

NATIONAL ORGANIZATION
SONS OF UNION VETERANS OF THE CIVIL WAR
CIVIL WAR MEMORIAL ASSESSMENT FORM

PLEASE:

- Type or print, using a ball-point pen, when filling out this form. Legibility is critical.
- Do not guess at the information. An answer of, "Unknown," is more helpful.
- Include a photograph of each viewable side and label it with name & direction of view.

- **Thank You.**

Type of Memorial

Monument *with* Sculpture Monument with Cannon
 Monument *without* Sculpture Historical Marker Plaque

Affiliation

G.A.R. (Post Name & No. Frank P. Blair Post 1, Dept. of Missouri) M.O.L.L.U.S.
 W.R.C. (Corps Name & No. _____) Other Allied Order
 SUVCW (Camp Name & No. _____) (Please describe below)
 DUVCW (Tent Name & No. _____)
 Other: _____

Original Dedication Date 1894 Please consult any/all newspaper archives for a local paper's article that would have information on the *first* dedication ceremony and/or other facts on the memorial. Please submit a copy of your findings with full identification of the paper & date of publication. Thank you.

Location

The Memorial is *currently* located at:
 Street/Road address or site location Bellefontaine Cemetery, Poplar between Hazel Ave & Primrose Ave.
 City/Village St. Louis Township _____ County St Louis City

The front of the Memorial faces: North South East West

Government Body, Agency, or Individual Owner (of private cemetery that Memorial is located in)...

Name Bellefontaine Cemetery Dept./Div. _____
 Street Address 4947 West Florissant Ave
 City St. Louis State MO Zip Code 63115
 Contact Person Caretaker Telephone (314) 381-0750

If the Memorial has been moved, please list former location(s)...

Not Applicable

Physical Details

Material of Monument or base under a Sculpture or Cannon = Stone Concrete Metal Undetermined
 If known, name specific material (color of granite, marble, etc.) Gray granite

Material of the Sculpture = Stone Concrete Metal Undetermined
 If known, name specific material (color of granite, marble, etc.) not applicable
 If the Sculpture is of metal, is it solid cast or "hollow?" _____

Material of Plaque or Historical Marker / Tablet = bronze

Material of Cannon = Bronze Iron - Consult known Ordnance Listing to confirm
 Markings on muzzle = not applicable
 Markings on Left Trunion _____ Right Trunion _____
 Is inert ammunition a part of the Memorial? If so, describe _____

Approximate Dimensions (indicate unit of measure) - taken from tallest / widest points
 Monument or Base: Height 6 feet Width 10 feet Depth 9 feet or Diameter _____
 Sculpture: Height _____ Width _____ Depth _____ or Diameter _____

For Memorials with multiple Sculptures, please record this information on a separate sheet of paper for each statue and attach to this form. Please describe the "pose" of each statue and any weapons/implements involved (in case your photos become separated from this form). Thank you!

Markings/Inscriptions (on stone-work / metal-work of monument, base, sculpture)
 Maker or Fabricator mark / name? If so, give name & location found not applicable

The "Dedication Text" is formed: cut into material raised up from material face

Record the text (indicate any separation if on different sides...) Please use additional sheet if necessary.

IN MEMORY OF
John McNeil
Brigadier and Brevet Major General U.S.V.
Born in Nova Scotia, Feb. 4, 1813.
Died In St. Louis, June 7, 1891
"Soldier, Rest Thy Warfare O'er
Sleep The Sleep That Knows Not Breaking."
Erected By His Comrades Of
Frank P. Blair Post, No. 1, Dept. of Mo., G.A.R.

Environmental Setting

(The general vicinity and immediate locale surrounding a memorial can play a major role in its overall condition.)

Type of Location

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Cemetery | <input type="checkbox"/> Park | <input type="checkbox"/> Plaza/Courtyard |
| <input type="checkbox"/> "Town Square" | <input type="checkbox"/> Post Office | <input type="checkbox"/> School |
| <input type="checkbox"/> Municipal Building | <input type="checkbox"/> State Capitol | Other: _____ |
| <input type="checkbox"/> Courthouse | <input type="checkbox"/> College Campus | _____ |
| <input type="checkbox"/> Traffic Circle | <input type="checkbox"/> Library | _____ |

General Vicinity

- Rural (low population, open land) Suburban (residential, near city)
 Town Urban / Metropolitan

Immediate Locale (check as many as may apply)

- Industrial Commercial
 Street/Roadside within 20 feet Tree Covered (overhanging branches)
 Protected from the elements (canopy or enclosure, indoors)
 Protected from the public (fence or other barrier)
 Any other significant environmental factor _____

Condition Information

Structural Condition (check as many as may apply)

The following section applies to Monuments *with* Sculpture, and Monuments *without* Sculpture - including the base for Monuments with *Cannon*. Instability in the sculpture and its base can be detected by a number of factors. Indicators may be obvious or subtle. Visually examine the sculpture and its base.

	Sculpture	Base
If hollow, is the internal support unstable/exposed? (look for signs of exterior rust)	___	___
Any evidence of structural instability? (look for cracked joints, missing mortar or caulking or plant growth)	___	___
Any broken or missing parts? (look for elements (i.e., sword, musket, hands, arms, etc. - missing due to vandalism, fluctuating weather conditions, etc.)	___	___
Any cracks, splits, breaks or holes? (also look for signs of uneven stress & weakness in the material)	___	___

Surface Appearance (check as many as may apply)

	Sculpture	Base
Black crusting	___	___
White crusting	___	___
Etched, pitted, or otherwise corroded (on metal)	___	___
Metallic staining (run-off from copper, iron, etc.)	___	<input checked="" type="checkbox"/>
Organic growth (moss, algae, lichen or vines)	___	___
Chalky or powdery stone	___	___
Granular eroding of stone	___	___
Spalling of stone (surface splitting off)	___	___
Droppings (bird, animal, insect remains)	___	___
Other (e.g., spray paint graffiti) - Please describe...	___	___

Bronze needs cleaning as black stain is running off lettering. Below Monument, ground is eroding away and could use some dirt fill. But monument itself appears solid.

Does water collect in recessed areas of the Memorial? Yes No Unable to tell

Surface Coating

Does there appear to be a coating? ___ Yes X No ___ Unable to determine

If known, identify type of coating.

___ Gilded ___ Painted ___ Varnished ___ Waxed ___ Unable to determine

Is the coating in good condition? ___ Yes ___ No ___ Unable to determine

Basic Surface Condition Assessment (check one)

In your opinion, what is the general appearance or condition of the Memorial?

___ Well maintained X Would benefit from treatment ___ In urgent need of treatment ___ Unable to determine

Overall Description

Briefly describe the Memorial (affiliation / overall condition & any concern not already touched on) .

Plaque on monument measures about 2 feet high by 3 feet wide and less than one inch deep.

Grave site marker labeled simply "Gen. John McNeil" is north of the marker about 6 feet

Supplemental Background Information

In addition to your on-site survey, any additional information you can provide on the described Memorial will be welcomed. Please label each account with its source (author, title, publisher, date, pages). Topics include any reference to the points listed on this questionnaire, plus any previous conservation treatments - or efforts to raise money for treatment. Thank you.

Inspector Identification

Date of On-site Survey 16 October 2005

US Grant 68 MO SUVCW

Your Name Walter E. Busch



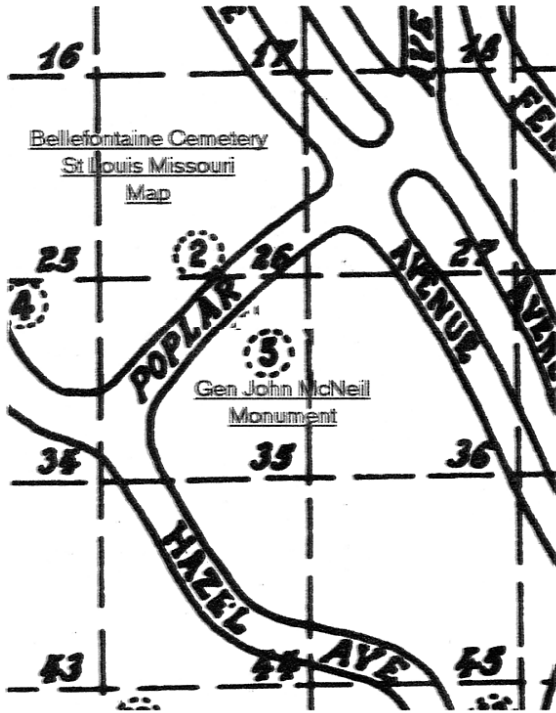
Please send this completed form to:

Todd A. Shillington, PDC



Thank you for your help, and attention to detail.

SONS OF UNION VETERANS OF THE CIVIL WAR
National Civil War Memorials Committee



GENERAL JOHN McNEIL'S MONUMENT AND GRAVESITE

BELLEFONTAINE CEMETERY
ST. LOUIS MO



In Memory of
John McNeil
Brigadier and Brevet
Major General U.S.V.
Born in Nova Scotia, Feb.
4, 1813
Died In St. Louis, June 7,
1891
"Soldier, Rest Thy
Warfare O'er, Sleep The
Sleep That Knows Not
Breaking."
Erected by His Comrades
of Frank P. Blair Post,
No. 1, Dept. of Mo.,
G.A.R.



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2 results found. Sorted by Date

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Author Blodgett, Wells Howard, 1839-1929.
Title **Address of Colonel Wells H. Blodgett : on the occasion of the dedication of the monument erected at Bellefontaine Cemetery, St. Louis, to the memory of the late Brevet Major-General John McNeil together with the programme of exercises and proceedings of Frank P. Blair Post No. 1, Department of Missouri, G.A.R. in the matter of the erection and dedication of the same.**
Published St. Louis, Mo. : Frank P. Blair Post, 1894.

LOCATION	CALL #	STATUS
UMK MNL SpecColl Snyder	F474.S2 B63 1894	LIB USE ONLY
<u>UMS MERC ST LOUIS IMPRINT</u>	F474.S2 B63 1894	LIB USE ONLY
<u>UMS TJ SPEC COLL</u>	F474.S2 B63x 1894	LIB USE ONLY

Description 36 p., 2 p. of plates : ill. ; 24 cm.
Note 4000 exemplares printed.--P. 36.
 Inserted leaflet: Military Order of the Loyal Legion of the United States, Headquarters Commandery of the State of Missouri; dated St. Louis, January 19, 1895; signed: Brevet Maj.-Gen'l John W. Turner, Commander; W.R. Hodges, Captain U.S.V., recorder; referring to incriminations against John McNeil.
 Includes: Extracts from the minutes of the Proceedings of Frank P. Blair Post, No. 1, and its Committee.
 UMSL: Printed pink cardboard wrapper protected in plain fiberboard enclosure.
 UMSL: Black ink autograph at head of front cover (probably: Fred Stawitz)
Subjects McNeil, John, 1820-1891 -- Monuments.
Palmyra Massacre, Palmyra, Mo., 1862.
Other author Turner, John Wesley, 1833-1899.
Hodges, William Romaine, 1840-
Grand Army of the Republic. Dept. of Missouri. Frank P. Blair Post No. 1.
Military Order of the Loyal Legion of the United States. Commandery of the State of Missouri.
OCLC # 13982251

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IN MEMORY OF

JOHN McNEIL

BRIGADIER AND BREVET MAJOR GENERAL U.S.M.

BORN IN NOVA SCOTIA, FEB. 4. 1813.

DIED IN ST. LOUIS, JUNE 7. 1891.

"SOLDIER, REST! THY WARFARE OER,
SLEEP THE SLEEP THAT KNOWS NOT BREAKING."

ERECTED BY HIS COMRADES OF
FRANK P. BLAIR POST, No. 1. DEPT. OF MO., G.A.R.



GEN. JOHN MEBEL

THE MONUMENT OF
JAMES MEBEL
BORN IN 1787
DIED IN 1850
AGE 63 YEARS
AND 9 MONTHS
AND 10 DAYS
"HONORABLE AND VALIANT SOLDIER
WHO WAS FIRST CAPTAIN OF THE
REGIMENT OF THE VIRGINIA
INFANTRY IN THE YEAR 1812"

467

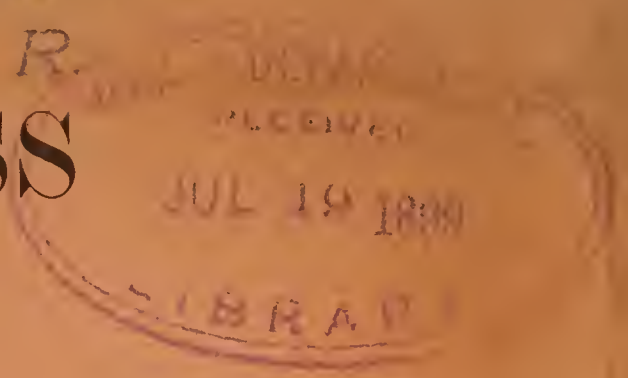
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FRANK P. BLAIR POST No. 1

DEPT. OF Mo. G. A. R.

ADDRESS



— OF —

COLONEL WELLS H. BLODGETT,

. . . ON THE OCCASION . . .
. . . OF THE . . .

DEDICATION OF THE MONUMENT

Erected at Bellefontaine Cemetery, St. Louis,

TO THE MEMORY OF
THE LATE

BREVET MAJOR-GENERAL JOHN McNEIL,

TOGETHER WITH THE

PROGRAMME OF EXERCISES AND PROCEEDINGS

— OF —

FRANK P. BLAIR POST No. 1,

Department of Missouri, G. A. R.

IN THE MATTER OF THE ERECTION AND DEDICATION
OF THE SAME.

PUBLISHED BY FRANK P. BLAIR POST.

ST. LOUIS, MISSOURI.

1894.

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COLONEL WELLS H. BLODGETT,

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Erected at Bellefontaine Cemetery, St. Louis,

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PUBLISHED BY FRANK P. BLAIR POST.

ST. LOUIS, MISSOURI.

1894.

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PROGRAMME OF EXERCISES

— AT —

BELLEFONTAINE CEMETERY,

— ON —

MEMORIAL DAY, May 30th, 1894,

ON THE OCCASION OF THE

DEDICATION.

- 1.—“AMERICA,” VOLLRATH’S ORCHESTRA.
- 2.—PRAYER, REV. DR. ANDERSON.
- 3.—SONG, “Integer Vitæ,” QUARTETTE.
 MESSRS. ERNST H. KEISKER, B. DIERKES,
 E. DIERKES and WALDEMAR LEO.
- 4.—ADDRESS, COLONEL WELLS H. BLODGETT.
- 5.—SONG, “Kreutzer’s Chapel,” QUARTETTE.
- 6.—“NEARER, MY GOD, TO THEE,” ORCHESTRA.
- 7.—TAPS.

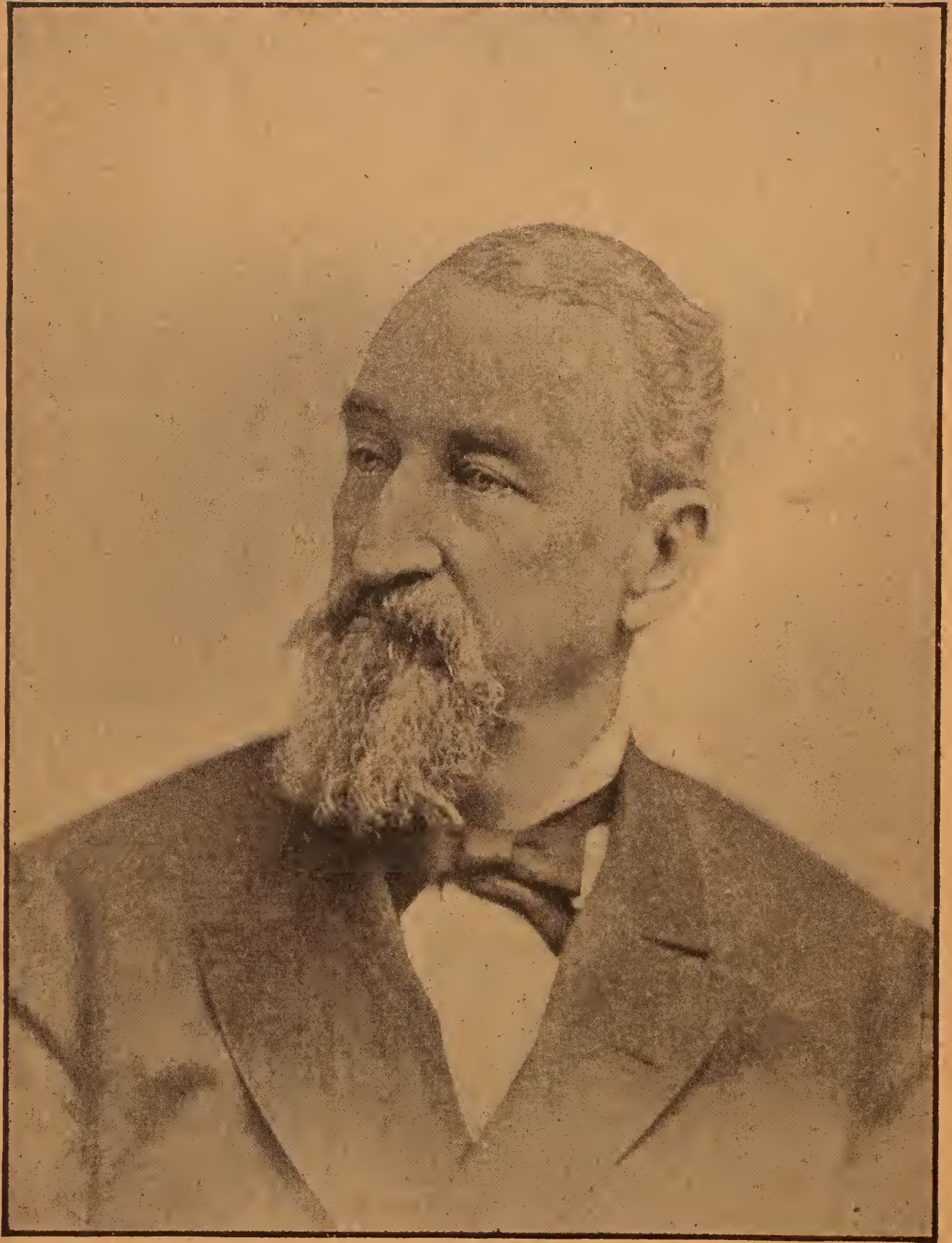


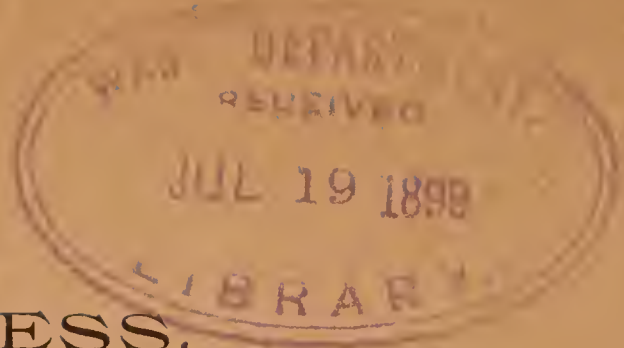
FEB 9 1916



IN MEMORY OF
JOHN McNEIL
BRIGADIER AND BREVET MAJOR GENERAL U.S.V.
BORN IN NOVA SCOTIA, FEB. 4, 1813
DIED IN ST. LOUIS, JUNE 7, 1891.
SLEEP THE SLEEP THAT KNOWS NO BREAKING.
ERECTED BY HIS COMRADES OF
FRANK P. BLAIR POST, No. 1, DEPT. OF MO. G.A.R.

Photo. Photo. Blair Co. Geo.





THE ADDRESS.

Commander, Comrades and Friends:

While multitudes of loving hands all over the land are covering with flowers the grassy mounds wherein rest the ashes of the silent army, we gather here to perform a no less grateful task. We come to honor the name and noble qualities of comrade John McNeil.

Outside his own family, he was best known and most loved by his comrades of Frank P. Blair Post No. 1, and this monument not only marks his grave, but it marks more plainly the affectionate regard in which we hold him. Of all the ties that bind men together none are so enduring as the companionship of arms. The dearest memories of the soldier, are of those with whom he shared the fatigue and dangers of march and battle, and he cares not whether they stood in the ranks, or wore eagles, stars or bars upon their shoulders; to him, the old comrades are doubly and trebly dear, because in the same uniform and under the same flag they marched and fought together. It is that feeling of comradeship which brings us here to-day to unveil this monument and present to the world, in the light of history, the true character of the man around whose grave we have assembled.

John McNeil belonged to the highest type of the American volunteer. Reared in the peaceful pursuits of life, the war found him, at the age of forty-eight, one of the prosperous merchants of our city. When the flag of his country was assailed at Fort Sumter, he neither waited nor asked for a commission, but took his place in the ranks as one of its defenders.

When in the spring of 1861, Lyon took possession of the arsenal at St. Louis and called for volunteers, McNeil offered himself as a private in the regiment that soon afterwards made him its commander. When, on the 10th of May, Lyon marched on Camp Jackson, McNeil was by his side. His was known as the 3rd Regiment United States Reserve Corps, and Lyon's appreciation of him is shown in his order of May 16, 1861, directing him to take command of the city of St. Louis, and act in such manner as he might deem most likely to prevent any disturbance, and quell any that might arise.

On account of the good judgment displayed by him in the preservation of order in the city, he was kept on duty here until July, when with four hundred men he was dispatched into Callaway County, where, on July 17, he routed and dispersed a Confederate camp more

than a thousand strong, commanded by Gen. Harris. In that expedition McNeil was to have had the co-operation of a regiment under Col. Hammer, but that officer left the river at Hermann and went north into Montgomery county. When it was learned in St. Louis that Hammer had not gone to his support, and that McNeil with his four hundred men was pushing on to attack a force of nearly three times his number, much apprehension was felt for his safety, and when the news of his victory was received there was great rejoicing; and Gen. Chester Harding in his report to Gen. Lyon said: "You can hardly imagine my anxiety, and afterwards my relief, when I heard from that brave fellow, McNeil, and learned that he had fought and routed the enemy."¹

Returning from his expedition against Harris, he was, on July 28th, 1861, again appointed military commander of St. Louis by Gen. Fremont, and charged with the responsible duty of taking such measures as he might from time to time consider necessary for the safety and protection of the city.²

His first regiment had only enlisted for three months, and when their term of service expired he reorganized them and entered the service for three years. He remained on duty in St. Louis until the spring of 1862, when he was placed in command of a district in north-eastern Missouri, with headquarters at Palmyra.³

We cannot on this occasion attempt to follow him in detail throughout all his campaigns, but the battle of Kirksville on Aug. 6th, 1862, is deserving of mention: It was after a long and tedious pursuit of a Confederate force twenty-five hundred strong which had been organized north of the Missouri river, that McNeil, with one thousand men and five pieces of artillery, overtook them at Kirksville. The Confederate commander had expelled the people from the town and occupied the houses and buildings with his force. McNeil arrived with his troops ready for action at ten o'clock in the morning; but the enemy being concealed in the houses and buildings, he could not discover them, and then it was that Capt. John N. Cowdry, of Merrill's horse, volunteered to ride with eight men through the streets of the town to draw the fire of the enemy, that McNeil might learn their position. It was a most perilous task, but at the word of command, Cowdry and his men dashed down the street and around the public square, in the face of a very storm of bullets that came from behind the houses, barns and fences.⁴ As soon as McNeil was, by that gallant action, advised of their position, he opened upon them with muskets and artillery and poured shot and

¹Reb. Records, Ser. 1, Vol. 3, p. 402.

²Reb. Records, Ser. 1, Vol. 3, p. 410.

³Reb. Records, Ser. 1, Vol. 13, p. 417.

⁴Reb. Records, Ser. 1, Vol. 13, p. 214 & 217.

shell into the buildings from which their fire had come. The battle was stubborn, and raged for three hours without cessation, at the end of which time the enemy retreated in disorder. So well did he protect his own troops, and so skillfully and effectively did he handle his artillery, that his loss was only twenty-eight killed and sixty wounded; while that of the enemy was one hundred and eighty killed and about five hundred wounded. McNeil also took a large number of prisoners, and when the enemy retreated he pursued them with such vigor that at the end of a month, after numerous minor engagements, the whole Confederate force was scattered and they disappeared as completely as though the earth had swallowed them up.

In his official report of that engagement to the War Department, Gen. Schofield said: "Our troops behaved with great gallantry and were handled with consummate skill by their commander, Col. John McNeil." For his distinguished services in that campaign, Gov. Gamble made him a Brigadier-General of State troops, and on November 29, 1862, Mr. Lincoln made him a Brigadier-General of volunteers.⁵

In the spring of 1863, we find McNeil in command of the Federal forces in Southeastern Missouri, and not long after his assignment to that command, it was ascertained that Marmaduke was approaching Cape Girardeau with a force of six thousand men and ten pieces of artillery.⁷ Cape Girardeau was at that time an important military depot, and the object of Marmaduke's advance was to capture the supplies and interrupt commerce on the Mississippi. When Gen. Curtis, the department commander, first learned that Marmaduke was moving north with so large a force, he detached a brigade from the army of the frontier, then stationed near Springfield, Missouri, and ordered it to move in the direction of Rolla, so as to be in position to reinforce McNeil if necessary. I was at that time a member of the 37th regiment Illinois volunteers, commanded by Colonel John C. Black, and that regiment was one of those designated to reinforce him. Arriving at Rolla after a succession of forced marches, we hurried aboard a train, and were brought to St. Louis. From the depot we were double-quickened to the river, and on the morning of April 26 we arrived at Cape Girardeau. That was my first service under McNeil. The fight was on when we reached the wharf, and when the fresh troops arrived and advanced to the front, the enemy was soon repulsed and a victory won. But McNeil was not the man to be satisfied with the mere repulse of an enemy. He wanted to capture him, and as soon as he saw Marmaduke in retreat, he ordered his

⁵ Schofield's report, *Reb. Records*, Vol. 13, p. 15.

⁶ *Reb. Records*, Vol. 13, p. 583.

⁷ *Reb. Records*, Vol. 13, p. 279.

army in pursuit, and for days he followed, capturing many prisoners, and much transportation. Arriving at Chalk Bluffs on the St. Francis river, Marmaduke made his last stand, and after a battle, lasting an hour, he was compelled to retire from his position and resume his retreat. On that occasion I was a witness to McNeil's fearless courage. Riding to the front on a handsome horse, he was a conspicuous mark for the enemy's bullets, and soon the horse was shot from under him; but, nothing daunted, he mounted another, furnished by one of his staff, and ordering up a battery, he poured such a fire into their ranks as soon compelled the enemy to retire.⁸

In that campaign Gen. Wm. Vandever was his immediate superior, and Gen. Curtis, in a letter to Vandever, said: "Tender my thanks to the officers and soldiers of your command for their energy and courage and the victories they have won. Gen. McNeil's gallantry will deserve a separate and special mention."⁹

In July, 1863, he was placed in command of the district of southwest Missouri, with headquarters at Springfield.¹⁰ In the fall of that year, Gen. Shelby left the main body of Price's army in Arkansas, and with a force that was increased to twenty-five hundred, he captured Boonville on the Missouri, from which point he was compelled to turn back. McNeil joined in the pursuit and followed him from the Osage river to the Arkansas, during which time he had many skirmishes and captured many prisoners.¹¹ For the courage and skill displayed in that campaign he again received the thanks of the department commander.

In October, 1863, Gen. Schofield ordered McNeil to succeed Gen. Blunt, as commander of the District of the Frontier, with headquarters at Ft. Smith,¹² where he confronted, and held in check, a force of double his own, commanded by Gen. Wm. Steele, of the Confederate army.¹³

In August, 1864, he was placed in command of the district of Rolla, and during the Price raid into Missouri, in the fall of that year, McNeil was one of the most vigorous of his pursuers. He was at the front in every fight and skirmish.¹⁴ When that campaign was over, Gen. Rosecrans, then commanding in this department, thanked him in the heartiest and strongest terms for the skill, efficiency and vigor he had displayed.¹⁵

I have not attempted to trace his career in detail. He was never

⁸Reb. Records, Vol. 22, part 1, p. 276 & 259.

⁹Reb. Records, Vol. 22, part 1, p. 282.

¹⁰Reb. Records, Vol. 22, part 2, p. 378.

¹¹Reb. Records, Vol. 22, part 1, p. 650.

¹²Reb. Records, Vol. 22, part 2, p. 666.

¹³Reb. Records, Vol. 22, part 1, p. 34.

¹⁴Reb. Records, Vol. 41, part 1, p. 371—377.

¹⁵Reb. Records, Vol. 41, part 1, p. 316.

idle, and it would take a volume to describe the numerous engagements, great and small, in which he commanded or participated. I have only outlined the character of his service and mentioned a few of his campaigns.

With the expulsion of Price from Missouri in the fall of 1864, the war was practically ended in this State. There were many officers who operated in larger fields and had larger opportunities, but none who discharged their duties with more zeal and fidelity. He always met the expectations of those who depended upon him, and in every position in which he was placed and every campaign in which he served, he received the thanks and commendation of his superiors. He was a man true to his convictions, fearless on the field, kind and courteous to his subordinates, and loyal to his country and his friends.

And now, having briefly traced his career in the field, let us turn back and consider a matter for which he received much censure from those who have, perhaps more through ignorance than malice, endeavored to hold him responsible for a state of affairs he did not produce and a policy he did not inaugurate. I refer to the military execution of ten men at Palmyra, Missouri, October 18, 1862.

Perhaps no event of our whole war has been so much discussed, and the facts so little understood, as that. As a rule, those who have written on the one side, have indulged largely in vituperation and personal abuse of Gen. McNeil, without considering the orders under which he acted, or the state of the country at the time the execution took place. While on the other hand, those who have approved his action, have generally represented the men executed as desperate criminals, without considering the policy of the Confederate authorities who were, in truth, responsible for the species of warfare the men had been conducting. Neither side has been quite right, for, as a matter of fact, the men executed seem to have been carrying on the war in a manner justified by the Confederate commanders, while McNeil, in executing them, was carrying out a policy of his government and the orders of his superiors.

The accusation against McNeil has been, *that he violated the rules of civilized warfare, by wantonly executing ten Confederate soldiers who had, by the adverse fortune of war, fallen into his hands as prisoners.*

It is to that accusation we must make reply, and in so doing we shall speak from no partisan or political standpoint. If the charge is not true, its refutation should be so clear as to satisfy every fair-minded American, citizen or soldier, regardless of all political considerations or the side on which he fought.

It is not in what we think, or in what we may say, that his vindication lies. The world cares little, and will little heed, our mere

opinions. We must present the record and leave the world to say whether upon that he should stand acquitted.

No one who knows anything of army life, or military discipline, would ever think of blaming an officer or soldier for obeying any order received from his superior in command. Therefore, if it shall be made to appear from the record that in executing the men at Palmyra, Gen. McNeil was not only acting under orders, but that what he did was subsequently approved by his superiors, then the responsibility is at once shifted from his shoulders, and the question of whether the orders were right or wrong, becomes a question for discussion with those who issued them.

In order that those not already familiar with the subject may understand the question, it is necessary for us to refer to the fact, that the Federal and Confederate authorities in Missouri were never in accord with respect to what the rules of civilized warfare permitted.

In 1861, after every organized Confederate force has been driven far south of the Missouri river, Gen. Sterling Price claimed, that under the rules of war, he had the right to send ununiformed men from his army, through the federal lines, into north Missouri to recruit for his army, and destroy railroad bridges, telegraph wires and all other public lines of communication. As a consequence, when these men appeared and began their work, they operated in small squads, and lost no opportunity to fire, even from ambush, on all passing bodies of Federal troops, and they also robbed and preyed upon the Union men of the localities in which they operated. They were commanded by no regular officers, and when captured they pretended to be peaceful citizens of the locality.

To put a stop to this kind of warfare, Gen. Halleck, commanding the Federal forces in this department, on December 16, 1861, wrote to Col. Birge, commander of the Federal forces at Centralia, Missouri, as follows:¹⁶

“It is said that parties of men are cutting down telegraph posts and attempting to destroy the railroads. Shoot down every man engaged in such attempts. * * *”

As the situation throughout the State was daily growing worse, Gen. Halleck, on December 22, 1861, issued from department headquarters, his General Order No. 32, in which he said:¹⁷

“Insurgent rebels scattered through the northern counties of this State, which are occupied by our troops, under the guise of peaceful citizens, have resumed their occupation of burning bridges and destroying railroads and telegraph wires. These men are guilty of the highest crime known to the code of war and the punishment is death. Any one caught in the act will be immediately shot.”

¹⁶ Reb. Records, Sec. 1, Vol. 8, p. 439.

¹⁷ Reb. Records, Sec. 1, Vol. 8, p. 463.

On December 23, 1861, Gen. Halleck sent instructions from department headquarters to the Federal commanders at Pacific City, Sedalia, Otterville, Syracuse, Tipton, Hermann, Sulphur Springs, Mineral Point, Ironton, Chillicothe, Cameron and St. Joseph, as follows:¹⁸

“Look out for bridge burners. It is reported that concerted attempts will be made to destroy railroads and telegraph lines. Shoot down every one making the attempt.”

On December 26, 1861, Gen. Halleck addressed a communication to Gen. Geo. B. McClellan, who was then General-in-Chief of the army in Washington, which contained, among other things, the following:¹⁹

“These bridge burnings are the most annoying features of the war. They are effected by small parties of mounted men disguised as farmers, but well armed. They overpower, or overawe, the guards, set fire to the bridges and escape before a force can be collected against them. Examples of severe punishment are the only remedies. I shall carry out, in this respect, my General Order No. 32, inclosed herewith.”

In connection with the foregoing letter it must be remembered, that his General Order No. 32, which Halleck said he would carry out, was one in which he had said that “any one caught attempting to destroy a railroad bridge or a telegraph line, would be immediately shot.” And again, on December 30, 1861, Gen. Halleck wrote Gen. Prentiss, who then commanded the Federal troops in Northern Missouri, telling him to “handle these bridge burners without gloves.”²⁰ And on December 31, 1861, Gen. Halleck wrote Gen. Pope, then in command of the Federal forces at Otterville, Missouri, a letter in which he said:²¹

“It is a well-established principle, that insurgent and marauding, predatory and guerrilla bands, are not entitled to be treated as prisoners of war. Such men are, by the laws of war, regarded as no more nor less than murderers, robbers and thieves.”

And later, on January 1, 1862, Gen. Halleck issued from department headquarters his General Order No. 1, the last paragraph of which reads as follows:²²

“While the code of war gives certain exemptions to a soldier regularly in the military service of an enemy, it is a well-established principle that insurgents not militarily organized under the laws of the State, predatory, partisan and guerilla bands are not entitled to such exemption; such men are not legitimately in arms, and the military name and garb which they assume cannot give a military exemption to the crimes which they commit. They are, in a legal sense, mere freebooters and banditti, and are liable to the same punishment which was imposed by Napoleon upon guerrilla bands in Spain and by Scott in Mexico.”

¹⁸ Reb. Records, Sec. 1, Vol. 8, p. 459.

¹⁹ Reb. Records, Sec. 1, Vol. 8, p. 463.

²⁰ Reb. Records, Ser. 1, Vol. 8, p. 474.

²¹ Reb. Records, Ser. 1, Vol. 8, p. 822.

²² Reb. Records, Ser. 1, Vol. 8, p. 476.

And on the same day Gen. Halleck wrote Hon. Thomas Ewing, at Lancaster, Ohio, as follows:²³

“I am quite satisfied that nothing but the severest punishment can prevent the burning of railroad bridges and the great destruction of human life. I shall punish all I can catch, although I have no doubt there will be a newspaper howl against me as a bloodthirsty monster. * * * A plot was discovered on the 20th ult. to burn all bridges in the State and at the same time fire this city. Fortunately a part of the intended mischief was prevented. This is not usually done by armed and open enemies, but by pretended quiet citizens living on their farms. A bridge or building is set on fire, and the culprit an hour after is quietly plowing or working in his field. There is no alternative but to enforce martial law. * * * I have determined to put down these insurgents and bridge burners with a strong hand. It must be done; there is no other remedy. If I am sustained by the Government and country, well and good; if not, I will take the consequences.”

On January 6, 1862, Gen. Halleck wrote Gen. Steele, then commanding the Federal forces at Sedalia, Missouri, as follows:²⁴

“Greater caution should be observed in the matter of releasing prisoners, and hereafter no one will be released without requiring of him the oath of allegiance and parole of honor, the violation of which shall be followed by death.”

The character of the foregoing orders having come to the knowledge of the Confederate commanders, Gen. Sterling Price, who was at that time in command of the Confederate forces in the southwest, wrote Gen. Halleck, on January 16, 1862, protesting against their severity. In that communication he said:²⁵

“Do you intend to regard members of this army as persons deserving death *whenever and wherever* they may be captured, or will you extend to them the recognized rights of prisoners of war by the code of civilized world? Do you intend to regard men whom I have specially dispatched to destroy roads, burn bridges, tear up culverts, etc., as amenable to an enemy’s court-martial? It is vastly important to the interests of all parties concerned that these momentous issues should be determined. No man deplores the horrors of war more than I do; no man will sacrifice more to avert its destroying march.”

To this communication from Gen. Price, Gen. Halleck, on January 22, 1862, replied as follows:²⁶

“Let us fully understand each other on this point. If you send armed forces wearing the garb of soldiers, and duly organized and enrolled as legitimate soldiers, to destroy railroads, bridges, etc., as a military act, we shall kill them, if possible, in open warfare, or if we capture them, we shall treat them as prisoners of war. But it is well understood that you have sent numbers of your adherents, in the garb of peaceful citizens and under false pretenses, through our lines, into northern Missouri, to rob and destroy the property of Union men, and to burn and destroy railroad bridges, thus endangering the lives of thousands, and this, too, without any military necessity or possible military advantage. Moreover, peaceful citizens of Missouri,

²³ Reb. Records, Ser. 1, Vol. 8, p. 475.

²⁴ Reb. Records, Ser. 1, Vol. 8, p. 490.

²⁵ Reb. Records, Ser. 1, Vol. 8, p. 496.

²⁶ Reb. Records, Ser. 1, Vol. 8, p. 514.

quietly working on their farms, have been instigated by your emissaries to take up arms as insurgents, and to rob and plunder, and to commit arson and murder. They do not even act under the garb of soldiers, but under false pretenses and in the guise of peaceful citizens. You certainly will not pretend that men guilty of such crimes, although specially appointed and instructed by you, are entitled to the rights and immunities of ordinary prisoners of war. If you do, will you refer me to a single authority on the laws of war which recognizes such a claim?"

The correspondence between Halleck and Price on the subject seems to have been terminated with those letters. But it was soon afterwards resumed between Gen. Curtis, who had succeeded Halleck as the Federal commander in this department, and Gen. Holmes, who had succeeded Price as commander of the Confederate forces west of the Mississippi river. And in a letter written by Holmes to Curtis, dated October 11, 1862, Gen. Holmes seems to have stood firmly by the position taken by Price, and in his letter to Curtis he said:²⁷

"We (the Confederates) cannot be expected to allow our enemies to decide for us whether we shall fight them in masses or individually, in uniform or without uniform, openly or from ambush."

Now, with affairs in that condition, with the Confederate authorities contending on the one hand that they were authorized by the laws of civilized warfare to send men within the Federal lines to fight as individuals, or in masses, in uniform or without uniform, openly or from ambush, and with the Federal authorities, on the other hand, contending that under the laws of civilized warfare, they had the right to shoot down such men as robbers and murderers, is it strange that what did happen should have occurred? Is it strange that Confederates should have come into Missouri to carry on the war in a manner justified by the Confederate authorities? And is it strange that Federal generals, in subordinate positions, should carry out the orders of their superiors? How could such a state of affairs fail to lead to a *guerrilla warfare on the one side, and military executions on the other?*

We have no desire to here criticise the position assumed by Generals Price and Holmes, further than to say, we believe they were wrong. We did not know Gen. Holmes here in Missouri, but we did know Gen. Price, and all who knew his benevolent and kindly nature, will readily believe he spoke from his heart when he said in his letter to Gen. Halleck "that no one deplored the horrors of war more than he did, and that no one would do more to avert its destroying march." But true it is that Price and Holmes took one view and Halleck and Curtis another, and such being the case, it was not in the power of either, without abandoning their positions, to avert the horrors and onward march of an internecine strife.

But the orders from which I have quoted were not the only ones

²⁷Reb. Records, Ser. 1, Vol. 13, p. 727.

under which McNeil was acting. On March 13, 1862, after his correspondence with Price, Gen. Halleck issued a still more stringent order, known as General Order No. 2, the third paragraph of which reads as follows:²⁸

“Evidence has been received at these headquarters that Major-General Sterling Price has issued commission or license to certain bandits in this State, authorizing them to raise guerrilla forces for the purpose of plundering and marauding. Gen. Price ought to know that such a course is contrary to the rules of civilized warfare, and that every man who enlists in such an organization forfeits his life and becomes an outlaw. All persons are hereby warned, that if they join any guerrilla band they will not, if captured, be treated as ordinary prisoners of war, but will be hung as robbers and murderers. Their lives shall atone for the barbarity of their General.”

In this connection, and since the propriety of such orders are a subject for consideration, it is proper for me to say that the views of Gen. Halleck, as expressed in his orders and expounded in his works, marked him as one of the most distinguished of all modern thinkers and writers on the laws of war. It was because of his great learning and ability that he was called, by Mr. Lincoln, from his command in this department to Washington, where, as commander of the army, he sustained, until the end of the war, the closest official and personal relations with the President.

It is also worthy of consideration that the orders of Halleck, when he was over McNeil, did not differ from the orders of those who came after him, and we find that on September 24, 1862, Gen. Samuel R. Curtis, who had been assigned to command the Federal forces in the department of the Missouri, as the successor of Gen. Halleck, wrote Gen. Loan, who then commanded in the Central Missouri District, a letter in which he said:²⁹

“These bands of so-called partisan rangers sneak through the brush, with no emblems of war, and in the stealthy concealed garb of private citizens they seek to continue the business of stealing, robbing and murdering. They deserve no quarter; no terms of civilized warfare. Pursue, strike and destroy the reptiles.”

Not only were the foregoing orders issued by the department commanders, but on July 22, 1862, Gov. Hamilton R. Gamble, who was as just and conservative a man as ever occupied the executive chair in this State, and who was, under the Constitution, Commander-in-Chief of the State militia, a force to which Gen. McNeil then belonged, issued Special Order No. 101, which reads in part as follows:³⁰

“The existence of numerous bands of guerrillas in different parts of the State, who are engaged in robbing and murdering peaceable citizens, for no other cause than that such citizens are loyal to the Government under which they have always lived, renders it necessary that the most stringent measures be adopted to punish all such crimes and to destroy such bands.”

²⁸Reb. Records, Ser. 1, Vol. 8, p. 612.

²⁹Reb. Records, Ser. 1, Vol. 13, p. 688.

³⁰Ap. to House Jour. 22nd Gen. Assembly, p. 43.

And Gen. John M. Schofield, an educated soldier and one of the most fair-minded men who ever commanded in any department, and who at all times possessed the entire confidence of Mr. Lincoln—being at that time a brigadier-general of volunteers and in command of the State troops in Missouri—on May 29, 1862, issued from his headquarters at St. Louis, General Order No. 18, which reads, in part, as follows:³¹

“Rebel officers and men are now returning to their homes, passing stealthily through our lines, and endeavoring again to stir up insurrection in various portions of the State where peace has long prevailed, and there still remains among the disaffected who have belonged to the rebel army a few who avail themselves of every favorable opportunity to murder Union soldiers and destroy the property of citizens.

The Government is willing and can afford to be magnanimous in its treatment of those who are tired of the rebellion and desire to become loyal citizens, and to aid in the restoration of peace and prosperity of the country, but it will not tolerate those who still persist in their wicked efforts to prevent the restoration of peace where they have failed to maintain legitimate war. The time has passed when insurrection and rebellion can cloak itself under the guise of honorable warfare.

The utmost vigilance and energy are enjoined upon all the troops of the State in hunting down and destroying these robbers and assassins. When caught in arms engaged in their unlawful warfare they will be shot down.”

And on the same day that Gov. Gamble issued his order directing the organization of the State militia to destroy all guerrilla bands, Gen. Schofield issued from his headquarters another order, known as General Order No. 19, the first paragraph of which reads as follows:³²

“Immediate organization of all the militia in Missouri is hereby ordered for the purpose of exterminating the guerrillas which infest our State.”

But it is not our purpose to exonerate the name of McNeil by reflecting upon the good names of others, either living or dead. To some who served in far-away armies, and knew nothing of the situation here in Missouri, and to others who have grown up since the war was over, the orders of Halleck, Curtis and Schofield may seem exceedingly harsh, and it would be manifestly unjust to the memory of Halleck, Curtis and Gamble, who are dead, and to the reputation of Gen. Schofield, who is living, to quote as I have, from their orders without giving to those unfamiliar with the facts, some idea of the condition of the country and the circumstances that called those orders forth.

That is a duty, however, in the performance of which I would not trust either to my memory or imagination. I go only to official sources for the statements I here make, and for doing so on this occasion I hope no one will charge me with wantonly tearing open old wounds, or reviving old memories, which time has already done so much to heal

³¹ Reb. Records, Ser. 1, Vol. 13, p. 402.

³² Reb. Records, Ser. 1, Vol. 13, p. 506.

and soften. All who know me will testify that I have never, from the day the war closed, consciously uttered one word to wound the feelings of those who fought honorably on the other side. But to-day I have a duty to perform, and in order to refute the charges against the memory of McNeil, and not injure the fair names of others, the truth must be stated, and the people of to-day must be made acquainted with the condition of the country, and the kind of warfare then being waged against the Federal forces, and loyal people of the State. It is for that purpose, and for that purpose only, I quote from the documents here referred to.

In his official report to the War Department, of his operations in Missouri, from April 10 to November 20, 1862, Gen. Schofield makes the following statement of the situation:³³

“The desperate and sanguinary guerrilla war which for nearly two months raged almost without cessation, may be said to have begun about July 30, 1862, by the assembling of small bands under Porter, Poindexter and Cobb, who immediately commenced *to rob and drive out the loyal people.* * * *

The principal theatre of operation at this time was the northeastern division, commanded by Col. McNeil; and a large portion of the St. Louis division, lying north of the Missouri river, commanded by Col. Merrill. United action in that district being necessary, that portion of the St. Louis division which lies north of the Missouri river was added to the northeastern division, and the whole placed under command of Col. Merrill. * * * New bands made their appearance in all parts of the State and commenced the work of robbery and murder, for which they had been organized.

And Gen. John B. Gray, Adjutant-General of Missouri, in his report for the year 1862, states, that in the summer of 1862 a thorough system of organization was commenced by men who had returned from Price's army, and that “they commenced a systematic plan of murder, robbery and outrage upon the Union men in every neighborhood.”³⁴

And Gov. Hamilton R. Gamble, in his first message to the Twenty-second General Assembly stated the situation here, as follows:³⁵

“The people of most of the loyal States know nothing of the species of war through which we have passed. They send their sons to distant battle fields, they bear the interruption of ordinary pursuits and the burdens of taxation, but they know nothing of the horrors of war in which families each night fear that before morning they may be aroused by bands of armed men coming to *plunder their dwellings and murder their protectors.* Such war has prevailed in Missouri, and such has been the condition of many of her loyal people because of their fidelity to the Government. * * *

The State militia and the few regiments of Federal cavalry found it difficult to cover and protect the whole territory of the State, and the loyal citizens, being without military organization or arms, were exposed to constant outrage and murder.”

³³Reb. Records, Ser. 1, Vol. 13, p. 7.

³⁴Ap. to House Jour. 22nd Gen. Assembly, p. 83.

³⁵Ap. to House Jour. 22nd Gen. Assembly, p. 82.

In the report of a legislative committee appointed by the Twenty-second General Assembly of Missouri, the situation in the State was thus described:³⁶

“In addition to the rebel armies in the borders of the State at the time of the expulsion of Jackson and the inauguration of the provisional government, assassinations, murders, robberies, thefts, arson and the whole catalogue of lesser crimes followed in the land as incident to the first great plunge into treason. These were some of the difficulties the provisional government of Missouri had before it upon its first accession to office, and which had to be encountered previous to the restoration of peace and quiet to the country; and indeed, with all the assistance the Federal government had been able to render to Missouri, the State was continually infested with detachments of rebel soldiers, guerrilla bands, partisan rangers and bushwhackers, or pretended recruiting officers in the rebel service, until the month of November, 1863. Since that period it may be said that perfect quiet had been restored to Missouri from that quarter.”

In an address sent by the loyal citizens of northern Missouri on January 1, 1863, to President Lincoln, the situation in Missouri was thus described:³⁷

“Since the outbreak of the present rebellion, northern Missouri, in common with the southern part of the State, has been infested by hordes of lawless depredators, popularly known as guerrillas, though styling themselves ‘Confederate soldiers,’ led by desperate and unprincipled men, having not even the form of official commissions from the authorities of the so-called Confederate States, and whose modes of warfare have been only those resorted to and practiced by highway robbers, thieves, murderers and assassins. Not having from any source a recognition as belligerents, they have nevertheless, not scrupled to wage relentless war against the Government of the United States and the State of Missouri, and against the peace, safety and happiness of the loyal citizens of this State. In thus doing, they have causelessly murdered non-combatants by hanging, by shooting, by cutting their throats, and by divers other cruel, inhuman and outrageous methods. They have fired into railroad trains, killing and maiming soldiers and citizens, and placing in imminent peril the lives of women and children. They have burned and destroyed railroad bridges, thereby causing trains filled with non-combatants to be precipitated into streams, killing, drowning and wounding many persons, including women and children. They have in the darkness of the night summoned citizens to the doors of their dwellings and there shot them dead. They have deliberately and without provocation fired into dwellings, placing in extreme jeopardy the lives of the innocent and helpless persons therein. They have abducted citizens from their dwellings and families and murdered them secretly, and by methods unknown to the community at large. They have practiced inhuman and diabolical cruelty upon prisoners in their hands, brutally whipping and hanging them until they were dead. And all this has been done for no other reason than that the parties thus murdered and outraged were, and had been, true and faithful in their allegiance to the United States.

Nor have these depredations been confined to a few or remote localities. Every county, every community has thus been scourged, until scarcely a loyal

³⁶Ap. to House Jour. 22nd Gen. Assembly, p. 461.

³⁷Reb. Records, Ser. 1, Vol. 22, part 2, p. 4.

family has remained untouched. Thus these desperadoes desolated the whole land, establishing a reign of terror, * * * and for months thousands have been nightly driven to the woods and fields to find shelter from the fury of these prowling fiends.”

In the statement of an officer of the army it appears that, in the summer of 1862, a Baptist preacher, named Wheat, was murdered by Confederate guerrillas, within five or six miles of Palmyra, and his body terribly mutilated; a farmer, named Carter, living in an adjoining county, suspected of having given information which led to the arrest of notorious bridge burners and railroad destroyers, was shot in his own door-yard and in the presence of his wife and children; a Mr. Preston, living but a few miles from the same neighborhood, was taken off and murdered; a Mr. Pratt, living a few miles north of Palmyra, known as a Union man, of the highest moral character, was murdered; a Mr. Squires, one of the oldest citizens of Shelby county, was taken from his house and hung and his body mutilated. A large band entered the town of Canton, in Lewis county, and murdered William Carnegy, a leading merchant well-known for his loyalty. Afterwards they went into Memphis, the county seat of Scotland county, and seized Dr. Ayalward, a prominent Union man, and hung him with a halter made of hickory bark, until he was dead.³⁸

The steamer Marcella was captured by guerrillas at Dover Landing, and three soldiers of the 5th M. S. M. Cavalry found thereon were murdered.³⁹

Later the steamer Gaty was captured on the river by a band of guerrillas and two soldiers and twenty negroes, found on her, were shot.⁴⁰ And on August 6, 1862, General Merrill reported that a guerrilla band had, on the previous night, entered a neighborhood in his district and murdered three Union men and carried seven away as prisoners.⁴¹

A very correct idea of the desperate character of this guerrilla warfare, as then carried on in Missouri, is given by Col. Switzler in his *History of Missouri*, where he describes the attack upon Centralia. He says:⁴²

“The train being stopped, the guerrillas rushed into the cars with pistols cocked, demanding the pocketbooks and money of all the passengers. * * * There were twenty-three Federal soldiers on board the train. These they put under guard and marched them into the town, placed them in lines, and at the word ‘fire’ commenced murdering them. Several of them attempted to escape and begged for their lives, but they gave no heed to their entreaties and shot most of them dead in their tracks, although as the train approached, white flags were seen flying from many of the car windows. Nearly all the soldiers

³⁸ Reb. Records, Ser. 1, Vol. 22, part 1, p. 860.

³⁹ Reb. Records, Ser. 1, Vol. 22, part 2, p. 541.

⁴⁰ Reb. Records, Ser. 1, Vol. 22, part 2, p. 183.

⁴¹ Reb. Records, Ser. 1, Vol. 13, p. 542.

⁴² *History of Missouri*, p. 438.

were shot through the head, and two of them were brutally scalped. * * * The work of destruction being completed they mounted their horses and left the town with savage yells in the direction of their camp."

The foregoing reports were made at the time. They show the conditions then existing in Missouri. Let the world judge whether the action of Halleck, Curtis and Schofield in issuing such orders for the suppression of that sort of warfare was, or was not, justifiable. I shall enter upon no general discussion of that matter now. I will leave it where the record leaves it. To-day I am only presenting the orders that justified the course of McNeil, as one of their subordinates. And to judge of the matter correctly it must be remembered that all the orders from which I have quoted had been issued, and all but one or two of the outrages described, had been perpetrated prior to the date of the Palmyra execution, and that the scenes of those events were largely within the district of country commanded by him. So desperate had become the situation in his military district, just prior to the Palmyra execution, that Gen. Schofield sent Capt. F. W. Reeder to ascertain and report the cause. After making his examination Reeder reported to Gen. Schofield, as follows:⁴³

"I would respectfully state, that there are now numerous bands of outlaws and guerrillas infesting the northeastern portion of the State, varying in number from ten to one hundred, robbing and murdering the loyal population of that district. These bands have of late become so numerous, daring and reckless, that the Union people are fleeing in alarm from their homes. In fact the situation of affairs in that part of the country is said to be worse than it has ever been before."

He then went on in his report to say, that in a recent engagement, two-thirds of those who fought on the guerrilla side, were men who had once or twice before been captured and released on their oaths and paroles of honor not to again take up arms against the Government. The most of these men, he said, had been set afloat by the provost-marshal at Palmyra, notwithstanding the evidence against them was such that a rope with which to hang them would have been too costly. He closed his report, as follows:

"One more item I would mention. The late General Order No. 3, *in regard to rebels and rebel sympathizers, has as yet, in no instance been enforced*, and it is the opinion of many in that part of the country that, on account of the non-enforcement of that order in that region, it is regarded by the guerrillas and robbers as a mere threat and humbug."

It is easy to see, that up to the date of that report, the principal complaints against McNeil had been, that he was too moderate in his treatment of the guerrillas whom he captured. Instead of executing them, as his orders required, he had turned them loose upon their paroles of honor not to again take up arms, but time and again they

⁴³Reb. Records, Ser. 1, Vol. 13, p. 475.

had deceived him and violated their paroles, the penalty for which was death.

That McNeil's policy had not been vigorous enough to satisfy his superiors in command, is also clearly shown by the specific instructions issued to him. On June 12, 1862, Gen. Schofield wrote him as follows:⁴⁴

"I want you to take the field in person, with as much of your force as can be spared, and exterminate the rebel bands of your division. * * * Do not rest until you have exterminated the rascals."

And on July 11, 1862, Gen. Schofield again wrote McNeil, as follows:⁴⁵

"You were deceived in your belief that any portion of the State could be left without troops and the guerrillas not gather in force. The question is to remedy the evil that has been done as soon as possible, and guard against the recurrence. After you have broken up and scattered the larger bands, your command should be divided into small battalions, each assigned to the care of a certain territory, and kept in motion hunting down the scoundrels. *Do not be too moderate in the measure of severity dealt out to them. Carry out General Order No. 18 and No. 3, thoroughly.*"

In connection with the foregoing special letter of instructions, it must be remembered that General Order No. 18, which McNeil was directed to carry out thoroughly, was an order that enjoined the utmost vigilance upon all the troops of the State in hunting down and destroying the guerrilla bands; and directed that all caught in arms should be immediately shot.

It was after all the foregoing orders had been issued, reports made and special instructions given, that a guerrilla force, consisting entirely of citizens of the district in which McNeil commanded, rallied several hundred strong, under the leadership of Joseph C. Porter, and on the morning of September 12, 1862, a little before sunrise, they descended upon Palmyra, and after capturing, or driving away, the few pickets on guard, they entered the town after a lively skirmish, in which several citizens and a number of the Federal militia were killed and wounded. They captured all the arms they could find in the place, released all the prisoners from the jail and burned the provost-marshal's office. They remained about two hours and then departed. But as they had entered the town a squad had gone to the house of Andrew Allsman, an old man not in the military service, aroused him from his bed and, despite the entreaties of his family, hurried him away, never to return.⁴⁶ McNeil was then at Monticello, where he had gone in pursuit of Porter, but Porter had eluded him, and in his absence captured Palmyra and carried Allsman away a prisoner. A messenger was set to McNeil and he was soon

⁴⁴Reb. Records, Ser. 1, Vol. 13, p. 427.

⁴⁵Reb. Records, Ser. 1, Vol. 13, p. 467.

⁴⁶History of Marion County, 476-482.

in pursuit, driving the guerrillas before him, capturing many, and as he pressed them harder and harder, by night and by day, they broke up into small bands, dispersed into the country and disappeared as an organized force.

Andrew Allsman was a well known citizen and prominent Union man of Marion county, but was not then, as I have said, a member of any military organization. He was over sixty years of age, and when the guerrillas retreated they took him north into Lewis county, and when Porter's force had been scattered and reduced to a band of from fifteen or twenty, they camped on the night of September 14th on the banks of Troublesome Creek. The manner of Allsman's taking-off was as follows, as since stated by those who were with Porter at the time:⁴⁷ On the morning of September 15, 1862, Porter told Allsman he could consider himself at liberty. To that Allsman replied: "If you send me away without a guard they will kill me. I have enemies here who will kill me if they have the slightest chance." He then chose three out of a guard of six men, who promised to guide him to the public road leading to Palmyra, or to the house of some Union man. With that understanding they left the camp; but they were followed, and before they had gone far the guard was changed. A halt was made, and Allsman was told he had then and there to die. His reply was: "If I have to die I am ready." He asked that a message be taken to his family, but none was ever delivered. He was then told to dismount from his horse, and thereupon three of the men on whom he had relied for safe conduct, led him into some thick timber, where they directed him to kneel with his back to his executioners, and after he had uttered a brief prayer, the crack of two revolvers was heard, and two bullets crashed through his brain. He fell over upon the ground, and his white hair was stained and discolored in his own blood. The body was lightly covered with leaves and brush, and left to rot and shrivel in the solitude of an almost impenetrable forest, and the historian has said of Allsman, as it was said of Moses, that "no one knoweth his sepulchre to this day."

When McNeil returned to Palmyra, after having pursued and broken up the band under Porter, he found the Union people of that locality greatly excited with respect to the fate of Allsman. They did not know of his death, and the supposition was that Porter still held him a prisoner. McNeil then had in his hands a large number of prisoners, all of whom he had caught in arms in his pursuit of Porter and other guerrilla leaders, many of whom had been tried and found guilty of having more than once violated their paroles, and all of whom it was his duty under his orders to have shot, but which

⁴⁷History of Marion County, p. 492.

he had failed to execute. And, hoping, no doubt, by the means adopted to save the life of Allsman and also the lives of the prisoners, he caused to be addressed to Porter the following notice:⁴⁸

“ *To Joseph C. Porter:*

SIR:—Andrew Allsman, an aged citizen of Palmyra, and a non-combatant, having been carried from his home by a band of persons unlawfully armed against the peace and good order of the State of Missouri, and which band was under your control, this is to notify you that unless said Andrew Allsman is returned unharmed, to his family within ten days from date, ten men *who have belonged to your band*, and unlawfully sworn by you to carry arms against the Government of the United States, and who are now in custody, will be shot as a meet reward for their crimes, among which is the illegal restraining of said Allsman of his liberty, and if not returned, presumably aiding in his murder. Your prompt attention to this will save much suffering.”

The foregoing notice was dated October 8, 1862, and a copy immediately sent to Porter's wife, with whom he was known to be in communication. The notice was also published in the papers and largely circulated throughout the district.

The October days, one by one, wore away, but no tidings came of Allsman. McNeil's orders were to shoot all whom he had caught in arms, but in the foregoing notice he offered to spare all their lives if Allsman was returned. But as Allsman came not, McNeil, on the evening of the ninth day, directed the provost-marshal to select ten men from among the prisoners who had by their unlawful warfare forfeited their lives, and bid them prepare for death, and on the next day they were executed.

And, with reference to the men executed, it may be fairly said, that whether they be looked upon as mere citizens, who had joined Porter for the purpose of carrying on a guerrilla warfare within the Federal lines, or whether they were *regularly enlisted soldiers in the Confederate army who had come within the Federal lines to commit acts of war in the garb of citizens*: in either case, they came equally within the terms of repeated orders issued for their extermination when caught.

There was no lottery among the prisoners, or elsewhere, in selecting the men for execution—no shuffling of tickets, or mixing of white and black beans.⁴⁹ All statements of that sort are pronounced false by Mr. R. J. Holcombe, the historian of Marion county, who prepared his work after having personal interviews with many who were then present. Nor is it true, the same author says, that Hiram Smith *volunteered* to take the place of William T. Humphrey, one of the ten first selected. It is true that Humphrey was one of the first ten. He had been twice arrested and twice released on parole

⁴⁸Reb. Records, Ser. 1, Vol. 13, p. 719.

⁴⁹History of Marion County, p. 497.

and bond not to again take up arms, but being out on parole the day Porter entered Palmyra with his band, Humphrey could have again joined him, but refused to do so, and when that fact was made known by Mrs. Humphrey to McNeil he reprieved her husband, and Hiram Smith, another member of Porter's band, was selected to take his place.

Speaking of the execution at the time, McNeil said:⁵⁰ "I was compelled to do my duty as I saw it. I owed it to the Union men of north-east Missouri to make such an example in the case of Allsman as should insure the safety of others in the future. I selected none who did not come within my orders and who had not, under the rules of war, forfeited their lives. I regretted the necessity, but it was better those ten men should be executed than that a hundred, or perhaps a thousand, Union men should be killed, which would certainly have happened unless that sort of warfare should be ended."

We agree that their execution was a dreadful event and we regret its necessity, but all fair minded men must now admit that their execution by McNeil was authorized and justified by repeated orders and instructions from his superiors, and, that the orders were believed necessary in order to terminate a species of warfare not tolerated by the civilized world.

If any one asserts that McNeil was acting without instructions from his superiors, then we ask: What meant the order of Halleck of March 13, 1862, warning all persons, that if they joined any guerrilla band they would not, when captured, be treated as prisoners of war but would be hung or shot, as robbers and murderers? What meant the order of Curtis, saying guerrillas deserved no quarter, no terms of civilized warfare, and directing his subordinates to "pursue, strike and destroy the reptiles?" What meant the order of Gov. Gamble, calling out the militia of the State to destroy such bands? What meant the order of Gen. Schofield enjoining the utmost energy and vigilance upon all his troops in hunting down and destroying the guerrillas, and directing, that when caught in arms, engaged in their unlawful warfare, they should be shot down? What meant Gen. Schofield's instructions to McNeil, telling him to take the field in person and exterminate the rebel bands in his division and not rest until he had done so? What meant Gen. Schofield's instructions, telling McNeil not to be too moderate in the measure of his severity, and directing him to carry out *General Order No. 18 thoroughly*?

Military orders are not issued for pastime in any army. They are imperative. They are issued to be obeyed, and any subordinate

⁵⁰History of Marion County, p. 502.

refusing obedience subjects himself to the severest penalties, including that of death.

And now, when we look back over the scenes of those years and contemplate the kind of warfare then being waged against the Federal soldiers and Union citizens of his district, and when we run our eyes down over the repeated orders and imperative instructions issued to him, we can but marvel at his disobedience and forbearance.

It is true the orders, issued to McNeil, now sound harsh and severe, but they were no more so than were those issued in other departments. On July 3, 1862, Gen. Grant issued from his headquarters, at Memphis, General Order No. 60, in which he said:⁵¹

“Persons acting as guerrillas, without organization and without uniform to distinguish them from private citizens, are not entitled to the treatment of prisoners of war when caught, and will not receive such treatment.”

And Gen. Rosecrans, in his General Order No. 92, dated July 14, 1862, said:⁵²

“Persons found making war without lawful organization or commission are enemies of mankind, and have the rights due pirates and robbers, which it will be our duty to accord to them.”

The question of whether such orders as the above are justified by the laws of civilized warfare is deserving of brief consideration. Those who justify the policy of the Federal commanders, contend that in order to reduce the cruelties of war to a minimum, the issues should be settled by wager of battle between organized armies, who should fight in masses, and be regularly officered, uniformed and disciplined, and that to tolerate any other system, leads to a conflict between individuals who, when acting without organization or military discipline, or being accountable to either army, inaugurate a system of mere butchery, and thus add to the horrors of the situation, without in any degree aiding in the final triumph of either side. While, on the other hand, it is said by those who disagree with the Federal authorities, that the people of an invaded country have a natural right to destroy their enemies, and all who aid them, and that they may, to that end, fight as individuals, or in organized armies, in uniform, or without uniform, openly or from ambush.

I shall not undertake to settle the disputed question here. I merely say that a controversy existed, and that the policy of the Federal Government, which sought to confine the war to those regularly engaged in it, seems to be the more humane. It was the policy adopted by Washington when Capt. Huddy, of his army, was hanged by tory insurgents near Monmouth, New Jersey, during the closing days of our revolutionary war; it was the policy adopted by

⁵¹Reb. Records, Ser. 1, Vol. 17, part 2, p. 69.

⁵²Reb. Records, Ser. 1, Vol. 17, part 2, p. 97.

Napoleon, when his troops, in Spain, were attacked by guerrilla bands ; it was the policy adopted by Scott, when his troops were assailed by guerrillas in Mexico, and it was the policy adopted by King William of Prussia when, during the late Franco-Prussian war, he went with his army into France. It was also the policy adopted by Gen. E. Kirby Smith of the Confederate army, in Kentucky, and even Mr. Randolph, the Secretary of War for the Confederate States, said, in a correspondence with Gen. Beauregard, under date of June 14, 1862, that they, too, had justified the summary execution of persons who were not in the regular military service of the United States, for marauding and bridge burning.⁵³

No military critic, or eminent writer on the laws of war, has ever, to my knowledge, condemned the course of the Federal commanders. All the great military leaders, to whom I have referred, justified their action, on the ground that those who take up arms and fight on their own account, without military organization or military discipline, are mere freebooters and murderers, who increase the effusion of blood without any corresponding benefit. Viewed in that light the orders issued by Halleck, Grant, Curtis, Rosecrans and Schofield, were humane rather than cruel, because they tended to put an end to a guerrilla, and partizan warfare, and confine the conflict to those legitimately engaged in it, and whose conduct was always open to criticism by the civilized world. And be the question of their propriety settled as it may, I have only referred to the orders to show that those issued here in Missouri were not different from those issued in other departments, and in *both armies*, and also to show, that those issued to McNeil, not only authorized, but required him to make the example he did.

And now, in order that no doubt may be left in the minds of any, upon the question of his justification, our next inquiry is, as to whether the execution was, or was not, subsequently approved ; for as I said in the beginning, if McNeil was not only acting under orders, but if what he did was subsequently approved by his superiors, then the responsibility, whatever it was, rested not with him.

In order that all may understand who his superiors in command then were, it is necessary for me to briefly outline the military organization then existing :

1st. Abraham Lincoln was President, and was, by virtue of his office, commander-in-chief of all the armies of the United States ;

2d. There was the Department of Missouri, which embraced the States of Missouri, Arkansas, Kansas and the Indian Territory ; and

⁵³Reb. Records, Ser. 1, Vol. 17, p. 598.

all the Federal troops in that department were commanded by Major-General Samuel R. Curtis ;

3d. There was the military district of Missouri, which embraced the State of Missouri, and all the Federal troops within that territory were commanded by Gen. John M. Schofield ;

4th. The State of Missouri was divided into military divisions, and a large portion of the State, north of the Missouri river, was designated as the northeastern division, and all the Federal troops operating there, were commanded by Gen. Lewis Merrill.

In addition to that, it must be remembered that McNeil was at that time an officer of the *Missouri State Militia*, a body of troops organized here, under an agreement made between Gov. Gamble and President Lincoln, and under an order of the War Department known as Special Orders No. 416, Gov. Gamble was authorized at his discretion, to dismiss and summarily remove from the service any officer of that force.⁵⁴

So that over McNeil, and responsible to the State and National governments, as well as to the civilized world for his conduct, stood Lincoln, Gamble, Curtis, Schofield and Merrill.

That Mr. Lincoln approved his action and considered it authorized by his orders and the condition of affairs then reigning throughout the State, is found in the fact, that *after making careful inquiry into all the circumstances*,⁵⁵ he rewarded McNeil and promoted him to the rank of brigadier-general of volunteers, and afterwards advanced him to the rank of Major-General by brevet, for gallant and meritorious services during the war.⁵⁶

That Gov. Gamble approved his action, is found in the fact that, although clothed by the War Department with ample power to dismiss him summarily from the service, he never so much as uttered one word of censure. And afterwards, in a proclamation issued by him, October 12, 1863, one year after the execution, referring to the fact that certain parties in the State had accused him of having too much sympathy for the guerrillas, he said :⁵⁷

“They accuse the executive of sympathy with the guerrillas and bushwhackers, yet they know that the order which I issued for the enrollment of the militia, and which was published in the papers, was made because of the existence of guerrillas in the State, and expressly declares that ‘the existence of numerous bands of guerrillas in different parts of the State who are engaged in robbing and murdering peaceable citizens, for no other cause than that such citizens are loyal to the Government under which they have always lived, renders it necessary that the most stringent measures be adopted to punish all such crimes and destroy these bands.’ ”

⁵⁴ Ap. to House Jour. 22nd Gen. Assembly of Mo., 54.

⁵⁵ *Century Magazine*, July 1889, p. 476.

⁵⁶ *Historic Register U. S. A.*, p. 444.

⁵⁷ Ap. to House Jour. 22nd Gen. Assembly of Mo., 134.

He then said that from the date of that order, of the preceding year, calling out the militia, "there had been no order issued, words uttered, or act done by him with the intent of screening real guerrillas from punishment."

The evidence that Gen. Curtis approved the action of McNeil is, we think, found in the fact that *without uttering one word of disapproval* he, on October 23, 1862—only a few days after the execution—wrote Gen. Loan, then commanding the Federal forces at Lexington, Mo., as follows:⁵⁸

"I trust that you may be able to create some terror in the rebel camps near Lexington. Their complaints are always evidence of the activity of my forces, and though I always hear, I am not ready to condemn my friends. *Decisive and active measures are scattering and scaring the bands out of the State.*⁵⁹ The river counties are now the worst."

And, later on, when Jefferson Davis, through Gen. Holmes of the Confederate army, demanded the immediate surrender of McNeil to the Confederate authorities for punishment, Gen. Curtis refused to surrender him.⁶⁰

And finally, the evidence that Gen. Curtis, both ordered and approved the execution, will more clearly appear in the statement of Gen. Lewis Merrill from which we hereafter quote.

That Gen. Schofield approved the action of McNeil is evidenced by the fact, that instead of censuring him, he recommended him for promotion. Not only that, but he issued orders, a year afterwards, as commander of the department of the Missouri, authorizing further executions of the same sort.

On August 25, 1863, he issued from department headquarters General Order No. 86, which reads, in part, as follows:⁶¹

"Large numbers of men are leaving the broken rebel armies in the Mississippi valley and returning to Missouri. Many of them doubtless come back with the purpose of following a career of plunder and murder under the form of guerrilla warfare, while others would gladly return to their homes as peaceable citizens, if permitted to do so and protected from violence. * * * All such persons may surrender themselves and their arms to the nearest military post and will be released upon taking their oath of allegiance and giving bond for their future good conduct. * * *

All who fail to comply with these conditions, and shall remain within our lines without renewing their allegiance, will be treated as criminals according to the laws of war. *Those who shall engage in robbery, murder, or other crime, will be exterminated without mercy.*"

And within a month after the date of the foregoing order, guerrillas and marauders were summarily executed by Col. Crittenden at

⁵⁸ Reb. Records, Ser. 1, Vol. 13, p. 758.

⁵⁹ Referring, unquestionably, to the recent Executions in North Missouri.

⁶⁰ Reb. Records, Ser. 1, Vol. 22, part 1, p. 879.

⁶¹ Reb. Records, Ser. 1, Vol. 22, part 2, p. 474.

Tipton, by Col. Lazaer at Warsaw, by Lieut.-Col. Brown at Clinton, and others were shot by Col. Hall.⁶²

And finally, the evidence that McNeil's conduct received the approval of all his superiors, is found in the fact that, during *one month* preceding the Palmyra execution, Gen. Merrill shot two guerrilla prisoners at Mexico, three at Huntsville and eleven at Macon City, and neither Lincoln, Gamble, Curtis or Schofield ever questioned the propriety of his action.⁶³

Gen. Merrill is an educated soldier of the regular army. He now resides in Philadelphia, and on January 22, 1880, more than fourteen years ago, he wrote McNeil a letter from Ft. Yates, Dakota, that was published in the *National Republican* of Washington, D. C., on February 7th of that year, which ought, we think, to forever silence every insinuation and charge of wrong and cruelty against the name and memory of McNeil in connection with the Palmyra affair. No one can read the letter without admiring the manly frankness of its author. In it he said:

“From among some five hundred guerrilla prisoners then in our hands, all of whom had been fairly and patiently tried, and all of whom had been convicted and sentenced to death, some twenty in all were selected and their sentences ordered executed. In no case had the criminals selected been convicted of less than two violations of parole, several of as many as six. In every case selected the criminal had, in addition to the violation of parole, been convicted of one or more murders and other outrages almost as bad. Among the criminals selected ten, as I now recollect the number, were under your immediate control at Palmyra. Shortly before this a powerless and peaceful old man had been captured and abducted by some of these bands. You saw fit, in ordering the execution of these criminals, to publish a proclamation that the return of this old man to his home would result in these men being pardoned. This proclamation was widely circulated but produced no effect, and at the time fixed for the execution of the sentence, the men were duly executed, as were the others at Macon City and Mexico. *You were at that time my subordinate officer and both were under the command of Gen. Curtis. Both the latter officer and myself had full knowledge of what you did and fully approved. It had been previously sanctioned and ordered, and we could at any moment have stopped it had not the conviction, after long and painful consultation of the demands of duty, compelled adherence to the decision that the sentence in these cases must be executed.* * * *

The only part of your conduct which did not previously have the sanction of myself and Gen. Curtis, *was your offer of clemency to these men should the old man be returned to his home. While both would no doubt have approved of the clemency, it was the only part of your acts which did not have previous sanction.* No notice appears to have been taken of the other execution, and no reflections were ever made, that I know of, either against Gen. Curtis or myself, although equally responsible with yourself, *and indeed having greater responsibility, in that we were your superior officers and could have stopped your action had duty*

⁶²Ap. to House Jour. 22nd Gen. Assembly of Mo., 325.

⁶³Reb. Records, Ser. 1, Vol. 13, page 611—660 & 661.

allowed it. You have long suffered from falsehood and misrepresentation in this matter, and it gives me great pleasure to do what I can to right you.

Not only did Gen. Merrell write as above in 1880, but thirteen years afterwards, in a letter addressed to Gen. John W. Noble—dated at Philadelphia, Oct. 7th, 1893, he said :

“At the time the Palmyra execution occurred, I was in command in North Missouri, and Gen. McNeil was one of my subordinates. He was in command of the sub-district of Palmyra, and directly under my own orders, my headquarters being at Macon City. The whole of that country, as every one is aware who knows anything of the condition of things at that time, had been for months overrun with guerrilla bands, who were not in any sense members of any regular organization. They were not in uniform and were wholly separated from any Confederate command, and were, by the laws of war, mere outlaws. Hundreds of them had been captured, tried by military commission, and in many instances sentenced to death. At last it became imperatively necessary that this miserable, cruel warfare should be checked, and the only way which promised any good results was by making some examples. Of the prisoners selected, some were at Macon City, some at Palmyra, and some at Mexico, and upon the day named in my order, these sentences of the Military Commission upon these criminals—duly tried and convicted, and their sentences approved by me—were executed. Gen. McNeil was in no manner responsible for the fact that these sentences were ordered executed. He was responsible only for his obedience to my order. He had no right to change or suspend the order, and would have been subject to trial for disobedience had he attempted it. The responsibility rested entirely with myself and upon my sense of duty. I have never had a duty to discharge which was more painful, or which I did with greater reluctance, but mercy to those men would have been the bitterest cruelty to the whole of North Missouri. The example had become imperatively necessary, and the effect of the execution was shown in the fact that it finally and permanently ended all that sort of practice in that part of the State. Something has been said in the way of reproach of Gen. McNeil from the fact that he published an order preliminary to these executions, reciting the fact that an old man (whose name as I recollect it was Allsman) had been violently taken from his home by one of these guerrilla bands and was believed to be in their possession, or to have been murdered. As I recollect, the latter proved eventually to have been the fact. With a view of saving his life, Gen. McNeil issued an order, or proclamation, which he spread broadcast over that part of the country, demanding that Allsman should be returned in safety, or, failing in that, the sentence upon these guerrillas at Palmyra would be executed. By this order, it was attempted to establish that Gen. McNeil was personally and wholly responsible for the execution. This proclamation of McNeil’s was not submitted to me previous to its being issued, and did not have my antecedent approval. My belief is that McNeil thought it an excellent opportunity to save Allsman’s life, if he was still living and, as he subsequently told me, he did not doubt that had Allsman been produced alive, I would have remitted the sentences of the men ordered executed. As that event did not occur, I cannot say what I would have done had matters turned out as McNeil had hoped. Doubtless I would have respected his pledge, although he had no right whatever to make it. * * * * * Thus, my dear General, I have given you a correct outline of what transpired. You will

recognize that these facts are ample justification of McNeil, and that there never was any such responsibility as was sought to be placed upon him. He was cruelly and falsely maligned, and to the end of his life was made to suffer an injustice and hostility for which there was no possible justification in anything he had ever done. His services with me made me very familiar with his character and conduct. A truer man and patriot never lived, and no braver soldier ever drew breath. His conduct in all regards was beyond reproach and beyond the possibility of praising too highly. Honorable, upright of character and habits; of clean-cut notions of right and wrong, and always doing the right, I have never read of a death which touched me more deeply or which I more profoundly mourned than his. He never had the full meed of honors which belonged to him for his thorough patriotism and ability."

What clearer vindication could any soldier have for the execution of an imperative but disagreeable order? Gen. McNeil never made any attempt to shield himself from criticism by shifting the responsibility upon others. He went silently to his grave, permitting thousands to believe that the execution of those men was a wanton, willful and unauthorized act of cruelty on his part, when he could have shown, far better than we have to-day shown, that their execution was a bitter but deliberate act, ordered by his superiors, and justified by the policy of his Government.

But, years after, when McNeil was most cruelly assailed, then came his old commander, whom every one can see is every inch a soldier, and told the story for him. In doing so he said: "You were at that time my subordinate officer, and both were under the command of Gen. Curtis. Both the latter officer and myself had full knowledge of what you did and fully approved. It had been previously sanctioned and ordered, and we could at any moment have stopped it had not a conviction of duty compelled adherence to our decision that the sentences in those cases must be executed. The only part of your conduct which did not previously have the sanction of myself and Gen. Curtis, was your offer of clemency if the old man (Allsman) had been returned to his home. *While we no doubt would have approved your clemency, it was the only part of your conduct which did not have our previous sanction.*"

Upon that testimony, who that fought *on either side*, can hereafter say the heart of McNeil was not gentler than his orders, and who can say that he deviated from his orders *except on the side of mercy*.

That Gen. McNeil, himself, considered his conduct justified by his orders and the rules of civilized warfare, is abundantly shown by the action taken by him when the Confederate authorities demanded his surrender to them for punishment soon after the execution took place. The record shows that when Jefferson Davis learned of the execution

he wrote Gen. Holmes, then commanding the Confederate forces west of the Mississippi river, inclosing a newspaper account of the affair, and in his letter to Holmes he said:⁶⁴

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

When McNeil learned of the demand upon the Federal authorities for his surrender, knowing that Davis was a trained and educated soldier, and believing that no military tribunal *north or south*, would, upon the facts, condemn him, he immediately telegraphed Mr. Lincoln, saying that with his permission he would go to Richmond and surrender himself to Mr. Davis.⁶⁵ Mr. Lincoln withheld his permission, and soon afterwards, as I have already stated, made him a brigadier-general of volunteers.⁶⁶

That the policy of his superiors in ordering the execution of these men had the effect of restoring peace to a section of country that had long been in a state of terror and dismay, and was justified on that ground, is shown by the testimony of more than a thousand citizens of Clark, Lewis and Shelby counties, who, on January 1, 1863, sent Mr. Lincoln a memorial address, protesting against the surrender of Gen. McNeil to the Confederate authorities. In speaking of the effect of the execution upon the state of the country, they said:⁶⁷

“It (the execution) was to give safety and peace to this distracted country, and assure the now almost incredulous people that the Government was not utterly powerless for their protection. It was a stroke absolutely essential to teach those bands that they could not and should not with impunity outrage the rights and sacrifice the happiness and safety of whole communities. The act has achieved its desired purpose. The law and the supremacy of our Government are vindicated. The citizens have returned in peace and safety to their homes. They are no longer assassinated at pleasure by lawless ruffians. They feel in truth, that they have a Government that is able and willing to cover them with its protecting shield.”

And it is a fact, shown by the official reports, that immediately after the execution, McNeil rode, with but two orderlies, from post to post throughout his whole district in perfect safety.⁶⁸

The record not only shows that the summary executions at Huntsville, Mexico, Macon and Palmyra, in the fall of 1862, had the

⁶⁴ Reb. Records, Ser. 1, Vol. 22, part 1, p. 818.

⁶⁵ History of Marion County, Mo., p. 510.

⁶⁶ Statement of Gen. Merrill in *St. Louis Globe-Democrat* of April 2 1889. Also *Century Magazine*, July, 1889, 476.

⁶⁷ Reb. Records, Ser. 1, Vol. 22, part 2, p. 5.

⁶⁸ Reb. Records, Ser. 1, Vol. 22, part 1, page 864.

effect of immediately restoring peace in those sections, but it also shows that the executions at Tipton, Warsaw and Clinton, a year later, had the same effect. Speaking of the latter executions, Gen. E. B. Brown, in a letter to a committee of the Missouri legislature, dated February 10, 1863, said:⁶⁹

“So general had this become, and of such an aggravated character, that there existed a necessity for a stringent and summary disposition of the offenders, whenever and wherever they were caught. An opportunity for such measures soon followed in the cases I have cited, and examples were promptly made, which have been attended with the most gratifying effect—restoring peace and quiet and safety to all alike, and bringing men back to a proper observance and reverence for the laws. The examples thus made have saved to a section of Missouri, already devastated by a civil war—attended with barbarities and atrocities unparalleled—further scenes of robbery, rapine and arson and effusion of blood, which fully atones for the irregularity, and justifies the summary method by which they were effected.”

What McNeil desired above all things was peace and good order in his district. He detested robbing, marauding and murder, when committed by the one party as much as when committed by the other, and hence it was that on November 7, 1862, when some of the Federal militia in his district were reported to have plundered peaceable citizens, whom they accused of being disloyal, he issued the following order:⁷⁰

“The General commanding has learned with profound mortification and regret of many acts of oppression and violence towards peaceful people, by the enrolled militia in parts of this district. The perpetrators of those acts will be ferreted out and punished, as such conduct is in direct violation of reported orders, as well as of all rules of military decorum and is utterly subversive of military discipline. The good soldier can never be a marauding plunderer; the brave officer can never be the tyrant of a defenseless people. Those disgraceful practices must cease, or the perpetrators of them will be hunted down like guerrillas. They are the enemies of mankind and a disgrace to the service in which they are enrolled, and the greatest obstacle to the return of peace and quiet to the country.”

McNeil was a man who always acted upon his convictions. He was never afraid to do his duty. He was first to strike in open battle, but to a fallen foe he was first to bind up the wounds. He cherished malice towards no man who fought him in the open field. As Grant said to the tired veterans of Lee's exhausted army: “Take your horses, you will need them to put in your crops,” so McNeil, when the war was over, was one of the first to say: “Give back to every citizen his ballot.” There are hundreds now living, and many here present, who remember him as he stood up in his party convention at Jefferson City in 1870, and said:⁷¹

⁶⁹ App. to House Jour. Mo. Legislature, 325.

⁷⁰ History of Marion County, Mo., p. 525.

⁷¹ From Stenographic Report of Proceedings.

“Mr. Chairman: We have reached a crisis in our political affairs in Missouri. We must now act. It is as much the duty of parties as of men to be honest. No one who is afraid to stand by his convictions can long command the respect of the people, and the same is true of parties. If we are in favor of restoring the franchises to those who participated in the rebellion, we ought to say so and say it unequivocally in our platform. There should be no evasion. The war is over. Peace now reigns throughout the State, and I for one believe the time has come when every man can be enfranchised with safety. The party that preserved the Government for the people should not be afraid to restore it to them. The issues on which we were divided in war have passed into history, and in my judgment the surest way to bring back those who erred and make them again love the Union, is to restore them to all their rights as citizens. I had hoped this convention would so declare, but if it has not the courage to do so, I shall invite those who believe with me, to follow me across the hall into the Senate chamber, where we will organize a convention, announce our principles, and appeal to the people for their endorsement.”

Never did man display greater moral courage, or broader statesmanship. We have reared here to his memory an humble monument of granite, but long after it shall have crumbled away, the historian and philosopher will find in his words and conduct an example of fearless patriotism, which must be taught and followed if the principles of free government are to be enduring.

The intelligent people of this country, when they know the facts, can always be relied upon to do justice to the memory of brave soldiers, either of the North or South. The lips of our comrade are forever sealed, but the record of the times and of the orders under which he acted, endure in the archives of the nation, and I trust no one will say, that in referring to those disagreeable events, I have been actuated by anything but an earnest desire to exonerate the name of a brave and generous comrade from imputations cast upon him by frequent repetitions of a mistaken and unjust charge. I have gone carefully through the records and other historic sources of information, and have endeavored to present in a full and faithful manner all the facts connected with the affair, and on what is there found I submit his conduct as a soldier, to his countrymen. I have not on this occasion assailed the motives of any one. I have said I believed that execution the legitimate result of a mistaken policy on the part of the Confederate authorities, but I have not said, nor do I believe that the Confederate authorities were actuated by anything more than a natural desire for the final triumph of a cause on which they had staked, and to which they would then have gladly given, their own lives. We were divided then on many questions, and I only hope that from the terrible events of those years we may be taught greater forbearance, and such respect for the Constitution and the law as will bring to our country and our people an enduring peace.



EXTRACTS FROM THE MINUTES OF THE PROCEEDINGS OF
FRANK P. BLAIR POST, No. 1, AND OF ITS COMMITTEE.

On January 16th, 1893, Comrade F. M. Sterrett moved that a committee of ten be appointed to consider and report upon ways and means of placing a suitable monument over the grave of Comrade John McNeil, which motion was adopted.

On February 13th the following named comrades were appointed such committee, to wit: F. M. Sterrett, Leo Rassieur, Charles G. Stifel, Charles F. Vogel, Nelson Cole, Christian Stawitz, Adolphus Busch, Wells H. Blodgett, Statius Kehrmann and Gustav Cramer.

On February 20th, the Committee temporarily organized and adopted the following resolutions which were concurred in by the Post, to wit: "The Committee then resolved to constitute itself a Committee on subscriptions, each member being authorized to receive subscriptions; it being the intention of the Committee to procure the necessary subscriptions through the members of Blair Post, so that it might be truthfully said as a part of the inscription on the monument, that the same was erected by the Blair Post; it was also resolved to communicate with the family of Comrade McNeil and obtain his widow's consent to the erection of a monument on the lot where his remains are interred." Comrade Gustav Cramer having requested to be excused from service on the Committee on account of insufficient time to discharge the duties connected therewith, Thomas B. Rodgers was appointed in his place.

On March 6th, permanent organization of the Committee was reported as follows: Comrade F. M. Sterrett was chosen Chairman of the Committee, Leo Rassieur, Secretary, and Nelson Cole, Treasurer, thereof. Comrades Busch and Stifel asked to be relieved from service on the Committee owing to want of time to properly perform the duties thereof, and on March 13th, Post Commander Scott accepted their resignations and appointed Comrades C. E. Soest and Arnold Beck members of the Committee in their places. At the same meeting consent of the family was reported for the erection of the monument to Gen. McNeil at Bellefontaine Cemetery.

On May 2nd, the Committee through its Chairman, Comrade Sterrett, reported to the Post that the Committee had contracted for the monument at a cost of \$1145.00, which action of the Committee was ratified.



On May 8th, Comrade Stawitz resigned as a member of the Committee, which resignation was at once accepted, and on May 15th, Comrade Fred. Wulging was appointed a member in his stead.

Comrade Sterrett, Chairman of the Committee, on October 16th, made the following report:

“Your Committee appointed to erect a monument to the memory of Comrade John McNeil, beg leave to report substantial accomplishment of the purpose of their appointment, and herewith submit the specifications and plans of the monument, as prepared by Messrs. Hodges & McCarthy, and based upon which, the contract was made to erect the monument for \$1145.00.

Subsequently a bronze plate was ordered at an additional expense of \$150.00, which will bear the following inscription, to wit: “In Memory of John McNeil, Brigadier and Brevet-Major-General U. S. V., born in Nova Scotia, Feb. 4, 1813, died in St. Louis, June 7, 1891. ‘Soldier rest; Thy warfare o’er. Sleep the sleep that knows not breaking.’ Erected by Comrades of Frank P. Blair Post, No. 1, Dept. of Mo., G. A. R.”

At the last meeting of the Committee, a marker for the grave of the General was ordered at an expense of \$27.25. Since the lot upon which the body is interred has three graves on it, it seemed desirable to have the grave of the General supplied with a marker, and thus distinguished from the remaining graves.”

The Committee also reported that it had held thirteen meetings, and that the total collections, in accordance with the report of the Treasurer of the Committee, Comrade Nelson Cole, amounted to.....\$1384.00 and that the outlays would be as follows, viz:

Postage, printing and stationery.....	\$ 50.75	
Monument.....	1145.00	
Bronze plate.....	150.00	
Marker.....	\$52.25	
(less contribution of \$25.00 by Hodges & McCarthy).....	25.00	27.25
Total outlays.....		<u>1373.00</u>
Balance in the hands of the Treasurer.....		\$ 11.00

The Committee recommended to the Post the adoption of the following resolutions, viz:

First: *Resolved*, that the dedicatory exercises of the McNeil Monument be held May 30th, 1894, in view of the fact that the grave cannot be properly located until after November 1st, and in view of the further fact that the sodding of the lot cannot be properly done much before that time.

Second: *Resolved*, that the Treasurer of the Committee be directed to pay the contractors, with the understanding that they shall hereafter locate the grave as required by the Committee, and have the sodding of the lot done to the satisfaction of the Committee.

Third: *Resolved* further * * * that the action of the Committee be approved in all particulars and this report be spread upon the minutes of the Post in full.

Fourth: *Resolved* further, that the balance remaining in the hands of the Treasurer be turned over to the Quartermaster, and that the same be expended in keeping the lot of Comrade McNeil properly cared for during such time as it will pay for."

The foregoing report of the Committee, together with the resolutions therein set forth, were unanimously adopted. Upon motion of Comrade Maxwell it was resolved that the thanks of the Post be extended to the Committee on McNeil Monument and that the Committee be retained to take charge of the dedicatory services, in conjunction with the Memorial Day Committee.

Thereafter Comrade Cole, Treasurer of the Committee, reported the result of the subscriptions in detail, the total being as heretofore reported, to wit: \$1384.00.

On February 5th, 1894, contractors Hodges & McCarthy presented a photograph of the Monument to the Post. A supplemental report was also made on that day by the Treasurer, showing additional collections to the amount of \$6.36, which were turned over to the quartermaster.

On April 2nd, 1894, the selection of Comrade Wells H. Blodgett as orator was reported by the Committee and unanimously ratified.

On May 28th, Rev. Mr. Anderson was selected as minister to officiate on the occasion of the dedication, and thereafter the Committee reported, asking for authority to prepare for publication, and publish in pamphlet form, 4000 copies of the address and programme at the dedication of the monument, together with the minutes and proceedings of the Post and Committee bearing upon the erection of the same, which was granted.

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