

"Until Calm Reflection Should Take the Place of Wild Impulse":  
George E. Pickett and the Hangings at Kinston, North Carolina,  
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On January 30, 1864, Major-General George E. Pickett attacked Federally-held New Bern, North Carolina. Pickett led a combined naval and land assault upon the strongly fortified town. Confederate naval forces managed to capture an enemy gunboat that stood guard to the coastal town, but the Confederate land forces pulled back in defeat. New Bern would remain in Union hands until the war's end.<sup>1</sup>

Pickett's initial report belied the attack's failure: "Met the enemy in force at Batchelder's Creek; killed and wounded about 100 in all; captured 13 officers and 280 prisoners, 14 negroes, 2 rifled pieces and caissons, 300 stands of small arms, 4 ambulances, 3 wagons, 55 animals, a quantity of clothing, camp and garrison equipage and 2 flags. Our loss, 35 killed and wounded."<sup>2</sup> President Jefferson Davis had already expressed his disappointment to General Lee a week earlier. "General Pickett", Davis wrote, "has returned from his expedition unsuccessful in the main object."<sup>3</sup> Lee offered weak assurance that "it was competent for General Pickett to have changed the mode of the attack if circumstances prompted it."<sup>4</sup> Obviously circumstances, in Pickett's mind, did not.

Most of George Pickett's Civil War career was "unsuccessful in its main object." Although he rose quickly to division command in the fall of 1862, his performance as major-general had hardly been noteworthy. Pickett, a native Virginian, was a professional soldier, trained at West Point, battle-tested in Mexico, and army-seasoned on the Western frontier. But he never gained the same stature as Stonewall Jackson or J. E. B. Stuart. Initially, what Pickett lacked in penetrating intellect or talent, he made up for with zeal and determination. Early in the war this fighting spirit distinguished George Pickett as one of the Confederate army's most aggressive brigadiers.<sup>5</sup> Nonetheless he seemed incapable of putting his efforts into more than one area. Before the Army of Northern Virginia's invasion into Pennsylvania, frequent absences, constant complaining, and bungling of even the simplest of orders marked Pickett as an unreliable division leader.<sup>6</sup> Pickett seemed overwhelmed with his new responsibilities.

On July 3, 1863, Lee chose Pickett's division to assault the Union center at the Battle of Gettysburg. Historically, southerners would forever associate Pickett's name with this dramatic yet suicidal charge upon Cemetery Ridge. Pickett himself bore little responsibility for the charge's failure, aside from following orders to send his doomed division

forward. He watched in disbelief as his men faltered and broke before the formidable power of the Union Army entrenched along the ridge.

Gettysburg marked a turning point in the life of George Pickett. He had lost more than his division and his field command. Feelings of besiegement and disillusionment that Pickett had begun to feel early in the war intensified. For this professional soldier, the Civil War had introduced a new and gruesome way of fighting against an enemy that did not follow "civilized" rules of war. For George Pickett, and for most Southern professional soldiers, the rules of civilized warfare required restraint and self-control. Richard Weaver explains that, "As long as each side plays according to rules of the 'game', with no more infraction than is to be expected in any heated contest, the door is left open for reconciliation and the eventual restoration of amity."<sup>7</sup> When Northern military leaders declared total war on civilians and soldiers alike, and adopted a policy of unlimited aggression, Southerners were shocked. The North had stepped over the boundaries of acceptable behavior. In May 1862, Pickett first expressed his alarm when he described "the dastardly subterfuges of an enemy pretending to be civilized."<sup>8</sup> One year later, after witnessing the senseless destruction of his Virginian division, he began to wonder if any rules existed

any more. By the fall of 1863, war had eroded his military judgment and moral sense: the two being inexorably intertwined.

Two months after Gettysburg, George Pickett received an opportunity for an apparent fresh start. On September 23, 1863 he assumed command of the Department of North Carolina, which encompassed southeastern Virginia and eastern north Carolina.<sup>9</sup> He headquartered at Petersburg, Virginia, and brought his fifteen-year-old bride, La Salle, to live nearby.

Pickett did not have an easy task ahead of him. North Carolina was a state already split by warring factions of Unionists and Confederates.<sup>10</sup> Historian Michael Honey credits North Carolina with "the sharpest internal opposition to the Confederacy of all the Southern states during the war."<sup>11</sup> Disaffection so plagued its troops that North Carolina earned the distinction of having the most desertions of any Confederate state.<sup>12</sup> By the fall of 1863, conscription, President Davis' suspension of habeas corpus and freedom of speech, military defeats and economic hardships took a heavy toll on North Carolina's poor whites.<sup>13</sup> Bands of destitute deserters roamed the mountain communities, plundering homes and wreaking havoc, often on their own neighbors. In January 1863, Pickett's first cousin, Henry Heth, ordered the execution of thirteen such Unionist marauders.<sup>14</sup> Back in the



east, George would soon commit a similar act that threatened to make him the Civil War's second war criminal.<sup>15</sup>

In the midst of his troubles in North Carolina, Pickett continually complained to Richmond that he lacked enough troops to defend so large a region. In October he notified the Adjutant Inspector General that plans to reorganize his broken division had only just begun. It would take many more men to refill the ranks before it could again become "the crack division it was."<sup>16</sup> Pickett had already protested previous orders to segment his division.<sup>17</sup> He implored, "If I am to take my division into the field, I wish to take the whole division, and not a portion of it, as I did at Gettysburg, and I beg you not to split it up when going into action. If I am to keep command of this department do not entirely divide it."<sup>18</sup>

Pickett's worries intensified when he learned of Federal raids against the towns of Suffolk, Virginia, and Elizabeth City, North Carolina.<sup>19</sup> Under the orders of Union Major-General Benjamin Butler, Brigadier-General E. A. Wild visited plantations to offer freedom to all slaves and Union guns and uniforms to black men.<sup>20</sup> A woman from Elizabeth City described Union soldiers who "looked and behaved more like deamons [sic] than any thing else" and threatened to burn and rob her home. She declared: "It would make your blood boil to see them rush

on your premises throw out your pickets at any door and have your house completely surrounded by them white and black."<sup>21</sup>

The burning and pillaging of private homes continued into the winter. On December 15, 1863, a colonel of a Georgia cavalry unit sent disturbing news to Pickett. He described the enemy forces destroying property and "committing all kinds of excesses; insulting our ladies in the most tantalizing manner."<sup>22</sup> In addition, Wild's men took two female hostages in retaliation for a black soldier held by Confederates. Wild ordered the women shackled with irons and confined "with negro men."<sup>23</sup>

Enraged, Pickett demanded permission from the War Department to clear slaves out of the region. "Whatever is determined", Pickett urged, "should be carried out at once, as everyday loses so much valuable property to the Confederacy."<sup>24</sup> Pickett deemed it an "emergency" with no time to waste. He reiterated his complaint that his command was too weak to offer protection over such a large area. "Butler's Plan," Pickett warned the Richmond War office the same day of Griffin's report, "is to let loose his swarms of blacks upon our ladies and defenseless families, plunder and devastate the country." Butler already threatened Pickett's wife's family home in Suffolk. Pickett saw only one recourse to combat such "heathens": "to hang at once everyone captured

belonging to the expedition and afterwards anyone caught who belongs to Butler's department."<sup>25</sup> He immediately issued orders to Colonel Griffin that "any one caught in the act (negroes or white men) of burning houses or maltreating women must be hung on the spot, by my order."<sup>26</sup>

But, the "outrages" continued.<sup>27</sup> These raids were meant to suppress supposed guerrilla activities in the eastern portions of Virginia and North Carolina. At one point, General Wild captured a man described as "about thirty, a rough stout fellow, [who] was dressed in butternut homespun, and looked the very ideal of a guerrilla." Though this man was actually an enlisted member of the Georgia cavalry, Wild decided to make an example of Private Daniel Bright. Union soldiers left Bright's body hanging from a post, a slip of paper pinned to his back: "This guerrilla hanged by order of Brigadier-General Wild. Daniel Bright of Pasquotank County."<sup>28</sup> On December 19, George Pickett learned of Bright's death and shot off another angry dispatch to Richmond.<sup>29</sup> He bitterly described "the most brutal outrages" committed "upon our loyal citizens." He announced his intentions "to spare no one," but feared the enemy "too wary" to stop. "They, like the Indians," he maintained, "only war on the defenseless." Pickett scrawled: "It makes my blood boil to think of these enormities being practiced, and we have no way of arresting

them."<sup>30</sup>

Colonel Griffin followed Pickett's instructions to hang anyone caught committing such outrages. Within a week after he had issued the order, a group of Unionist citizens from Pasquotank County, North Carolina notified Federal officials that they had found the hanged body of a black Union soldier with a wooden placard around his neck. The placard read: "Here hangs Private Samuel Jones of Company B. Fifth Ohio Regiment, by order of Major-General Pickett in retaliation of [Private Daniel Bright,] Company L, Sixty-Second Georgia Regiment, hung December 18, 1863, by order of Brigadier-General Wilder."<sup>31</sup>

Meanwhile Pickett received orders to launch his ill-fated attack on New Bern. Denying any blame for the defeat, Pickett lashed out against one of his subordinates, Brigadier-General Seth Barton.<sup>32</sup> In retrospect, most historians tend to blame only Pickett.<sup>33</sup> As the campaign's leader, he failed to coordinate his men for an effective attack.

Overwhelmed by feelings of bitterness and a sense of failure, Pickett felt caught in a dilemma that grew more complex by the day. This was not the sort of war he had envisioned as a young cadet at West Point. Pickett desperately sought an outlet for his professional frustration and personal anger. He found his opportunity soon after his



inglorious retreat from New Bern.

Not mentioned either in Pickett's cursory report to General Cooper on February 13, or his official report on the 15th, was his capture of twenty-two North Carolina soldiers. These were men who had once donned the colors of the state's home guard, but when threatened with Confederate conscription, opted for Union blue. The United States government did not define such men, who had served in a home guard unit but refused to enter the Confederate army, as deserters. Union officials insisted that Confederates treat these men as any other prisoners of war.<sup>34</sup> But such subtle legalities meant little to George Pickett. He had found a scapegoat for his mounting frustrations and failures. This time there would be little doubt as to the success of his main object. An examination of the unfolding events that followed the capture of these twenty-two men vividly reveals Pickett's troubled states of mind. The story begins on February 11 when Union Major-General John J. Peck wrote to Pickett to enquire about a recent article he had seen in a Richmond paper. The newspaper had reported that during the action around New Bern, black troops shot and killed Confederate Colonel H. M. Shaw. The newspaper stated that incensed Confederates singled out the black soldier who fired the fatal shot, followed, captured, and subsequently hanged him. Peck included a copy of

President Lincoln's warning to Confederates to make no distinction based on color in the treatment of war prisoners. Lincoln threatened "retaliation upon the enemy's prisoners" by executing rebel soldiers for every Union soldier killed "in violation of the laws of war." Peck closed, "believing that this atrocity has been perpetrated without your knowledge, and that you will take prompt steps to disavow this violation of the usages of war and to bring the offenders to justice, I shall refrain from executing a rebel soldier until I learn your action in the premises."<sup>35</sup> Union officials already knew about the hanging of Private Jones.<sup>36</sup> Still, Peck gave Pickett the benefit of the doubt about his participation in this new atrocity.

Before Pickett could reply, Peck hurriedly wrote him again about the captured North Carolinians. Peck reminded Pickett of the Union policy toward such prisoners of war and asked for special consideration for this specific case.<sup>37</sup> He anxiously awaited a response.

George Pickett must have had a chilling laugh. Here was the enemy, these "heathens," asking him to respect the rules of war! He sharply denied that he had had any part in the hanging of Colonel Shaw's killer. He deemed the story "not only without foundation, but so ridiculous that I should scarcely have supposed it worthy of consideration." In the

confusion of a battle how could anyone single out Shaw's killer, follow and capture him? Nevertheless, Pickett coldly added that if he had caught any black soldier, "I should have caused him to be immediately executed." He indignantly answered Peck's threat of retaliation as expressed in Lincoln's proclamation by stating: "I have in my hands and subject to my orders, captured in the recent operations in this department, some 450 officers and men of the United States Army, and for every man you hang, I will hang 10 of the United States Army."<sup>38</sup> On February 17 he responded sarcastically to Peck's plea for special consideration for the fifty-three North Carolinian prisoners:

General: Your Communication of the 13th instant is at hand. I have the honor to state in reply that you have made a slight mistake in regard to numbers, 325 having 'fallen into your [our] hands in your [our] hasty retreat from before New Bern'; instead of the list of 3 with which you so kindly furnished me, and which will enable me to bring to justice many who have up to this time escaped their just deserts. I herewith return you the names of those who have been tried and convicted by court-martial for desertion from the Confederate service and taken with arms in hand, 'duly enlisted in the Second North Carolina Infantry, United States Army'. They have been duly executed according to law and the custom of war.

Pickett ended the communication: "Extending to you my thanks for your opportune list, I remain, very respectfully, your obedient servant."<sup>39</sup> He later told Peck that if Peck killed any Southern prisoners in retaliation, he would make good his threat of ten Union dead for every one Confederate.<sup>40</sup>

Before Peck received Pickett's communications he heard disturbing rumors of the executions. A newspaper carried an account of the trial and hanging of two of the North Carolinians. Peck cautioned Pickett that if he failed to treat the men as prisoners of war, Confederate officers imprisoned at Fort Monroe would suffer the consequences.<sup>41</sup>

When Peck received Pickett's declaration of the crime, he unleashed a tirade against the rebel general and the entire Confederacy. He concluded by saying, "In any event my duty has been performed, and the blood of these unfortunates will rest upon you and your associates." Peck could not help but comment on the "extraordinary thirst for life and blood on the part of the Confederate authorities. Such violent and revengeful acts, resorted to as a show of strength, are the best evidences of the weak and crumbling condition of the Confederacy."<sup>42</sup>

Pickett scornfully dismissed Peck's accusations as "merely an opinion of your own, intended to gain favor with your superiors at your seat of government. . . ."<sup>43</sup> Pickett diligently sent copies of all the correspondence exchanged between himself and General Peck to the War Department. Only this time he wanted no intervention from Richmond: "The whole of the prisoners captured in this department will be held at my disposal."<sup>44</sup> He wanted complete control.



Details of the execution reveal just how much energy Pickett exerted to take full control of the prisoners' fate. After his retreat from New Bern, Pickett marched the prisoners west to Kinston. Here he had them incarcerated in a local jail and ordered court martial proceedings to commence immediately. He allowed little food or coverings to the men and ignored the pleading of town officials, relatives, or subordinate army officers. Most of these men resided nearby, and wives came to visit them and provide what little comfort they could offer. Within two weeks of capture, the seven member court decreed three separate hangings of the prisoners in a public square, where they were surrounded by wives, children, and townspeople, many of whom knew the men personally. A Confederate Army chaplain offered baptism to several of the condemned men and told them that "they had sinned against their country, and their country would not forgive them but they had also sinned against God, yet God would forgive them if they approached with penitent hearts. . . ." <sup>45</sup> After each execution Pickett allowed his soldiers to strip corpses of all clothing and shoes. Confederates jeered and taunted widows who attempted to gather their husbands' bodies for proper burial. <sup>46</sup> Pickett's men hastily buried unclaimed bodies in a single grave beneath the gallows. <sup>47</sup>

When news of the execution reached Peck's superior, General Butler, he wrote directly to the Confederate Commander of Prisoner Exchange, Colonel Robert Ould. He asked the colonel if the Confederacy was fully aware of Pickett's disturbing actions and threats toward Union prisoners. Butler began to sense the personal anger expressed in Pickett's acts and words. He warned Ould of the larger implications of Pickett's behavior: "The question will be whether he [Pickett] shall be permitted to allow his personal feelings to prevail in a matter now in our hands."<sup>48</sup>

Richard Bardolph argues that a comparison of the records of Confederate court-martials kept at the National Archives justifies Butler's concern. Bardolph maintains that most soldiers sentenced to death were eventually spared and that the twenty-two men who died at Kinston "were the luckless exception to general practice." The haste in which Pickett ordered the execution and his denial of clemency made this case, in Bardolph's word, "untypical". He points out that desertion from state service was not even a crime in North Carolina.<sup>49</sup> Michael Honey notes that the harsh treatment given to the men and their families sent a frightening message to white Unionists throughout North Carolina.<sup>50</sup>

Pickett's overwhelming anger, and frustration overshadowed any notions of discretion. "God damn you, I reckon you will

hardly ever go back there again, you damned rascals; I'll have you shot, and all other damned rascals who desert," a soldier heard Pickett yell at two of the prisoners before court-martial proceedings even started.<sup>51</sup>

Three months after the Kinston hangings, George Pickett collapsed from mental and physical exhaustion in the midst of Confederate plans to oust Ben Butler's army from Southeastern Virginia.<sup>52</sup> He returned to command by summer to witness the unprecedented blood-letting of the Wilderness Campaign. The following spring, George Pickett suffered the final ignominy of relief from command when caught eating shad and drinking whiskey while the Union cavalry ambushed his division.<sup>53</sup> Pickett's military blunders had finally caught up with him. Bitter and sick, he made his way back to Richmond to find his childhood home burned to the ground by order of General Butler.<sup>54</sup>

Left without home and job, Pickett sought shelter with his in-laws in Norfolk, Virginia. Mrs. Pickett remembers that soon after their arrival in Norfolk, two Union soldiers, old army friends from before the war, came to see her husband. They "advised that in the existing uncertain, incendiary, seditious condition of things he [Pickett] should absent himself for a while until calm reflection should take the place of wild impulse and time bring healing on its wings and make

peace secure."<sup>55</sup> They told Pickett that a federal court of inquiry had convened to investigate the Kinston hangings and they urged him to leave the country immediately. Pickett took their advice, cut his hair, adopted an assumed name, and fled to Canada.<sup>56</sup>

In October 1865, the Court of Inquiry began its investigation into the so-called "Murder of Union soldiers". By the following March, federal investigators had questioned widows, townspeople, soldiers, and government officials from both North and South. The court went to great pains to determine whether the Confederate Army denied the dead men rights guaranteed by military law to prisoners of war, and if so, who was to blame.<sup>57</sup> Evidence revealed that these twenty-two men had been members of a partisan ranger unit organized early in the war as a state home guard. Initially, the Confederate government could not remove such units from their home vicinity.<sup>58</sup> When Richmond ordered their disbandment, members could either enlist voluntarily in a regular army unit or suffer conscription. Those who refused to enlist were taken from their homes at gunpoint and sent to conscription camp. The North Carolinians Pickett captured had felt so betrayed and disgruntled that they deserted to Union lines. Judge Advocate Joseph Holt maintained that the Confederate military court-martial had no jurisdiction over men who, he



believed, had never been Confederate soldiers.<sup>59</sup>

The court also paid special attention to the correspondence between Peck and Pickett. Judge Holt ruled that Pickett's letters revealed an "imperious and vaunting temper" and indicated "his readiness to commit this or any kindred atrocity" in addition to "his boastful admissions" that he would kill ten Union prisoners for every one Confederate executed by the Federals in retaliation. Several witnesses accused Pickett of being solely responsible for the hangings.<sup>60</sup> "All tend to show," Holt concluded, "that he was in responsible command, and furnishes evidence upon which it is believed charges can be sustained against him." On December 30, 1865 Holt recommended Pickett's immediate arrest.<sup>61</sup> The court continued investigation proceedings for three more months to gather additional evidence against Pickett.

Pickett remained in Canada fearing for his life. He and his family took up residence in a Montreal boarding house. Pickett's health worsened and he spent much of his time bed-ridden. La Salle sold her jewelry and took a job teaching Latin.<sup>62</sup> They borrowed money from other exiled Confederates to pay their expenses and feed their son.<sup>63</sup>

Meanwhile, family and friends visited Washington on his behalf, but failed to convince President Johnson to intercede in the trial. In November 1865, an old friend of the family,

Ex-Senator Orville Browning, tried to exert some influence on the president. Browning spoke to both Johnson and Grant, but neither felt tempers had cooled sufficiently to warrant any action favorable to Pickett.<sup>64</sup> Pickett waited eight more months before trying again.

Pickett returned to Virginia sometime in December, 1865.<sup>65</sup> With Judge Holt demanding his arrest, Pickett turned for help to his old West Point friend, General Ulysses Grant. On March 16, 1866 Pickett pleaded with Grant to intercede and procure a "guarantee that I may be permitted to live unmolested in my native State, where I am now trying to make a subsistence for my family, (much impoverished by the War,) by tilling the land." Pickett described "certain evil disposed persons [who] are attempting to re-open the troubles of the past, and embroil me for the actions taken whilst the Commanding Officer of the Confederate Forces in N.C." He insisted that he had merely followed the rules of war by executing the deserters. Grant immediately sent an endorsement to President Johnson on the day he received Pickett's letter. Grant admitted that Pickett had used poor judgement in the hangings, but asked the president to overlook the incident as a personal favor. On the same day Grant issued Pickett a parole exempting him from arrest unless ordered by the president or secretary of war.<sup>66</sup> Johnson filed the request and let the matter stew for another

three months.

On June 1, 1866 Pickett wrote directly to the president to apply for a pardon. In a long, rambling letter, he recounted his days as a regular army officer in the Northwestern territory. He stated that if his native state had never seceded, he would never have left his beloved U.S. Army. "No one," Pickett professed, "was more attached to the old service, nor ever stood by and fought for it with more fidelity, nor could any one have been sadder and more loath to leave it than I, who, from my youth, had been devoted to it."<sup>67</sup> Fifteen days later the Provost Marshall in Richmond administered the oath of allegiance to George Pickett.<sup>68</sup> He had finally come home.

Pickett returned to Norfolk to begin life anew. But the events of the past five years had dramatically changed his life. Nothing in his pre-war experience had prepared him for the destruction and carnage civil war brought to his beloved South. None of his pre-war training had prepared him for the awesome responsibility he assumed as a division commander and leader. And nothing had prepared him for the consequences he suffered as a wanted man in Canada. He could not understand the war, dismiss it, or come to terms with the defeat. The Kinston hangings were a manifestation of the overwhelming feelings of frustrating, powerlessness and angry

disillusionment that haunted him after Gettysburg. In North Carolina, he lost all sense of restraint and exhibited the very behavior he thought only the enemy capable of practicing: uncivilized warfare. Pickett's mental stress grew so serious that he suffered physical collapse three months after the incident at Kinston. He never did regain his health or his peace of mind. He died at the age of fifty in July 1875. His obituary cited his failed charge at Gettsburg as his most brilliant moment.<sup>69</sup>



## NOTES

<sup>1</sup>John Taylor Wood to Jefferson Davis, 26 December 1880, *Jefferson Davis Constitutionalist; His Letters, Papers and Speeches*, Vol. 8, (Jackson, MS: J.J. Little & Ives Co., 1923), 543. B.P. Loyall, "Capture of the Underwriter at New Bern, North Carolina, February 2, 1864," *Southern Historical Society Papers*, Vol. 27 (1899): p. 137; 143.

<sup>2</sup>George E. Pickett to Samuel Cooper, 13 February 1864, in *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (hereinafter referred to as O.R.), Series I, Vol. 33, 1145.

<sup>3</sup>Jefferson Davis to Robert E. Lee, 7 February 1864, *Jefferson Davis Constitutionalist*, Vol. 6, p. 169.

<sup>4</sup>Robert E. Lee to Jefferson Davis, 9 February 1864, *Lee's Dispatches to Jefferson Davis, 1862-1865*, ed. by Douglas Southall Freeman, (New York: G. P. Putnam's Sons, 1957), p. 136.

<sup>5</sup>Pickett received praise for his brigade's performance at the Battles of Williamsburg, Seven Pines, and Gaines' Mill during the spring and summer of 1862. See Report of the Battle of Williamsburg, James Longstreet, 16 May 1862, O.R., Vol. 11, pt. 1, p. 567; Report of the Battle of Seven Pines, Joseph E. Johnston, 24 June 1862, O.R., Vol. 11, pt. 1, p. 935; Report of the Battle of Seven Pines, D.H. Hill, \_\_\_\_\_, 1862, Vol. 11, pt. 1, p.945; Report of the Seven Days' Battle, James Longstreet, 29 July 1862, O.R., Vol. 11, pt. 2, p. 758.

<sup>6</sup>Stories of Pickett's frequent absences to visit La Salle are notorious. For example see Moxley Sorrel, *Recollections of a Confederate Staff Officer*, (Dayton, OH: Morningside, 1978), pp. 54; 156; George E. Pickett to La Salle Corbell, [20 May 1863], Arthur Crew Inman Papers, Brown University. Evidence of Pickett's continual complaining are abundant. While stationed on the Rappahannock in December 1861, he felt unjustly uniformed and undermanned. In fact, Pickett felt this way until the war's end. See George E. Pickett to Dabney H. Maury, 10 December 1861, O.R., Series I, Vol. V, pp. 991-992, and George E. Pickett to Samuel Cooper, 13 December 1861, O.R., Series I, Vol. V, p. 994. For an example of his bungling orders see Robert E. Lee to George E. Pickett, 3 June 1863, O.R., Series I XXV, Pt. 2, pp. 852-853, and Robert E.

Lee to A.P. Hill, 8 June 1863, O.R., Series I, Vol. XXVII, pt. 3, p. 869. Lee complained to Hill that "Pickett did not go far enough" in following his instructions.

<sup>7</sup>Richard M. Weaver, *The Southern Tradition at Bay: A History of Postbellum Thought*, (New Rochelle, NY: Arlington House, 1968), pp. 214-215. Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri During the American Civil War*, (New York: Oxford University Press, 1989), also discusses civilized vs. uncivilized warfare in relation to guerrilla fighting in Missouri. He maintains that regular army officers "wanted rules and limits in war lest they turn savage in suppressing wild men", p. 111. General Pickett's actions described below prove this fear well-founded.

<sup>8</sup>Report of the Battle of Williamsburg, George E. Pickett, May 1862, O.R., Series I, Vol 11, Pt 1, p. 587.

<sup>9</sup>Special Orders No. 226, XXIII, 23 September 1863, O.R., Series I, Vol. 29, Pt. 2, p. 746.

<sup>10</sup>The impact of the Civil War on North Carolina communities has been the subject of several recent studies. These include Paul Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1990*, (Chapel Hill: University of North Carolina Press, 1985); Wayne Durrill, *War of Another Kind: A Southern Community in the Great Rebellion*, (New York: Oxford University Press, 1990); Philip Shaw Paludan, *Victims: A True Story of the Civil War*, (Knoxville: University of Tennessee Press, 1981). All support Paul Escott's statement that, "In fact, as the breadth of the evidence indicates, North Carolina experienced internal war as well as the anguish of war within the United States," *Many Excellent People*, p. 69.

<sup>11</sup>Michael K. Honey, "The War Within the Confederacy: White Unionists of North Carolina", *Prologue: Journal of the National Archives*, Vol. 18, No. 6, (Summer 1986): p. 77. Pickett's wife recalled over fifty years later in the "Union sentiment" she encountered while with her husband was in eastern North Carolina, La Salle Corbell Pickett, *What Happened To Me*, (New York: Brentano, 1917), p. 136.

<sup>12</sup>There have been a number of studies on this subject. Richard Bardolph's articles are the most recent and most informative. See "Confederate Dilemma: North Carolina Troops and the Deserter Problem", Part I-II, *North Carolina Historical Review*, Vol. 66, No. 1-2, (January/April 1989): pp. 61-86; 179-210.

<sup>13</sup>Honey, p. 77.

<sup>14</sup>Philip Shaw Paludan masterfully retells the story of this little known "massacre" in his book, *Victims; A True Story of the Civil War*, (Knoxville: University of Tennessee Press, 1981). The parallels between the killings at Shelton Laurel and Kinston are striking, especially considering the family connection.

<sup>15</sup>The United States tried and executed Henry Wirtz for war crimes committed as superintendent of Andersonville prison.

<sup>16</sup>George E. Pickett to Samuel Cooper, 5 October 1863, O.R., Vol. 29, Pt. 2, p. 773-74.

<sup>17</sup>During the Suffolk campaign Pickett involuntarily lent two brigades to Major-General D. H. Hill, see James Longstreet to D. H. Hill, 20 March 1863, O.R., Vol. 27, p. 931. Just before Gettysburg he complained of his having to leave behind two of his five brigades to protect Richmond, George E. Pickett to R. H. Chilton, 21 June 1863, O.R., Vol. 27, p. 910.

<sup>18</sup>George E. Pickett to James Seddon, 11 November 1863, O.R., Series I, Vol. 29, Pt. 2, p. 848.

<sup>19</sup>George E. Pickett to Samuel Cooper, 21 October 1863; 3 November 1863, O.R., Series I, Vol. 29, Pt. 2, pp. 797-98; 818.

<sup>20</sup>John G. Barrett and W. Buck Yearns, eds., *North Carolina Civil War Documentary*, (Chapel Hill: University of North Carolina Press, 1980), p.43.

<sup>21</sup>Mrs. L. J. Johnson to cousin, 22 August printed in Barrett and Yearns, p. 48.

<sup>22</sup>Joel R. Griffin to George E. Pickett, 15 December 1863, O.R., Series 1, Vol. 29, Pt. 2, pp. 872-873.

<sup>23</sup>E. A. Wild to John T. Elliot, 17 December 1863, O.R., Series II, Vol. 6, p. 847; Joel R. Griffin to E.A. Wild, January 1864, in Moore, vol. 8, pp. 304-305.

<sup>24</sup>George E. Pickett to Samuel Cooper, 15 December 1863, O.R., Series I, Vol. 29, Pt. 2, p. 873.

<sup>25</sup>*Ibid.*



<sup>26</sup>George E. Pickett to Joel R. Griffin, 15 December 1863, O.R., Series I, Vol. 29, Pt. 2, p. 873.

<sup>27</sup>Described in Joel R. Griffin to E.A. Wild, January 1864, Moore's *Rebellion Record*, Vol. 8, pp. 304-305.

<sup>28</sup>Moore, Vol. 8, p. 301.

<sup>29</sup>Joel R. Griffin to George E. Pickett, 19 [December] [1863], O.R., Series I, Vol. 29, pt. 2, p. 883.

<sup>30</sup>George E. Pickett to Samuel Cooper, 20 December 1863, O.R., Series I, Vol. 29, Pt. 2, pp. 881-882.

<sup>31</sup>Inclosure dated 13 January 1864, signed by "subscribers of State of North Carolina, Pasquotank, County", O.R., Series II, Vol. 6, p. 846.

<sup>32</sup>Pickett chided Barton for slowness and his failure to push his brigade forward. Barton demanded a court-martial investigation to clear his name of any wrong-doing. Lee endorsed this proposal but it seems the investigation never occurred. See Report of the Expedition Against New Bern, George E. Pickett, 15 February 1864, O.R., Series I, Vol. 33, pp. 93-94, and George E. Pickett to Robert E. Lee, 15 February 1864, O.R., Series I, Vol. 33, p. 92; also Douglas Southhall Freeman, *Lee's Lieutenants: A Study In Command*, Vol. 3 (New York: Charles Scribner's Sons, 1944), p. 335, 144n.

<sup>33</sup>See for example John G. Barrett, *The Civil War in North Carolina*, (Chapel Hill: University of North Carolina Press, 1963), p. 207; and T. H. Pearce in an editor's note to *The Diary of Henry A. Chambers*, (Wendell, NC: Broadfoot's Bookmark, 1983), p. 175 n.

<sup>34</sup>Ella Lonn explains, "The United States maintained the position that escape from conscription in the Confederate army could not be construed as desertion, where a soldier had never been sworn into the Confederate army," in *Desertion During the Civil War*, (Gloucester, MA: Peter Smith, 1966), p. 214.

<sup>35</sup>John J. Peck to George E. Pickett, 11 February 1864, O.R., Series I, Vol. 33 pp. 866-867.

<sup>36</sup>This previous hanging had stirred much controversy and anger against Pickett by Union officials. See Samuel P. Smear to Benjamin F. Butler, 6 January 1864, O.R., Series II, Vol. 6, pp. 845-846; Benjamin F. Butler to Henry Halleck, January 17, 1864, O.R., Series II, Vol. 6, p. 845; and Benjamin Butler



to Henry Halleck, 20 January 1864, O.R., Series II, Vol. 6, p. 858.

<sup>37</sup>John J. Peck to George E. Pickett, 13 February 1864, O.R., Series I, Vol. 33, p. 867.

<sup>38</sup>George E. Pickett to John J. Peck, 16 February 1864, O.R., Series I, Vol. 33, pp. 867-868. Staff officer, Walter Harrison, explains Pickett's denial of the story's reliability by stating: "It was never known, of course, by who he [Col. Shaw] was shot, nor were any negro troops with us at New Bern." See Walter Harrison, *Pickett's Men; A Fragment of War History*, (New York: Van Nostrand, 1870), p. 120.

<sup>39</sup>George E. Pickett to John J. Peck, 17 February 1864, O.R., Series I, Vol. 33, p. 868. Brackets added by Pickett.

<sup>40</sup>George E. Pickett to John J. Peck, 27 February 1864, in *United States War Department, Thirty-ninth Congress, 1st Session, House of Representatives, Document No. 98*, p. 9.

<sup>41</sup>John J. Peck to George E. Pickett, 20 February 1864, O.R., Series I, Vol. 33, pp. 868-869.

<sup>42</sup>John J. Peck to George E. Pickett, 27 February 1864, O.R., Series I. Vol. 33, pp. 869-870.

<sup>43</sup>George E. Pickett to John J. Peck, March 15, 1864, in *House of Representatives, Document No. 98*, p. 10.

<sup>44</sup>George E. Pickett to Samuel Cooper, February 26, 1864, *House of Representatives, Document No. 98*, p. 9.

<sup>45</sup>Rev. John Parish, Chaplain of the 54th North Carolina Regiment wrote a long letter to the North Carolina Presbyterian detailing the hangings. James O. Hall reproduces a portion of this letter in "Atonement", *Civil War Times Illustrated*, Vol. 29, No. 5, (August 1980): p. 20.

<sup>46</sup>This description is based on newspaper reports. eye-witness accounts and the sworn testimonies given at the Court of Inquiry convened from October 1865-February 1866. See *New York Times*, 11 & 18 March 1864; *New Bern North Carolina Times*, 9 March 1864; E. W. Gaines, "Fayette Artillery; The Movement on New Berne Thirty-Three Years Ago", *Southern Historical Society Papers*, Vol. 25, (1897): 296-297; Henry A. Chambers, diary entry for 7 February 1864 in *The Diary of Henry A. Chambers*, Edited by T. H. Pearce, (Wendell, NC: Broadfoot's Bookmark, 1983), p. 175; Walter Harrison, *Pickett's Men; A*

*Fragment of War History*, (New York: D. Van Nostrand, 1870), pp. 118-119; James O. Hall, "Atonement", *Civil War Times Illustrated*, Vol. 19, No. 5 (August 1980): pp. 19-21; and witness testimony in *House of Representatives*, Document No. 98, pp. 15-47; pp. 53-87.

<sup>47</sup>The exact number of unclaimed bodies is unclear. According to the testimony of Catherine Summerlin and Isaiah Wood, relatives and friends managed to claim most of the twenty-two bodies. However, as Mrs. Summerlin recounts, "the wives of some, within Union lines, could not get their bodies." Testimonies of Catherine Summerlin and Isaiah Wood, *House of Representatives*, Document No. 98, p. 26; 33.

<sup>48</sup>Benjamin F. Butler to Robert Ould, March 3, 1864, in Benjamin Butler's *Private and Official Correspondence of General Benjamin Butler: During the Period of the Civil War*, Vol. 3 (Norwood, MA: Jessie Ames Marshall, 1917), pp. 479-480.

<sup>49</sup>Richard Bardolph, "Confederate Dilemma: North Carolina Troops and the Deserter Problem, Part II", *North Carolina Historical Review*, Vol. 66, no. 2 (April 1989): pp. 207-209.

<sup>50</sup>Honey, 88.

<sup>51</sup>Pickett quoted by Blunt King during his sworn testimony, *House of Representatives*, Executive Document No. 98, p. 80.

<sup>52</sup>Freeman, p. xxxvi.

<sup>53</sup>Ezra Warner, *Generals In Gray*, (Baton Rouge, LA: Louisiana State University Press, 1959), pp. 240-241; Freeman, pp. 666-668.

<sup>54</sup>La Salle Corbell Pickett, p. 197.

<sup>55</sup>*Ibid.*, p. 201.

<sup>56</sup>La Salle describes her husband's flight in *What Happened To Me but*, she maintains that he left for another reason. She claims that the United States government never accepted Pickett's resignation from the U.S. Army in April, 1861. The book is full of falsities, and this is just another. Still, her account of Pickett's escape and her journey with their newborn son to join him ring true.

<sup>57</sup>Bardolph, 207.

<sup>58</sup>Testimony of John B. Neathery, *House of Representatives, Document No. 98*, pp. 61-63; and letter of Eugene Grissom to John A. Campbell, 23 November 1865, *House of Representatives, Document No. 98.*, p. 58.

<sup>59</sup>Joseph Holt Report, 12 December 1865 in *House of Representatives, Executive Document No. 98*, pp. 47-48.

<sup>60</sup>Several former Confederate officers cited Pickett as the highest ranking officer with the authority to order such action, see *House of Representatives, Executive Document No. 98*, p. 74; 75; 77.

<sup>61</sup>Joseph Holt to Edwin M. Stanton, 30 December 1865, *House of Representatives, Executive Document No. 98*, pp. 53-55.

<sup>62</sup>La Salle Corbell Pickett, *What Happened To Me*, pp. 262-270.

<sup>63</sup>Alexandria Lee Levin, "*This Awful Drama*"; General Edwin Gray Lee, C.S.A. and His Family (New York: Vintage Press, 1987), p. 173.

<sup>64</sup>Orville Hickman Browning, 6 June 1865 June 26m 1865, 3 November 1865 in *Diary of Orville Hickman Browning; Volume II 1865-1881*, ed. by Theodore Calvin Pease, (Springfield, IL: Illinois State Library, 1933), pp. 32; 34; 48.

<sup>65</sup>It is unclear exactly when he returned to Virginia, but a letter from Pickett dated in December, recounts his recent arrival to Richmond. See George E. Pickett to Samuel Barron, 8 December 1865, Barron Family Papers, University of Virginia.

<sup>66</sup>George E. Pickett to Ulysses S. Grant, 16 March 1866, *The Papers of Ulysses S. Grant*, Volume 16, 1866, ed. by John Simon, (Carbondale, IL: Southern Illinois University Press, 1988), pp. 120-122.

<sup>67</sup>George E. Pickett to Andrew Johnson, 1 June 1866, *The Papers of Andrew Johnson*, Library of Congress.

<sup>68</sup>Record from Office of Provost Marshall, Richmond, Virginia, 16 June 1866, the Papers of Andrew Johnson, Library of Congress.

<sup>69</sup>*Richmond Dispatch*, 31 July 1875.