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Norton Versus Mitchel

Hogan: Norton Versus Mitchel

BRIAN HOGAN

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

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

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

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

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

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

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

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

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

Hogan: Norton Versus Mitchel

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

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

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

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

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

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

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

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

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

Canfield continues:

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

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

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

Hogan: Norton Versus Mitchel

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

Canfield went on to relate that, while in Athens,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<https://louis.uah.edu/huntsville-historical-review/vol28/iss4/4>

Hogan, Norton, Versus Mitchel.
SERIOUS CHARGES AGAINST GEN. MITCHEL

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

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

The same day, Mitchel wrote the following to the *Louisville Journal*:
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Geo. D. Prentice, *Journal*:

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

O. M. Mitchel
Major-General

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

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

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

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

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

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

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

THE CHARGES AGAINST GEN. MITCHEL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

On July 15, Reid published the following:

THE CHARGES AGAINST GEN. MITCHEL

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

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

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

Washington, July 16

The Late Attack On General Mitchel

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

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

The Secret of the Attack

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

The Attack Utterly Groundless

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

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

Hogan: Norton Versus Mitchel
The Authors of the Calumny Called on to Retreat

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

The Facts in the Whole Case

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

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

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

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

A Coincidence

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

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

Why General Mitchell Is Here

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

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

Mitchel

There are stories in circulation that General Buell is doing what he can to prejudice the Administration and the public mind against General Mitchel;
<https://louis.uah.edu/huntsville-historical-review/vol28/iss4/4>

Hogan: Norton Versus Mitchel

and that it was owing to a violent quarrel between Buell and Mitchel that the latter was so hurriedly ordered to Washington. I take great pleasure in being able emphatically to contradict the statements. I do not believe Gen. Buell to be a brilliant General, but I do believe him to be a *just man*, and I know that he is greatly wronged by the circulation of such stories.

Gens. Buell and Mitchel failed to harmonize in their views and modes of action. They could not co-operate in the same Department, and the fact was mutually recognized and accepted, without quarrel, and without bitter feeling. More: When there was fear of General Mitchel's resigning, in consequence of this state of affairs, Gen. Buell emphatically declared it should not be, and that, rather than suffer the Government to lose Mitchel's services in a time like this, he would resign himself! If either of them had to leave the service, he declared that he, not Mitchel, should be the man.⁴⁵ Let not those of us, therefore, who admire Mitchel's abilities and brilliant services, fail to do justice to Buell's high-toned and honorable course.

Gen. Mitchel's Family in Possible Danger

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

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

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

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

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

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

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

Hogan: Norton Versus Mitchel

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

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

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

Sir,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Very respectfully, your obedient servant

O. M. Mitchel

Major-General, U. S. Army ⁴⁹

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Addendum

Nashville, Tenn. July 26, 1862

Maj.Genl. O.M. Mitchel

Washington, D.C.

<https://louis.uah.edu/huntsville-historical-review/vol28/iss4/4>

Dear Sir,

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

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

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

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

14 bales at 10 cents per pd. in Treasury Notes

374 " " 8 " " " " " "

25 " " 4 " " " " " "

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

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

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

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

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

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

Very Respectfully

Your Obt Servant

J.H.Clark

ENDNOTES

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

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

³ *Ibid.*

⁴ *Ibid.*

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

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

⁷ *Ibid.* Officers captured with Colonel Woodruff included Colonel Charles A. DeVilliers, 11th Ohio Infantry; Lieutenant Colonel George W. Neff, <https://louis.uah.edu/huntsville-historical-review/vol28/iss4/4>

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

⁸ *War Time Reminiscences of James D. Sedinger, Company E, 8th Virginia Cavalry*, Internet, www.wvculture.org/history/Journal_wvh/wvh51-5.html

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

¹⁰ *OR*, Series II, Vol. 3, p. 824.

¹¹ *Ibid.*, pp. 879 and 894.

¹² *Ibid.*, p. 824.

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

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

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

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

¹⁷ Canfield, p. 50.

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

¹⁹ *OR*, Series II, Vol. 4, p. 125.

²⁰ *Ibid.*, p. 124.

²¹ *OR*, Series II, Vol. 16, p. 92.

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

²³ *OR*, Series II, Vol. 10, p. 222.

²⁴ *Ibid.*

²⁵ *OR*, Series II, Vol. 16, p. 46.

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

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

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

²⁸ Center for Archival Collections, MS597mf.

²⁹ Canfield, p. 58.

³⁰ *New York Times*, July 8, 1862.

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

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

³³ *OR*, Series II, Vol. 5, p. 528.

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

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

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

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

³⁸ *OR*, Vol. 10, pp. 876 and 878.

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

⁴⁰ *OR*, Series II, Vol. 10, p. 125.

⁴¹ *Ibid.*, pp. 113, 124, and 133.

⁴² *Ibid.*, pp. 119 and 125.

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

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

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

⁴⁶ Mary Jane Chadick recorded in her diary entry for July 10, "This day has been made memorable by the departure of the family of Gen. Mitchel. Joy <https://louis.uah.edu/huntsville-historical-review/vol28/iss4/4>

Hogan: Norton Versus Mitchel

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

⁴⁷ *OR*, Series II, Vol. 10, p. 212.

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

⁴⁹ *Ibid.*, pp 290-295.

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

⁵¹ *OR*, Vol. 14, pp. 380 and 383.

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

⁵³ *OR*, Vol. 14, p. 388.

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

⁵⁵ *OR*, Series II, Vol. 4, p. 473.

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

⁵⁷ Center for Archival Collections, MS562.

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