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RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

Resolved, That the President be respectfully requested to inform this House—

1. Whether Chas. K. Hyde, a citizen of Augusta, County, Va., who, on the 20th day of the present month, was arrested in the city of Richmond, and confined in a prison known as “Castle Thunder,” was so arrested and imprisoned by the military authority of the Confederate States, and, if so, by what officer, and under what orders.

2. For what offence the said Chas. K. Hyde has been seized, searched and deprived of liberty; upon whose oath or affirmation he was charged; by what warrant or other process he was taken, and under what law.

3. Whether the said Chas. K. Hyde has been examined or tried for the offence charged against him, and, if so, in what Court, or before what tribunal and with what result.

4. Whether the said Chas. K. Hyde belongs to the land or naval forces of the Confederate States, or is liable to military duty under any law thereof.

Resolved, also, That the President be requested to communicate to this House copies of any orders or other papers relative to the case of the said Chas. K. Hyde, with a statement of any testimony taken in the case.

MESSAGE OF THE PRESIDENT.

RICHMOND, VA., *September 27, 1862*

To the House of Representatives :

I herewith transmit for your information a report from the Secretary of War, upon the case of Charles K. Hyde, in response to your resolution of the 20th inst.

JEFFERSON DAVIS.

LETTER OF THE SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA, }
WAR DEPARTMENT, }
Richmond, Sept. 27, 1862. }

His Excellency JEFFERSON DAVIS,

President Confederate States of America :

SIR: I have the honor to return the report of Brigadier-General John H. Winder and of the Provost Marshal, in the case of Chas. K. Hyde, in response to the resolution of the House of Representatives, adopted on the 20th instant. The order under which the arrest was made had never before been submitted to the department, and conceiving it to be unauthorized, I have ordered it to be materially modified. It having been found that the establishment of agencies for the procurement of substitutes led to desertion and was pernicious to the discipline of the army, the General commanding the department of Henrico, was authorized to forbid the practice, but it was not intended that this prohibition should be enforced by impressment and confiscation, and I am informed that in these particulars the order has never been executed.

The facts of the case appears to be briefly as follows :

Mr. Hyde was found in the act of procuring unnaturalized foreigners as substitutes, in express violation of a General Order of the War Department. He acknowledged the agency, and was understood as admitting that he acted as a general agent, and therefore was supposed to be violating the order of the General commanding the military department.

He was committed to prison, remained a few hours, was bailed, and the next day on the facts of the case being known he was released from his obligation of bail.

Martial law still existing in Richmond, although the writ of *habeas corpus* is no longer suspended, I must request instructions as to the extent of the powers of the military commandant of the city, and whether he may suppress tippling shops, agencies for procuring substitutes, and other practices subversive of the discipline and efficiency of the army.

Very respectfully,

Your obedient servant,

GEO. W. RANDOLPH,

Secretary of War.

REPORT OF BRIGADIER-GENERAL WINDER.

HEADQUARTERS DEPARTMENT OF HENRICO, }
RICHMOND, Va., Sept. 26th, 1862. }

Hon. G. W. RANDOLPH,

Secretary of War,

Richmond, Va. :

SIR : I have the honor to enclose herewith the report of Major E. Griswold, Provost Marshal of this city, in the case of Chas. K. Hyde, and other papers touching the case referred to me by the War Department.

I have the honor to be,

Your obedient servant,

JOHN H. WINDER,
Brigadier-General.

REPORT OF MAJOR GRISWOLD.

PROVOST MARSHAL'S OFFICE.

September 24th, 1862.

Major PAGE, A. A. G. :

SIR:—In regard to the case of Charles K. Hyde, the following are the facts:

By virtue of Special Order No. 118, from headquarters, a copy of which I herewith return, I have given special directions to my detective officers, to ferret out all such agencies as are mentioned in the order, and arrest the parties.

Under these instructions, officer John Reese, on the 20th September, observing circumstances of a suspicious nature, in the conduct of Charles K. Hyde, (then unknown to him by name or otherwise,) and being told he was a substitute agent, asked him the question: "are you a substitute agent?" Hyde replied that he was. He then asked him, "what substitutes he was procuring?" or to that effect, and two men were pointed out, Thomas Adams and James Carney. The officer arrested the three and brought them before me.

The above evidence was given in the examination, and with the parties was found the accompanying papers, marked "A" and "B," showing that Hyde was obtaining substitutes for *two* parties, namely: Henry J. Showalter of Augusta, in the State of Virginia, and James P. Ochletree, of the same place.

One of the substitutes stated that he was to receive \$800. This evidence was given in the presence of Mr. Charles K. Hyde, who made no denial of the facts; but simply asked the privilege of seeing certain friends, which I told him he could do. It was then after business hours, on Saturday the 20th. I considered the circumstances sufficient under the order, to commit Mr. Hyde for a more extended examination. No application was *then* made for bail, and I ordered his committal.

On the same evening, certain friends of Mr. Hyde, applied to me at my private rooms to admit him to bail, which I did at once, on ascertaining the sufficiency of the bail, by sending an order to my Adjutant to admit him to bail until Monday morning at 9 o'clock.

On Monday morning, the case with all the papers, and evidence, was promptly sent before Commissioner Baxter for examination, whose report I herewith return, and upon this report Mr. Hyde was released.

The above are the facts. I desire to add, as this case has become a matter of publicity, that I have used the utmost vigilance, and appa-

rently rigid measures in these cases of substitution, not only because it was my duty under the order of General Winder, but because it is notorious, that through these substitute agents, the vilest men and abandoned villians from the purlieus of our large cities, are being substituted and placed in the army, side by side with the sons and brothers of our best and most loyal citizens, who, as volunteers, have left everything, home, friends and comfort, to serve as privates in our gallant army, thus adding to the privations of camp, this wicked companionship, and greatly demoralizing the service. Besides, it is a constant practice, after the substitute has received his enormous bounty and divided it with the agent, to desert, and in combination with the agent, to substitute again and again, dividing their degrading spoils. No one who had any knowledge of this vile work and the extent of demoralization ensuing, would arraign vigilant and prompt measures to break up the practice.

In the case of Mr. Hyde, having acknowledged he was an agent, he made no pretence before me that he was not a *general* agent; but, he was found in company with a drunken man, a foreigner, only 18 months in this country, one of his substitutes, who, in my presence and in the process of the examination, rudely seized from my hands the papers I was examining, and delivered them back, only when compelled by my officers.

I ought further to say, in justice to myself, that I am informed by Judge Baxter, who examined the case, that Mr. Baldwin, the member from Virginia, who brought this case before Congress, stated to him, that my conduct to Mr. Hyde, to himself, and all the parties, was courteous and forbearing, which failed to appear in his public remarks on the subject.

In regard to other allusions made on the floor of Congress, it is sufficient to add, that the officer making the arrest is a native Virginian.

Very respectfully,

Your obedient servant,

E. GRISWOLD,

Major and Provost Marshal.

[Extract.]

HEADQUARTERS DEPARTMENT OF HENRICO,
Richmond, Va., August 1st, 1862.

SPECIAL ORDERS, }
No. 118. }

* * * * *

III. The obtaining of substitutes through the medium of agents, is strictly forbidden; when such agents are employed, the principal, the substitute and the agent, will be impressed into the military service, and the money paid for the substitute, and as a reward to the agent, will be confiscated to the government. The offenders will also be subjected to such other punishment as may be imposed by a Court Martial.

* * * * *

By order of Brigadier General JOHN H. WINDER.

[Signed,]

J. W. PEGRAM,
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF HENRICO, }
Richmond, Sept. 23d, 1862. }

Official,

J. W. PEGRAM,
A. A. General.

Major E. GRISWOLD,
Provost Marshal,
Richmond, Va.

BRITISH CONSULATE.

STATE OF VIRGINIA.

No. 1515.

I, Frederick J. Cridland, Her Britannic Majesty's Acting Consul for the State of Virginia, do hereby certify, that the bearer Mr. James Carney—a native of Waterford County, Ireland,—is a subject of Her Britannic Majesty, who has never forfeited his claim to the protection of the Queen, by becoming a subject or a citizen of any Foreign State. The bearer is 40 years of age.

Given under my hand and seal of office, at the City of Richmond, this 20th day of September, 1862.

FRED. J. CRIDLAND,
H. B. M. Acting Consul.

I hereby declare, on oath, that I am not a resident of the Confederate States of America and am not a citizen thereof, and have never made a declaration of intention to become such. And that, to the best of my knowledge and belief, I am not subject to enrolment in the army of the Confederate States.

I have not received from or paid to any agent money, and I am not a member of any company whatever.

JAMES CARNEY.

Sworn to before me, this 20th day of September, 1862.

I do hereby certify, that I have carefully examined James Carney, and find that he is competent and able to discharge military duty.

Given under my hand this 20th day of September, 1862.

POST SURGEON, *P. A. C. S.*

HEADQUARTERS, Richmond, Sept. 20, 1862.

I do hereby certify, that Henry J. Showalter, of the County of Augusta, in the State of Virginia, a member of my company before being mustered into service, having furnished an able bodied man, well clothed, in the person of James Carney, who has been accepted by me as his substitute for the war, he, the said Henry J. Showalter, is hereby honorably discharged from service, under the law and order regulating the same.

BRITISH CONSULATE.

STATE OF VIRGINIA.

No. 1514.

I, Frederick J. Cridland, Her Britannic Majesty's Acting Consul for the State of Virginia, do hereby certify, that the bearer Mr. Thomas Adams,—a native of Liverpool, England,—is a subject of Her Britannic Majesty, who has never forfeited his claim to the protection of the Queen, by becoming a subject or a citizen of any Foreign State. The bearer is 38 years of age.

Given under my hand and seal of office, at the City of Richmond, this 20th day of September, 1862.

FRED. J. CRIDLAND,
H. B. M. Acting Consul.

I hereby declare, on oath, that I am not a resident of the Confederate States of America and am not a citizen thereof, and have never made a declaration of intention to become such. And that, to the best of my knowledge and belief, I am not subject to enrolment in the army of the Confederate States.

I have not received from or paid to any agent money, and I am not a member of any company whatever.

THOMAS ADAMS.

Sworn to before me, this 20th day of September, 1862.

I do hereby certify, that I have carefully examined Thomas Adams, and find that he is competent and able to discharge military duty.

Given under my hand this 20th day of September, 1862.

POST SURGEON, P. A. C. S.

HEADQUARTERS, Richmond, Sept. 20, 1862.

I do hereby certify, that John P. Ochletree, of the County of Augusta, in the State of Virginia, a member of my company, before being mustered in service, having furnished an able-bodied man, well clothed, in the person of Thomas Adams, who has been accepted by me as his substitute for the war, he, the said John P. Ochletree, is hereby honorably discharged from service, under the law and order regulating the same.

REPORT OF COMMISSIONER BAXTER.

Report on cases of Charles K. Hyde and Thomas Adams.

In this case on his examination, Hyde stated he was a citizen of Augusta and one of the Constables of that County. He had repeatedly been applied to to get substitutes, and had always declined, until he was applied to by two of his neighbors, Ochletrec and Showalter, to come to Richmond and procure substitutes for them. He did so, and was to have his expenses paid, but to receive no other compensation. He came to Richmond and advertised for substitutes and found two. He took them to Captain Wallace, of the Jackson Guards, who was willing to receive them. While he was having the papers prepared, he was arrested and taken before Major Griswold, who committed him.

John Reese stated he heard Mr. Hyde was getting substitutes. He went to him and asked him if he was a substitute agent. Hyde replied he was. Reese arrested him and took him before Major Griswold. After they left Major Griswold's office, and were on their way to the prison, Hyde told Reese he was not a general agent, but only acting in these special cases.

I understood Hyde to admit Mr. Reese's statement to be correct.

Mr. Hyde proved by Captain Baldwin, Captain Walker, Mr. Hunter and Mr. Kenney, he was a man of honesty and fair character, a Constable of Augusta, and carefully observant of law.

From the character of Mr. Hyde and his statement before me, I am satisfied he is an honest man and good citizen. That he came here to procure substitutes for two neighbors, as a matter of kindness to them, that he is not one of those men, who, for gain, are speculating on the morals and discipline of the army.

I recommend he be discharged and be permitted to complete his arrangements as far as they are lawful.

S. S. BAXTER, *Commissioner.*

September 23, 1862.

Thomas Adams was one of the substitutes engaged by C. H. Hyde. He says he is an Englishman, who has been in this country eighteen months. When he was before the Provost Marshal, he admits he attempted to snatch his British protection from the Provost Marshal.

He appeared penitent, says he was drunk and did not know the Provost Marshal was an officer.

If, on examination, his officer is willing to receive him, he may make a good soldier.

S. S. BAXTER.

September 23, 1862.

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