

MEMORANDA ON THE CIVIL WAR.

battle-field. I was enabled, after great labor and care, to meet these friends and comrades in command of men, than whom there could be none more intelligent, better disciplined, braver, more confiding in each other, and more determined on success. They embraced soldiers from Maine, Michigan, Illinois, Pennsylvania, New York, and all New England—together with all the regular army, then at the East, from all parts of the country. Their commanders were not excelled by those in any other corps in ability, experience, or reliability; they had the highest confidence in each other, in the army, and in their own men, and were fully competent to oppose their able adversaries.

I have said we did not fear Lee alone at Beaver Dam Creek. Nor, though anxious, did we fear the combined attack of Lee and Jack-

son at Gaines's Mill. Defeat to us was necessarily great damage to them. Our flanks were secure and could not be turned; though fewer in numbers, the advantages of our position, combined with the firm discipline of our own brave men, overcame the odds. Our adversaries were forced to meet us face to face. All day they struggled desperately for success, and near night, after fearful destruction, broke our line at one point, just at a time when a most unforeseen mismanagement on our part aided to crown their labors with possession of the field. Still, our confidence was not broken; and, as we shall see in a succeeding paper, under like circumstances victory crowned our arms with success against the same opponents, strongly reënforced, at Malvern Hill.

Fitz John Porter.

MEMORANDA ON THE CIVIL WAR.

Sawing out a Channel above Island Number Ten.

THE Engineer Regiment of the West was an organization composed of twelve full companies of carefully selected workmen, chiefly mechanics, and officered by men capable of directing such skilled labor. Most of the officers and about six hundred of the men were engaged in the operations about New Madrid and

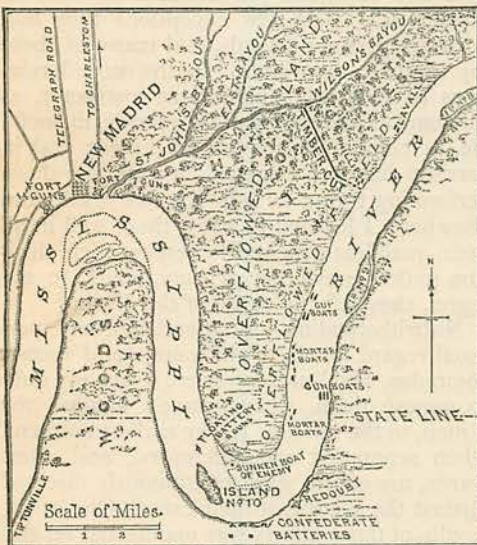
tions of that regiment I am not aware that any of its officers ever made a report beyond a verbal notification to the general in command that the work required of it was done. This narrative is therefore made entirely from memory, aided by reference to letters written to my family and not intended for publication.

It is perhaps proper to state here that the term "canal," as used in all the letters and reports relating to the opening of this waterway, conveys an entirely wrong idea. No digging was done except by way of slightly widening a large break in the levee, and those officers who speak of the men as "working waist-deep in the water" knew nothing at all of the matter.

The enemy held Island Number Ten and the left bank opposite, and the same bank from New Madrid down to Tiptonville, a ridge of high land between the back swamp and the river.* In rear of their positions was Reelfoot Lake and the overflow, extending from above them to a point below Tiptonville. Escape by land was impossible, the right bank below New Madrid and that town being occupied by General Pope. The gun-boats under Foote held the river above, and our heavy batteries commanded the only place of debarkation below. Having accomplished this much, the problem for General Pope to solve was to cross his army to make an attack, for which purpose he judged that two gun-boats, to be used as ferry-boats, would be sufficient. The general stood with me on the parapets of Fort Thompson (just captured) and pointed out his whole plan; and he was so confident that his letter to Foote would bring the boats that he directed me to go back to the fleet at Island Number Eight by dug-out across the overflow, and come down with them past the batteries, and a set of private signals was arranged between us then and there for use upon their appearing in sight.

I reached the flag-ship in the afternoon about dark, and that evening Foote called together all his com-

* The reader is presumed to be acquainted with the fuller map of the operations here referred to, printed on page 441 of the *JANUARY CENTURY*, with Admiral Walker's paper on the Western Flotilla. The above map shows the course of the channel as corrected by Col. Bissell.—Ed.



MAP OF THE MISSISSIPPI AT ISLAND NO. 10.
Showing (corrected) line of the channel cut by the Engineer Regiment.

Island Number Ten; to them should be given the credit of the success of the engineering operations of that campaign. In order to do this and to correct some erroneous impressions, I yield to the request of the editor of THE CENTURY MAGAZINE to give a brief account of the opening of the so-called "canal" above Island Number Ten, a work which was executed under my personal and general direction. In all the opera-

manders in council. One or two wanted to run the blockade, but the commodore flatly refused. He explained that his boats, since they were armored solely about the bows, were invincible fighting up-stream, but fighting down-stream were of little account; and that if one of them should be boarded and captured, she could be turned against us, and could whip the whole fleet and place Cairo, Louisville, and St. Louis at her mercy! One of the captains said that if he were allowed to go, he would stand in the magazine and blow the vessel out of water if the enemy got on board. Another, I think, was quite as emphatic, but Foote was firm.

I then, in a pleasant way, made a peremptory demand upon him for a gun-boat. As pleasantly, but still firmly, he refused; whereupon I started up, rather excited, and with considerable emphasis said: "General Pope shall have his boats, if I have to take them across the country."

The next day, with two of the tugs of the fleet, I explored the shore carefully on each side: first on the eastern shore, to see if the enemy were securely shut in, which I found to be the case; and then on the western, to see if St. James's Bayou, which emptied into the river seven miles above Island Number Eight, in any way communicated with St. John's Bayou, which debouched at New Madrid. Here I found no possible way across.

Early the next morning while standing on the levee, chagrined at my failure to obtain a gun-boat, and mindful of the strong language I had used before the officers of the fleet, and while waiting for the guide to get the dug-out ready to take me back to camp, I spied, directly opposite me across the submerged fields, an opening in the timber; and the thought flashed upon me that there was the place to take the transports through. This proved to be an old wagon-road extending half a mile into the woods; beyond and around was a dense forest of heavy timber. The guide said it was two miles to the nearest bayou. I asked him to make a map upon my memorandum-book, which he did, showing a straight cut to the first bayou and the general route of the bayous to New Madrid. This route we carefully explored, and I reached General Pope's headquarters about dark. When my report of the interview had reached Foote's refusal, the general gave vent to his disappointment and indignation. Some officer present making some suggestion about a "canal," I immediately pulled out my memorandum-book, and showing the sketch said the whole thing was provided for, and that I would have boats through in fourteen days.*

General Pope then gave me an order on the authorities at Cairo for steamboats and anything the regiment might need. That evening Captain Tweddale, Lieutenant Randolph, and I sat up till a late hour arranging all the details, including barges to be fitted with heavy artillery to be used as gun-boats, and the next morning they started with one hundred men

for Cairo, to meet me at Island Number Eight with all the materials they could get the first day. Other officers and men started by the same route daily, until the 600 men of my force had returned, and my stock of supplies was complete. I returned in the dug-out through the selected channel, and in due time found at the proposed starting-point four stern-wheel steamboats, drawing thirty to thirty-six inches of water, and six large coal-barges, besides one columbiad, three large siege-guns with carriages and ammunition, saws, lines, and all kinds of tools and tackle in great quantities, and fully two million feet of timber and lumber.

The way through the submerged corn-field and the half-mile of road was easy enough, but when we reached the timber the labor of sawing out a channel commenced. The one steamer which had a powerful steam capstan was put in the lead, and the others having hand capstans were fastened single file in the rear, and then the six barges in like order, so that the progress of the first controlled all the others. Captain Tweddale took charge of the cutting in front, while Lieutenant Randolph was fitting up the improvised gun-boats astern. About three hundred men were assigned to each, and they worked in relays without the slightest intermission from daybreak until dark.

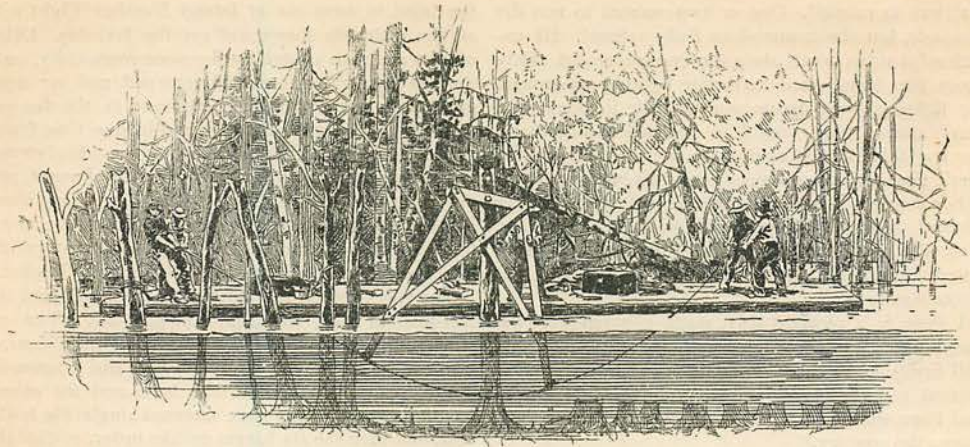
First of all, men standing on platforms on small rafts cut off the trees about eight feet above the water. As soon as a tree was down, another set of men, provided with boats and lines, adjusted about it a line which ran through a snatch-block and back to the steam capstan, and hauled it out of the way; thus a partial cut was made forward, the lines always working more than two hundred feet ahead of the capstan, so as to leave plenty of room for the saws. It took about four sets of lines to keep pace with twelve saws.

When the space about the stumps allowed sufficient room, a raft about forty feet long was lashed to a stump, and the saw set at work in a frame attached by a pivot and working in an arc as shown in the sketch—two men working the saw at opposite ends by a rope, and a fifth on the farther side of the tree guiding its teeth into the tree. Where the stumps were too close, or irregular, three yawl-boats were used instead of the raft. No trouble was experienced with the stumps a foot or less in diameter. With the larger ones it was different; the elms spread out so much at the bottom that the saw almost always would run crooked and pinch. If it commenced running up, we notched the top and set the frame farther in; if down, we put in powerful tackle, and pulled the top of the stump over.

Here was where the ingenuity of the officers and men was exercised: as the saws were working four and a half feet beneath the surface, and the water was quite turbid, the question was how to ascertain what was interfering with the saw, and then to apply the remedy. But I found Captain Tweddale equal to the most obstinate stump. I think two and a half hours was the longest time ever expended upon any one, while about that number of minutes would dispose of some small ones when the saw was ready. In all it took eight days to cut the two miles.

When we reached the bayous the hard and wet work began. The river had begun to fall, and the water was running very rapidly. We had to get rid of great drift heaps from the lower side with our machinery all on

* The Records of the War Department, which I have just seen for the first time, contain a letter from General Pope to me, which I never before heard of (dated the day I was on my way back from the gun-boat with the plan fully matured), asking if I could not dig a canal, a "mere ditch of a foot wide which the water of the river would soon wash out," from a point one mile above Island Number Ten to a point one mile below. That land was at this time ten feet under water.—J. W. B.



the upper side. Small pieces of drift would be disposed of by the yawl-boats, or a single line and snatch-block would take them right out; but sometimes a great swamp oak, three feet through, and as heavy as lignum vitæ, lying right across our channel a foot or so under water, would try our tackle. We had then to raise them up to the surface, and hold them there till they could be chopped in pieces. In one case it took eight lines from the four capstans to get one up.

In one of the bayous for about two miles the current was so swift that all the men who were out on logs, or in exposed places, had safety lines tied around them; and as the timber was slippery, some were indebted to these lines for their lives. During the whole work not a man was killed, injured, or taken sick.

While all this was being done in front of the boats, Lieutenant Randolph was at work with his detachment in the rear in improvising gun-boats to supply the lack of Foote's. The barges used were coal-barges, about eighty feet long and twenty wide, scow-shaped, with both ends alike. The sides were six inches thick, and of solid timber. The original plan was to use three of the steamboats with a barge on each side—the other steamer to be kept as a reserve. One columbiad and three thirty-two-pounders were mounted on platforms, and arrangements were made to use a considerable number of field-guns to be taken on board at New Madrid. Six hundred men of the Engineer Regiment, using one of the steamers with her two barges, were to land at break of day at the mouth of the slough about a mile below and opposite Fort Thompson, and with their intrenching tools dig a line of rifle-pits as soon as possible. About the same number of picked men were to be with them to help fight or dig, as occasion might require. The other two sections of the flotilla were to be filled with men, and landed just below, as best could be done when the resistance was developed. The reserve steamer with her men, not being incumbered with barges, could move rapidly and take advantage of any opening to land the force, which could by a flank movement aid any of the other parties; or if either of the other boats became disabled, it could help them along.

When about half-way through the channel, I left the flotilla and reported progress to General Pope.

Upon a reëxamination of the ground from Fort Thompson, he concluded that it would be best to make the leading boat a fighting boat that could not be disabled. So he telegraphed to Cairo and St. Louis for a great number of coal-oil barrels. These arrived through the channel about the time the boats reached the lower end of St. John's Bayou. In the mean time the steamer to be used was so bulkheaded with lumber that her engines and boilers were secure from damage from field-artillery, and the forward part of the hull, which projected beyond the barges, was bulkheaded off and filled with dry rails, to keep her from being disabled. There were no heavy guns and few field-guns opposed to us at this point. Upon the arrival of the barrels they were laid in two tiers all over the bottoms of two barges; the interstices were filled with dry rails, the whole well secured in place by a heavy floor. No shot could reach the hull of the steamer through these, and no number of holes could sink the barge with all this buoyant matter. On the steamer and barges protection was prepared for a large number of sharpshooters. Such a craft as that would have covered the debarkation of the Engineer Regiment, and protected them till they could dig rifle-pits and take care of themselves, and then it could have been used to cover the landing of the rest of the army.

The boats and barge gun-boats were kept concealed in the bayou, just back from New Madrid, for a day or two, till the soldiers could be prepared for the passage and attack. Meanwhile Foote concluded to risk the passage of the island with the *Carondelet* and afterward with the *Pittsburgh*, and the whole plan was changed; the gun-boats could move so much more rapidly that they were to silence the Confederate field-guns, while the transports, loaded with troops, could land wherever an opening could be found. The whole scheme was accomplished so successfully that I think not a man was killed or wounded, and the entire Confederate force surrendered. The barges were not used at all; nor did any of the Engineer Regiment cross: they were kept on the right bank, ready to be called in case of any disaster, which, fortunately, did not occur.

Several of the captured officers told me that after the gun-boats had run their batteries, nearly their

whole force was withdrawn from about Island Number Ten and kept concealed in the woods back of the practicable landing-places, and they were well prepared to pick off all the men that could possibly be landed from the gun-boats; the woods were so close to the bank that they probably could have done so; but when they saw the four transports, loaded with troops, steam out from the bayou, they knew that all hope was gone, and the word was given for each man to take care of himself. A few hundred did manage to

make their way through the swamps in the rear, but the most of them quietly yielded to the inevitable. So well had the movement been concealed that they had not the least idea of what was being done.

When the boats were about half-way through, Thomas A. Scott, the Assistant-Secretary of War, came on board from the gun-boat fleet. After a suitable inspection of the work, he returned and telegraphed to President Lincoln from Cairo that Island Number Ten would be taken within a certain time — and it was.

J. W. Bissell.

TOPICS OF THE TIME.

Abetting the Enemy.

ONE of the most stubborn and discouraging evils of current politics is revealed in the notorious fact that the rascals in either party may count with confidence upon the moral support of a good share of the reputable men in the other party. To this depth does partisanship daily descend. The average party man regards party success as so much more important than the public welfare, that he is quite willing the State should suffer at the hands of his opponents, if by this means a point can be made against them in the next campaign. There are "good men" in each party ready to promote corruption and chicanery in the other party,—men who, if any nefarious deed is proposed by the worst of their opponents, do not shrink from quietly aiding and abetting the iniquity. If the miscreants cannot be openly assisted without incurring responsibility for their own party, they will at least refrain from open opposition, hoping for the success of evil schemes and rejoicing at their consummation. Is it too much to say that the average partisan wishes the State to be injured by every act of his opponents, exults when they go wrong, and ill conceals his vexation when anything is done by them for the benefit of the country?

Such conduct we might expect from those mercenaries who make politics a trade, and it would not be strange if each party contained a large number of ignorant and inconsiderate persons who would be governed by these petty motives; but one is sometimes appalled at the extent to which intelligent citizens have fallen under the sway of such pernicious passions. The prospect of reform in politics grows dim when we contemplate the tacit alliance so widely established between the respectable men of each party and the malefactors of the other.

It too often occurs that wise and beneficent measures, proposed by one party, are treated with captious and sneering criticism, and even defeated, by the other for purely partisan reasons. In one of the State legislatures, a few weeks ago, a measure was introduced looking toward the restriction of intemperance by a certain method. The party in opposition held a caucus to determine its own action upon the question. Several of the legislators expressed themselves as favoring the method proposed; they believed it to be the best method of dealing with the evil; but they readily agreed to oppose the measure before them, for the avowed reason that they would not help the party

in power to do a good thing for the State. That party might gain some credit from the measure if it were adopted; and that party should gain no credit for patriotic action if they could help it. The measure, as they believed, would benefit the State, and the State was greatly suffering for some kind of legislation; but the State might continue to suffer; it should never be relieved by their opponents; no good should come to the State if they could help it, unless it came through their own party. This was exactly the purport of their reasoning. Inasmuch as the measure required a three-fifths vote, the minority were able to defeat it. The action of this caucus was reported in all the party organs, and the heroic conduct of these gentlemen who stood so firmly with their party, and who so nobly resisted the temptation to consider the welfare of the State, did not fail to receive its proper meed of praise. To none of these partisans did it appear that the men in question had acted otherwise than magnanimously; not a whisper of disapproval came from the ranks of their own party. Yet these men had violated the solemn obligation which they assumed in entering upon the duties of their office; they had deliberately done the State what they believed to be an injury in order that benefit might accrue to their political organization. The fact that such action should occur, and such considerations be openly urged at one of our great political centers, without exciting adverse comment, indicates in a somewhat striking manner the extent to which partisanship has degraded our politics.

Those partisans who rejoice over the blunders and sins of their opponents, and who deplore and obstruct their efforts to do well, have, of course, a reason for their conduct. They think that their own party practically monopolizes the virtue of the nation; that the other party is composed almost wholly of rogues; and that, therefore, patriotism is summed up in the support of their party. The good of the State is identified with the success of their party; if by abetting the evil-doing of their opponents they can maintain themselves in power, they will most effectually promote the public welfare. At the very best, then, these people are encouraging evil that good may come, and rejoicing in evil as a means of bringing good; this puts them into a class concerning whom we have high authority for saying that their "damnation is just."

But is not the notion too childish to be entertained by people of common sense, that either of the two great parties which so equally divide the voters of this

curved extension of our right proving to be all that were necessary.

If any statement of mine could fairly be interpreted to derogate from the full personal command of General Schofield over the whole army, I should indeed feel that it needed correction. In the volume referred to I said, what I have always repeated, that his position in the fort north of the river was almost the only one from which he could survey and guide the whole field. My duty was simply to perform faithfully the part assigned me. The fortune of war brought it about that Hood attacked the Twenty-third Corps line, instead of turning it, as would have been wiser strategy for him. In the latter event no doubt General Stanley would have been in the critical place, and mine would have been comparatively insignificant. It is also true that General Schofield *could* have ordered me to report to General Stanley as my senior, as he ordered portions of the Fourth Corps to report to me; but *he did not*, and I have tried to narrate history as it was, not as it might have been.

CINCINNATI, O.

J. D. Cox.

REPLY BY COLONEL STONE.

I SHALL make no other reply to General Stanley's criticism than to quote from the official reports.

General Schofield, whose report is dated December 31, 1864, says:

General J. D. Cox deserves a very large share of credit for the brilliant victory at Franklin. The troops were placed in position and entrenched under his immediate direction, and *the greater portion of the time engaged was under his command during the battle.*

Of the sixty-two regiments in "the line engaged" only twenty-four belonged to the Twenty-third Corps that day. The rest were of the Fourth Corps, of which General Stanley was commander.

General Kimball, a division commander in the Fourth Corps, whose report is dated December 5, says that he sent a regiment to report to General Ruger at the request of General Cox. This shows that he then recognized General Cox as in command.

General Opdycke, commanding a brigade of the Fourth Corps, states in his report that about 4 P. M. General Cox sent him a request to have his brigade ready, and adds, "I got no other orders till after the battle."

General Ruger, commanding a division in the Twenty-third Corps, states in his report that he was ordered to report to General Cox.

General Wagner, of the Fourth Corps, makes no mention of reporting to any one after reaching his final position.

These are all the commanders of all the troops engaged, except General Cox's own division.

On the 2d of December, General Cox made a full and detailed report, in which he says:

About noon [of November 30] General Kimball, commanding the first division, Fourth Corps, reported to me by order of the commanding general. . . . About 1 o'clock, General Wagner, commanding second division of the Fourth Corps, reported to me his division . . . and informed me that he was under orders to keep out two brigades until the enemy should make advance in line in force, when he was to retire, skirmishing, and become a reserve to the line established by me. . . . Captain Bridges (Fourth Corps artillery) was ordered by the commanding general to report to me with three batteries. . . . About 2 o'clock the enemy . . . came into full view. . . . The fact was reported

to the commanding general, as well as the disposition of our own troops as they were, and his orders received in reference to holding the position.

In a subsequent report, covering the same ground, under date of January 10, 1865, General Cox says:

At 2 o'clock . . . General Wagner presented orders to report to me. . . . At 3 o'clock . . . the order was reiterated to General Wagner to withdraw his brigade. . . . He was at that time in person near the Carter house, my headquarters.

I leave these quotations to speak for themselves. Nothing was further from my intention than to do even a seeming injustice to General Stanley — one of the most gallant, capable, and experienced soldiers in the army. The value of his services during the retreat from Pulaski to Nashville is inestimable. His conduct that day, and all days, was that of a brave, resolute, able commander.

As to the distance between the fort to which General Schofield retired and the battle-ground, I may add that from careful measurement on the maps, from personal observation within a few years, and from the estimates of residents of Franklin, I see no reason to doubt the correctness of my statement that it was "some two miles, by the road." Of course, in an air line it is much less.

Henry Stone.

BOSTON.

Canal at Island No. 10.

IN THE CENTURY for September, 1888, is published a communication relating to the claims for the credit for the construction of the Island No. 10 Canal; and as the details of that work were wholly planned and executed under the direct supervision of Captain Tweeddale and myself, of Bissell's Engineers, it may not be inappropriate to make some historical corrections as to the claims for credit of the initiation of the enterprise. It is probably as difficult to designate the original project of the scheme as it would be now to ascertain who first proposed a canal at the Isthmus of Darien; but certainly De Lesseps designed the Panama Canal. General Hamilton or Mr. Banvard may have first suggested the possibility of the cut-off, but certainly Colonel Bissell was the first to explore the route and to put it in practical operation. The method and practical operations of performing the difficult part of the work, viz., cutting off great forest trees six feet below the surface of the water, was designed and executed by Captain Tweeddale and myself. It is impossible to conjecture how Mr. Banvard can substantiate a claim to any part of the work, for at the time he mentions, August 20, 1861, both ends of the canal were many miles within the rebel lines, which at that time were formed at Columbus, Ky., on the Mississippi River, and therefore the New Madrid Canal at that time would have been of about as much use to the Federal forces as a railroad up the side of Lookout Mountain.

M. Randolph,

Late Captain Co. A, Bissell's Engineers.

NEW YORK.

READING THE CENTURY for August and September, 1885, and September, 1888, I have been amused at the strife for honors with regard to the canal above New Madrid, cutting off Island No. 10. Honors must be scarce when two men, neither of whom is entitled to

this one, claim it. I suppose THE CENTURY is desirous of correct history, although this brilliant achievement is of humble origin.

The circumstances are these: Captain J. A. Mower, 1st U. S. Infantry, afterwards General, took from a raft floating down the river a refugee from Island No. 10 named Morrison, who claimed to have formerly run a saw-mill at the mouth of the creek just above New Madrid. He suggested to Captain Mower that a canal could be cut. Captain Mower sent him as a prisoner to me (as I commanded the 1st U. S. Infantry)

with this information. I sent him to the nearest headquarters (which happened to be General Hamilton's), en route to General Pope.

Morrison, the saw-mill man, suggested the canal. Captain Mower, 1st U. S. Infantry, accepted the idea. General Pope ordered it, and Colonel Bissell executed it. There are officers of the regular army still living, besides myself, who remember the circumstances.

George A. Williams,

NEWBURG, N. Y. *Maj. and Bvt. Lt.-Col., U. S. Army.*

TOPICS OF THE TIME.

The Imperfections of American Law Procedure.

NO one is more deeply interested in having a prompt, rapid, effective, and respected system of legal procedure than the man who never goes to law and who would hardly know the crier of a court from the judge. He is interested in having it well known that the state has provided a ready and efficient remedy for those acts which provoke lawsuits, for the known existence of such a remedy is a strongly deterrent force upon men who are disposed to commit such acts. No one can say how large is the percentage of men who are so wavering on the brink of such acts that the efficiency of the state's judicial machinery is just the check necessary to prevent them from acting and thus to keep them out of the state's legal statistics; but the fact is plain that the force, large or small, works in favor of the great mass of voters, who never go to law.

That part of the remedy which constitutes law procedure has not been in this country quite so satisfactory to laymen as to lawyers. The latter may easily find fault with the ignorant complaints of the former, may call for bills of particulars, and may make strikingly favorable comparisons of the American with other systems. They forget that such comparisons, when partial in the smallest degree, may omit just the point in which our system is imperfect. Of course it cannot but be an enormous improvement on the primitive American process, in which the summons and complaint were supplied by the tomahawk, while judgment was enforced by the scalping-knife, with leg-bail or a tribal warfare as a court of last resort. Nor is promptness alone the touchstone of the highest comparative worth. The Russian political prisoner would thank the god of freedom who should give him American law procedure instead of that system of childishness, cruelty, intentional or unintentional, and unrestrained power which, we are now coming to learn, has borne intolerable sway all these years at St. Petersburg. The American system, again, is so permeated with democratic characteristics that our people would find a German or a French system an intolerable substitute; while the English system has too many survivals of the very expensive methods of the past to stand as our ideal in all points.

One thing should be remembered, however, as it is just the point in which the American system is most apt to break down: if the English system does compel the parties litigant to pay roundly for summary justice, it seems to give them what they pay for. If

the English law reviews are to be trusted, it is possible for an English plaintiff to hurry a rich and influential defendant through their whole system of courts and out at the court of last resort with a rapidity likely to take away the breath of an American lawyer or judge. We find a cause tried in January, and the course of appeals over by the middle of February, so that one number of a review contains all the steps of the case. Lawyers who show a disposition to make impudence take the place of law meet summary suppression. Wire-drawn objections to the impaneling of a jury, or to the use of the word "through" in an indictment, and the like, which with us tend to the delay or perversion of justice and the newspaper glorification and advertisement of the "great lawyers" who have invented them, really seem, during the past fifteen years, to have become exceedingly unpopular in English courts, and to be persistently wiped out as merely the worst enemies of substantial justice. It may be necessary for the English suitor to be backed by a popular subscription in order to meet the unconscionable expenses of his suit; but, at all events, he and his opponent and the general public know that substantial justice is a matter of only a few weeks.

American courts have given sound law without unconscionable expense, and with entire fearlessness; but it cannot be said that rapidity is a common characteristic of the forty or more systems of courts kept up by our Federal, State, and Territorial governments. The most venerable of them all is peculiarly distinguished by the fact that its docket is so congested that when it gets a case it is equivalent to a postponement of justice for three years. This high example has not been neglected elsewhere: we have courts or systems that are dilatory and others that are prompt; but he who does not prefer the latter can generally keep away from them. The knave who wishes to pose as an honest citizen can often fortify his position by a suit for damages, knowing that a careful selection of his forum and a diligent use of its opportunities for delay will enable him to put off inquiry until the public shall have forgotten the matter. The criminal's lawyer has a stronger confidence in the American court's weakness for "fine points" than he has in the eternal rules of law or evidence. The rich defendant who wishes to resist the establishment of a point against him can in like manner use our system of appeals, carrying his opponent through all the courts of a State, permitting him just to see daylight in the court of last resort, and then

MEMORANDA ON THE CIVIL WAR.

The Canal at Island No. 10.

A REPLY FROM GENERAL SCHUYLER HAMILTON.

To the EDITOR OF THE CENTURY MAGAZINE.

SIR: THE CENTURY MAGAZINE for February, 1889, contains a letter from Colonel George A. Williams, United States Army, speaking quite dogmatically of the origin of the canal above New Madrid which led to the capture of Island No. 10, and rather contemptuously of the honor of suggesting the canal. Colonel Williams alleges the "correct history" to be that the canal was suggested by a saw-mill refugee named Morrison, who was taken from a raft.

I regret that I was not afforded a hearing upon *this* subject before Colonel Williams's letter appeared.

Its publication forces me to say that I never saw nor heard of the raft refugee Morrison, mentioned by Colonel Williams, and that the suggestion for a canal which I made to General Pope was original with me. I did not receive the idea, directly or indirectly, wholly or partly, from Colonel Williams, saw-mill Morrison, or from any one else.

As part of the history of the canal incident, I beg space for the following extract from a letter written by me to B. J. Lossing, Esq., on the 7th of June, 1863:

The following record of a conversation of Mr. Solomon Sturgis of Chicago, who contributed very liberally to the equipment of the Sturgis rifles, I find in one of my letters dated March 31, 1862. It may not be uninteresting in this connection. It was said to be characteristic. He said, addressing General Pope: "General Pope, who suggested that plan? Tell the truth, the whole truth, and nothing but the truth; do not rob any man of the credit due him." General Pope replied with a smile, "General Hamilton suggested it, sir." Turning to me, he said, "General Hamilton, was it honestly your own conception? Did no one hint it to you—no private, no corporal, no sergeant, no one?" On my replying, "No one, sir," he said: "Sir, give me both your hands, I honor you for it; and, General Pope," said he, "you deserve high honor for adopting so wise a suggestion."

That is the record as I made it at the time, and it is true.

Schuyler Hamilton,
Late Maj.-Gen'l Vols., U. S. Army.

NEW YORK CITY, March 31, 1889.

[Colonel Williams died at Newburg, N. Y., April 2, 1889.—EDITOR.]

An Early Suggestion to Arm Negroes for the Confederacy.¹

AS THERE has been a variety of opinion in relation to the status of negro slaves under the late Confederate States Government during the civil war, I transmit for your consideration, from an official letter-book, a copy of my official letter to Hon. C. W. Harper, chairman of a sub-committee of the Mississippi legislature, then in session at Jackson, Miss., expressing in brief my views as to the employment of slaves in the construction of the military defenses of the State. It is per-

¹ See also the correspondence on this topic between General R. E. Lee and the Hon. Andrew Hunter printed in THE CENTURY for August, 1888. The present article was written before that correspondence appeared.—EDITOR.

haps expedient to note that in the construction of the defenses at Port Hudson, which I had established during the month of August, soon after the battle of Baton Rouge, I found it necessary to impress slave laborers for the prosecution of the work; and to repair the defenses at Vicksburg, and in some measure extend them, I found it necessary to impress several hundred negro slaves.

It was then a critical period with owners of slaves along the Mississippi River border, particularly above Vicksburg, where they were constantly menaced by predatory gunboats carrying off slaves, cotton, and supplies, without effective resistance. Under these circumstances, in my preliminary orders it was necessary to restrict, or limit, the field for impressment to the Mississippi border, to which little or no opposition was manifested by planters, especially as this public service was supposed to give some degree of protection to their individual interests.

In connection with the practical operation of this policy the legislative committee requested explicit official information as to my views on this subject, a summary of which I embodied in a letter as follows:

HEADQUARTERS FIRST DISTRICT,
DEPARTMENT MISS. & EAST LOUISIANA,
JACKSON, Dec. 16, 1862.

To Hon. C. W. Harper.

SIR: In reply to your communication of the 14th inst., requesting information as to the number of slaves who might be advantageously used in connection with our military defenses in this State, will say that my own views on the subject go very much beyond what is thought to be politic by most gentlemen, but will in response confine myself within such limits of seeming propriety as may commend the subject to the good common sense of those who are to be affected by it.

At this time, and until they shall be completed, one thousand negro men can and ought to be employed constantly on each of the works at Vicksburg, Port Hudson, and Columbus, and two thousand more could be used in the supply and transportation departments; perhaps a thousand more—part women—could be employed for hospital purposes.

Our railroads are in great need of repairs; a thousand negro laborers should be put upon them immediately and continuously employed. The construction and repairs of rolling stock, too, need much attention, and half the negro carpenters and blacksmiths in the State might be well employed upon it, and in the erection of buildings needed for many purposes.

In this way, and by the employment of other servants as teamsters, laborers, cooks, nurses, watchmen, etc., with our armies in the field, the fighting strength of these armies might certainly be increased one-tenth, and although laborers in the field of the husbandman are as necessary as soldiers in the army, to enable them to prosecute the war waged against us, I yet believe that ten thousand negroes might be spared from the former service in this State, without danger of too great reduction in agricultural supplies, and made almost if not quite as useful in the army and other public service as an equal number of white men. As a system, I think it would be well to introduce into the service, as cooks, one negro for every ten soldiers. These servants, when the troops were absent from camp, could be made available as watchmen for camp and police duty, thus relieving so many soldiers for service in the field.

Negroes thus employed should be organized in detachments and placed under the direction and control of per-

General Grant and Matias Romero.

GENERAL ADAM BADEAU published in THE CENTURY for October, 1885, an article entitled "The Last Days of General Grant," in which he said :

"About the same time Mr. Romero, the Mexican minister, who had been a valued friend from the period when the French were driven from Mexico, came on from Washington, and insisted on lending him \$1000. At first the General declined the offer, but Mr. Romero suddenly quitted the room, leaving his check for \$1000 on the table. But for these succors the man who had dined with half the kings of the earth would have wanted money to buy bread for himself and his children."

I presume General Badeau based his statement on an article published by "The Mail and Express" of New York on Saturday, February 7, 1885, which contained, to my knowledge, the first publication of that incident ever made.

Although the statement contained in the preceding quotation is not accurate, I refrained from rectifying it when it was published, mainly because I did not wish to wound any one's susceptibility, and much less that of General Grant's family, as also on account of my natural reluctance to bring myself forward before the public, and because the inaccuracies were only of a secondary character, although reflecting, to a certain degree, on me, since they represented me as forcing General Grant to do a thing which was repugnant to him. But friends of the General and of myself have advised me of the convenience of rectifying the historical facts of this incident, and I have, therefore, determined to make the following statement of what really took place.

The banking house of Grant & Ward of New York, of which General Grant was a partner, failed on the 6th of May, 1884; and believing that said event would place the General under serious embarrassment, I thought that my personal relations with him required my visiting him, and I therefore left Washington on the 9th of that month for New York for the purpose of expressing to him, in person, my sympathy and concern in the difficult circumstances through which he was passing. I had, on the 12th, an interview with General Grant at his residence, No. 3 East 66th street, in the city of New York, and he informed me that all he possessed had been lost in the broken bank; even the interest on a fund of \$200,000 which several New York gentlemen had raised for the purpose of giving him an income which would permit him to live decently had been negotiated previously by Ferdinand Ward, and that six months or a year would elapse before he could rely on the interest of said fund. Mrs. Grant was in the habit, he said, of drawing from the bank, a few days after the first of each month, the necessary amount to pay the house bills for the previous month; but in May, 1884, she had not yet drawn the sum required for that purpose, before the failure of the bank. They found themselves, therefore, without the necessary means to do their own marketing (these were his own words). The only amount they had at the house was, he said, as I recollect, about \$18.

Surprised at hearing the above statement, I told General Grant that he well knew I was not a rich man, but that I could dispose of three or four thousand

dollars, which were at once at his disposal; that I would not need them soon, and that he need, therefore, not be in any hurry concerning the time when he ought to pay them back, and that they of course would draw no interest.

General Grant hesitated somewhat before accepting my offer, for fear, as he said, that this loan would put me to some inconvenience, but told me, at last, that he would borrow one thousand dollars. I asked him whether he wanted said amount in a check drawn by me on the New York bank where I had my funds, or in bank bills; and in the latter case, bills of what denomination he desired. He replied that he preferred ten \$100 bills, and I then drew at once a check (No. 406) to my order for \$1000, which was cashed at the bank of Messrs. Drexel, Morgan & Co. of the city of New York, with ten \$100 bills; and I returned on the same day to General Grant's house and personally delivered the money to him.

I came back to Washington on the 15th of May, and here a few days later I received from General Grant \$436 in part payment of the loan of \$1000 made to him on the 12th. On the 24th of the following June I received a letter from the General, dated at Long Branch the day before, inclosing a check of Messrs. Hoyt Brothers on the Park National Bank of New York, to the order of Mrs. Grant, for the sum of \$564; so that the loan was fully repaid but a few days after it was made.

Not to wound General Grant's susceptibility, I never breathed a word on this subject to anybody, not even to the most intimate members of my family, and through me nobody would ever have known anything about it.

However great was my desire to help General Grant through the difficult circumstances which he then underwent, I would never have done so against his full consent; and if he had manifested any reluctance to receive the pecuniary aid I offered him I would not have insisted on it, as I did not wish to oppose his will in the least, and much less to force him to accept pecuniary aid.

M. Romero.

WASHINGTON, D. C., May 22, 1888.

The Canal at Island No. 10.

[THE letters which follow are of interest in connection with the reference to the discussion of the subject by Messrs. Nicolay and Hay on page 659 of the present CENTURY. — EDITOR.]

In THE CENTURY for September, 1885, there is an article headed: "Who Projected the Canal at Island Number 10?" by General Schuyler Hamilton, written to establish his claim to the honor of having originated the idea of the canal across the bend at New Madrid, whereby the fortifications on Island No. 10 were cut off, with the result of their capture by General Pope. General Hamilton, writing of Colonel J. W. Bissell's description of the work, in this magazine for August, 1885, says:

To the public this reads as though the plan originated with Colonel Bissell, while I am ready to show that while the colonel directed the work, "some officer," as he says,—or, to be exact, I myself,—was the sole inventor of the project.

The general then quotes further to show that the idea originated or was "advanced" by him March 17, 1862.

Both these gentlemen are in error regarding the fact as to who originated the design of this canal. To divest myself of seeming egotism I will use the general's own words: "To be exact, I myself was the sole inventor of the project," having drawn in detail the plan of this canal and particularly described the *modus operandi* of its construction on the 20th of August, 1861, more than *six months* before the canal was cut. This description, with the charts, I sent to General Frémont, who was then preparing his campaign down the Mississippi. The following is his appreciative acknowledgment of the reception of my charts:

HEADQUARTERS WESTERN DEPARTMENT,
ST. LOUIS, September 6, 1861.

MR. JOHN BANVARD,
Cold Spring, Long Island.

SIR: I have received your letter of the 22d ult. with its valuable inclosures. I shall be glad to see your portfolio of drawings, and have no doubt but that I shall find them very useful in my coming campaign down the river.

Accept my thanks for your thoughtful consideration and be assured that it is appreciated by

Yours truly,
J. C. FRÉMONT,
Major-General Commanding.

Some years before, I had made, with the idea of publishing them for the use of boatmen, a hydrographic series of charts of the entire river below Cairo, the old ones then in use on the river being very defective. These I also tendered to General Frémont.

It will be remembered that General Frémont was succeeded by General Hunter. Mr. Lossing says in his history: "When General Hunter arrived at headquarters, Frémont, after informing him of the position of affairs, laid before him all his plans." (Lossing's Hist., Vol. II., p. 84.) From this it is evident that my charts and plans were handed over to the new command and eventually utilized at New Madrid, and if there is any honor attached to the originality of the idea, it belongs to your humble servant,

John Banvard.

LAKE KAMPESKA, WATERTOWN, DAKOTA, Sept. 7, 1885.

P. S. As an interesting addendum to this subject of military canals of the Mississippi, I perhaps might say further that I also sent General Grant some useful hints regarding the canal at Vicksburg which he attempted to make. Fearing that through the vicissitudes of camp life he might fail to receive my communications, I sent this to "The New York Times," in which it was printed, the editor calling especial attention to the importance of the article:

TO THE EDITOR OF "THE NEW YORK TIMES":

I see the engineers have failed to cut the canal through the bend at Vicksburg, and that the Southern people are laughing over the event. I have seen just such failures before on the Mississippi. Captain Shrieves, who was employed by Government to improve the navigation, made the same mistake in his attempt to open the Horse Shoe Bend in 1836. I could take a couple hundred of hands and have the old Father of Waters flowing across the bend at Vicksburg in three days. Tell those who have the work in charge to *cut through that argillaceous stratum* they have come to (I know they have encountered it, although it has not been mentioned), — cut through this until they reach the substratum of sand, and the river will go through, even if the ditch through the clay is not over a foot in width.

The Mississippi "bottom" is formed, first of sand, next of this argillaceous formation, and above, the alluvium. In some places I have seen this argillaceous formation not over a foot thick, and it may be so at Vicksburg; and it is rarely over six feet in thickness. However, *cut through it,*

and as long as sand possesses its natural capillary attraction, nothing under heaven can stop the river from going through the cut, as the sand will wash out, undermining this superstratum of stiff clay when the superincumbent alluvium falls with it, and within twenty-four hours — mark my words — a steamer can pass through the new channel. In some places this argillaceous formation does not exist at all, as the case at Bunches's Bend, where the bend was opened in the morning by a mere ditch and steamers passed through by night, so rapidly did the banks wash away.

Yours,
JOHN BANVARD.

Mr. Banvard's letter to the Editor of THE CENTURY having been submitted to General Frémont, for his comment, he wrote as follows:

NEW YORK, September 28, 1885.

MY DEAR SIR: . . . The plans submitted to me by Mr. Banvard were carefully examined in connection with the Mississippi River campaign upon which we had entered agreeably to the plan submitted by me to President Lincoln under date of September 8, 1861, and, in that part relating to the Tennessee and Cumberland rivers, also to General Sherman.

My letter in answer to Mr. Banvard shows that I held his plans to be very important. They were directly in aid to Admiral Foote and the gun-boat work, and fitted into the part I had assigned to General Grant in the plan of campaign I had submitted to the President. In this I had proposed that "General Grant should take possession of the entire Cairo and Fulton railroad, Picketon, New Madrid, and the shore of the Mississippi opposite Hickman and Columbus."

It was in this connection that Mr. Banvard's plans became immediately useful.

These plans are not now in my possession. In obedience to orders from the War Department, directing that all papers concerning the Western Department should be delivered immediately to General Halleck, they were at once turned over to him.

There was no opportunity given to single out and return to their rightful owners documents properly belonging to them.

In this way Mr. Banvard's papers were necessarily left among the memoranda of the proposed campaign, and could not have failed to attract attention in connection with the work of the gun-boats.

Much of interest might be said in connection with this subject. But to avoid delay I have confined myself to a direct reply to your question as to what I "know of the justice of Mr. Banvard's claim to the origination of the canal at Island No. 10."

With my knowledge of the above facts, and the impression remaining on my mind, I have no hesitation in saying that I believe Mr. Banvard's claim to be absolutely just.

Yours truly,
J. C. FRÉMONT.

To the Editor of THE CENTURY MAGAZINE.

Art Education.

THE most casual education in art will enable any intelligent observer to recognize the wide difference in the qualities of the art of the great revival of the fourteenth to the sixteenth centuries and that of to-day, in any school, and of any form. This difference is not merely one of motive — the change from a religious theme to every-day incident is not one which touches the technical side of art at all — nor is it any more in any natural gifts in the painter of the Renaissance not now possessed; not even in profounder religious feeling, which was in the greatest art period as exceptional as it is now, and which was never so potent over the art of the great technicians like Michael Angelo, Veronese, Titian, and Correggio as in that of the weaker men like Fra Angelico and the Mystics. The ascetic spirit characteristic of ecclesiastical art has always been adverse to the highest development of art, which only reached its climax under the freedom induced by a recognition