds appropriated by the Legislature might be disbursed by a board of rebellious antecedents.

"After its adjournment the Governor of the State appointed a board of his own, in violation of this act, and made the acknowledgment to me in person that his object was to disburse the money in the interest of his own party by securing for it the vote of the employees at the time of election.

"The board continued in office by the Legislature refused to turn over to the Governor's board, and each side appealed to me to sustain it, which I would not do. The question must then have gone to the courts, which, according to the Governor's judgment when he was appealing to me to be sustained, would require one year for decision. Meantime the State was overflowed, the Levee boards tied up by political chicanery, and nothing done to relieve the poor people, now fed by the charity of the Government and charitable associations of the North.

"To obviate this trouble, and to secure to the overflowed districts of the State the immediate relief which the honest disbursement of the four millions (\$4,000,000) would give, my order dissolving both boards was issued.

"I say now, unequivocally, that Governor Wells is a political trickster and a dishonest man. I have seen him myself, when I first came to this command, turn out all the Union men who had supported the Government, and put in their stead rebel soldiers who had not yet

doffed their gray uniform. I have seen him again, during the July riot of 1866, skulk away where I could not find him to give him a guard, instead of coming out as a manly representative of the State and joining those who were preserving the peace. I have watched him since, and his conduct has been as sinuous as the mark left in the dust by the movement of a snake.

"I say again that he is dishonest, and that dishonesty is more than must be expected of me.

"P. H. SHERIDAN,
"Major-General, U. S. A.

"Hon. E. M. STANTON,
"Secretary of War, Washington, D. C."

The same day that I sent my report to the Secretary of War I removed from office Governor Wells himself, being determined to bear no longer with the many obstructions he had placed in the way of reorganizing the civil affairs of the State. I was also satisfied that he was unfit to retain the place, since he was availing himself of every opportunity to work political ends beneficial to himself. In this instance Wells protested to me against his removal, and also appealed to the President for an opinion of the Attorney-General as to my power in the case; and doubtless he would have succeeded in retaining his office, but for the fact that the President had been informed by General James B. Steadman and others placed to watch me that Wells was wholly unworthy.

"NEW ORLEANS, June 19, 1867.
"ANDREW JOHNSON, President United States,
"Washington City:

"Lewis D. Campbell leaves New Orleans for home this evening. Want of respect for Governor Wells personally, alone represses the expression of indignation felt by all honest and sensible men at the unwarranted usurpation of General Sheridan in removing the civil officers of Louisiana. It is believed here that you will reinstate Wells. He is a bad man, and has no influence.

"I believe Sheridan made the removals to embarrass you, believing the feeling at the North would sustain him. My conviction is that on account of the bad character of Wells and Monroe, you ought not to reinstate any who have been removed, because you cannot reinstate any without reinstating all, but you ought to prohibit the exercise of this power in the future.

"Respectfully yours,

"JAMES B. STEADMAN."

I appointed Mr. Thomas J. Durant as Wells's successor, but he declining, I then appointed Mr. Benjamin F. Flanders, who, after I had sent a staff-officer to forcibly eject Wells in case of necessity, took possession of the Governor's office. Wells having vacated, Governor Flanders began immediately the exercise of his

duties in sympathy with the views of Congress, and I then notified General Grant that I thought he need have no further apprehension about the condition of affairs in Louisiana, as my appointee was a man of such integrity and ability that I already felt relieved of half my labor. I also stated in the same despatch that nothing would answer in Louisiana but a bold and firm course, and that in taking such a one I felt that I was strongly supported; a statement that was then correct, for up to this period the better classes were disposed to accept the Congressional plan of reconstruction.

During the controversy over the Levee Commissioners, and the correspondence regarding the removal of Governor Wells, registration had gone on under the rules laid down for the boards. The date set for closing the books was the 30th of June, but in the parish of Orleans the time was extended till the 15th of July. This the President considered too short a period, and therefore directed the registry lists not to be closed before the 1st of August, unless there was some good reason to the contrary. This was plainly designed to keep the books open in order that under the Attorney-General's interpretation of the Reconstruction laws, published June 20, many persons who had been excluded by the registration boards could yet be registered, so I decided to close the registration, unless required by the President unconditionally, and in specific orders, to extend the time. My motives were manifold, but the main reasons were that as two and a half months had been given already, the number of persons who, under the law, were qualified for registry was about exhausted; and because of the expense I did not feel warranted in keeping up the boards longer, as I said, "to suit new issues coming in at the eleventh hour," which would but open a "broad macadamized road for perjury and fraud."

When I thus stated what I intended to do, the opinion of the Attorney-General had not yet been received. When it did reach me it was merely in the form of a circular signed by Adjutant-General Townsend, and had no force of law. It was not even sent as an order, nor was it accompanied by any instructions, or by anything except the statement that it was transmitted to the 11 respective military commanders for their information, in order that there might be uniformity in the execution of the Reconstruction acts. To adopt Mr. Stanbery's interpretation of the law and reopen registration accordingly, would defeat the purpose of Congress, as well as add to my perplexities. Such a course would also require that the officers appointed by me for the performance of specified duties, under laws which I was empowered to interpret and enforce, should receive their guidance and instructions from an unauthorized source, so on communicating with General Grant as to how I should act, he directed me to enforce my own construction of the military bill until ordered to do otherwise.

Therefore the registration continued as I had originally directed, and nothing having been definitely settled at Washington in relation to my extending the time, on the 10th of July I ordered all the registration boards to select, immediately, suitable persons to act as commissioners of election, and at the same time specified the number of each set of commissioners, designated the polling-places, gave notice that two days would be allowed for voting, and followed this with an order discontinuing registration the 31st of July, and then another appointing the 27th and 28th of September as the time for the election of delegates to the State convention.

In accomplishing the registration there had been little opposition from the mass of the people, but the press of New Orleans, and the office-holders and office-seekers in the State generally, antagonized the work bitterly and violently, particularly after the promulgation of the opinion of the Attorney-General. These agitators condemned everybody and everything connected with the Congressional plan of reconstruction; and the pernicious influence thus exerted was manifested in various ways, but most notably in the selection of persons to compose the jury lists in the country parishes it also tempted certain municipal officers in New Orleans to perform illegal acts that would seriously have affected the credit of the city had matters not been promptly corrected by the summary removal from office of the comptroller and the treasurer, who had already issued a quarter of a million dollars in illegal certificates. On learning of this unwarranted and unlawful proceeding, Mayor Heath demanded an investigation by the Common Council, but this body, taking its cue from the evident intention of the President to render abortive the Reconstruction acts, refused the mayor's demand. Then he tried to have the treasurer and comptroller restrained by injunction, but the city attorney, under the same inspiration as the council, declined to sue out a writ, and the attorney being supported in this course by nearly all the other officials, the mayor was left helpless in his endeavors to preserve the city's credit. Under such circumstances he took the only step left him--recourse to the military commander; and after looking into the matter carefully I decided, in the early part of August, to give the mayor officials who would not refuse to make an investigation of the illegal issue of certificates, and to this end I removed the treasurer, surveyor, comptroller, city attorney, and twenty-two of the aldermen; these officials, and all of their assistants, having reduced the financial credit of New Orleans to a disordered condition, and also having made efforts--and being then engaged in such--to hamper the execution of the Reconstruction laws.

This action settled matters in the city, but subsequently I had to remove some officials in the parishes--among them a justice of the peace and a sheriff in the parish of Rapides; the justice for refusing to permit negro witnesses to testify in a certain murder case, and for allowing the murderer, who had foully killed a colored man, to walk out of his court on bail in the insignificant sum of five hundred dollars; and the sheriff, for conniving at the escape from jail of another alleged murderer. Finding, however, even after these removals, that in the country districts murderers and other criminals went unpunished, provided the offenses were against negroes merely (since the jurors were selected exclusively from the whites, and often embraced those excluded from the exercise of the election franchise) I, having full authority under the Reconstruction laws, directed such a revision of the jury lists as would reject from them every man not eligible for registration as a voter. This order was issued August 24, and on its promulgation the President relieved me from duty and assigned General Hancock as my successor.

"HEADQUARTERS FIFTH MILITARY DISTRICT,
"NEW ORLEANS, LA., August 24, 1867.

"SPECIAL ORDERS, No. 125.

"The registration of voters of the State of Louisiana, according to

the law of Congress, being complete, it is hereby ordered that no person who is not registered in accordance with said law shall be considered as, a duly qualified voter of the State of Louisiana. All persons duly registered as above, and no others, are consequently eligible, under the laws of the State of Louisiana, to serve as jurors in any of the courts of the State.

"The necessary revision of the jury lists will immediately be made by the proper officers.

"All the laws of the State respecting exemptions, etc., from jury duty will remain in force.

"By command of Major-General P. H. SHERIDAN.

"GEO. L. HARTNUFF, Asst. Adj't-General."

Pending the arrival of General Hancock, I turned over the command of the district September 1 to General Charles Griffin; but he dying of yellow fever, General J. A. Mower succeeded him, and retained command till November 29, on which date General Hancock assumed control. Immediately after Hancock took charge, he revoked my order of August 24 providing for a revision of the jury lists; and, in short, President Johnson's policy now became supreme, till Hancock himself was relieved in March, 1868.

My official connection with the reconstruction of Louisiana and Texas practically closed with this order concerning the jury lists. In my judgment this had become a necessity, for the disaffected element, sustained as it was by the open sympathy of the President, had grown so determined in its opposition to the execution of the Reconstruction acts that I resolved to remove from place and power all obstacles; for the summer's experience had convinced me that in no other way could the law be faithfully administered.

The President had long been dissatisfied with my course; indeed, he had harbored personal enmity against me ever since he perceived that he could not bend me to an acceptance of the false position in which he had tried to place me by garbling my report of the riot of 1866. When Mr. Johnson decided to remove me, General Grant protested in these terms, but to no purpose:

"HEADQUARTERS ARMIES OF THE UNITED STATES,
"WASHINGTON, D. C., August 17, 1867

"SIR: I am in receipt of your order of this date directing the assignment of General G. H. Thomas to the command of the Fifth Military District, General Sheridan to the Department of the Missouri, and General Hancock to the Department of the Cumberland; also your note of this date (enclosing these instructions), saying: 'Before you issue instructions to carry into effect the enclosed order, I would be pleased to hear any suggestions you may deem necessary respecting the assignments to which the order refers.'

"I am pleased to avail myself of this invitation to urge--earnestly urge--urge in the name of a patriotic people, who have sacrificed hundreds of thousands of loyal lives and thousands of millions of treasure to preserve the integrity and union of this country--that

this order be not insisted on. It is unmistakably the expressed wish of the country that General Sheridan should not be removed from his present command.

"This is a republic where the will of the people is the law of the land. I beg that their voice may be heard.

"General Sheridan has performed his civil duties faithfully and intelligently. His removal will only be regarded as an effort to defeat the laws of Congress. It will be interpreted by the unreconstructed element in the South--those who did all they could to break up this Government by arms, and now wish to be the only element consulted as to the method of restoring order--as a triumph. It will embolden them to renewed opposition to the will of the loyal masses, believing that they have the Executive with them.

"The services of General Thomas in battling for the Union entitle him to some consideration. He has repeatedly entered his protest against being assigned to either of the five military districts, and especially to being assigned to relieve General Sheridan.

"There are military reasons, pecuniary reasons, and above all, patriotic reasons, why this should not be insisted upon.

"I beg to refer to a letter marked 'private,' which I wrote to the President when first consulted on the subject of the change in the War Department. It bears upon the subject of this removal, and I had hoped would have prevented it.

"I have the honor to be, with great respect, your obedient servant,

"U. S. GRANT,
"General U. S. A., Secretary of War ad interim.

"His Excellency A. JOHNSON,
"President of the United States."

I was ordered to command the Department of the Missouri (General Hancock, as already noted, finally becoming my successor in the Fifth Military District), and left New Orleans on the 5th of September. I was not loath to go. The kind of duty I had been performing in Louisiana and Texas was very trying under the most favorable circumstances, but all the more so in my case, since I had to contend against the obstructions which the President placed in the way from persistent opposition to the acts of Congress as well as from antipathy to me--which obstructions he interposed with all the boldness and aggressiveness of his peculiar nature.

On more than one occasion while I was exercising this command, impurity of motive was imputed to me, but it has never been truthfully shown (nor can it ever be) that political or corrupt influences of any kind controlled me in any instance. I simply tried to carry out, without fear or favor, the Reconstruction acts as they came to me. They were intended to disfranchise certain persons, and to enfranchise certain others, and, till decided otherwise, were the laws of the land; and it was my duty to execute them faithfully, without regard, on the one hand, for those upon whom it was thought they bore so heavily, nor, on the other, for this or that political

party, and certainly without deference to those persons sent to Louisiana to influence my conduct of affairs.

Some of these missionaries were high officials, both military and civil, and I recall among others a visit made me in 1866 by a distinguished friend of the President, Mr. Thomas A. Hendricks. The purpose of his coming was to convey to me assurances of the very high esteem in which I was held by the President, and to explain personally Mr. Johnson's plan of reconstruction, its flawless constitutionality, and so on. But being on the ground, I had before me the exhibition of its practical working, saw the oppression and excesses growing out of it, and in the face of these experiences even Mr. Hendricks's persuasive eloquence was powerless to convince me of its beneficence. Later General Lovell H. Rousseau came down on a like mission, but was no more successful than Mr. Hendricks.

During the whole period that I commanded in Louisiana and Texas my position was a most unenviable one. The service was unusual, and the nature of it scarcely to be understood by those not entirely familiar with the conditions existing immediately after the war. In administering the affairs of those States, I never acted except by authority, and always from conscientious motives. I tried to guard the rights of everybody in accordance with the law. In this I was supported by General Grant and opposed by President Johnson. The former had at heart, above every other consideration, the good of his country, and always sustained me with approval and kind suggestions. The course pursued by the President was exactly the opposite, and seems to prove that in the whole matter of reconstruction he was governed less by patriotic motives than by personal ambitions. Add to this his natural obstinacy of character and personal enmity toward me, and no surprise should be occasioned when I say that I heartily welcomed the order that lifted from me my unsought burden.

End of the Project Gutenberg EBook of The Memoirs of General Philip H. Sheridan, Vol. II., Part 5, by P. H. Sheridan

*** END OF THIS PROJECT GUTENBERG EBOOK MEMOIRS OF GENERAL SHERIDAN ***

***** This file should be named 5858.txt or 5858.zip *****

This and all associated files of various formats will be found in:
<http://www.gutenberg.net/5/8/5/5858/>

Produced by David Widger

Updated editions will replace the previous one--the old editions will be renamed.

Creating the works from public domain print editions means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg-tm electronic works to protect the PROJECT GUTENBERG-tm concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you

charge for the eBooks, unless you receive specific permission. If you do not charge anything for copies of this eBook, complying with the rules is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. They may be modified and printed and given away--you may do practically ANYTHING with public domain eBooks. Redistribution is subject to the trademark license, especially commercial redistribution.

*** START: FULL LICENSE ***

THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg-tm mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg-tm License (available with this file or online at <http://gutenberg.net/license>).

Section 1. General Terms of Use and Redistributing Project Gutenberg-tm electronic works

1.A. By reading or using any part of this Project Gutenberg-tm electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg-tm electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg-tm electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg-tm electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg-tm electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg-tm electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg-tm electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is in the public domain in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg-tm mission of promoting free access to electronic works by freely sharing Project Gutenberg-tm works in compliance with the terms of

this agreement for keeping the Project Gutenberg-tm name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg-tm License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg-tm work. The Foundation makes no representations concerning the copyright status of any work in any country outside the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg-tm License must appear prominently whenever any copy of a Project Gutenberg-tm work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.net

1.E.2. If an individual Project Gutenberg-tm electronic work is derived from the public domain (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg-tm trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg-tm electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg-tm License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg-tm License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg-tm.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg-tm License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any

word processing or hypertext form. However, if you provide access to or

distribute copies of a Project Gutenberg-tm work in a format other than "Plain Vanilla ASCII" or other format used in the official version posted on the official Project Gutenberg-tm web site (www.gutenberg.net), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project Gutenberg-tm License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg-tm works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg-tm electronic works provided that

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg-tm works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg-tm trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg-tm License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg-tm works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg-tm works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg-tm electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from both the Project Gutenberg Literary Archive Foundation and Michael Hart, the owner of the Project Gutenberg-tm trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread

public domain works in creating the Project Gutenberg-tm collection. Despite these efforts, Project Gutenberg-tm electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg-tm trademark, and any other party distributing a Project Gutenberg-tm electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH F3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS' WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg-tm electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg-tm electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg-tm work, (b) alteration, modification, or additions or deletions to any Project Gutenberg-tm work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg-tm

Project Gutenberg-tm is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need, is critical to reaching Project Gutenberg-tm's goals and ensuring that the Project Gutenberg-tm collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg-tm and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation web page at <http://www.pgla.org>.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Its 501(c)(3) letter is posted at <http://pgla.org/fundraising>. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's principal office is located at 4557 Melan Dr. S. Fairbanks, AK, 99712., but its volunteers and employees are scattered throughout numerous locations. Its business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887, email business@pgla.org. Email contact links and up to date contact information can be found at the Foundation's web site and official page at <http://pgla.org>

For additional contact information:

Dr. Gregory B. Newby
Chief Executive and Director
gbnewby@pgla.org

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg-tm depends upon and cannot survive without wide spread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United

States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit <http://pglaf.org>

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg Web pages for current donation methods and addresses. Donations are accepted in a number of other ways including including checks, online payments and credit card donations. To donate, please visit: <http://pglaf.org/donate>

Section 5. General Information About Project Gutenberg-tm electronic works.

Professor Michael S. Hart is the originator of the Project Gutenberg-tm concept of a library of electronic works that could be freely shared with anyone. For thirty years, he produced and distributed Project Gutenberg-tm eBooks with only a loose network of volunteer support.

Project Gutenberg-tm eBooks are often created from several printed editions, all of which are confirmed as Public Domain in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Each eBook is in a subdirectory of the same number as the eBook's eBook number, often in several formats including plain vanilla ASCII, compressed (zipped), HTML and others.

Corrected EDITIONS of our eBooks replace the old file and take over the old filename and etext number. The replaced older file is renamed. VERSIONS based on separate sources are treated as new eBooks receiving new filenames and etext numbers.

Most people start at our Web site which has the main PG search facility:

<http://www.gutenberg.net>

This Web site includes information about Project Gutenberg-tm, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.

EBooks posted prior to November 2003, with eBook numbers BELOW #10000, are filed in directories based on their release date. If you want to download any of these eBooks directly, rather than using the regular search system you may utilize the following addresses and just download by the etext year.

<http://www.gutenberg.net/etext06>

(Or /etext 05, 04, 03, 02, 01, 00, 99,
98, 97, 96, 95, 94, 93, 92, 91 or 90)

EBooks posted since November 2003, with etext numbers OVER #10000, are filed in a different way. The year of a release date is no longer part of the directory path. The path is based on the etext number (which is identical to the filename). The path to the file is made up of single digits corresponding to all but the last digit in the filename. For example an eBook of filename 10234 would be found at:

<http://www.gutenberg.net/1/0/2/3/10234>

or filename 24689 would be found at:

<http://www.gutenberg.net/2/4/6/8/24689>

An alternative method of locating eBooks:

<http://www.gutenberg.net/GUTINDEX.ALL>

Livros Grátis

(<http://www.livrosgratis.com.br>)

Milhares de Livros para Download:

[Baixar livros de Administração](#)

[Baixar livros de Agronomia](#)

[Baixar livros de Arquitetura](#)

[Baixar livros de Artes](#)

[Baixar livros de Astronomia](#)

[Baixar livros de Biologia Geral](#)

[Baixar livros de Ciência da Computação](#)

[Baixar livros de Ciência da Informação](#)

[Baixar livros de Ciência Política](#)

[Baixar livros de Ciências da Saúde](#)

[Baixar livros de Comunicação](#)

[Baixar livros do Conselho Nacional de Educação - CNE](#)

[Baixar livros de Defesa civil](#)

[Baixar livros de Direito](#)

[Baixar livros de Direitos humanos](#)

[Baixar livros de Economia](#)

[Baixar livros de Economia Doméstica](#)

[Baixar livros de Educação](#)

[Baixar livros de Educação - Trânsito](#)

[Baixar livros de Educação Física](#)

[Baixar livros de Engenharia Aeroespacial](#)

[Baixar livros de Farmácia](#)

[Baixar livros de Filosofia](#)

[Baixar livros de Física](#)

[Baixar livros de Geociências](#)

[Baixar livros de Geografia](#)

[Baixar livros de História](#)

[Baixar livros de Línguas](#)

[Baixar livros de Literatura](#)
[Baixar livros de Literatura de Cordel](#)
[Baixar livros de Literatura Infantil](#)
[Baixar livros de Matemática](#)
[Baixar livros de Medicina](#)
[Baixar livros de Medicina Veterinária](#)
[Baixar livros de Meio Ambiente](#)
[Baixar livros de Meteorologia](#)
[Baixar Monografias e TCC](#)
[Baixar livros Multidisciplinar](#)
[Baixar livros de Música](#)
[Baixar livros de Psicologia](#)
[Baixar livros de Química](#)
[Baixar livros de Saúde Coletiva](#)
[Baixar livros de Serviço Social](#)
[Baixar livros de Sociologia](#)
[Baixar livros de Teologia](#)
[Baixar livros de Trabalho](#)
[Baixar livros de Turismo](#)