

Ms. 7203
20128
Jacksonport, Arkansas
July 20, 1863

Masnaduke Brig Genl John S
Rebel army
389

Status he has learned from
reliable sources, that Major
Shackwell Capt Woodman &
Lieut. Edwards Confederate Officers
left wounded at Cape Girardeau,
and upon their Convalescence being
confined in the military prison
at New Miss.

Requests their release in accor-
dance with agreements entered into
with Brig Genl McNeil, copies
of said documents enclosed.

Three Enclosures

file

S. H. Lewis

Rec'd U. S. Dept. War Aug 10/63

W'd ges Mamaduke, Secy
Jacksonport. Arkansas.

July 20th 1863.

General;

I learn from Louis papers of a recent date, and from other sources of information of so reliable a character that I am constrained to credit them, that Major Blackwell, Capt Woodsmall and Lieut Edwards, Confederate officers, left wounded at Cape Girardeau, had upon their Convalescence, been confined in the military prison at Alton Ills.

I desire to call your attention to the fact that on the 11th of May 1863, Col J. O. Shelby, acting under my instructions, addressed a communication to Brig Genl Geo McNeil, which was forwarded under flag of truce borne by Capt Adams, demanding the release of the said officers, in accordance with an agreement entered into between Maj (then Brig) Genl Blunt U. S. A, and Maj Genl Hindman to S. A; and at the same time forwarding into your lines Capts Bartlett, Spencer and Mischeal, U. S. officers, prisoners in my hands. Though Genl McNeil could

Davidson repudiated the agreement entered into between Genl. Blunt and Hindman, it was in substance agreed between Capt Adams, my representative, and Lieut Kramer, the representative of King Genl. McNeil, that the above named Confederate officers, together with Lieut Farrell, should be paroled upon their recovery, and sent into the Confederate lines, and that the above named Federal officers, together with Major McCounell before paroled, should remain within your lines, until properly exchanged. This will more fully appear from accompanying copies of official documents.

In accordance with this agreement, Lt. Farrell, who alone was able to travel, returned with Capt Adams; and Capts Bartlett, Spencer and Michael remained within your lines, now if it be true that Major Blackwell, Capt Woodsmale and Lieut Edwards, have in violation of this arrangement been confined as prisoners, it is so base and palpable a breach of good faith and express written agreement, that I deem it only necessary, to call your attention to the facts of the case to insure their immediate release, and return to within the Confederate lines, to await their proper

In charge.

You are doubtless personally cognizant of the terms of the Compact between Maj Genl Hindman and Maj (then Brig) Genl Skelton, by which it was substantially agreed, that all officers and men who should fall into the hands of the opposing party by reason of their wounds, should be released without parole, and that all hospital stores, ambulances, &c captured should be returned. To this arrangement Maj (then Brig) Genl Kenon and myself were witnesses.

Without desiring to be considered the Champion of the agreement in question, you will allow me to say that in all instances I have strictly complied with its terms. In proof of this, witness my late expedition into Missouri. At Patterson I left between twenty and thirty Federal ^{soldiers} ~~officers~~ and a hospital unparoled. Whilst retiring from Leafe Guardswan the Brig Major of one of your regiments fell into my hands, wounded, and was ^{immediately} sent beyond my lines unparoled. On the part of the U. S. government, I repeat to say, the policy has been the reverse. My wounded both officers and men, have, in open violation of all agreement, not only not been sent into the Confederate lines unparoled,

but have without exception been retained
in custody and confined in miserable
and deadly prisons. Without pretending
to discuss the legality or propriety of
the compact above referred to, I cannot but
consider that either party was bound in honor
to comply with its conditions, the one at least
official notice had been given to the oppo-
sing party that they should hold themselves
released from its further obligations. How I
have complied with it, my expedition into
Missouri will show. How the officers of
the U. S. government have complied with it,
the facts herein recited, and the necessity for
this flag of truce will be evidence.

I have the honor to be,

Dear your obedient servant,

John S. Marmadith

Brig Genl

U. S. A.

To

Maj Genl. Schofield.

Comd'g &c.

St Louis

Mo

Copy.

Camp, Grandson No. May 20. 1863.

We R. H. Adams, Capt, ^{Regt.} 2nd Mo Cavalry U.S.A., the
representative of Genl Marmaduke, and J. S. Cramer 1st Lt & Adj Genl
the representative of Genl McNeill of the army of the United States,
make the following agreement:

I J. S. Cramer, of the 2nd part, in consideration of liberty being
given to Capt Spencer, Capt Bartlett & Capt Michel, do agree to
surrender, and send into the lines of the army of the U.S.A. 3 Officers of
equal rank according to the codes, with the distinct understanding
that I do not recognize any agreement between Genl Blunt and
Henderson, and do not establish any agreement for an exchange upon
the field, or bind myself for anything further than the present
agreement.

Capt Adams of the 1st part agrees, as the legal representa-
tive of Genl Marmaduke, to permit on these paroles which he
has the three Captains herein mentioned, to come within the lines
of the Federal Army, and there remain until regularly ex-
changed.

R. H. Adams, Capt
2nd Regt Mo Cav U.S.A.

Witness.

Marmaduke W. Crane, Paymaster U.S.A.

J. C. Toland 2nd Mo Cav U.S.A.

J. S. Cramer
1st Lt & Adj Genl

2nd Mo Cav U.S.A.

Copy

Head Quarters 1st Dist

Cape Verdean Mo May 10, 1863.

Col V. O. Shelby

I have the honor to acknowledge the receipt of your communication of May 11 1863, under flag of truce borne by Capt Adams; & on the Cavalry in which you propose the exchange of three Captains therein named: for Major G. H. Blackwell, Capt G. M. Woodson, & Lieut J. M. Edwards, and 20th rank.

In reply I would say I am wrongly addressed as comd'g forces in S. C. Mo. Brig Genl Davidson, comd'g St Louis, Dist of Mo. being the commandant of all forces in South East Mo. Your communication will be telegraphed to him, and I will act as directed by him: meanwhile without ^{reference to} agreement between Generals Marmaduke and Blair, of which I have no knowledge: if you are disposed to discharge these gentlemen on their parole of honor, as stated by your I will see that the terms are complied with, and consider your so doing as a favor, which I will endeavor to reciprocate. Only one of the prisoners demanded is fit to be ransomed.

I have the honor to be,

Col. your most obed^t

John M. Neil

Brig Genl comd'g

U. S. Forces,

Cape Verdean

Mo.

Head Quarter, Mamadou's Bede
Jacksonport, Arkansas.
July 20th 1863.

General;

It General Holmes has learned upon what he deems good authority, that Lieut D. G. Burbridge, a recruiting officer having full and ample powers, has been arrested in Missouri by the Federal military authorities, - sent to St Louis - tried - and convicted as a spy.

I am instructed by Lieut Genl Holmes to say, that if his information is correct, and if in the case of Lieut Burbridge execution follows trial, that he will mete out full retaliation.

I have the honor to remain,

Very respectfully

Your obt servant

Jos. Mamadou,

Brig Genl

R. S. A.

To
Major Genl Schofield
Comdr Dept of Mo,
Hd qrs St Louis, Mo

Head Quarters Dept of the Miss
Office of the P.M.A.
St Louis Aug 21 1863

Respectfully returned to Lt Col
W H Wards with the information
-ation that previous to the
report of Genl. Totten Major
Y H Blackwell 2nd Adjutant
J H Edwards were sent to Johnsons
Island Capt. Woodsmall was
-ained here on account of
Wards. Capt H is now
sufficiently recovered to
be removed & could be
sent at any time

W H Wards
Capt P.M.A.

M 711. aged Mth L^{ed}

Handwritten of L^{ed},

201

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[Faint, illegible handwriting]

Head Quarters, Department of the Missouri,
Inspector General's Office
St. Louis, Mo., July 19th 1863.

Respectfully returned the agreement of
1st Lieut F. S. Cramer A. A. General on the Staff of
Brig Gen John McNeill, entered into May 20th 1863 with
Capt A. D. Adams of the "so called Confederate States Army"
relative to the paroling of certain commissioned officers
having been done in the absence of Genl McNeill and without
his consent conflicts with and in violation of Par 2. G. O.
No 49 War Department "also" Washington February 28th 1863
Lieut Cramer was neither in command of the US troops
at Cape Girardeau nor does it appear that he had any
authority from any superior to enter into any such
agreement it is assumed that had Brig Genl McNeill
been present in person he might have authorized the
paroling of the officers mentioned under the improper
authority contained in Par 2 G. O. No 49 above quoted
in connection with the authority contained in last
sentence of the supplementary article 7 of G. O. No 142
War Department "also" Washington September 25th 1862
However in as much as the agreement made by

Lieut Cramer (U) service and Capt R H Adams of
the Rebel army was carried out in good faith
by the Confederate officers. I would recommend that
the agreement be also fulfilled by the paroling and
sending within the Rebel lines. May Blackwell Capt
A M Woodsmall and adjutant J N Edwards all
of the Rebel army, now held in confinement in this
city.

Signed James Totten Brig. Genl &
Inspector General

Head quarters Dept of the Mo.

St Louis July 20 - 1860

The opinion and recommendation of Brig Genl
Totten are approved and will be carried out
without delay. By the Provost marshal General

Signed J M Schapera
Major General

Official
Provost Marshal
A. G.