

## Official Records of the Union and Confederate Armies.

### *Confederate Records*

**April 6-11, 1862.— Expedition from Greeneville, Tenn., into Laurel Valley, N.C., Reports of Maj. Gen. E. Kirby Smith, C. S. Army, with congratulatory letter.**

HEADQUARTERS DEPARTMENT OF EAST TENNESSEE,  
*Knoxville, Tenn., April 17, 1862.*

SIR: I have the honor to submit the following report of an expedition sent by my order into a portion of the State of North Carolina known as Laurel Valley, lying near the Tennessee border, and in the vicinity of Bald Mountain:

A detachment of troops, composed of three companies of the Forty-third Tennessee Regiment, Lieutenant-Colonel Key commanding, moved from the town of Greeneville, in this department, on the 6th instant, arriving on the 7th at a point on Bald Mountain which had been occupied as a camping ground by a party of outlaws, who had decamped two days previous to that time.

On the morning of the 8th our force moved down into Laurel Valley, a district long known as a general resort and hiding place for outlaws, who have been accustomed to send out from this point marauding parties into the adjoining counties of Tennessee and North Carolina, greatly annoying the people in those sections.

Directing his march through this valley, Colonel Key met no regularly-organized force, but his command was repeatedly fired on by parties of from 4 to 10 men, who would then immediately retreat beyond his reach, the country being particularly favorable to this mode of warfare. A portion of the force was deployed on either side of the line of march, the column being thus protected in a measure, and the enemy driven from their hiding places. Owing, however, to the impenetrability of the thickets, few of them could be killed and none captured.

This skirmishing was kept up on the 8th, 9th, and 10th, during which time about 15 of the enemy were killed. The casualties on our side were 3 men wounded— Privates Smith, Morgan, and Higdon, of Company A, the latter two mortally.

On the 11th the expedition returned to Greeneville.

The lieutenant-colonel commanding reports that there seems to be a regular organization among the inhabitants of that portion of the country. The whole population is openly hostile to our cause, and all who are able to serve are under arms.

Lieutenant-Colonel Key reports the officers and men to have behaved themselves well on this tedious and difficult march, and it is but justice to him to say that he evinced unusual energy and forethought, conducting the expedition in a highly creditable manner.

Respectfully, your obedient servant,

**E. KIRBY SMITH,**  
*Major-General, Commanding.*

General S. COOPER,  
*Adjutant and Inspector General.*

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HEADQUARTERS DEPARTMENT OF EAST TENNESSEE,  
*Knoxville, Tenn., April 16, 1862.*

SIR: With the hope that the information herein contained may be of service, the commanding general of this department begs leave to call your attention to the condition of affairs in a portion of North Carolina lying near the Tennessee line and in the vicinity of Bald Mountain, known as Laurel Valley.

Repeated depredations having been committed on this side of the mountain by armed parties of marauders from that quarter, the commanding general ordered, about the 5th of this month, a detachment of troops to proceed from Greeneville, in the State of Tennessee, into Laurel Valley, with instructions to put down any illegal organization of armed men that might be found there. These instructions were carried out as far as the circumstances of the case would permit, but as it was impossible to scour the country thoroughly, owing to the thickness of the undergrowth, many outlaws probably remain there. The commanding officer of the expedition reports that there seems to be a regular organization among them, and that the entire population who are able to bear arms are arrayed against us. He reports killing about 15 of them, with a loss on our part of 2 killed and 1 wounded.

Notwithstanding the universal hostility of the people to our cause no private property was molested, except what was necessary for our troops while there.

The commanding general respectfully recommends that some measures be taken by the authorities of North Carolina to put a stop to these depredations.

I am, sir, most respectfully, your obedient servant,  
By order of Maj. Gen. E. Kirby Smith:

**E. CUNNINGHAM,**  
*Acting Aide-de-Camp.*

His Excellency the GOVERNOR OF NORTH CAROLINA,

*Raleigh, N. C.*

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HEADQUARTERS DEPARTMENT OF EAST TENNESSEE,  
*Knoxville, Tenn., April 17, 1862.*

Lieut. Col. D. M. KEY,  
*Forty-third Regiment Tennessee Volunteers:*

COLONEL: The major-general commanding directs me to express to you his appreciation of the energy and judgment displayed in the conduct of the late expedition into North Carolina, communicated in your report of the 14th instant. He desires also that this shall be communicated to the men then under your command in such terms as will assure them of his confidence in their zeal in the prompt discharge of their military duties and in their patriotism.

Very respectfully, your obedient servant,

**H. L. CLAY,**  
*Assisant Adjutant-General.*

**January 1863, Warm Springs, N.C.**

**Brigadier General W. G. M. Davis to Governor Zebulon B. Vance**

HEADQUARTERS PROVISIONAL FORCES, *C. S. A.*,  
*Warm Springs, N.C., January —, 1863.*

His Excellency ZEBULON B. VANCE,  
*Governor of the State of North Carolina:*

SIR: I have the honor to inform Your Excellency that upon full investigation I am convinced that the late attack on Marshall was made by a band of men numbering about 50 only, who were instigated by desire of plunder, and that there is no treasonable organization of citizens of North Carolina in the mountain region having in view the injury of the Government of the Confederate States or the giving aid to that of the United States. Having an ample force of Confederate soldiers I have informed Colonel McElroy that he can disband his militia, who will be no doubt of more service at home attending to their own domestic affairs, there not being any necessity for keeping them longer in the field. I am pleased to hear that they have been active and zealous in searching for the outlaws, and would no doubt have been very efficient had the trouble been as serious as reported. I have directed all the citizen prisoners to be turned over to the civil authorities of Madison, requesting Colonel McElroy to guard them to such safe jail as they may be committed to. You will be furnished, I suppose, by Colonel McElroy with a list of the prisoners and the evidence against them. They are all implicated in the [burning of the] town of Marshall. I have placed Maj. [W. N.] Garrett, Sixty-fourth North Carolina Volunteers, in charge of a force of about 200 of his regiment, one company of cavalry, and 30 Indians, which force is now on Laurel Creek. Major Garrett has orders to pursue and arrest every man in the mountains, of known bad character, whether engaged in any of the late outrages or not. They will be aided by six companies of cavalry, scouring the mountain regions in Washington, Carter, and Johnson Counties, Tennessee. Col. W. H. Thomas, with 200 whites and Indians of his legion, is operating in Madison, and will go into Harwood, Jackson, and Cherokee Counties, North Carolina, and Clay County, Georgia, with orders to arrest all deserters and recusant conscripts and all tories who have been engaged in unlawful practices on the Tennessee line of the mountains. He will be aided by cavalry and infantry. I have ordered Major Garrett to arrest all deserters he may find and to clear the counties lying adjacent to the mountains of them before he returns to his command. I am satisfied they are leagued with disloyal men frequently and perpetrate many of the crimes which are committed in this part of the State. Believing that it will be of service to your State to get rid of such a population as that inhabiting the Laurel region I have proposed to allow all who are not implicated in any crime to leave the State and to aid them in crossing into Kentucky. I am informed that nearly the whole population are desirous of accepting this offer. They will be driven to do so from necessity, as I learn our troops have consumed all the corn and meat in the settlement. If the people alluded to agree to emigrate I will cause them to be paid for their property used by our troops. Those who are of good character and who have not been guilty of any offense have not been molested by our troops, and will not of course be included among the number who are to be induced to emigrate as mentioned. I propose to give all tories of bad character who may be arrested the option of going to prison (unless they find security for good behavior) or of enlisting in the army. If they enlist they will be sent to Mississippi, from

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whence they will not find it so easy to desert. I am in hopes the measures adopted will secure peace and security to the families of our soldiers and to the good citizens living in this region of the State. I feel gratified in being able to assist in producing such results, and shall at any future trial be glad to serve your State, which has become endeared to the army by the patriotism exhibited by her children at home and the valor of her soldiers in the field.

I have the honor to be, very respectfully, Your Excellency's obedient servant,

**W. G. M. DAVIS,**

*Brigadier-General, Comman*

**January 21, 1863, Knoxville, TN**  
**Brigadier General H. Heth to Governor Zebulon B. Vance,**  
**with inclosure from Brigadier General W. G. M. Davis**

HEADQUARTERS DEPARTMENT OF EAST TENNESSEE,  
*Knoxville, Tenn., January 21, 1863.*

His Excellency Gov. ZEBULON B. VANCE:

GOVERNOR: Inclosed please find an extract from a letter received this morning from Brig. Gen. W. G. M. Davis. From his statement I think the outbreak in Madison has been greatly exaggerated, and, as telegraphed you this morning, I think there is no present need of the State force called out by you. The outbreak has, I think, been suppressed, but an adequate force will be kept in the mountains as long as necessary for the protection of loyal citizens and their property.

I am, Governor, very respectfully, your obedient servant,

**H. HETH,**

*Brigadier-General, Commanding.*

[Inclosure.]

HEADQUARTERS,  
*Greenville, Tenn., January 20, 1863.*

GENERAL: As I informed you by telegraph on yesterday, Captain Nelson has returned and reports that his company went into Laurel Valley, N.C., and had a brush with the tories, in which he killed 12 and subsequently captured 20. From information I have received from all quarters from men of intelligence and reliable character, I am satisfied there is no organization in the mountains of armed men banded together for the purpose of making efforts to destroy bridges or to burn towns or property of Confederate officers and soldiers. I think the attack on Marshall was gotten up to obtain salt, for want of which there is great suffering in the mountains. Plunder of other property followed as a matter of course. Col. [L. M.] Allen's Sixty-fourth North Carolina Regiment and the men of his command are said to have been hostile to the Laurel men and they to the former for a long time—a kind of feud existing between them. Of the men killed by Nelson's cavalry all but one or two were deserters from Colonel Allen's regiment. They formed part of the expedition against Marshall and no doubt plundered Allen's house. There has been no [attack] made on parties traveling on the Asheville road; the stage has not been destroyed and no acts of hostility committed that I can hear of but the plunder of Marshall and of

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Allen's house. The whole force that went to Marshall did not exceed 50 men. All the reports stating the existence of organized bands of armed men numbering 300 or 400 are false beyond a doubt. The attack on Marshall has given rise to wild rumors of organizations of armed Tories throughout the mountains, bent on sacking towns and the plunder of loyal men. The reports, greatly magnified as they went to Raleigh, have no doubt led the Governor of North Carolina to call on the Confederate Government for a protecting force. I think you can safely assure him that the militia are not needed.

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Very respectfully, your obedient servant,

**W. G. M. DAVIS,**

*Brigadier-General.*

**January 21, 1863, Raleigh, N.C.,  
Governor Z. B. Vance to General Henry Heth**

RALEIGH, N.C., *January 21, 1863.*

General [HENRY] HETH, *Knoxville, Tenn.:*

Yours received. I hope you will not relax until the Tories are crushed. But do not let our excited people deal too harshly with these misguided men. Please have the captured delivered to the proper authorities for trial.

**Z. B. VANCE.**

**February 2, 1863, Mars Hill College, Madison County, N.C.,  
Brigadier General J. W. McElroy to Governor Z.B. Vance**

HDQRS. FIRST BRIGADE, *NORTH CAROLINA HOME GUARDS,  
Mars Hill College, Madison County, N. C., April 12, 1864.*

Governor Z. B. VANCE:

A dispatch reached me last night that a band of Tories, said to be headed by Montreval Ray, numbering about seventy-five men, came into Burnsville, Yancey County, on Sunday night last, the 10th instant, surprised the guard, broke open the magazine, and took all the arms and ammunition; broke open Brayly's store and carried off the contents; attacked Captain Lyons, the local enrolling officer, in his room, shot him in the arm slightly, but accidentally he made his escape. They carried off all the guns they could carry; the balance they broke. They took, I suppose, about 100 State guns. To one else wounded. They also took off the bacon brought in by my commissary—about 500 pounds. On the day before about fifty women assembled together, of said county, and marched in a body to a store-house near David Proffitt's and pressed about sixty bushels of Government wheat and carried it off. I very much regret the loss of the arms. On Monday previous to the robbery I wrote to one of the captains in that county and to the ordnance officer to either remove the guns and ammunition or see that a sufficient guard was placed there to protect them. It seems that neither was done. I also urged on the citizens to lay to a helping hand in this hour of danger, but all done no good. The county

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is gone up. It has got to be impossible to get any man out there unless he is dragged out, with but very few exceptions. There was but a small guard there, and the citizens all ran on the first approach of the tories. I have 100 men at this place to guard against Kirk, of Laurel, and cannot reduce the force, and to call out any more home guards at this time is only certain destruction to the country eventually. In fact, it seems to me that there is a determination of the people in the country generally to do no more service in the cause.

Swarms of men liable to conscription are gone to the tories or to the Yankees—some men that you would have no idea of—while many others are fleeing east of the Blue Ridge for refuge. John S. McElroy and all the cavalry, J. W. Anderson and many others, are gone to Burke for refuge. This discourages those who are left behind, and on the back of that conscription [is] now going on, and a very tyrannical course pursued by the officers charged with the business, and men conscribed and cleaned out as raked with a fine-toothed comb, and if any are left if they are called upon to do a little home-guard service, they at once apply for a writ of habeas corpus and get off. Some three or four cases [have] been tried by Judge Read the last two weeks and the men released. What are we to do? There are no Confederate troops scarcely in the western district of North Carolina. Longstreet is said to have left Tennessee. This emboldens the tories, and they are now largely recruited by conscript renegades and very soon it is possible our country may be full of Yankees. Give me your advice and orders. I have been doing as I thought the best I could under all circumstances. How far you may consider me culpable for the loss of the Yancey guns, &c., I cannot say. I am sorry I did not act more promptly in their removal, but I thought when the citizens were warned of their danger, as I had warned them and told them it was impossible for me to send them any force, that they would at once rally to their own defense and use the guns against their foes, but alas, I was sadly mistaken; if I had not believed that I would have brought the arms and ammunition to these headquarters. If something is not done immediately for this country we will all be ruined, for the home guards now will not do to depend on. I have written you several times on subjects of importance to me, and received no answer. I know your time is valuable to you and that you are pressed to death with business, but some instructions from you would be of great benefit to me and some encouragement to our citizens. Do let me hear from you at once.

Very respectfully, your obedient servant,

**J. W. McELROY,**

*Brigadier-General, Commanding First Brigade,  
North Carolina Home Guards.*

**February 2, 1863, Raleigh, N.C.**

**Governor Zebulon B. Vance to Brigadier General W. G. M. Davis**

STATE OF NORTH CAROLINA,  
*EXECUTIVE DEPARTMENT,  
Raleigh, N.C., February 2, 1863.*

General W. G. M. DAVIS, *Warm Springs, N.C.:*

SIR: Yours, giving an account of operations in your command in the mountains of this State, has been received. The result is quite satisfactory, and I am especially pleased to

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learn that there appears to be no regular organization of enemies to the Government in that country. I was loath to believe so, and from the first was of the opinion that the raid was only for plunder and that the whole matter was probably exaggerated. I hope now that quiet and order are restored in that region, and have to return you my thanks for the very prompt and energetic aid afforded by your command in producing this state of things. I was fearful in the great excitement prevailing among our people that the misguided people of Laurel might be dealt too harshly with, and warned the officers to be civil and just. I was therefore sorry to learn this morning that Colonel Allen had hanged several of the captured prisoners. I hope this is not true, as it would be much better to have them dealt with by the law. In regard to running them into Kentucky I approve of the plan, provided they desire to go. I would not wish, however, to exile the women and children or old men if they desire to remain, as the law ought to be strong enough to keep them in subjection. I hope Colonel McElroy will take proper steps to prevent the escape of his prisoners.

With sentiments of regard, I am, sir, your obedient servant,

**Z. B. VANCE.**

### **February 16, 1863, Asheville, N.C., Letter from A.S. Merrimon to Governor Vance**

ASHEVILLE, N.C., *February 16, 1863.*

. GOVERNOR: Your letter of the 9th instant is just received. I beg to assure you that I shall at the next term of the court prosecute vigorously such of the prisoners to whom you direct my attention as may be turned over to the civil authorities. The late expedition to Laurel sent only four prisoners to jail, and one of them was admitted to bail on yesterday by Judge Bailey. I understand there are no more to send. I have no knowledge of my own touching the shooting of several prisoners in Laurel. I have learned, however, from a most reliable source that 13 of them were killed; that some of them were not taken in arms but at their homes; that all the men shot (13, if not more) were prisoners at the time they were shot; that they were taken off to a secluded cave or gorge in the mountains and then made to kneel down and were thus shot. One man was badly and mortally shot in the bowels, and while he was writhing in agony and praying to God for mercy a soldier mercilessly and brutally shot him in the head with his pistol. Several women were whipped; this I learned from one who got his information from some of the guilty parties. I learned that all this was done by order of Lieut. Col. James A. Keith. I know not what you intend doing with the guilty parties, but I suggest they are all guilty of murder. I do not suppose they had any order to do so barbarous a deed; but if they had the order was void absolutely, no matter by whom issued. Such savage and barbarous cruelty is without a parallel in the State, and I hope in every other. I am gratified that you intend to take the matter in hand. I will make such investigation as I can, but I have no means of compelling any one to disclose facts to me. It will not be difficult, I learn, to prove that the prisoners were killed. I assure you that I will prosecute all persons who have committed criminal offenses in this circuit at the next term of the court, and in the mean time I will do all in my power to suppress crime and violence. These are fearfully on the increase in this section of the State. A report might be made that would astonish you. I

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have done all I could in reference to the complaints made to you from Jackson and Cherokee Counties.

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I am, &c., yours, truly,

**A. S. MERRIMON.**

(At the time of the incidents, Merrimon was NC Attorney General After the war, he became a North Carolina Superior Court Judge, served 6 years as a U.S. Senator and Chief Justice of the North Carolina Supreme Court in Raleigh, N.C.)

**February 24, 1863, Asheville, N.C.,  
Letter from A.S. Merrimon to Governor Vance**

ASHEVILLE, N.C., *February 24, 1863.*

[Hon. ZEBULON B. VANCE:]

GOVERNOR: In obedience to your directions so to do, I have made inquiries and gathered facts such as I could in reference to the shooting of certain prisoners in Laurel Creek, in Madison County. I have to report to you that I learned that the militia troops had nothing to do with what was done in Laurel. Thirteen prisoners, at least, were killed by order of Lieut. Col. J. A. Keith. Most of them were taken at their homes, and none of them made resistance when taken; perhaps some of them ran. After they were taken prisoners the soldiers took them off to a secluded place, made them kneel down, and shot them. They were buried in a trench dug for the purpose. Some two weeks since their bodies were removed to a grave-yard. I learned that probably 8 of the 13 killed were not in the company that robbed Marshall and other places. I suppose they were shot on suspicion. I cannot learn the names of the soldiers who shot them. Some of them shrank from the barbarous and brutal transaction at first, but were compelled to act. This is a list of the names of those killed: Elison King (desperate man); Jo Woods (desperate man); Will Shelton, twenty years old (of Sipus); Aronnata Shelton, fourteen years old (was not at Marshall); James Shelton (old Jim), about fifty-six years old; James Shelton, jr., seventeen years old; David Shelton, thirteen years old (was not in the raid); James Madcap, forty years old; Rod Shelton (Stob Rod); David Shelton (brother of Stob Rod); Joseph Cleandon, fifteen or sixteen years old; Helen Moore, twenty-five or thirty years old; Wade Moore, twenty or twenty-five years old. It is said that those whose names I have so marked did not go to Marshall. The prisoners were captured on one Friday and killed the next Monday. Several women were severely whipped and ropes were tied around their necks. It is said Col. L. M. Allen was not in command and that Keith commanded. Four prisoners are now in jail, sent here, as I learned, by order of General Davis. These are Sipus Shelton, Isaac Shelton, William Morton, and David Shelton, son of Sipus. I think the facts stated are about true. One thing is certain, 13 prisoners were shot without trial or any hearing whatever and in the most cruel manner. I have no means of compelling witnesses to disclose facts to me, and I do not know that I shall be able to make a fuller report to Your Excellency at any early day. I hope these facts will enable



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you to take such steps as will result in a more satisfactory development of the true state of the matter.

I am, &c., yours, truly,

**A. S. MERRIMON.**

**February 27, 1863, Raleigh, N.C.,  
Governor Z.B. Vance to Brigadier General Davis**

STATE OF NORTH CAROLINA, *EXECUTIVE DEPARTMENT,*  
*Raleigh, N.C., February 27, 1863.*

Brigadier-General DAVIS, *Knoxville, Tenn.:*

GENERAL: In my last letter to you I referred to a report that a number of prisoners taken on Laurel had been shot in cold blood, and expressed the hope it might not prove true. I fear, however, that it is even worse than was first reported. I beg leave to ask your attention to the copy inclosed of a part of a letter from A. S. Merrimon, esq., attorney for the State in that district, and to respectfully request you to make inquiry into the truth of the statements within, with a view to proceedings against the guilty parties. While expressing again my thanks for the prompt aid rendered by your command in quieting the troubles in that region, I cannot reconcile it to my sense of duty to pass by in silence such cruel and barbarous conduct as is alleged to have characterized a portion of them, and more especially as the officers mentioned are citizens of this State.

Very respectfully, your obedient servant,

**Z. B. VANCE.**

**February 28, 1863, Raleigh, N.C.,  
Governor Z. B. Vance to Secretary of War James A. Seddon**

STATE OF NORTH CAROLINA,  
*EXECUTIVE DEPARTMENT.,*  
*Raleigh, N.C., February 28, 1863.*

Hon. JAMES A. SEDDON, *Secretary of War:*

SIR: Some six months since a disturbance occurred in Madison County, North Carolina, near the Tennessee border, by some disloyal persons capturing the little county town and seizing a lot of salt and other plunder. An armed force was promptly sent from Knoxville, under command of General Davis, to suppress the insurrection, which was accomplished before the local militia could get there, though ordered out immediately. But in doing so a degree of cruelty and barbarity was displayed, shocking and outrageous in the extreme, on the part of Lieut. Col. J. A. Keith, Sixty-fourth North Carolina Troops, who seems to have been in command, and to have acted in this respect without orders from his superiors, so far as I can learn. I beg leave to ask you to read the inclosed letter (copy) from A. S. Merrimon, State's attorney for that judicial district, which you will see discloses a scene of horror disgraceful to civilization. I desire you to have proceedings

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instituted at once against this officer, who, if the half be true, is a disgrace to the service and to North Carolina. You may depend upon the respectability and fairness of Mr. Merrimon, who made an investigation officially by my order. I have also written General Davis.

Very respectfully, your obedient servant,

**Z. B. VANCE.**

**March 5, 1863, Richmond, Va.,  
Secretary of War James A. Seddon to Governor Z. B. Vance**

WAR DEPARTMENT, *Richmond, March 5, 1863.*

His Excellency Z. B. VANCE,  
*Governor of North Carolina, Raleigh, N. C.*

SIR: I received your letter of the 28th ultimo in reference to the conduct of Lieut. Col. J. A. Keith, Sixty-fourth North Carolina Regiment, and have directed General Donelson, commanding at Knoxville, to investigate the matter and report the facts to the Department.

Very respectfully, your obedient servant,

**JAS. A. SEDDON,**  
*Secretary of War.*

**May 18, 1863, Raleigh N.C.,  
Governor Z. B. Vance to Secretary of War James A. Seddon**

EXECUTIVE DEPARTMENT, *Raleigh, May 18, 1863.*

Hon. JAMES A. SEDDON, *Secretary of War, Richmond, Va.*

SIR: I had the honor to request of you some time since an examination into the case of Lieut. Col. J. A. Keith, Sixty-fourth North Carolina Troops, charged with the murder of some unarmed prisoners and little boys during the recent troubles in the mountains of this State. I have heard by rumor only that he was brought before a court-martial and honorably acquitted by producing an order for his conduct from General Davis, commanding in East Tennessee. I have also been officially notified of his resignation. Will it be consistent with your sense of duty to furnish me a copy of the proceedings of the court-martial in his case? Murder is a crime against the common law in this State and he is now subject to that law.

Very respectfully, &c.,

**Z. B. VANCE**

**May 18, 1863, Richmond, Va.,  
Secretary of War James A. Seddon to Governor Z. B. Vance**

WAR DEPARTMENT, *Richmond, Va., May 23, 1863.*

His Excellency Z. B. VANCE, *Governor of North Carolina.*

SIR: Your letter of the 18th instant has been received. The resignation of Lieutenant-Colonel Keith was accepted at the office of the Adjutant and Inspector General the 15th instant. No proceedings of court-martial in his case have been received. His resignation was accepted on the recommendation of Colonel Palmer, commanding the brigade, and Major-General Maury, the examining board having reported against his competency. The Adjutant and Inspector General was not aware of the facts of the alleged murder as applying to this officer at the time of his action on the resignation, there being no reference to the facts in the papers before him. In a communication to the Department by Lieutenant-Colonel Keith he claims that Brigadier-General Heth gave him a verbal order to this effect: "I want no reports from you about your course at Laurel. I do not want to be troubled with any prisoners and the last one of them should be killed;" that he went on further to state that he had been troubled with several prisoners from Laurel, N. C., and he did not want any more brought to Knoxville. This statement is supported by the deposition of a Doctor Thompson, and Keith states in his letter that he can prove it by another witness. The communication of Keith and the deposition of Thompson were submitted to General Heth for remarks. He says that he gave written instructions to Keith which will be found on the books of the Department of East Tennessee. He admits that he told Keith that those found in arms ought not to be treated as enemies, and in the event of an engagement with them to take no prisoners as he considered that they had forfeited all such claims, but he denies in strong terms the making use of any remarks which would authorize maltreatment of prisoners who had been accepted as such or to women and children.

Very respectfully, your obedient servant,

**JAMES A. SEDDON,**  
*Secretary of War.*

**November 27, 1864—The East Tennessee Campaign,  
No. 26.—Report of Brig. Gen. John W. Frazer, C. S: Army, commanding,  
forces at Cumberland Gap.**

FORT WARREN, *Boston Harbor, November 27, 1864.*  
(excerpt)

The Sixty-fourth North Carolina Regiment was small, having been reduced by desertions; at one time 300 in a body. The colonel and lieutenant-colonel had left in disgrace for dishonorable conduct. (See muster-rolls and officers of the regiment.) Major Garrett was left in command, but had been suspended by the examining board for incompetency. I afterward restored him to command temporarily, as I could find no one in the regiment any better qualified.

**December 8, 1864, Augusta;  
Lieutenant Colonel David Urquhart to General S. Cooper**

AUGUSTA, *December 8, 1864.*

General S. COOPER,  
*Adjutant and Inspector General, Richmond:*

GENERAL: I have just returned from the Western District of North Carolina. I regret to report a bad state of affairs prevailing there. The country is full of deserters and Tories, who are growing bolder every day and committing great outrages, defying the Government and openly avowing that they are acting under orders from the enemy. If active measures are not adopted before the leaves come out, it will be impossible to disperse and capture them. The troops in Colonel Palmer's command are all North Carolinians. He has part of Sixty-second and Sixty-fourth Regiments North Carolina Volunteers, who are really deserters and stragglers, as they were absent when these regiments were captured at Cumberland Gap. They will not answer to hunt down these deserters and Tories. I recommend that a Virginia regiment be sent up there as soon as it can be spared to clear the mountains near the North Carolina line. Soldiers from all the different armies are finding their way up to these mountains and never return to their commands. As an instance, I will quote the case of a Captain Poor, who has fifty men in his company, all from the Twenty-fifth North Carolina Regiment, of the Army of Northern Virginia. He says he is hunting up deserters. Every one of these men are deserters. They must be taken by compulsion, for they will never return willingly. All the deserters are harbored by the natives, especially by the women. A rigid system of police should be established, and the houses of all these harborers of deserters burnt down, and no soldier or individual liable to military duty should be allowed to remain in the district without a pass from the commanding officer. When these malefactors and deserters are taken they are sent to Asheville and tried, and the proceedings of the court having to be revised by Lieutenant-General Holmes, causes great delay, and many of these criminals who ought to be disposed of at once find their way back to the mountains. I feel very confident that unless a force is kept actively engaged in the work of dislodging these deserters and making the mountains untenable for them, that it will be an invitation to all the deserters and stragglers to make the mountains their place of refuge from the army. Colonel Palmer understands the nature of the country, and if the department would call him to Richmond and hear his views I feel confident his suggestions would be valuable.

I have the honor to remain, general, your obedient servant,

**DAVID URQUHART,**  
*Lieutenant-Colonel and Assistant  
Adjutant-General*

**Union Records**

**January 5, 1865, Neil House, Columbus, Ohio**  
**Major A. J. Bahney to Brigadier General H. W. Wessells (with indorsements)**

NEIL HOUSE, *Columbus, Ohio, January 5, 1865.*

Brig. Gen. H. W. WESSELLS,  
*Washington City, D.C.:*

GENERAL: I was ordered here to recruit for the Second Regiment North Carolina Mounted Infantry from the prisoners captured at Cumberland Gap, Tenn., in September, 1863, by Major-General Burnside, consisting of the Twenty-ninth, Sixty-second, and Sixty-fourth North Carolina Infantry, C. S. Army. The larger number of those men were and now are Union men and have written from time to time to me to come and get them out of prison. I am here with six of my men who are acquainted with nearly all of the Union men of those three regiments who were conscripted in the rebel army. Some are here, others at Camp Douglas, and some at Johnson's Island. I would most respectfully ask permission to enter the three camps and recruit all the men who are willing to enlist and that I can prove are true, loyal men now and before the war. I saw General Thomas at Lexington and the general said he would telegraph to the Secretary of War and that I would be notified at Camp Chase. I shall anxiously wait an answer.

I have the honor to be, very respectfully, your obedient servant,

**A. J. BAHNEY,**

*Major Second Regiment North Carolina Mounted Infantry.*

[First indorsement.]

OFFICE COMMISSARY-GENERAL OF PRISONERS,  
*Washington, D.C., January 10, 1865.*

Respectfully submitted to the Secretary of War for instructions.

**H. W. WESSELLS,**

*Brig. Gen., U. S. Vols., Insp. and Com. Gen. of Prisoners.*

[Second indorsement.]

WAR DEPARTMENT,  
*January 13, 1865.*

Respectfully referred to the commissioner for the exchange of prisoners.

By order of the Secretary of War:

**LOUIS H. PELOUZE,**

*Assistant Adjutant-General.*

[Third indorsement.]

JANUARY 14, 1865.

It is not believed to be expedient to adopt the policy here urged. Approved by the Secretary of War:

**E. A. HITCHCOCK,**

*Major-General of Volunteers.*

**This is a partial document.**

**The full document may be found at:**

**<http://www.pddoc.com/skedaddle/events/shelton-laurel.htm>**