

Up until that point, Blair says deserters were dealt with in a variety of ways from being suspended by their thumbs to being assigned hard labor to being branded with the letter D on their hip. But execution?

Somewhere near Montpelier, no one is sure where, a site was selected, and 10 posts were planted in the ground. The next day September 5, in front of the entire division they were marched under fire and muffled drum. A *Richmond Daily Dispatch* reporter wrote in a September 10 story, "The bearing of the prisoners was calm and self-possessed, and they marched to the place of their execution with a step as accurate in its cadence as that of the guard who conducted them."

Jayne Blair writes the men were marched to the 10 posts, made to kneel with their backs to the posts, and secured. The firing squad, drawn from outside their brigade, consisted of 100 men, 10 shooters with five loaded and five unloaded guns for each deserter. And just to be sure another 20 men were held in reserve. From six paces away, at the command of "Ready. Aim. Fire!" they pulled their triggers.



Confederate re-enactors from the Third Regiment, Army of Northern Virginia march through their camp. Re-enactor camps portray "summer" lodging for troops at Montpelier. A huge summer camp existed on the grounds of the mansion from August to October 1863. Note that the blue uniforms are period correct to 150 years ago this past August. Later, the Confederacy switched to gray and butternut colored uniforms to avoid confusion on the battlefield.

It gets worse. According to a reporter for the *Richmond Examiner* "two to five" of the men were not killed by that first volley. "And then the most revolting part of the whole affair transpires," continues the newspaper

account. "The reserves, of which there were two to each squad, are ordered up and they have to kill those whom the volley has only wounded. Some six or eight successive shots are fired in this way, showing that probably some

one at least had to be fired at probably as often as three times."

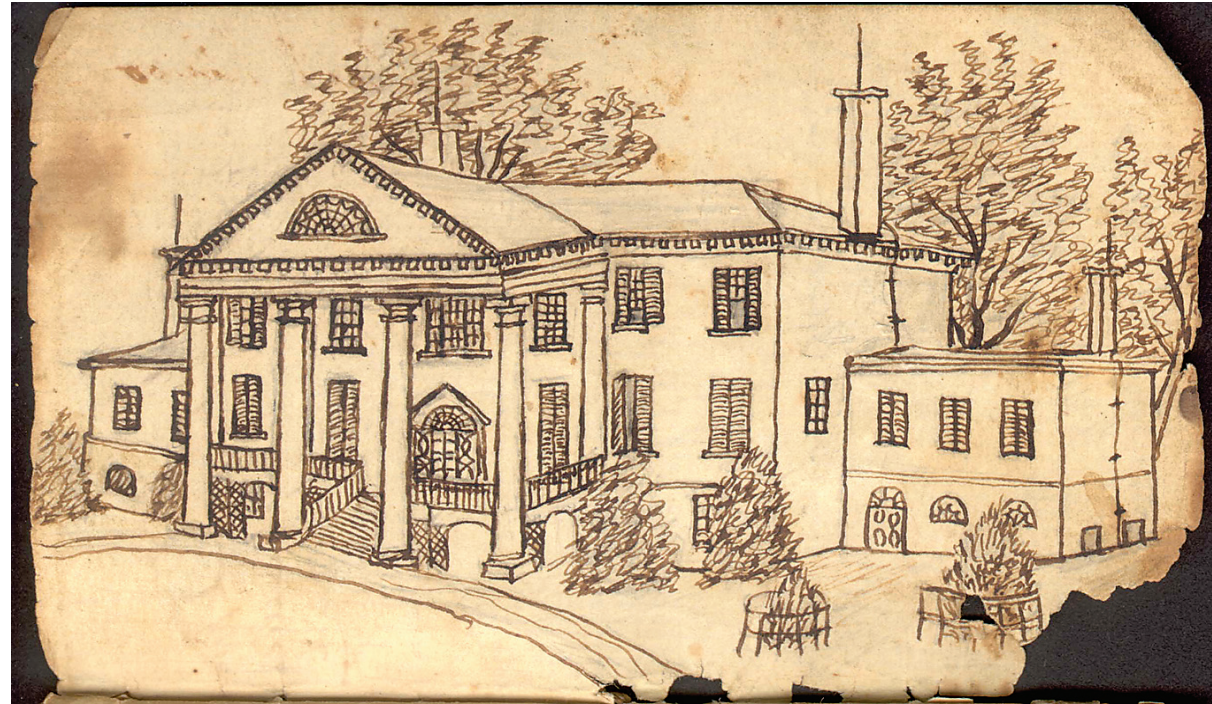
A firing squad with 50 loaded guns missed from six paces???

Or could some not bear to pull the trigger on their own kind and deliberately aimed high, low, or to the side. The answer to that irony we will never know. "I feel sorry for the reserve squad, because they had to walk right up to the man," says Jayne Blair somberly.

John Casler, who was assigned burial duty, noted the bodies were dumped into individual caskets face down. All the caskets were buried together in an unmarked grave in the woods. "It cast a gloom over the entire army, for we had never seen so many executed at one time before," Casler wrote.

Barely a month and a half later, the Third North Carolina participated in the unsuccessful Bristoe Station Campaign, never to return to Montpelier. Ironically, the desertions continued. Five skeddaddled

from their new camp in Raccoon Ford November 15, two more November 25 from Morton Hall on the very eve of the Mine Run Campaign. The ultimate irony...the executions didn't stop the desertions.



An 1863 sketch of Montpelier by a Confederate soldier. Courtesy The Montpelier Foundation

A TALE OF IRONIES

The Civil War and Montpelier

AFTERWARD

Roman Pizmoht is a relic hunter. A few years ago, he made a find on private property near Montpelier that still puzzles and intrigues him. To prevent poaching, he will not publicly identify it, but he is willing to share it with Montpelier's archaeologists as long as the landowner is agreeable.

Roman produces 25 spent bullets that he says he found all in a line at the same elevation in an embankment. At the base of the embankment he found four more, all fired at a downward angle. He wonders were the 25 spent bullets, the shots fired high by the shooters not wanting to kill their own men? Were the four at the downward angle the coup de

grace of the reserve firing squad? It's possible, but remember, this entire area is littered with relics. He's also found metal collars and bits for horses, a pepper box revolver, coins, buttons, and at another site, dozens of stove legs.

He leads the way to another spot and shows where he found lots of nails in rectangles. They had been clinched "as fasteners for something smaller" than a building. He says, at that point, he stopped digging. "If it's a burial site, I don't want to be the one digging them up."

If someone ever does, and finds a skeleton facing hell, not heaven, the mystery of where these men were laid to rest will be solved.



Roman Pizmoht found these Civil War relics on privately owned property near Montpelier. The 25 bullets he found all on the same level in an embankment are pictured to the lower left.

Our sources for this piece come from Montpelier itself: **Director of Archaeology, Matt Reeves** who is also co-author of Montpelier's "2009 Landscape Inventory of Civil War Sites in the North Woods, James Madison's Montpelier and Cultural Resource Management Plan for their Preservation" and from **guide/author Jayne E. Blair** who researched and wrote the book, "Tragedy at Montpelier: The Untold Story of Ten Confederate Deserters from North Carolina."

Over the past six years, Montpelier has figured prominently in the *Insider*. That's because James Madison and his home have many fascinating stories to tell. We've written about James Madison, his wife Dolley, and the Constitution that he fathered. We've written about the house, its painstaking restoration and the ongoing archaeological digs. We've told the story of slavery at Montpelier and followed its journey from bondage to emancipation to freedman to Jim Crow. And now that we have entered the 150th anniversary of the Civil War, it's time to tell the story of Montpelier's role in that conflict, because it is a tale of ironies.

James Madison saw it coming. Two years before his death in 1836, he wrote, "The advice nearest to my heart



Re-enactors from the 3rd Regiment Army of Northern Virginia have reconstructed two 12 X 12 winter huts. During the winter of 1863-1864 between 1,200 and 1,600 men lived in Montpelier's north woods.

and deepest in my convictions is that the union of states be cherished and perpetuated. Let the open enemy to it be regarded as a Pandora with her box opened." Already the storm clouds were brewing, and Madison feared that secession "would kindle the passions which are the forerunners of war."

This is the greatest irony of all in this story of ironies, because the Father of the Constitution, the primary author of the Bill of Rights, is foreseeing a war that would be fought over those two documents. Secession would destroy the union that the Constitution defines and holds together; slavery was making a mockery of the Bill of Rights.

And we won't even mention the irony of James Madison being a slave owner himself, because we already have in our other stories about Montpelier.

THE CIVIL WAR AND MONTPELIER

After James Madison died, and after Dolley sold Montpelier and its 1,800 acres, the home went through a succession of owners, some of whom didn't hold onto the property for more than a year or two. But in 1857, Thomas Carson, an Irish immigrant who had settled in Baltimore, purchased Montpelier as a summer home. It would remain in the Carson family until 1881, making them the third-longest running owners of the property after the Madisons and DuPonts.

Ironically, Carson, a successful Baltimore banker, was believed to be a union sympathizer. An article in the *Richmond Enquirer* said he had been "arrested and compelled to take oath and to enter the bonds of \$10,000 not to come to Virginia during the war." So, to keep the property in the family, Montpelier guide and author, Jayne Blair says, "He, on paper, sells the house to his brother Frank."

What manner of man is Frank Carson? Described as "an eccentric bachelor," it is not known if his sympathies lay with the north, the south, or neither. "He was the proverbial fence sitter," says Montpelier Archaeological Director Matt Reeves. "He didn't turn Montpelier over to any commanding officer like a general." But at the same time, he tolerated extensive encampments on the property. Blair says he even hired two Georgians to be his body guards and permitted several courts martial to take place in mother Nelly Conway Madison's sitting room.

At the time, Matt Reeves says Montpelier did not fit the definition of a plantation; it was more "a middling farm." The Carsons owned "about 25 slaves...The amount of crop land that the Madisons had open in the early 19th century, was much more than what you had during the Civil War." In fact, much of the land had reverted to forest.

No pitched battles were fought on Montpelier's soil, although there were incidents. The first that comes to mind stems from the Aug. 2, 1862 cavalry battle on the streets of Orange. Apparently, elements of the Fifth New York pursued two Confederates across Montpelier's grounds. They also took this as an opportunity to do some

plundering. Fleeing soldier, A.J. Emerson wrote "They took about 30 horses, a large number of cattle, and some of the younger negroes with them." Jayne Blair says they also looted a funeral procession, leaving behind only the horse that was pulling the hearse.

Blair tells another anecdote about Jubal Early paying a visit to Montpelier in October of 1862. Early was aware

of the significance of the presidential home and had issued an order that no trees be cut on the property. Blair says after some confusion regarding a perceived dinner invitation, Early and staff "were greeted by Frank Carson. He gave them a tour of the house, and he sat them down in what is now Mr. Madison's study on the first floor and said 'dinner will be ready.' And Frank Carson disappeared, never to be seen again that day."

Blair adds that after about an hour's wait, "a servant came in and showed them into where the Madison dining room is and there the dining room table was all set. On the table is buttermilk, eggs, cold ham, not the fare that they wanted." Apparently, Early "let loose a string of profanities, grabbed his staff, left and rescinded his earlier order." The trees could now be cut.

And they would be, because Montpelier played host to not one, but two huge, but not simultaneous encampments, from August of 1863 to early May of 1864. "The reason a lot of the troops are here in this location is because of those woodlots," says Matt Reeves. "They would need the firewood, shelter; building their encampments."

This was a "summer" camp for General Edward "Allegheny" Johnson's division. Letters home referred to "fields of tents," which sprang up barely a month after the Confederate retreat from and defeat at Gettysburg. Then, after the late-November 1863 Mine Run Campaign, element's of Wilcox's division camped in and around Montpelier for the entire winter. This is where you find the 12 X 12 log and mud-chinked winter huts that were built in the north woods, across Rt. 20 from the Montpelier

entrance. An open-to-the-public interpretative trail leads to the actual sites as well as to re-enactor-constructed replicas behind the Gilmore cabin.

Between 1,200 and 1,600 South Carolinians under Brigadier General Sam McGowan's spent the winter of 1863-64 here. In the 35 five-foot-by-five-foot squares that archaeologists excavated here, something has been learned of what life was like in a Confederate camp back then. For one thing it was colder, the region undergoing a mini ice age at the time. With two oiled canvas tent flies buttoned together for a roof, five men per hut huddled around a stone-lined hearth in which was kept a small fire, the smoke exiting through a stick-and-mud or barrel chimney. No wonder they cut all the trees down...and dismantled the fences...and busted up their supply boxes.

The camps were well organized and laid out in streets. Latrines were located downwind and some distance away. Disease was a constant fear and cleanliness was expected. From the hearths, Reeves and his crew have recovered "fragmented and very scorched pig bone, probably from the fat back that they were issued. In the winter camps, floral analysis that we've done, we haven't that much in the way of domesticated seeds, like corn, beans, that sort of thing." But remember, it was winter time. No crops are growing.

More foodstuffs of that nature have been found at the "summer" camps, located closer to the mansion. From his office at the archaeology lab, Matt Reeves can point them out from his window. "They basically reach from along the back road, all down this ridge through here and up into the landmark forest." Because this land grew back into forest after the Civil War and, more importantly, because the DuPonts did not actively cultivate this land in the 20th century, "the camps we've got here are some of the best-preserved camps not only in Virginia but in the nation."

And although relic hunters extensively picked over these sites during the 1980s, archaeologists are still finding thousands of Civil War-era artifacts through ongoing metal detection surveys being conducted by Lance Crosby. "We're actually working with the local relic hunters to gather information about what they've found," says Reeves. "We are almost done with the wooded areas on the property, and we've been able to record dozens and dozens of these sites."

This is only the beginning. "We want to get out there and start excavating to understand what camp life was like," says Reeves. "So, we're preserving them for visitors to see but then also for future research." Asked what percentage of the campsites they've actually excavated, he'll say, "It's miniscule. It's like less than 1 percent; way less. It's a thousandth of a percent; they are just so vast here." In his report, the summary of which runs 99 pages, he

makes a case to not timber any more woodland at Montpelier. Any logging would destroy valuable archaeological resources. It already has.

Oddly enough, he continues, "in the south yard (of the mansion), we haven't found the first Civil War artifact between Nelly's wing all the way to the visitor's center." In other words, the reconstructed slave village that will be dedicated this coming Sunday, "those buildings were taken down before the war, because if they were up during the war, the soldiers would have been all over them, occupying them." The only Civil War relics they've found close to the mansion are at the north kitchen.

The mansion was a popular tourist attraction, during the Civil War, with frequent mention made of it by soldiers in their letters home. One soldier even sketched it. Picnics were a popular activity on the grounds, and at least two balls were held at Montpelier, the last one on May 2, 1864, a scant two days before McGowan's men, with a half hour's notice, broke camp and marched off to the Wilderness and, a week later, into the teeth of the Bloody Angle at Spotsylvania Courthouse. It is at this ball that Jubal Early reportedly commented to the chaperones of the young ladies who had been fetched by ambulance, "if any of you have any messages that you'd like to deliver to the hereafter, I think you can leave them with any of the men out here dancing." Ironically true.

The North Carolinians who deserted, were caught and executed here resided in a summer camp named after Poplar Run, whose source is on Montpelier's grounds. Their regiment, the Third North Carolina, was part of a brigade commanded by George Steuart, a Marylander from Baltimore. Ironic, isn't it, that the brigade commander, from Baltimore, a diehard Confederate, is camped on land owned by a union sympathizer who hails from the same town.

The Third North Carolina had just come back from

being in the thick of it at Culp's Hill at Gettysburg on July 2. It was during that battle that Charley Futch was wounded and died the next day in his younger brother's arms. "I am at great loss since the death of Charley," John writes home. "I am so lonesome I do not know what to do."

And now, barely a month later, John Futch is at Montpelier. He writes his wife bitterly, "I can only assure

desert in larger numbers, thereby attracting more attention. A look at their home towns shows that most of these men came from extreme southeast North Carolina, not, as you might suspect, extreme western North Carolina where the mountain folk did not share as strong a commitment to the institution of slavery and the Confederate cause. According to Blair, pressure from home and public dissatisfaction with conscription laws in North Carolina may have contributed to their decision.

At any rate, the deserters were caught five days later trying to cross the James River near Scottsville by a squad under the command of Richardson Mallett of Fayetteville. A firefight broke out. Mallett was hit in the chest and later died of his wounds. Two deserters were killed, a third wounded. The rest surrendered. And herein lies another shuddering irony. Mallett's brother, Peter Mallett used to be in the Third North Carolina until he became Commandant of Conscripts for the State of North Carolina. John Futch, who was one of the men who took his musket with him, may have killed the brother of the man who conscripted him.

The prisoners were taken to Richmond and put behind bars. Justice was swift in those days. They were sent by train to Gordonsville on Sept. 4 and returned under shackle to the Poplar Run camp at Montpelier. Only that night did they learn of their fate.

The officer on duty, McHenry Howard, wrote, "It was necessary to make a stern example. And the crime of these men in

going off armed, resisting and firing on the party sent to bring them back and killing the officer was a heinous one." Still, as he read the verdict to the men, "I could not bear to look at them." He left them in the company of the Rev. George Patterson.

By 1863, desertion was becoming a problem in the Confederacy. Robert E. Lee wrote to Jefferson Davis on August 17, "In one corps, the desertions of North Carolinians and to some extent of Virginians, has grown to be a very serious matter." Desertions in the valley were particularly bad. Lee wrote, "Nothing will remedy this great evil which so much endangers our cause excepting the rigid enforcement of the death penalty in future cases of conviction."



Brigadier General Sam McGowan had his men rebuild the Plank Road to Orange during the winter of 1863-1864. The improved road served them well, when they were given just a half hour to break camp and march towards the Wilderness on May 4, 1864.



The bayonet and broken jug came from McGowan's South Carolinian winter encampment in the North Woods behind the Gilmore cabin.

you we are living the worst life ever lived. Our rations are short and our duty hard...I think the Yankees will whip us before long." In another letter, he writes prophetically, "I am going to come home before long if I have to runaway (sic) to do it."

He, a cousin and 12 or 13 others did just that around Aug. 20, 1863. John Casler of the 33rd Virginia wrote they, "started for home in North Carolina intending to resist arrest if molested." Futch and several others took their muskets with them in direct violation of General Order 104.

So why did they desert? They certainly proved they were not cowards on Culp's Hill. And why so many North Carolinians? Blair says North Carolinians seemed to