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Letters received by the Office of the Adjutant General
1394 B 1864

Papers relating to the investigation of alleged frauds committed in the Western District of Kentucky, while it was under the command of Brigadier General Eleazer A. Paine, 1864

Letter from Burbridge to U. S. Attorney General

Louisville, Ky.

October 12, 1864

Report and evidence was submitted by General Burbridge from Louisville on October 12, 1864 to the Adjutant General at Washington D.C.

List of those testifying in the case against Paine (No date)

20 people testified:

Major Henry Bartling

Lieutenant Lucius B. Church

Thomas M. Redd

J. T. Bolinger

Gustavus A. Flournoy

Blaxton Small

Mrs. Cornelia Bartling

Marion G. Milan

Dr. D. D. Thomson

T. M. Hale

Willis W. Gardner

Lieutenant James Johnson

W. F. Swift

John E. Woodward

William Burgers

T. L. Jacobs

R. H. Hall

W. S. Mayes

Thomas A. Duke

Ernest Rehkopf

Transcripts of the Board of Inquiry

Paducah, Ky.

September 14, 1864 - 11:00 a.m.

Testimony of Major Henry Bartling, 8th U. S. Colored Heavy Artillery

Major Bartling was the Provost Marshal of the District of West Kentucky at Paducah during the time of Paine's command. He was appointed by Paine at Paducah on July 22, 1864 and his appointment accepted on July 25, 1864. He was "regularly appointed" as provost marshal about August 25, 1864.

[note: Bartling was a resident of Champaign County, Illinois prior to the war. He served as a Captain in Company I of the 2nd Illinois Cavalry "for a short time" – see Historical Encyclopedia of Illinois edited by Newton Bateman, Vol. 2, pg. 800]

- Bartling submits copy of report to Paine of "receipts and expenditures of Relief Fund"
- Board asks for an inventory of Bell's Drug Store being conducted on August 5, 1864. Witness states there was no inventory taken. Witness states \$2000 was put into the assessment fund. Board states the funds were to be used "for future investigation" and Dr. Bell was informed by the witness it would be refunded. Witness states funds were to be held until further orders by General Paine. Board asks if the matter was ever investigated. Witness declared "he (Paine) never did".
- Board asks if Paine turned over property after returning from a patrol. Witness stated 8 single buggies, 1 double buggy, 1 set of double harnesses and 4 sets of single harnesses, also 1 buggy and 1 set of harnesses nearly new. Witness remarked he turned over the property to Thomas M. Redd Surveyor of the port and received receipt. Board asked if witness knew of any property that was retained by Paine. He replied, as he understood, that Colonel H. W. Barry was in possession of a buggy, which Captain Phelps Paine informed him of.
- Witness mentions being ordered by Paine to give seized bedding from a Scott Ford for furnishing his room at headquarters. Witness paid \$100 dollars from the assessment fund to Paine for furnishing his room on August 9, 1864. Another \$120 was paid from the assessment fund to Lieutenant Church of Paine's staff for no reason except by the order of Paine.
- Board asks if any stores in Paducah taken in possession of or assessed by Paine. Witness replied in the affirmative, they were Jones & Co., Davy, Lauchan, Endres & Co., Soule's Drug Store, Kinkaid & Sweatman's Drug Store, J. W. Shearer & Co. (grocery Store), Dr. Cope's Drug Store, Ashbrook, Ryan and Co. (wholesale grocer) and Prince & Dodd's Grocery Store. The last two the witness reported were reopened. Board inquires if any goods were taken from the stock of Jones & Co., witness responded that Paine authorized parties to purchase items from the seized stock. Board asks if funds were procured to reopen any of the stores. Witness states Prince & Dodds paid \$400 to Lucien Anderson for that purpose.
- Board requests the loyalty status of the parties whose stores were closed. Jones & Co. were considered disloyal but was later considered to be loyal. Dr. Kinkaid was always disloyal. Mr. Soule was considered disloyal. Ashbrook appeared to be loyal. Prince & Dodd were regarded as strictly loyal. Davy, Lauchen and Endres were considered disloyal by Paine. Dr. Cope was loyal but opposed to the current administration.

- Witness states that a ten cent permit to take articles purchased in Paducah outside the picket lines took effect on August 1, 1864. The proceeds went directly to the Provost Marshal fund.
- A five dollar tax was placed on sellers of mules that were not loyal and money placed into the relief fund.
- The witness told of Dr. Gregory being charged with smuggling quinine and harboring guerrillas. He was detained in prison for 2 or 3 weeks prior to being removed to the post hospital where he died.
- James Moss was fined \$1000 for forcibly apprehending an escaped slave and returning him to his owner. Moss was detained in prison until the \$1000 was paid. Paine instructed \$350 of the total fine be given to the former slave.

Testimony of Lieutenant Lucius B. Church, Company B 105th Illinois Infantry Volunteers, Assistant Adjutant Quarter Master at Paducah (only 5 questions)

[note: Church served with Paine at Gallatin, Tennessee.]

- Board asks witness where he resided. He stated he lived in Dr. Cope's house which he occupied since the death of the former quartermaster Captain Finley. Witness was asked under whose authorization was the house to be taken from Cope, he did know.
- Witness asked captured property was turned over to him by Paine when he returned from his last mission. Response was "none whatever". Was he aware of anything being turned over to his predecessor Captain Finley. Yes, he believed so.

Transcripts taken September 15, 1864

Testimony of Thomas M. Redd, Surveyor of the Port of Paducah

- Witness asked if he received any property confiscated by military authority. He responded that he received some ten buggies from Major Bartling.
- Witness describes a 35 cent permit charge for cotton and tobacco as prescribed by the "treasury order". When asked if any charges greater than that imposed at Paducah, he replied he did not know. He was asked if any other person had authority to charge for permits, the response was "no one what so ever".
- Witness describes that Paine "issued a military order prohibiting the banks from paying any checks drawn on them, unless approved by him. He afterwards designated me to approve checks." The witness charged fifty cents for approval. "The money so collected, I held subject to the order of Gen. Paine." Paine instructed that the condition of approval be based upon loyalty. Board asked if there were any instances of disapproval, response was "one or two". Checks were approved without fees for "soldiers, soldier's wives, school and charitable funds". Witness claimed he approved checks for 15 days in which he approved 138 checks and collected about \$50.

Testimony of John T. Bolinger, resident and businessman of Paducah since “last fall” 1863. He appears to be the middle man between Paine and parties interested in selling tobacco and cotton.

- Witness states that he understood there to be a \$10 per hogshead charge on all tobacco and bales of cotton shipped from Paducah, as well as a special tax of 25 percent on all tobacco and cotton bought from “disloyal men or in which disloyal men had an interest”. When asked if he shipped any cotton and tobacco from the West District of Kentucky, he stated “145 hogshead of tobacco and about 120 bales of cotton”. When asked if paid taxes levied by Paine, he replied \$2 per hogshead and nothing for cotton bales. Witness asked who “allowed you to ship your tobacco and cotton”, he declared General Paine.
- Witness accompanied an “armed force” to Clinton “for the purpose of getting the poll books and county tax books” of Hickman County. He went as guide at the request of General Prince. The books were to be used to “levy an assessment upon the disloyal men of the county”. The books were brought to Paducah and delivered to the room of Lucien Anderson “for safe keeping”. Witness assisted in the preparation of the assessment list. Witness remarked he heard that Paine banished citizens of Hickman and Fulton counties “on his own responsibility”. Witness names the following people banished: T. M. Horne and daughter from Columbus, two Mr. Walkers, two Mr. Cooks, W. M. Hubbard, Mr. Moore the post master and “probably others”.
- Witness speaks of a Mr. Harris wishing to sell out “his stock of goods” because of the increased military restrictions. The witness “thought the trade a good one and attempted to procure a permit from Gen. Paine for Harris to sell, but failed to do so”. “Mr. Anderson was anxious to secure claims in his hands against Harris and went with Harris to Gen. Paine and procure a permit”. Witness states Harris was a “rebel sympathizer”. Witness admits his brother, a partner in a dry goods store, bought out Harris. Board asks about a \$1500 check given by Ashbrook, Ryan & Co. to Lucien Anderson, he responded that he heard about the check but did “not know what was done with the money”. He declared “I know of no instance where bribes or presents in the nature of bribes have been given.”

Testimony of Gustavus A. Flurney, County Court Judge for McCracken County

[note: Flurney was asked to resign in May of 1862 by post commander at Paducah, Colonel S. Noble, after refusing to take the loyalty oath. His defense was he swore an oath to his office when he was appointed county judge and refused to take another. He served as State Representative from McCracken County from 1835 to 1839. See History of Kentucky by Lewis Collins, Vol. ?, pg. 106-107.]

- Witness testifies that Paine would not allow him to exercise his duties as county judge unless he could acquire vouchers of loyalty from Woodward, Morgan, Redd and Prolinger. Witness refused to “give any vouchers until my loyalty was impeached”. Paine then issued him a pass through the pickets and informed “not to return”. He later called

on Paine but the general “was sick and I could not see him”. Lt. Church “cursed and abused” the witness before being escorted from the premises.

Testimony of Braxton Small, Clerk of the Circuit Court of McCracken County

[note: Small was one of the early founders of Paducah and served as county clerk for 42 years. See Louisville Medical News vol. 1-2, pg. 91 (1876)]

- Paine informed the witness that he must resign his office, declaring “no rebel should run it”. Witness pleaded he was not a rebel but told he must resign. After the witness resigned, Paine remarked “with many oaths that he would send me and my family and a good many other citizens by way of New Orleans to Australia. The witness then surrendered the keys to the courthouse. He declared that his office was closed for about five weeks until Paine was replaced by Gen. Meredith.

Testimony of Mrs. Cornelia Bartling, wife of Major Henry Bartling

- Witness informs the board that invoices were made on all stores closed by Paine, which were handed over to Surveyor of the Port, Mr. Redd. She stated that orders were given by Paine to get goods from these stores but was later countermanded. ”Order was for as much as I needed”. She remarks that Paine resided at Judge Campbell’s house.

Testimony of Marian G. Milan, drug store clerk for Mr. Soule at Paducah

- Witness testifies that he was arrested and “thrown in the guardhouse by Gen. Paine’s personal order.” He cursed me violently saying “God damn your soul, if my information be correct I’ll shoot you tomorrow”. Witness claimed he was “utterly ignorant of having committed any offence.” Witness was held in the guardhouse for 51 days without charges and was released “without any explanation”. Witness stated he received the “roughest kind” of treatment, was given an insufficient amount of food, offered no medical treatment and was “compelled to do work of the filthiest and most revolting kind”.

Testimony of D. D. Thomson, physician practicing in Paducah

- Witness defines the character of Mr. Milan as a “quiet and well behaved citizen and a truthful man”.

Testimony of T. M. Hale, warehouseman from Paducah

- Witness claimed that Paine would not approve his checks and declared the he believed him to “be a damned rebel at heart” and he was not allowed to conduct business in the city. Hale’s business was later confiscated and occupied by Woodward & Co.

Testimony of Willis W. Gardner, farmer and State Senator from Union County, Kentucky (5th District)

- Witness describes Paine's expedition in Union County. Gardner states that he "found that the farms were stripped of everything indiscriminately" and cattle and horses seized. At Caseyville, a number of citizens attempted to reclaim their property but Paine refused unless the claimant favored the "policy of negro enlistments" and supported the "re-election of Mr. Lincoln". Paine publically "denounced the Governor of Kentucky as a rebel and all his supporters as rebels". Witness also remarked that "any man who read the Louisville Journal was a rebel and no such man could have their property restored".
- A man named Akers from Caseyville was tied up by the hands for 45 minutes for "letting soldiers have whiskey and having fixed ammunition in his possession". A Mr. McGill, crippled by rheumatism, "was forced to march twenty miles" and following the march he was asked by Paine, "How do you like marching?" McGill responded "It has nearly killed me." Paine countered with "God damn you it ought to kill you." The witness found McGill to be a "very offensive rebel".
- Gardner mentioned that houses were not plundered if people were present in the building. However, if no one was present "their houses were sacked". Paine was noted as frequently saying "I have only knocked at the door this time; next time I'll walk in".

Testimony of First Lieutenant James Johnson, Company D, 71st Ohio Infantry Veteran
Volunteers, officer attached to General Paine's Staff

[note: Johnson served with Paine at Gallatin, Tennessee]

- Witness was assigned to Paine for "about five months". First as topographical engineer and later as Assistant Adjutant General.
- Johnson was asked who Paine's principle advisors were. He responded "Mr. Anderson, Member of Congress, Mr. Bolinger, Mr. Woodward and Mr. Redd."
- He remarks that his office was at the "Wallace House" but he slept at the "Campbell House" where Paine set up his headquarters.
- Johnson mentions that after the Woolfolk family was ordered to Canada, the officers of the 119th Colored Infantry Regiment were assigned it as a headquarters.
- Witness was asked if any money from "taxes or assessments" forwarded through the Office of the Assistant Adjutant General. The response was no. He also declared that all records "were kept according to regulations" and that he believed that Captain Paine turned over account books to Paine's successor. Johnson stated that Mr. Woodward was ordered to turn over money collected as tax on tobacco to Major Bartling. He said the total was somewhere near \$2000.

Testimony of W. F. Swift, City Treasurer of Paducah

- Witness was appointed Military Superintendent of Trade on August 1, 1864. His job was to manage the boat and tobacco houses. He stated that he was "instructed to put out of business all noted rebels and replace them with Union men". Swift reiterates the \$2 fee on every hogshead shipped from Paducah and the 25% tax on all tobacco purchased from

disloyal men. The money was deposited into a refugee fund. Swift paid \$4135 over to Major Bartling, the Provost Marshal. Witness stated “many persons refused to ship tobacco on account of the tax” so Paine ordered the \$2 fee was raised to \$10 per hogshead. A few days later the fee was reduced back to \$2. The port fee for tobacco raised over \$1,000 and about \$50 to \$60 for fees on cotton according to Swift. An assessment fee of \$125 per bale of cotton was charged for all cotton “bought from disloyal persons”. Swift was empowered to judge the loyalty of the parties at first but that Paine later took control.

- The loyalty test consisted of “an application in writing with two responsible vouchers to the loyalty” of the seller, “when this could not be had I (Swift) made inquiry and decided upon the facts as I found them”. Paine’s approach “was of a more radical and severe nature than my own. I thought it too severe.”
- Witness was asked if he knew anything in regards to money being taken by Paine from the Bank of Walls, Given & Co. for a Mrs. Thomas Birmingham. He replied in the affirmative stating that \$900 was deposited in the bank by Mr. Thomas Birmingham prior to his death and that the bank declined to pay the widow the money on the bases that she did not qualify as administrator. Paine ordered Swift to procure the money. They refused and a second order was issued that if the money was not paid the keys to bank must be turned over to Swift (this part of Swift’s response was crossed out). The check was then paid to Swift who handed the money to Mrs. Birmingham.
- Witness was asked if he knew anything in regard an order by Paine to compel Walls, Given & Co. to pay \$8000 to C. O. Allard. He responded in the affirmative and explained that Walls, Given & Co. had a handwritten agreement with the father of C. O. Allard in connection with a cotton speculation, whereby Allard and his partner were to receive a two-third share of \$12,000 profit. Paine was asked to intervene since Walls, Given & Co. refused to pay Allard and his partner. The bank paid only after more threats to close the business.
- Swift was asked “how many persons have been executed at Paducah by General Paine?” He responded, “I know personally of one only – General Paine told me of that”. He was asked “Do you know anything of General Paine’s method of procedure in such cases?” He stated, “I do not. The results of his policy are most satisfactory.”
- Witness was asked if he knew whether J. T. Bollinger had made any large shipments of tobacco or cotton and whether he paid permit fees as required. Swift said he shipped five hogshead of tobacco for which he paid for a permit in full. He was asked further if fees were used as a means to influence Paine. He responded that he did not know. The board asked if he heard of “any instance of bribery or corrupt practices”. “I have not” was Swift’s response. Witness stated that as of the date of his testimony the 25% tax was still being enforced, however, the “large tobacco dealers are shipping under permits from Major General Burbridge and consequently pay no tax nor fees to me.”

- Swift recounts that he was present when “certain parties were banished to Canada and elsewhere by General Paine” and along with others “waited on General Paine and procured a mitigation of the order in some cases”. When asked about Mr. Woolfolk and his family, Swift recalled Mr. Woolfolk as an “undoubted sympathizer” and “heard him express the wish that the rebels might whip us.” Board inquired “Did Colonel Hicks command post at Paducah call on citizens to repel Forrest’s attack and did Mr. Woolfolk take a gun to assist in the defense?” Witness replied, “Colonel Hicks did do so. I don’t know if Mr. Woolfolk turned out or not.”
- Witness states that 8 or 9 hogsheads of Mr. Lindsey were sold by Paine for more than \$2000 and the money deposited into Swift’s hands.
- Witness claims that tobacco was seized from John H. Roe and sold for \$300 and retained by Swift. He declared that the tobacco was purchased in the “country overrun by Forrest” and “it was regarded as smuggled”. He also said that “Roe was always considered a rebel and purchased where Union men did not dare go.” The tobacco was fairly sold at full value according to Swift.
- Witness was asked if knew anything about “property taken by General Paine in his march through Union and other counties”. He said he did not but that “I saw him return some stock to loyal owners” and “saw a lot 74 barrels of whiskey and a quantity of salt, which was reclaimed by the owner under an order from Major General Burbridge”.
- Witness recalls a horse being taken from a Dr. Sanders by a scout but the horse was not returned though Paine ordered it to be returned.
- In conclusion, the board asked “What is your estimate of General Paine’s character?” Swift proclaimed, “I believe him to be a high minded honorable man. I think his treatment of guerillas has done more good than any other commander who has ever been here. I do not think he has taken away from this town a dollar that did not belong to him.”

Testimony of William Burgess, a Private from Company A, 111th Illinois Infantry Volunteers. He served as clerk at the office of the Provost Marshal from April 1, 1864 until the time of his testimony.

[note: The 111th Illinois was serving under General Sherman during this time period.]

- Witness testifies that since July 1, 1864 the provost fund brought in \$2200. The funds were derived from “fines for drunkenness and disorderly conduct and a tax on drinking saloons”. Board inquires if there was a “tax levied on prostitutes”. He responded, “yes, by order of General Paine, prostitutes were taxed \$50 except Hester Baldwin who was taxed \$100”. The tax was collected by Major Bartling’s orderly, Empson Brownfield and reported to Lieutenant Colonel James Wilson, the Provost Marshal General of the Department of Tennessee. Major Bartling did remove funds “for repairs on the Guardhouse and Provosts Marshal’s Office, for extra pay to clerks in the office, for printing and other incidentals. Burgess claims that during the months on “July and

August about \$565.00 were so disbursed”. He claimed there was also a 10 cent tax for permits and passes.

- In regards to the confinement of J. F. Davis, the witness stated that “Mr. Davis came into the Provost Marshal Office and was asked by Major Bartling whether he had a pass. Davis replied he had. Major Bartling enquired whether he had ever fired on the pickets. Davis denied having done so. Major Bartling destroyed the pass that Davis had and told him that he could not get another except on proof of unconditional loyalty. Davis claimed to be a loyal man but admitted that he had been in the rebel army. He started from the office with a blank pass. Major Bartling arrested him and sent him to the Guardhouse. He remained in the guardhouse for two or three weeks. I know that his watch was returned to him.”
- Board asks “Do you swear that the account of receipts and expenditures of the “Relief Fund” are all that you have any knowledge of?” Burgess responds, “I do. I have seen vouchers for every expenditure except \$2 which I know was paid out to a refugee.”
- Board asks, “How many persons have been executed at this post by military authority?” Witness replies, “I have no personal knowledge of more than three, the others if any were executed from the fort.”
- Paine required that all newspapers be stamped at the Provost Marshal Office if they were to be sent outside the picket lines.

Testimony of T. L. Jacobs, resident of Paducah

- Witness provided the board an order from General Paine, it reads:
Hd Qrs Dist. Western Kentucky
Paducah, Ky July 27th, 1864
Guards and pickets will pass Mr. T. L. Jacobs to Dresden, Tennessee and return to this post on the following business. Viz.
He will tell the people of this district that if another union man is killed by bushwhackers or rebels, five rebel sympathizers will share the same fate for every union man killed. Their property will be confiscated or destroyed. The so called “Captain Kess” will fill a traitor’s grave before Mr. Jacobs leaves the lines, and if any man is killed in retaliation, five rebels will be shot in return. Mr. Jacobs and his property is held responsible for the publishing of this order, if he is molested ten rebels will be arrested and held responsible for his safe return.
James Johnson
1st Lt A. A. A. Genl.
- According to Jacobs he was spontaneously hailed down in the streets of Paducah by Paine who insulted him and called him a horse thief enlisted by General Forrest. Jacobs was furnished a horse and complied with the order.

Testimony of Captain Roland H. Hall, Provost Marshal of the 1st Congressional District of Kentucky

- Witness served as assessor of rents and distributing agent to wives of soldiers and refugees under Paine. Hall states he received \$2000 from Major Bartling which was disbursed. Witness provided a ledger with a long list of assessments and renting information. Hall claimed “all persons renting from disloyal persons were assessed to pay the rents to an officer designated by Brigadier General Paine, that officer was myself”. The witness made all assessments. Disloyalty was established by a committee appointed by Hall and consisted of Albert Bradshaw, Dr. W. Henry Kidd, Major Bartling, Thomas Redd, J. E. D. Morgan, John Morgan and Mr. Lyons.
- Hall stated that all funds were “to be paid to the wives, widows and mothers of soldiers and to refugees” and the remaining funds to given to the Adjutant Quarter Master at the end of September. \$728.20 was collected according to Hall and the balance at the time of his testimony was \$333.07.
- Board asked if he “believed that all the persons who were so assessed were disloyal.” He replied, “I do not. I told General Paine that I had not. He reserved the right to himself of testing the loyalty of different persons and several tenements were released on his order.”
- Hall states that proceeds of the assessment of rents were to reimburse loyal men for property destroyed in the Battle of Paducah that March. Hall filed a claim for \$1,000, which included claims from Dr. Kidd, Mr. Redd, Mr, Bradshaw, Major Bartling and Mr. Morgan. The same men that assisted him in assessment process.

Testimony of William L. Mayes, resident of McCracken County

- Witnesses stated that Paine would hold his wife and children hostage if he did not locate his son-in-law who was believed to have stolen a horse from Captain R. H. Hall – Provost Marshal of the First District. He did locate his son-in-law but his officers “refused to give him up”. He declared that he was a loyal man and he had a son in the Union Army. Mayes found Paine’s actions to be one of extortion.

Testimony of Thomas Duke, a resident of Paducah

- Duke confirms Mayes story of the letter and declares that that the letterhead was titled “Headquarters Provost Marshals Office First District”. He also testified that Mayes was arrested by Hall for that reason.

Testimony of Rehkopf, harness maker from Paducah

- Witness states that Captain Hall received a harness worth \$65 in exchange for not confiscating the house which Rehkopf rented and did business out of.

Affidavit of G. T. Robb (September 16, 1864), cashier at the bank of Watts, Given and Co.

- Robb states that Ellen Birmingham came to bank several times to withdraw \$980 from an account her dead husband had at the bank. Paine was informed by J. E. Woodward of Mrs. Birmingham being unable to retrieve funds from the bank. Robb remarked that he informed Paine's son on August 1st that "the statute laws of the state required an administrator to be appointed before we could rightfully and lawfully pay the money over". He stated that Paine's order was complied with and the payment made to J. E. Woodward. He concluded with "Mrs. Birmingham left an infant child at his death - who was entitled to a portion of the father's estate."

Affidavit of Richard M. Humble (September 17, 1864), acting surgeon at the Paducah Hospital for the past 18 months

[note: Humble was Acting Assistant Surgeon for the War Department, Department of Kentucky.]

- Humble writes that was present during the time of Nelson Scribe's Drug Store being closed by Paine. He was appointed to inventory the store's stock. He gave an incomplete estimate at \$3000 before a "great many goods" were removed by Major Bartling. Humble remarked that he would have invoiced the stock at \$4000 before the removal items. He also stated that \$18 or \$19 was removed from cash drawer in the store by order of Major Bartling. He also clarified to the recorder that he (Humble) proposed buying the stock of the store prior to being appointed the person to invoice the stock and that Bartling was informed the stock would have to be sold at auction.

Affidavit of J. W. Reeves (September 20, 1864), a citizen of Graves County

- Reeves writes that he approached Colonel McChesney for a permit to ship tobacco and was told that "other parties had given him (McChesney) a hogshead of tobacco for a permit to ship". Reeves also stated that he had a conversation with McChesney that revealed "he was acting in the matter under the orders of General Burbridge".

Exhibit given by Captain James A. Finley (August 30, 1864), officer in charge of A. Q. M.

[note: Finley was Assistant Quartermaster of Volunteers, United States Army. See Official Army Register for 1863. Pg. 73.]

- Exhibit lists the property received by the quartermaster's office on the return of Paine's expedition to Caseyville on August 24, 1864. The report states that 147 horses, 40 mules, 265 bales of hay and numerous bridles, saddles, harnesses, etc. were received by Finley. The report concludes that "many of these articles rendered as unserviceable and worthless for any good use or repairs."

Affidavit of Joseph Gerrish (September 21, 1864), a resident of Caseyville

- Gerrish writes that Paine's troops broke open his store and "destroyed everything in his grocery except a half barrel of oil, 1 ½ barrel vinegar and a few crude spices." He claimed he was a "loyal union man" and states his stock was worth \$675.

Affidavit of S. Hook (no date listed), a resident of Ballard County

- Hook and his brother Robert received a permit from Paine to ship tobacco on September 1, 1864 but had to pay \$2 per hogshead to J. E. Woodward prior to shipment. Hook complied. However when the tobacco was removed to the dock for shipment, Woodward added a 25% fee to ship the tobacco. His partner wrote a check to cover the 25% fee until the tobacco sold at market, which added to over \$400. Woodward informed the bank not to pay Hook “until the matter is looked into”. Hook claims he and his brother are “loyal men”.

Affidavit of L. D. Husbands (September 19, 1864), a resident of Paducah

- Husbands states his brother-in-law, J. W. Cook, who resided in Caldwell County, had a horse taken from him in June of 1864 by “officers of the colored troops stationed at Paducah” while out on an expedition. Husbands recalls the horse being sold to a resident of Paducah who in turn sold the horse to Major Bartling. He approached Bartling and told him the horse was his brother-in-law’s. Bartling said he would return horse if his brother-in-law could establish loyalty. Cook went to Paducah and submitted written statements to Bartling from Union men in Caldwell County. Bartling refused to return the horse until he received the money he gave the person who sold the horse to him. The seller was out of town and was not expected back for some time. Cook was willing to loan Bartling the payment for the horse until he could receive his money from the seller. Cook returned with the money but was arrested by Bartling for “discouraging negro enlistments”. He was held for several days but no formal charges were pressed by Bartling.

Affidavit of John A. Dodds (September 14, 1864), citizen of Tennessee residing at Paducah, he was owner of Prince and Dodds [Grocery] Store

- Dobbs states that on [August 10, 1864], his store was forced to close by order of Paine for “violation of trade or treasury regulations”. Dodds allegedly purchased a barrel of Sulphur illegally. Dobbs did not recall any formal charges being given. Paine told Dobbs to visit Thomas M. Redd to get a written statement proving his innocence. Redd told Dodds “he could not take the responsibility to do anything” but would talk to Paine. Redd reported to Dodds after the meeting that “nothing could be done”. Dobbs sought the release of his stock held in the store. Paine denied the initial request and told Dodds “if the law required it he would take my damned head off.” The next day “Payne had agreed to take a thousand dollars and let us open our house and sell as usual”. Dodds refused the offer. Dodds business partner, Mr. Prince, went to see Lucius Anderson to resolve the problem. Testimony ends.

Affidavit of Leslie Weir (September 17, 1864), clerk of Ed Jones & Co. of Paducah

- Weir assisted in the inventory of the store when Ed Jones & Co. was closed and its property seized by Paine. He declares that \$213 was taken from the safe, \$90 in cash taken from a member of the firm and \$25 or \$30 in Confederate currency. He states that a representative of Paine, named Crandall, pocketed the money and claimed \$92 for services as clerk. He also claimed that several officers of the negro regiment took clothes from his store and Crandall a “fine suit of clothes”. He estimated an inventory of about \$20000. “The safe and desk with papers was moved to General Paine’s headquarters”

Affidavit of R. J. Barber (September 17, 1864), clerk of John White & Co. Dry Goods Store of Paducah

- Barber states that on September 15, 1864 he went to the Provost Marshals Office where he saw issues of “The Republican” newspapers thrown out and “informed that damned paper should not go”. 15 other papers were permitted and stamped but the provost charged “50 cents”. The next day (September 16), Barber was charged a 50 cent fee for a permit to mail eleven letters.

Affidavit from Kinkead & Sweatman (September 14, 1864), drug store owners of Paducah

- They claim that Paine closed their drug store on July 29, 1864 “for no reason given us”. The store was put in possession of Mr. Crandall and Dr. McNeal to inventory the stock. Items from the store were immediately removed. Kinkead complained and placed under arrest. He was “paroled to the city limits and is still under arrest and reporting daily.”

Affidavit of Samuel Hinton (August 29, 1864), resident of Paducah

[note: Flournoy was an attorney and president of the Commercial Bank of Kentucky and a business partner of Lawrence S. Trimble.]

- Hinton states on August 22, 1864, he received an order for General Burbridge for the sale or removal L. M. Flournoy’s (mercantile business) stock of goods. He sought a permit from Paine for its removal but Paine suspended the execution until he could write Burbridge. Paine declared “Flournoy was a damned secessionist and had run off with the camp belles”. Paine also called Hinton “a damned rebel” and accused him of “trying to break up an election and that he would dispose of me one of these days”. A copy of Burbridge’s order was attached to affidavit along with a letter from Flournoy stating he took the oath of allegiance and a note from J. T. Boyle confirming his loyalty.

Note from William Burgess

- Note asks when Crandall left Paducah. Burgess replies he “left on the afternoon of the 13th September, I think – he got an order from General Meredith to report to Columbus, Ohio.

Order from John Mason Brown for the return of Crandall.

- Reply is that Crandall's term had expired and he is to be mustered out at Columbus, Ohio.

Statement from Colonel Hicks

- Hicks gave D. Smedley permission to bring five gallons of whiskey for his own use on June 23, 1864.

Affidavit of D. Smedley (September 17, 1864), not listed

- Smedley states that Colonel Hicks gave him a special permit to travel to Louisville to purchase five gallons of whiskey and return to Paducah. On his return Major Bartling seized the whiskey. Hicks called upon Bartling for the whiskey. Bartling remarked "that he and his friends would drink it and refused to give it up". Hicks responded that he wanted to be paid \$30 for the whiskey, which was what he paid for it.

Affidavit of T. J. Ashbrook (September 19, 1864), owner of Ashbrook, Ryan & Co. Grocers of Paducah

- Witness testifies that on August 13, 1864 he sold one barrel of Sulphur to Prince & Dodd retail grocers on Market Street in Paducah. He claimed that 'considerable quantity of the Sulphur was strewed on the scales floor and on the pavement in front of our house'. T. M. Redd noticed the spilt Sulphur, asked the store's bookkeeper if Sulphur had been sold and to whom. The bookkeeper, Mr. Garth, replied in the affirmative and showed Redd the sales book. Redd expressed that this was in violation of the trade regulations. Garth replied he did not know of the regulation and claimed he would "go at once and rescind the sale". Redd said that he could not do that "the deed was done and we would have to abide by the consequences." Garth informed Ashbrook who in turn called upon Redd that he would personally go and "cancel the sale". Redd responded in a similar fashion to Ashbrook by stating "that you can't do that" and "nothing you do know will do you any good". Redd also remarked "that I (Ashbrook) ought to know the laws which govern trade". Ashbrook requested an investigation into the matter. Redd remarked that he would. When he returned to his store, Ashbrook found Bartling waiting with an order from Captain Phelps Paine to close the business down and take charge of the store. Bartling demanded all the books and the money in the store's safe, which added up to \$186.45. Ashbrook requested he have some money for personal expenses. Bartling returned \$86.45 and retained \$100. On August 18, 1864, Ashbrook visited Anderson who stated he contact General Paine when he returned to Paducah. Paine returned on the 20th and Ashbrook again requested Anderson to intercede and release his store. Anderson agreed but asked "what I was going to give him (Anderson)". Ashbrook asked how much, Anderson would not specify an amount and told Ashbrook to go to Prince & Dodd and see how much they would pay for the release of both their stores. Prince & Dodd refused to pay Anderson to have their store released. Ashbrook returned once more to Anderson

and informed him that Prince & Dodd would not assist him in paying Anderson's fee. Ashbrook asked again what his fee would be, Anderson replied \$2,000. Ashbrook countered with \$1,000 and Anderson agreed. Ashbrook also asked if for another \$200 he could release the Prince & Dodd's store, Anderson agreed. Anderson approached Bartling who "claimed \$1,000" stating he was working for Ashbrook. Anderson informed Ashbrook who denied any such deal but offered Anderson \$2,000 to have both his and Prince & Dodd's stores released. Anderson visited Paine, who agreed to release the store provided he would "sell out to some good man our entire stock except contraband goods". Ashbrook agreed, received an order from Paine to Bartling to release the store and went to Redd's office to retrieve the keys. Redd agreed to hand over the keys "with the understanding that he was to take charge of all contraband goods in the house" but that Bartling had the keys. Ashbrook presented the order Bartling who gave Ashbrook the keys but not the \$100 that was originally in the safe claiming he would need another order from Paine to do so. Redd came to check the store for contraband goods but found only the Sulphur. Ashbrook was told to remove the Sulphur to a secure area and inventory the stock. At the time of his testimony, he was out over \$2,000 and was unable to find a buyer for his stock, which he estimated at \$300 or \$400. Ashbrook was also not allowed to sell anything without special orders from Paine or Bartling. He claims he had always been "loyal man" and been a resident of Paducah since 1854.

Affidavit of J. M. [Trowell] (September 20, 1864), grocery store owner from Paducah

- Trowell states he was ordered to pay a tax of \$25 a month to operate a grocery store because he was considered disloyal. He claimed "he has always been a Union man".

Affidavit of W. H. Covington (September 20, 1864), a citizen of Calloway County

- Witness states that on June 30, 1864 he "swapped for a mule with a man by the name of Silas Kinsey of Marshall County" which had been branded with both "U.S." and "C.S." and been left to Kinsey by a Confederate officer or soldier. Covington sold the mule in Paducah for \$130 but after the transaction he was charged by Bartling "with having sold a mule belonging to the government of the United States." Covington stated he did not know he had done wrong and apologized. Bartling stated he had to pay back the amount \$100 to the buyer and to give Bartling \$30 and pay an interest of an additional \$20.

Affidavit of J. E. Rudolph (September 20, 1864), a farmer residing 10 miles from Paducah in McCracken County

- Witness claims in April of 1864 a Captain R. H. Hall with a squad of soldiers took two horses. He seeks \$150 in payment for the horses" Claims he has "always been a loyal union man".

Affidavit of William F. Norton (September 16, 1864), a cotton and tobacco wholesaler from the firm of Norton Brothers at Paducah

[note: Norton was a friend of Trimble and Fournoy. Bigger was a judge in the First Judicial District of Kentucky just prior to the war, elected to the Kentucky State Senate in 1866 and later served as a city councilman of Paducah and as speaker of the Kentucky House of Representatives (1877-1881) following the war. See Histories and Biographies of Ballard, Callaway, Fulton, Hickman, McCracken and Marshall Counties, Kentucky by J. H. Battle, pg. 283-284.]

- Norton claims to have had transactions with John T. Bolinger and Joseph M. Bigger to buy cotton and tobacco at Columbus or Hickman and bring it to Cairo. Norton was informed that he had to seek permission from Paine to bring tobacco and cotton to Cairo. According to Norton, Paine would not allow his shipments into Cairo unless he paid a 25% fee imposed by Paine or sold his interest to Bolinger. Norton sold his interest to Bolinger who supposedly sold the cotton and tobacco to a New York firm. Norton does admit he purchased tobacco from Tennessee from unknown sellers. He claimed to be a “truly loyal” man. It seems that Bolinger was informing Paine that Norton was disloyal to encourage Paine to tax Norton 25% and that Bolinger was offering a cheaper solution by collecting interests from shipments into Cairo. Norton states “I consider him (Paine) highly prejudice against me and from what I learned from others considered it useless to apply for a permit without the desire to pay the 25% tax which I was unwilling to do”. On September 20, 1864, Norton stated he received notice from Paine to pay \$5,000 in tax assessments and his brothers \$4,000.

Affidavit of Charles F. Phillips (August 19, 1864), tobacco farmer from Carroll County, Tennessee

- Phillips states that on August 18, 1864 he had to pay J. E. Woodward a 25% tax to ship tobacco from Paducah. He also stated that he had regularly traded tobacco at Paducah since 1863 without paying such a tax. He claimed that he “has always been an unconditional Union man and always in favor of the government and was opposed to the rebellion” – “but has been compelled to feed armed rebels under fear”. He complains the tax is “an injustice to him”

Affidavit of J. Scott Ford (September 17, 1864), a resident of Paducah

- Ford states that during the last week of August 1864, while absent from Paducah someone entered and robbed a large amount of property from his home. He claims Mary Crutchfield, who resided at the house, witnessed Sergeant Brownfield and Captain Paine removing property.

Affidavit of Francis Greif (September 17, 1864), a 30 year resident and blacksmith of Paducah

- Greif declares that on March 31, 1864 Provost Marshal R.H. Hall had lost three horses worth \$500 during Forrest's raid and demanded that he go get them for him or pay the \$500. If he did not receive one or the other he was told you "should not have a splinter left on my lot". Hall was informed that Greif's son had stolen the horses. Greif was given ten days to comply. When the ten days were up Greif arrested and sent to Fort Anderson. He remained at the Fort until released by Colonel Hicks later the same day. While he was imprisoned Hall and his men took "some new ploughs and shut up the shop".

Affidavit of S. B. Ferrell (September 3, 1864), clerk in the Provost Marshal's Office from October 1863 to August 1864.

- Witness states that the Paducah firm of E. B. Jones & Co. kept pistols and ammunition for sale prior to Forrest's raid in March of 1864. After the raid the pistols and ammunition were boxed and removed from Paducah, along with other stores that sold guns and ammo. In June of 1864, E. B. Jones sought the return of pistols and ammunition. Ferrell remarked that he informed Jones that no special permits were required.

Affidavit of Nelson Soule (September 20, 1864), a resident and drug store owner at Paducah for over 4 years

- Soule states that on July 26, 1864 the Provost Marshal guards came and ordered his store closed. He was also order to report twice a day to Bartling office for several days and afterwards daily and then only occasionally. The stock in his store was inventoried and placed under the supervision of Dr. Humble. He claims \$3,000 in "valuable stock" was taken along with \$20 in cash. During the time of his testimony, Soule was still under arrest and his case under investigation. He was never formally charged according to him. He declared that he "has always been a loyal man."

Affidavit of I. B. Overall (September 20, 1864), the bookkeeper of the Commercial Bank of Kentucky at Paducah

- Overall describes a meeting with Paine's "orderly" at the bank in July (no exact date was given). The orderly wanted know the whereabouts of Mr. Fournoy the president of the bank. Witness stated that he was in New York. The orderly informed Overall that he was ordered to bring the man that lived at the bank to Army Headquarters. Overall replied that Flournoy did not live at the bank but he did. The orderly brought Overall to the Paine's headquarters, where he was told by Paine "that he was going to shut up that damned bank and that we were all a set of damned rebels and that he intended to close every damned rebel concern in the town – they shouldn't do any business or turn another dollar." Paine also remarked "that he knew Mr. Flournoy (the president) was a damned rebel – cotton speculator making money off the war". Overall replied that "the bank did not belong to Mr. Flournoy or Mr. Dallam (the other clerk at the bank) but was owned by some six or

eight hundred stockholders living in all parts of the state of Kentucky”. Paine answered “he knew the people about Paducah and they were nearly all a set of damned rebels and some of them connected with these damned gorillas out here in the country and that he was going to examine into it and if he could fasten it on any of them he would have them shot and if I can find out that you had anything to do with them by God I will have you shot too sir.” Overall remarked “I was a good unconditional union man”. Paine concluded that “he was going to protect me and that he came here to protect all such men.”

Affidavit of A. B. Kinkead (September 20, 1864), a businessman and city councilman from Paducah

- Kinkead stated that he was arrested by the order of Paine on July 29, 1864 for “general disloyalty” and required to resign his office as city councilman of Paducah. He was then taken to the provost marshal where he was told to close his business and turnover his keys. Kinkead was paroled and escorted outside of the city limits. Paine jibbed to Kinkead before departing his headquarters “unless you prefer to go to Canada”. Kinkead was ordered to report to the provost marshal’s headquarters at 9:00 a.m. and 4:00 p.m. each day. He was later only to report once each day. At the time of his testimony, Kinkead was still under arrest and his business closed. He concluded by stating I “have never been able to find out any specific charges against me”. It is interesting to note that he never claimed he was loyal to the union in his affidavit like almost everyone else had done.

Affidavit of M. Weil (no date listed), resident of Paducah

- Weil states that after he purchased the stock from Dr. Humble and Mayes his bill were rejected by the provost marshal’s office. The rest of his statement is illegible.

Affidavit of P. Dyerson (no date listed), tobacco seller (residence not listed)

- Witness simple states that “General Paine caused one of two lots of tobacco to be rolled out and sold and the money paid to Woodward – seems the true owners have taken the tobacco.” He also claims that 1 hogshead was taken by Woodward and that “the owner now wants the proceeds from Woodward”

Affidavit of Samuel F. Singleton (September 21, 1864), residence not listed

- Witness states he had a mule taken from him “by the Federal forces” and wants the issue to be redressed. Claims he met with Paine to discuss being paid for the mule, whereby Paine scolded him with threats to “dig a hole and shoot deponent and bury him in it”. Singleton remarked that he “he has ever been a union and loyal man from the beginning of the present troubles”. He also said he was never charged with any act of disloyalty or sympathy with the rebellion”.

Affidavit of Philip D. Yeiser (September 20, 1864), attorney from Paducah

[note: Yeiser was a Commonwealth (State) Attorney for the judicial district from 1862 to 1865. He was a Union supporter and during the early years of the war help recruit soldiers for the federal army. He moved to Paducah in January of 1862. Following the war, he founded the Paducah Ship Yard Company

- Yeiser states “there must be two thousand old and crippled negroes together with women and children interned in the city of Paducah. They are indolent, impoverished and immoral and are bound to steal, rob or suffer greatly to get through the winter. The most of them would meet with kind protection at home if compelled to go there, they could be induced to go quickly except that a great many officers of the negro regiment discourage them from doing so and in fact in many instances induce them to leave home. I will further state that it is seldom I meet a slave owner who shows any desire to retain his slaves and only out of pity for their negroes they would take care of them.” He further states “that it is impossible to put down on paper or collect together all the wrongs committed here or what these people have suffered within the last two months”. He continues “I have to say that negro scouts going out under their officers behave outrageously bad and are very insulting.” Further on he state, “I have to say that General Meredith is highly acceptable to every good man here and with Colonel Hicks as Post Commander they can in a very short time even by ... command more citizens to their aid in emergency than any other men.” “I have to say that a few bad Union men about Paducah together with General Paine’s outrageous administration has done more for the rebellion about here that can be well concerned of.” He concludes “when Forrest made his raid the people were abused for not keeping him out – strange as it may be when we consider that our armed force in Paducah could hardly do so arms in their hands – now nearly everyone in the country is disarmed and no one but those violently opposed to Forrest’s raid.”

Affidavit of James L. Dallam (September 19, 1864), a cashier at the Commercial Bank of Kentucky at Paducah

[note: Dallam worked for L. M. Fournoy prior and during the war.]

- Dallam testifies that “in the latter part of July last General E. A. Paine took command of the post of Paducah and west of the Tennessee River and opened his office first at the Continental Hotel.” He reiterates the story that Overall testified to above. He was informed by Overall “to vacate the bank as soon as possible and that I could take my books away or lock them up in the vault as I pleased and if I had any new furniture I could take that away also.” He went to visit Paine with the only board director known to be in town, John F. Harris. They found many persons at Paine’s headquarters but were quickly introduced to Paine. Paine began with “denouncements of myself as a rebel and the bank as a damned rebel concern and that Flournoy the president was a rebel and all concerned with it were rebels.” Dallam replied “that if I was a rebel I should most

assuredly have been found by him in the army fighting him and as I was not there I thought it the best evidence he needed that I was no rebel.” Paine replied “Sir, when I came here nearly three years ago to take possession of this place I had in my pocket then an order to take possession of your damn bank and I wish I had done so then.” Dallam requested the order be given in writing so he could copy and send it to the over 800 stockholders. Paine wrote the order and delivered it that evening. Paine said after looking over the offices that “he would not put the negroes on me, but would take it for his own headquarters”. He also told Dallam “to keep the banking room and cashier’s room and go on with business and that he would want the two parlors and the director’s room, taking one room for himself, one for his adjutant and one for his clerks, the balance of the house I could retain, that I could take out my new furniture, paintings and engravings but to leave the straw matting on the floor and place tables and chairs in the rooms for their use.” “The general and his staff occupied the rooms Monday following and continued to do so for a short while and vacated them. I was informed by some of the staff because they were too small, hot and uncomfortable.” The rooms were later used by the judge Advocate and his clerks and the Mustering Officer and his clerks. Dallam remarked “The officers have been polite and courteous to me and [my] family.”

Affidavit of Horan M. Gaylord (September 20, 1864), a private in Company G, 134th Illinois Volunteer Regiment and orderly for Colonel McChesney.

- Private Gaylord claims he paid to have McChesney’s clothes cleaned and did not receive the \$2.50 owed him before McChesney departed Mayfield. He wishes to be reimbursed.

Affidavit of John H. Neale (September 20, 1864), a citizen of Graves County

- Neale claims he was “impressed to work on fortifications at Mayfield”. He agreed to furnish a substitute but did not furnish one. He states that he “paid the sum of fifteen dollars” which he wishes to be reimbursed. Attached is a receipt that says “John H. Neale will be excused from work on his promising a substitute. Lt. Andrews, August 25th, 1864. Received of J. H. Neale fifteen dollars. W. G. Blount.”

Affidavit of Mrs. M. J. Rallston (no date listed), a resident of Paducah

- Witness states she applied to receive a pass to visit her husband in Cairo in the middle of July to Provost Marshal Bartling but was told no and informed to make the request before Paine. Paine after hearing her name loudly replied “No Madam, No Madam! You will have up to go to Canada next Monday morning!” She responded why and he replied “Various things madam – various things! Besides madam, your husband is connected with that most damnable sheet the Cairo Democrat and writing the most damnable pieces in it.” When she asked who would support her during the trip to Canada, Paine replied “transportation and hard tack would be furnished me on the route”. She asked “what I should do after I got to Canada”, he replied “you will have to look out for yourself”.

Affidavit of I. R. Alexander (September 21, 1864), a physician at Paducah

- Dr. Alexander stated that he heard “Brigadier General E. A. Paine denounce Major General Halleck his superior officer as a ‘God damned coward and a damn rascal’ about the last of July 1864”.

Affidavit of John Sinnott and Robert O. Woolfolk (September 21, 1864), not listed

[note: Woolfolk was recognized as being a Confederate sympathizer and constructed the home of General Lloyd Tilghman in Paducah prior to the war. See Confederate General Lloyd Tilghman: A Biography by James W. Raab, pg. 22.]

- Sinnott claims to have heard Paine call Halleck an “infamous damned coward”.
- Woolfolk recalls Paine calling Halleck a “God damned coward”. Both state the event occurred in late July.

Affidavit of V. S. Gillespie and William P. Caldwell (September 21, 1864), not listed

- Gillespie and Caldwell state that Paine denounced Halleck by calling him “God damned coward” about the last of July, 1864

Affidavit of A. S. Jones (September 20, 1864), the jailor of McCracken County Jail in Paducah for two years and citizen of the county for over twenty years.

- Witness claims that he reported to Major Bartling on July 30, 1864 where he was read a report from Paine. The report stated Paine received a letter from four prisoners which “stated that they had been kept in jail from two to nine months that their prosecutors were rebels and that they had been badly treated in jail because they were Union men”. Jones denied the charges to Bartling who responded by saying, “if one half the statements were true I had better make my peace with God”. Jones called for his watchman who stated to Bartling “they had been well treated and instead of being union men they were rejoicing and cheering for Jeff Davis whenever they saw a paper denouncing a reverse to the federal arms”. Bartling did not believe watchman since he was under Jones’ employment. Bartling told Jones “that although they (the prisoners) were charged with a felony that I would have to prove that all the prosecutors and witnesses were Union men and that by outside parties and not by men in my employment. Jones requested that the case files be brought forth for review and that the Federal Circuit Judge, C. S. Marshall, be sent for to support the charges. Bartling “refused to look at the papers or to hear any statement the Circuit Judge or clerk had to make”. Bartling again required that Jones provide proof “that all the prosecutors were Union men as well as all the witnesses”. Jones claimed he did prove crimes of the prisoners and “was still held under arrest for several days”. Jones declares that he has “always been a union man”.

Affidavit of W. M. Greenwood (September 19, 1864), clerk of J. F. Harris – co-owner of a saddling house of Harris & Gross

- Witness states that the artillery harnesses found in Harris' possession were purchased from the previous owners of the business, B. F. Gross. Greenwood also claims that Harris wrote Governor Bramlett to issue an order to "have them taken away". Sometime in July, the saddling house was closed for a week by the order of Paine. Harris was exonerated of the crime of possessing the harnesses by Paine but Harris was ordered to pay a \$500 fee (by Bartling?).

Affidavit of J. N. Daniel (September 17, 1864), tobacco grower from Paducah

- Daniel states "that he had two hogshead of tobacco at Farmer's warehouse in Paducah" and "that J. E. Woodard as special agent demanded and collected of affiant one hundred dollars it being 25 percent ad valorem". Daniel claims he "has always been a loyal Union man – never having aided or abetted in the rebellion." He sought to have the "wrongfully taken" \$100 returned to him.

Affidavit of J. F. Drane (September 20, 1864), citizen of Mayfield

- Drane wishes to be reimbursed for the \$50 taken by Colonel McChesney as a payment to be "relieved from work on fortifications". Witness states "he was impressed to work on fortifications at Mayfield and was released" from duties upon payment. He claimed he was sixty years of age.

Letter from Edward D. Luxton (September 15, 1864), Post Adjutant stationed at Mayfield [Luxton was a member of the 134th Illinois Infantry. He may have served with the 2nd Wisconsin Cavalry.]

- Letter states "all monies that have passed through my hands or office have been faithfully kept on record and proper returns made and monies paid to Major Bartling."

Copy of receipt given to W. A. Bell by Major Bartling (August 1, 1864) for the purchase of Bell's Drug Store

- The check was endorsed by Bell and the money paid by order of Paine.

Affidavit of Lyman D. Olin (September 17, 1864), Sergeant of Company F, 18th Wisconsin

- Witness was on "detached service for nearly two years at Paducah" and was "on duty in the Provost Marshal's Office for about six or eight months". His job was to issue "permits to carry goods beyond the picket lines". He states that "after Major Bartling entered on duty as Provost Marshal, a fee of 10 cents was charged for each permit". Olin "collected the money and paid it over each night to Major Bartling". "The collection would average from \$12 to \$15 per day." He "did not know how the money was disposed of by Major Bartling". Olin "assisted in the invoicing of stock of Kinkaid & Sweatman

Drugists and of John Lenihan Dry Goods merchant. He claims that “Lenihan is and has been always an unswerving union man” and he “understood that Kinkaid and Sweatman were Union men.” He also reports that “a few pocket handkerchiefs were taken” from Lenihan’s store by Paine’s staff. Olin also tells of Ed B. Jones purchasing permits from Colonel Hicks for pistols and cartridges and that they were shipped to Evansville when Forrest made his raid in March of 1864. Jones’ was granted permission by Bartling to have the pistols and cartridges returned to Paducah but when they arrived they were immediately seized and his store closed by order of Paine. Olin contends that Bartling knew of that permission granted but may not have informed Paine.

Letter from Henry P. Stearns (September 12, 1864), an Army surgeon stationed at Jeffersonville, Indiana

[note: Stearns was a surgeon for the 1st Connecticut Infantry.]

- Stearns states that while residing in Paducah several months ago Robert O. Woolfolk was a gentleman and loyal citizen of the United States.

Affidavit of C. Daley (September 14, 1864), clerk to Robert O. Woolfolk at Paducah

- Witness states that Woolfolk “fearing some trouble from him (Paine) sold out his store to John [Sineham?] on Sineham’s reporting the case to Major Bartling.” Prior to taking stock of the store and turning over the goods to the treasury department, Bartling issued an order, said to have come from Paine, “to get what was wanted at cost ... other parties went to General Paine to get similar orders when he denied having given such an order to Major Bartling.” The “goods were boxed up and removed from the store to the building occupied by the Provost Marshal.” Daley states that “he believes now that more than half of them [store items] are not to be found” since being confiscated by Bartling. Daley concludes by saying that “Mrs. Bartling had selected before being shipped over”.

Affidavit of Thomas J. Pickett (September 17, 1864), Colonel 132nd Illinois Infantry

[note: Pickett was a Illinois State Senator, the editor of a Rock Island and Peoria newspaper and supported Lincoln to run for governor.]

- Witness states he knows nothing “in reference to financial derelictions on the part of General Paine or officers of his command.” Pickett claims “Towards persons charged with disloyalty he [General Paine] was exceedingly harsh, and of this character was his act of sending the Woolfolk family and others to Canada under charge of a negro guard, as he avowed of adding insult to his edict of banishment. Profane epithets applied to both men and women were not unusual in his headquarters. “God damn you, sir, I’ll shoot you”, I have heard him use several times and on one occasion the following, ‘Madam, you damned rebels will have to be punished by sending you to Central America, damned you’. He continues, “In regards to the shooting of guerillas, I only know there were four shot to wit. Kisterson, Taylor, Matheny and Hess – and that none of them so far as my

knowledge extends received even the form of a military trial. There may have been others killed but these are all that I can speak of with certainty. Kisterson (who was undoubtedly a very bad man) was brought here wounded from Columbus, Ky. and with his wounds undressed he was compelled to carry water - under charge of a negro guard – from a pump on Market Street to the prison guard room.” He further states “In regard to the post of Mayfield: I was informed by Colonel McChesney, some days prior to his departure for Chicago, that he has shot seven men since he assumed command of that post. I asked him if he gave them any sort of a military trial. He replied, ‘No sir! The last man I shot was in his grave without a coffin within forty-five minutes of the time I arrested him!’ I have heard citizens of Mayfield complain that Colonel McChesney’s course towards the people of that town was more cruel and relentless than that of the most vindictive guerillas.”

Affidavit of Joseph M. Fauntleroy (September 19, 1864), not listed

- Witness states “that in the month of August 1864 he was ordered to the fort by Colonel Barry for trial and charged with being in debt to his own two negro men ... for their hire of \$125 the past year”. Fauntleroy paid the fine. He further testified that “in the month of July 1864 an officer and 20 armed negroes and a government wagon came to his house and demanded the clothing belonging to his negroes then in the fort.” The orders, according to the witness, were given by Paine. The soldiers also took cooking utensils, 100 pounds of bacon and a great deal of poultry.”

Affidavit of M. W. Galloway (September 20, 1864), a citizen of Graves County

- Witness states that on August 17, 1864 “Colonel R. D. Cunningham ordered him to evacuate the house in which he resided and to remove his family thereupon and leave in said house all household furniture, bedding, etc. Colonel C professed to be acting under the orders from Colonel W. W. McChesney who was at the time commanding the post at Mayfield.” Galloway went to see McChesney and explain his daughter very ill and could not be removed from the house. McChesney replied “I was represented as a bad man and I should get out of the house”. Dr. Richard M. Humble interceded on Galloway’s behalf and McChesney allowed the family to remain in the house until his daughter died three days later. On the 26th, Lt. Colonel Bigelow ordered the house evacuated again to quarter a company of the 134th Illinois “but the same was immediately occupied by some negroes”. He concludes, “I am satisfied that Colonel McChesney, in his conduct towards me under the circumstances, was actuated not by any necessity to occupy my house but by a malicious desire to annoy and perplex me.”

Affidavit of R. A. Bacon (September 16, 1864), resident of Paducah

- Bacon states that Paine “was ever courteous to me”. However, he did witness Paine speak to Mr. Duke a grocer that “he thought him a traitor and that if he (Duke) did not disprove

the allegation he would shoot him and God damn him and dig a hole in the ground and put him in it". He also said that he "witnessed several scenes of the same character in General Paine's office with other parties." He concluded by saying "when I introduce a man to General Paine, his first question invariably was – do you know this man to and to always have been an unconditional union man. He would then ask the party, do you endorse Mr. Lincoln's emancipation proclamation and the arming of negroes. If the above questions were answered in the affirmative he received them as loyal men, otherwise he gave them a cursing and sent them adrift."

Letter from M. W. Stroad (September 18, 1864), a resident of Paducah

- On July 1, 1864, Stroad purchased a house in Paducah but the house was seized the same day by Major Bartling until he could "prove I had always been an unconditional union man". Stroad received the endorsement of loyalty committee at Paducah, however "the military seized it for the Medical Director" which still resided at the home at the date of the letter.

Affidavit of Richard M. Humble (September 17, 1864), Acting Assistant Surgeon from the War Department, Department of Kentucky at Paducah.

- Witness discusses the purchase of Bell's drug store at Paducah. He spoke to General Paine in regards to the purchase. Paine referred him to Thomas M. Redd and Major Bartling "stating at the time that any arrangement made with them would be satisfactory to him". Humble was under "the impression that the purchase was to be paid to Mr. Bell as I did not desire to purchase under any other circumstances and certainly the notion that the two thousand dollars was to be retained in the houses of the military did not enter into my understanding of the matter."

Affidavit of William Burgess (September 19, 1864), clerk in Provost Marshal's Office

- Witness discusses whether he received rent from A. Woolfolk for the Owen's property. Burgess states that Major Bartling sent Woolfolk to pay the Quartermaster. The Quartermaster refused to take the rent money sent him back to Bartling. Bartling had no orders to take the rent but stated he would hold it until someone would take charge of the rent payments. Burgess wrote Woolfolk a receipt for the rent. He further testified that he had in his possession "the identical money I receive from Mr. Woolfolk for rent of house said to belong to Mr. B. Owens".

Affidavit of John A. Brackin (September 17, 1864), resident of Paducah

- Witness states that he had a suit against Mr. Edington in Ballard County which involved Paine in 1861 that "afterwards he was thrown in the guardhouse for a long time". When Paine returned to Paducah in July 1864 he ordered Brackin to pay Edington's legal representative Philip D. Yeiser. The legal representative refused to take the money,

whereby Paine had to receive the money and order the legal representative to take the money and forgive the note.

Affidavit of S. P. Cope (September 20, 1864), physician from Mayfield and drug store owner from Paducah

- Witness states that he “has always been a constant and sincere Union man.” He declares that a few days after Paine took command his “principal clerk P. J. Green was arrested and placed in the guardhouse”. “After more than two weeks confinement Green was released without trial.” On August 8, Cope’s drug store was “closed by military force, my store room and safe keys taken.” Two weeks later Cope asked to see Paine with a note affirming his loyalty. Cope was brought in by military guard and “charged with general disloyalty and smuggling quinine.” Cope denied the charge and protested the accusations. Paine named his accusers as being Bolinger, Redd, Hall and Bartling and that a man named Gregory was sold smuggled quinine by Cope. Cope explained that he “did so by express direction of Post Commander Colonel [Henry] Dougherty with the advice of Provost Marshall Gibson and Surveyor Thornberry for the purpose of securing the person of said Gregory [and] that it was by my own information that said Gregory was known to entertain smuggling intentions.” Paine responded “Well but you are not the kind of Union man we want” and “demanded my views on what is popularly termed the negro question”. Cope responded “he did not come to talk politics with him” but Paine would not release him until he heard a response. Cope “gave them to him as I give them to all men”. Paine replied “that I thought more of my negro than I did of his son”. Cope was dismissed but told to return a few days later. Cope again tried to prove his loyalty but it fell upon deaf ears. Cope asked Paine if he “was charged with talking about free speech”. Paine said no but that Cope “was not loyal”. Cope demanded an investigation. Paine replied no but said “he would give me my keys the next morning” however Cope “would not be allowed to do business”. Cope decided to sell off his stock. Paine granted him permission to sell but it was “subject to assessment”. When given his keys he found that the safe opened and a note placed inside stating “\$93.10 taken by military authority”. He also reported “pocket knives, fancy bottles, ect. were taken.” Cope informed Paine to return his money. Paine directed the matter to Major Bartling. Cope concluded that the “indirect damage I have sustained is very considerable but hoping that all these things will be forgotten under the blessings of a restored Union”.

Affidavit of Joseph M. Bigger (September 19, 1864), Cotton and tobacco exporter from Paducah

- Witness testifies that 84 bales of cotton and 27 hogshead of tobacco were purchased by Bolinger and “were gotten out under permit of Bolinger” from Cairo.

Affidavit of Joseph M. Bigger (September 19, 1864), resident and businessman from Paducah (most probably J. M. Bigger)

- Bigger stated that he heard of tobacco and cotton stored at Hickman, Kentucky and approached Norton Brothers Bankers in Paducah for finances to purchase the tobacco and cotton along with a permit. “The arrangement was consummated that I was to do the purchasing, Norton Bros were to furnish the money and Bollinger (John T.) was to get the permit. I do not believe that I could have shipped the tobacco and cotton with appreciating Bollinger in the profits”. He continues, “The government steamer ‘Convoy’ went to Hickman for the tobacco and cotton, a guard of soldiers came onboard at Columbus, Ky. – the soldiers loaded the tobacco and cotton onto the boat and the tobacco and cotton was taken to Cairo. All this was done under order which Bollinger procured from Paine as I understood.”

Affidavit of Joshua Boaz and T. R. Bolton (September 20, 1864), not listed

[note: John E. Woodward was appointed by Paine as the Superintendent of Trade.]

- Witnesses declare they came to Paducah 3 hogshead of tobacco and 13 bales of cotton and was “forced to pay John E. Woodward \$30 for the privilege to sell their said tobacco and \$25 for the privilege to sell the cotton – and also \$99.56 for a permits making in all \$154.56.” Afterwards the witnesses attempted to get a bill stamped by Major Bartling who “gave us an aspirate cursing” and ordered not to return. Boaz was later “forced to go from his home by the Mayfield forces and work on the fort together with a large number of other citizens”.

Affidavit of S. C. Hook (September 17, 1864), a farmer from Ballard County

- Witness stated that on August 25, 1864 he shipped 9 hogsheads of tobacco from Paducah and was charged a \$10 permit fee per hogshead by John E. Woodward. He was also charged a “war tax” of \$5 at Louisville.

Statement of Bank Officers at Paducah to General Meredith (September 19, 1864)

- The cashiers of the three major banking institutions testified that on July 26, 1864 that Paine published General Order No. 7 which “prohibited [banks] from paying out any money or making transfers of deposit except by special permits from these Head Quarters.” The bank officers claim that this order “tied up all deposits even balances due from one bank to the other in the city”. After hearing their concerns, Paine modified the order on July 27, 1864 saying “All banks within this district drawing their own deposits from other banks will not require the approval of the general commanding.” The bankers declared “that this state of things gave great troubles and disturbances to the businesses of the community. No bill or note could be serviced, discounted or taken by the banks or check paid unless approved by the military. It virtually stopped the business of the banks even from collecting their debt or exercising in part or in whole.” The bankers said “All of us had pretty much to give up the idea of doing business and take things as it worked in this groove”. Paine proclaimed “that his purpose was to tie up everything – that the

banks were backed up by thirty pieces of silver and that he was backed by bayonets.” The bankers further declared “that we are in no communication with the Confederate States and have done no business, within their limits, since 1860.” The bankers conclude by requesting the “abrogation of all banking orders now enforced and emanating from General E. A. Paine.” Signed by Watts, Given & Co., Norton Brothers, J. N. Beadly – Bank of Ashland, S. B. Hughes – Bank of Louisville, and James L. Wallace – Commerce Bank of Kentucky.

Affidavit of William Hudson Lawrence (September 17, 1864) Colonel of the 34th New Jersey Infantry

- Witness states that a record of “all tobacco and cotton allowed to the lines of the military post of Columbus, Kentucky” were kept from June 20, 1864 to August 15, 1864. He claims that “about fifteen bales of cotton and about forty hogshead of tobacco were permitted to enter”. He also declares that “since that time large amounts of cotton and tobacco have come into the post all of which I am informed and believe to be the property of John Bolinger and others associated with him.”

Affidavit of B. G. Brazelton (September 21, 1864), City Commissioner of Paducah

- Witness states he arrived at Paducah from the east on September 20, 1864 and was informed that Judge Trimble was sent a notice signed by Thomas Redd, Starks and himself to pay an assessment tax \$5,000. He also “learned that similar notices have been served on various other persons to pay such amounts as they have been assessed.” Brazelton declares that “I never saw such an assessment and so far as my name appearing on notices to pay such a tax, I never give any man authority to assign my name to any such documents and all such assignments have been made without my approbation and consent.”

Affidavit of W. M. Starks (September 19, 1864), City Commissioner of Paducah

- Attached to affidavit is the original order to pay assessment tax (see image #269). Starks testifies that he was directed by Paine “to prepare an assessment of citizens in the seven counties west of the Tennessee River. I have the assessment nearly completed for 3 counties (McCracken, Graves and Marshall). I was directed to get what information I could as to claims and the loyalty of parties.” Sparks writes that “A board was also constituted by General Paine to investigate claims for losses sustained. It consisted of W. M. Starks, T. M. Redd and B. G. Brazelton.” This board was given the authority to serve notices. “A number of the persons assessed in Paducah and Graves County were assessed by General Paine’s special order in sums fixed by him. General Paine was to have a revision of the assessment and claims for re-imbusement.” Starks states that “about \$95,000 were assessed on McCracken County” but “no claims have been paid as yet.” Notices were immediately discontinued after Paine was relieved.

Affidavit of David D. Thompson (September 17, 1864), physician from Paducah

- Dr. Thompson claims to have witnessed Paine's baggage when he arrived at Judge Campbell's house (Paine's Headquarters) at Paducah. He reports that "there was about a wagon load of boxes which were left during the day in the yard – there was also about a wagon load of trunks." Thompson states that when Paine was removed from command, "I saw eight government wagons loaded with his baggage – I saw one carpet in the lot of baggage but did not recognize any other articles." [Circuit Judge James was also the former president of the Branch Bank of Louisville in Paducah.]

Affidavit of Charles E. Sinclair (September 20 1864), Lieutenant with the 134th Illinois Infantry

- Lt. Sinclair declares he "was acting as port officer at Columbus, Ky. and A.D.C. to Colonel Lawrence and afterwards to General Prince". He testified the following at Columbus to be "loyal": Morton & Walker (Merchants), Turner Horne (Merchant), McKean Hubbard (Merchant), James Moore (Post Master), Judge Vance (Asst. Post Master) and the Cook Brothers.

Complaint of James D. Moss to General Meredith (September 12, 1864)

- Moss stated that he had under his employ a slave owned by a Dr. Loring, a "loyal man", from Paris, Tennessee. He wished to return the slave to his owner in Paris but Major Bartling interceded and arrested the complainant. Moss claims he was "insulted and abused" by Bartling and ordered to pay \$1,000 – "that is \$300 for the negro and \$700 for the government". Moss did not have the money, so Bartling sent him to the guardhouse "until payment could be made". Moss also remarked that he was ill at the time he was arrested and while in the guardhouse for 24 hours was "suffering greatly for water to drink." The complainant "feels as a loyal man he has been badly treated and wantonly robbed without authority of law."

Affidavit of George W. Ratcliff (September 20, 1864), McCracken County sheriff

- Witness claims that in July of 1864 he was told by Paine "to tell his friends not to vote for the affiant (Ratcliff) and that he should not hold the office". Paine also remarked "that he be God damned if the affiant should hold office after the first of August and that he must resign". Ratcliff "felt compelled under General Paine's order to resign and did resign." He also declared "that he is a loyal man and has never aided or abetted in the rebellion."

Affidavit of L. T. Bradley (September 19, 1864), master of the steamer "Convoy"

- Witness states on about August 1, 1864 Paine gave him verbal orders to wait at Paducah for a "colonel" to board and be taken down river - "that colonel proved to be John T. Bolinger". Bolinger ordered Bradley to proceed to Columbus where Bolinger went ashore

and later returned with 75 soldiers. He then ordered Bradley to Hickman where they picked up 84 bales of cotton and 27 hogsheads of tobacco. The steamer traveled up river to Cairo where the freight was unloaded. Bradley states that “the cotton and tobacco I understood belong to Bolinger and Bigger.” He also reiterated that “all this was done under military orders” and “have since done the same thing under similar orders”.

Complaint of Rueben Saunders to General Fry (September 17, 1864), physician from Paducah

- Saunders claims he was arrested by Captain Gregory “who stated he had orders from General Paine to take all the horses saddles and arms that could be found in the town”. Saunders refused and showed Gregory “a protection I held from Colonel Hicks”. Gregory sent him to Paine’s headquarters. Saunders informed Paine that he “had been permitted to keep my buggy horse from impressments by all former commanders that my business was such that I could not do without one”. Paine replied that he had “heard you were a rebel or rebel sympathizer and spoke of the rebels of Paducah inviting Forrest to come here”. Saunders denied the charges and countered “if he really thought there was a respectable man in town that desired Forrest to come to Paducah when he assured if the rebels did come our town would be destroyed”. Saunders inquired Paine on “what constituted loyalty and his standard he said was abject submission on their knees or total annihilation of the southern people”. Saunders remarked that “I could not come to his standard” and “I was now and had always been a law abiding man, had taken no part in opposition to the government no matter what my private opinions were as to state sovereignty and that I was a citizen of Kentucky and abided by the laws whether I thought them right or not.” He concluded by stating “I had taken the oath of allegiance required by the military two years ago” and “deserved protection”. Paine refused to return the horse, and according to Saunders, was placed on the list to be deported to Canada. At the time of complaint he was assessed by the board \$2,000 to be paid within ten days. He also asked to be reimbursed \$150 for the horse.

Letter to Captain R. H. Hall from Paine (August 6, 1864), Provost Marshal First District of Kentucky

- Letter appoints Captain Hall as Superintendant of Rents and Disbursing Agent of the United States for the payment of soldier’s wives and fugitives. Paine gives Hall the authority to check the loyalty of landlords and if found not to be “undoubted Union persons” that “rent will be required of them for the United States government and the same to be paid to the Post Quartermaster at the end of September of 1864 and at the end of every second month thereafter until further orders”. Hall was ordered to prepare a “register of the widows, wives and mothers of soldiers serving in our army and who were in indigent circumstances.” The orders included that Hall “pay them at the end of every month – not to exceed ten dollars according to their necessities.” The letter concluded with “you will be allowed one dollar per month out of the rents of each separate building

or lot of land rented in a separate contract and fifty cents per month for each ten dollars paid any such indigent person and pro rata where a less amount is paid.”

Special Order No. 15 issued by Paine at Paducah (August 6, 1864)

- “Captain R. H. Hall is hereby appointed Superintendent of Rents and Disbursing Agent of the United States for the payment of soldier’s wives and fugitive.”

Order issued to Captain R. H. Hall by Paine (August 14, 1864)

- “The General Commanding directs that you begin paying soldier’s wives and widows and indigent woman the sum of ten (\$10) dollars per month. You will draw on Major Bartling for two thousand (\$2000) dollars for this purpose using great caution that aid is given only to those who merit it.”

Order issued to Captain R. H. Hall by Paine (August 23, 1864)

- “You are hereby ordered to pay Mrs. Grundy (\$25) twenty five dollars.”

Order issued to Captain R. H. Hall by Paine (September 1, 1864)

- “You will pay the prescribed installment (monthly) to soldier’s widows and indigent woman for the month of August 1864.”

Statement given by William L. Mays (September 15, 1864)

- Mays says that R. H. Hall forced him to pay \$150 “for a horse taken by the rebels” and that Paine “took 2 hogshead of tobacco from him”. Paine also ordered him to “stay away from Paducah”. Mays declares that he has not been “disloyal at any time”.

Affidavit of Warren Thornberry (September 19, 1864), tobacco dealer from Paducah

- Witness states that “on the day General E. A. Paine reached Paducah and took command I had was convoyed by a gunboat” – “permit was granted by to me on my compliance with General Washburn’s Order No. 48” - “the convoy was granted me by order of Commander Shirk”. When the steamer arrived the captain of the “Masonic Gem” was arrested for shipping the tobacco to Paducah. The captain was released “by reason of having an order from Commander Shirk to bring the tobacco to Paducah”. Thornberry met with Paine and informed him that “he had a license from the Treasury Department to purchase cotton and tobacco in West Tennessee and had purchased about 200 bales of cotton and 700 hogshead tobacco and asked him for a permission to bring some here”. Paine replied “that he would look into the matter and in a few days give me an answer.” The next night “General Paine and the Honorable Lucian Anderson made speeches at the market house on which occasion he (General Paine) denounced me in round terms as a speculator and that he would show me whether I would make any money on tobacco or not”. Ten days later, Thornberry sought a permit from Woodward, who was appointed by

Paine to issue shipping permits. Woodward informed Thornberry that Paine had instructed him “to pen no permits to me or Mr. Hatman”. Thornberry wrote “the impression made upon my mind was that it was General Paine’s intention to crush Hatman and myself out to make room for other parties - was fully convinced that I was right in my opinion from the fact that he detailed boats and guards up Tennessee and down the river to parties to large lots of tobacco and cotton.” Thornberry traveled to Louisville to seek permission from General Burbridge to ship his freight. Burbridge granted Thornberry “a permit to ship and buy tobacco in unlimited quantities in any part of Kentucky”. Thornberry returned to Paducah to find out that “Paine ignored two permits issued by General Burbridge”. Thornberry sent a representative to Paine’s headquarters to inquire if the “permits would be respected”. Captain Paine, adjutant in charge while Paine was away, replied “that it was not worth a damn”. Thornberry sought terms from Paine to have his freight shipped. Paine requested \$10 per hogshead for those that were not “undoubted union men” and \$2 for those proven to be loyal. Paine declared “that if I did not ship at that proposition or rates he would roll the tobacco in the streets”. Thornberry agreed and shipped the tobacco in small lots and paid the fees – with what appears to be bad checks. When Paine was removed Thornberry met Major Bartling who remarked that “General Paine directed him to demand payment once more (which I shall do) and if payment was refused to send the check by mail to him”. Thornberry concluded his statement by writing “that I never would pay said check unless by decree of a proper tribunal.”

Letter written by John A. Rogers to General Fry (September 19, 1864), tobacco dealer from Paducah

- The writing is very difficult to read but it seems Rogers shipped 42 bales of cotton 20 hogshead of tobacco to New York City with the \$10 fee for each hogshead of tobacco and \$20 fee for each bale of cotton. Rogers “respectfully asks that Woodward be compelled to pay back my money”.

Affidavit of John F. Davis (September 5, 1864), resident of McCracken County

- Witness testifies that on July 27 or 28, 1864 he went to Provost Marshals Office to get a permit to sell his crop of hay. Officer in charge states that Paine had remarked that Davis “fired on our pickets”. Davis did not respond while waiting in office. Davis picked up an old blank pass and began writing on it. Officer accused Davis of stealing the pass and had him placed in “double irons” and sent to the guardhouse. He remained in the guardhouse for over three weeks. He was released without any trial and required to report every Monday. Davis also mentions his property was taken from him prior to his incarceration, which included an expensive watch, and that he would have to pay a \$500 deposit for its return. His horse, saddle and bridle were also seized. He concludes by stating that he was

in the rebel army in 1861 but that he took the oath of allegiance in 1862. He is seeking reimbursement for all his property taken from him.

Affidavit of A. S. Jones (September 19, 1864), not listed

- Witness states that he was “notified by Captain R. H. Hall that I was on the 18th day of May 1864 drafted in the service of the United States for the period of three years and ordered to report on or before the 30th day of May 1864 at the place of rendezvous in Paducah, Kentucky.” He reported to Captain Hall three days later and informed him that he “intended to furnish a substitute or pay the three hundred dollars conscription money”. A few days later he “presented to the board of enrollment F. M. Patterson who was examined and pronounced to be sound and fit for service.” Jones received certificate and presented it to Captain Hall. Patterson was sworn in to service but a few days later was found to have committed a felony. On June 1, 1864, Davis was arrested and brought before Hall who declared another substitute would have to be furnished. He then paid \$300 to receive an exemption. The same day he was arrested and threatened to be thrown in the guardhouse. He provided the papers and was released. Jones claims that Patterson “joined Captain Gregory’ s company as a volunteer in the federal service and is now in Paducah”. Jones requests that his \$300 dollars be returned.

Affidavit of John C. Steele (September 20, 1864), appears to be the cashier at the [William F.] Norton Brothers Bank at Paducah

- Witness describes the bank transactions of Mrs. May Kerr from the fall of 1863 until April of 1864 when she claimed the bank owed her money. Steele states Kern “claimed we still owed her one hundred and fifty dollars in gold, which left last fall – this I denied and declined the payment hence her application to the military.” He also stated “I saw one hundred and fifty dollars in gold paid upon the order of H. W. Barry in lieu of one hundred and fifty dollars in currency all of which was respectfully submitted”. Steele concluded with “I state in addition to the above that Mrs. May Kerr bears the reputation of being a woman of loose character.”

Affidavit of J. P. Prince (September 14, 1864), owner of Prince & Dodds grocery store at Paducah.

[Prince and Dodd were Unionist refugees from Wayne County, Tennessee. See House committee report on Lucien Anderson]

- Prince states that on that on August 13, 1864, Major Bartling closed his store “on a charge by T. M. Redd, surveyor of port, of buying one barrel of Sulphur from Ashbrook, Ryan and Co. of Paducah, Kentucky.” During the process of closing the store Bartling took \$47.30 from the money drawer. He recalled “General Paine referred the whole matter to Redd”. Prince informed Redd that there was “considerable amount of perishable stock” at the store and suggested “that he (Redd) appoint someone, or in any way he

pleased, to have said perishables sold and proceeds retained till matter was decided”. Redd “positively refused”. On August 22nd Prince and Dodd were ordered to appear before Paine at his headquarters, where they were informed by Paine that “it was clearly a violation of the trade or treasury regulations and that he could do nothing for them”. Paine also declared that the items in the store be inventoried and confiscated. Prince and Dodds “told that General that if they had violated any order it had been ignorantly done”. Paine replied “that they need not fear any departure from duty by himself, that he would discharge his duty at all hazards, etc.” Charles M. Thompson [special agent for the valley of the Tennessee River for the United States government] contacted Lucien Anderson on the 22nd to represent Prince and Dodd. Anderson and Thompson met with Paine that evening “to release the house [store] – that he (Thompson) knew Prince and Dodds that they were loyal [and] had suffered for their loyalty to the federal government and insisted that he should release the house”. Paine replied that “he would do so if they would pay \$1000.” Thompson responded that this proposition was not acceptable. Redd met with J. A. Dodds the next morning and advised him to accept Paine’s offer. Prince was asked if he wished to accept the offer, he “replied again that he would do no such thing and that if the goods had been forfeited to the government or laid liable to confiscation that they might go” to witness the deed. Major Bartling caught en route to the store requested that he, Prince and Redd visit Lucien Anderson at the Continental Hotel to discuss the problem. The three met with Anderson in his room, “Major introduced affiant [Prince] to said Anderson – Redd called out about that time saying Lushi I want to see you a moment – Anderson seemed to be about starting to Washington City. Major B. and Anderson stating that the thing should be arranged” to reopen the grocery store. Bartling told Prince “that Anderson was a lawyer and would expect a fee or compensation for his labor.” Bartling then told Prince “to call and leave the money with him at the Provost Marshal’s Office and that he would express it to Anderson”. On August 24, 1864, Prince went to Bartling’s office “with an order from General Paine for the keys” to the store and Bartling provided the keys. On the 27th, Prince again visited Major Bartling and “asked him what amount said Anderson expected for his services – Major replied that \$500 was the amount expected.” Prince believed the cost too high and “that he felt as much under obligation to Major Bartling and Charley Thompson as to Mr. Anderson and thought it would be right to divide the thing”. Bartling replied that “he would himself receive nothing for what he had done”. Prince handed Bartling \$400 and stated “that if Anderson was not satisfied with that amount he and Anderson could arrange it when they should meet.” On September 12, Prince met with Bartling and requested a receipt for the \$400 for his business records. Bartling “refused to give a receipt and told him he had nothing to do with the matter only as a friend of Anderson to receive it and send it to him”. Prince then asked for some form of acknowledgement from Bartling that he received the money, Bartling again refused. Prince then asked for at least a receipt for the money taken from

his store's money drawer which Bartling said that he would only do so if ordered to by Paine.

Statement by J. H. Roe to General Fry (September 21, 1864), not listed

- Roe states that he "he received information from my brother in law that a friend of mine had about the first of this month addressed and enclosed to me a letter to Colonel Pickett of the 132nd Illinois requesting him to render me any assistance in his power." Roe believed at the time Bartling obtained the letter but declared that since his release from prison he was incorrect in that assumption. Do not understand what this statement is in reference to, possibly the delivery of mail.

Affidavit of E. B. Jones (September 15, 1864), owner of E. B. Jones & Company a clothing store located in Paducah.

- Jones states his store sold pistols and ammunition by permission of the military prior to Forrest's raid of Paducah. On March 25, 1864, fearing Forrest's advance upon the city, he boxed up "\$10,000 to \$12,000" worth of store supplies including pistols and ammunition and shipped them to Evansville. Deeming it safe to reopen his store, Jones obtained a permit at Evansville to have the items returned to Paducah in July of 1864. Prior to shipping the items he contacted the Provost Marshal at Paducah to inform him of the shipment and asked "if it was necessary to obtain a separate or special permit for the same but was told that it was unnecessary." When the shipment arrived at Paducah, "a box containing 20 pistols" was confiscated and sent to the port surveyor. The rest of the shipment was forwarded to Jones' store. On July 22, 1864, Jones' "whole stock of goods, papers, etc. was seized by General Paine saying that he would instruct Mr. T. M. Redd to take charge of these goods". Jones called upon Paine to inquire on why his stock was seized and if there were any charges. Jones received no reply from Paine's office. Jones applied to the special agent of the Treasury Department at Paducah to "know whether the same was reported as seized by Redd, surveyed and assessed". Jones was "informed that the same was reported and a letter was written" (listed in affidavit as exhibit A). Jones continued to find out "whether the said stock is in the hands or under seizure of military for violation of military orders or whether it was seized at the insistence and information of T. M. Redd Surveyor or for violation of Treasury regulations." Jones declares "that not one of their firm have ever aided abetted or contributed in any manner towards the rebellion and have never intentionally violated any order or trade regulation." Jones wishes to have his entire store's stock returned, excluding the pistols and ammunition. He claims the stock is worth \$25,000.

Images 341-357 – General Orders issued by Paine at Paducah

Affidavit of J. M. White (September 15, 1864), owner of J. M. White & Co. a dry goods store located in Paducah

- Witness claims that “goods sold by them would not be permitted outside of the picket lines”. White approached Bartling who “told him that he would permit no goods except those sold by merchants whose names appeared upon a list of those permitted to bring goods to Paducah”. White inquired why he was not on the list and was told “that the committee appointed by General Paine did not name our said firm on list and therefore he could not do anything”. White stated he wished to apply to the commission and asked who to address the application to. Major Bartling “answered address it to him and all trade matters passed thro his hands.” White demands “that they have the same privileges in purchasing and selling”. White declares to be “loyal to the government of the United States and have never contributed aided or abetted the rebellion directly or indirectly”.

Affidavit of George H. Morrow (September 16, 1864), citizen of Paducah

[note: Morrow served as county attorney for McCracken County from 1862 to 1870, the former Sheriff of Paducah from 1851 to 1855 and State Representative in 1850. He was also editor of a Whig newspaper in the city during the mid-1850s]

- Witness states that after Paine took command he was unable to obtain a pass outside of the pickets. Morrow called upon Paine and “told him I was a loyal and showed him an exemption from the examining board”. Paine replied that to receive a pass he would have to “get \$300 out of the bank with which to pay a substitute that I would put in the service as a representative substitute”. Morrow paid the \$300 and was declared a loyal citizen and issued a permit rent from property he owned. On September 8, 1864, he received a notice stating he must pay a \$1500 assessment tax which he had not paid at the time of his testimony. He concludes “I have generally been well treated by the officers at this post.”

Affidavit of W. R. Leigh (September 19, 1864), not listed

- Leigh states that “last spring in April or May he saw Captain Hall with an armed force on the road to his farm and Hall passed... he said “this is the way we protect you Mr. Leigh” and carried off “two mules and his buggy horse and bridle”. Leigh followed Hall to Paducah and went Hall’s commanding officer, Colonel Hicks. He demanded back his property whereby Hicks said “Hall had acted without his orders” and returned property except for his horse which was taken by “Gregory’s State Guard”. Leigh located the horse but was told he must pay \$15 to have it returned. He also stated that “about the time or just before General Paine’s appointment a band of armed negroes came to his house in the county and ransacked house and took from him 1 mule and 3 horses”. Leigh again went to Paducah where he approached Colonel Barry to recover his property. Barry returned the mules but retained the horse.

Affidavit of W. A. Bell (September 16, 1864), citizen and drug store owner at Paducah

- Witness claims that after Paine assumed command at Paducah “several stores had been closed by military order. This fueled together with other facts created, guided and affected the apprehension in the public mind and especially with the merchants whose bills the Provost had seen proper to reject.” Bell’s store was closed by military order. He went to Paine’s headquarters to introduce himself and receive an explanation on why his store was closed. Bell describes the meeting, “The introduction of myself to General Paine had scarcely taken place before he exclaimed that I was a damned rebel and copperhead and that Major Bartling himself had told him so.” Bell handed Paine notes of loyalty from a half dozen prominent citizens of Paducah, “in glancing over the names of the parties he very disrespectfully attended to them as being copperheads and as having as he called it ‘nigger on the brain’. The whole of the interview was insulting in the extreme.” Bell decided to sell his stock to Dr. Humble and Mr. Mayes of Mayfield the next day. The sale was for \$5000 and occurred on July 24, 1864. The following week Mayes sought a permit for the purchase which was denied until \$2000 was paid to the Provost Marshall. Bell backed out refusing to pay but consented that Mayes and Humble sell his stock to Mr. M. Neal. Bartling rejected Neil’s bills refunding Humble and Mayes and said “that he was going to have that money or I’ll shut up the store”. Bell authorized Neil to pay the money. He concludes, “I claim that a gross injustice has been done me and therefore this appeal is addressed to your honorable body for an investigation.”

Affidavit of John A. Roe (September 19, 1864), partner of Colonel A. P. Thompson
(Confederate officer who died during Forrest’s Raid in March 1864.

- Witness testifies that W. F. Norton was assigned the “effects both real and personal in trust firstly for the payment of his debts” of Colonel A. P. Thompson and “secondly for the benefit of his mother”. He also testified that the deed of trust was recorded at the McCracken County Court House and worth “fifteen to twenty thousand dollars”. Roe claims “I do not think they amount with interest to more than from five to seven thousand dollars”. He also stated that Thompson “authorized and requested me to act for him in adjusting the partnership business and employed me for that purpose. After making the assignment Colonel Thompson married the niece of Lucien Anderson, Miss Mary Mayes” (the daughter of the Mayes who wished to purchase the closed Prince & Dodds drug store). Roe goes further to state “W. B. Machen, who is now said to be a member of the Confederate Congress from this district is the executor of the will of R. Lane deceased and his brother F. Machen is one of his parties as said executor. Hynes Lane is the only heir at law for R. Lane deceased. P. B. McGoodwin of Princeton, Caldwell County, Kentucky was her guardian.” “Miss Lane notes and other securities amounting to some \$25,000 to twenty seven thousand dollars as collaterals are the absolute assets of the estate of R. Lane deceased.” Roe attended the making of the settlement when Miss Lane married E. P. McGoodwin. “Before the settlement I had collected of those securities

some \$3,000 dollars and paid the same over to the guardian (W. B. Machen). These collections were made at the insistence and in the name of the guardian.” W. B. Machen was indebted to James M. Stone for the tune of \$10,000 to pay Blant Hodge. “W. B. Machen’s farm and servants were levied upon in December of 1861, before the passage of the confiscation law or the state sequestration law and sold by the sheriff of Lyon County for cash and F. Machen and myself bought the property. W. B. Machen was indebted to L. Knoth for the purchase money for two hundred acres of land.” F. Machen and Roe also purchased the land. W. B. Machen was also indebted to M. M. Tyler for two town lots he bought in Eddyville. Roe states that a friend of his contacted by Paine to “vouch for him in regard to some tobacco and for me to go with him to headquarters.” While at Paine’s headquarters Roe was interrogated “in regard to my own tobacco as to how much I had bought and how much I had on hand. He then said he understood I had been acting as an agent for Machen and Thompson. I briefly gave him the same statement as detailed above and thereupon he called a guard and told him to take me to Major Bartling and tell him to keep me under guard at my office ... until I should present a detailed statement of all my own transactions since the war began.” Roe was permitted to “sleep at my office and take any meals at the hotel. Captain Chapman kindly permitted me accompanied by a colored guard to attend service at the Methodist Church and on two occasions to attend social parties at the houses of friends. The negro soldiers, two of whom belonged to myself and F. Machen treated me during the seven weeks of my confinement with the utmost kindness.” Roe’s “correspondence was subjected to surveillance and some of my letters were sent to me by the hand of a negro sergeant.” Roe complained that he did not receive letters sent to him. “J. T. Bolinger came to my office and told me that he had me arrested and that his object was to have Thompson’s estate and Machen’s property appropriated to the payment of the loss sustained by himself and J. H. [Bohuran] on account of a gunboat burned by General Forrest for them.” Roe continues “While under arrest the widow of Colonel Thompson went to his mother and father and they tell me she said to them that she had been directed to say to them that by a good loyal lawyer, whose name she was not permitted to give (but that it was not her uncle Lucien Anderson) that if they would make over to her estate of Colonel Thompson it should not be confiscated”. Roe testifies to the character of A. Wickersham who says “is a one eyed kind hearted old man some fifty or fifty five years old and has been living here some six or seven years in straightened circumstances with a wife and one or two children. I formed his acquaintance by being a member of the same church with myself.” Wickersham established a wagon yard across from Roe’s office building just prior to the war. Wickersham came to Roe and said “that he had been notified to prepare to go to Canada and that he was required to leave everything except his wearing apparel. He said he went to the Provost Marshall to see why the order was issued, who told him that he was charged with having held a horse for Forrest’s men during the raid in Paducah while they were sacking the stores. He said the charge was true but that he had

been forced to do so by Forrest's men. He said the Provost Marshall told him he might sell out to the man who now occupies the premises at the price of \$300 if he chose to do so. I advised him not to but he told me had already sold and a day or so afterwards I saw the family going down to the wharf. I do not think they [were sent] away and I learned they are now in Cairo." Roe was also visited by J. E. Woodward who told him "he had been ordered by General Paine to sell a hogshead of tobacco of mine at the planters warehouse." Roe told Woodward to retain all the money received for his tobacco and that he would "hold him personally responsible". On September 13, 1864, Roe was informed that Woodward had paid Bartling 25% of tobacco sales for the loyalty tax and that "Paine had designed the whole proceeds of my tobacco for the refugee fund and that he would not pay me the remaining 75 percent of the proceeds of my tobacco without an order from General Burbridge". Roe claims that he purchased the tobacco "before any military restrictions were laid upon trade in this district". Roe further claims that he "never been in the rebel service in any capacity and have quietly and peaceably attending to my own business and although my loyalty is not regarded as gilt edged, yet I have complied with all the demands made upon the citizens either of a civil or military character and discharged all the duties obligations of a good citizen." He concluded by stating "I had however made up my mind not to comply with the order of General Paine being satisfied that it was in violation of every principle of law and rectitude and beyond the utmost limits of his authority." On September 13, 1864, Roe was released from house arrest.

Affidavit of Empson Brownfield (September 19, 1864), soldier in the 111th Illinois Volunteer Infantry

- Witness testifies that he took "2 window blinds, 2 counterpanes, 2 musketo bars, and 2 quilts" from the house of Scott Ford "for the use of Captain Phelps Paine". This was done by the order of Major Bartling.

Affidavit of Ambrose Wickersham (September 20, 1864), business owner from Paducah

- Witness testifies that Major Bartling notified him that his stores would be confiscated and that "if you can sell between this and 4 o'clock to this man [Jack Dodge] for some little sum you may do it, but after 4 o'clock you can't sell to any one". Wickersham took the sum of "\$350 for my property though it was worth \$1100." He declares that he was "bullied and intimidated by Major Bartling" and that he has always been a "loyal man".

Orders issued by Paine to Brigadier General Henry Prince at Columbus, Kentucky.

- "General, you will without delay appoint a competent person to make an assessment of all property both real and personal belonging to persons who are not open undoubted loyal persons. You will make this the rule of loyalty that the person must have the reputation among all of his neighbors and acquaintances as being an open undoubted

loyal person. You will not permit disloyal persons to give an opinion. Only Union men will be enquired of such assessment will contain the name of the owner, value and kind of property and vocation. Also a brief history of the owner. A duplicate of said assessment will be sent to District Headquarters as soon as completed.

- You will also direct said assessor to make a list of all rented lands at your post and in the vicinity stating owners name, to whom rented and rates of rent. If the owner is not a loyal person you will at once notify the renter to pay his rent to the Post Quarter Master.
- You will today take charge of the Post Office, place a competent officer in charge and remove Mr. Moore from it.
- You will also dispose mayors, sheriffs, justices of the peace and constables and other civil officers who are not undoubted loyal men.”

Orders issued by Paine to Brigadier General Henry Prince at Columbus, Kentucky.

- “General, you will notify the following named persons to make their arrangements to leave the country on Monday August 8th 1864. They will be permitted to take their wearing apparel, jewelry, pictures, fine table ware and one medium sized box containing as they select. They will be required to furnish money for their own transportation and freight on goods.
- You will send them to Cairo, Illinois Monday under guard and deliver them into the custody of Brigadier General Meredith.
- You will not permit one of the persons to leave this post until you send them as directed to Cairo, Illinois.
- You will appoint a competent officer to make an inventory of their personal effects not take with them and safely store the same.
- Names penciled at top of order difficult to read, [Quinn Hagin and daughter, McKain Hubbard, Pembroke Walkin, Burriss Walkin, John Morton, J. A. Steiner, Jack Moody, Judge Vance, George Moss, Mr. Malone, wife and Daughter, R. E. Cook, W. Cook, Ed Smedley, James Yantice, Charles McKie & Co., Doughty]

List of persons to be removed from country

- Marshall County, Kentucky – Benton County Seat
 - o Willis Stron, southern sympathizer
 - o Jesse Gilbert, lawyer, southern sympathizer
 - o Alex Nelson, southern sympathizer
 - o Erb. Pase, southern sympathizer
 - o V. Ely, sheriff, southern sympathizer
 - o Ray Rollin, trading with guerrillas
 - o William Brooks, trading with guerrillas
 - o Thomas Latham of Birmingham, horse thief
 - o Gay boys, John Gay, Union, horse thief

- Ed Bloodworth, son-in-law of Gay, guerrilla band

Affidavit of John L. Smedley (September 20, 1864), resident of Columbus

- Witness testifies that he was present when Paine was at Columbus, Kentucky and sent for “Pembroke Walker, Burns Walker, James Morton, Richard Cook, William Cook and James Moore”. When all the men were present “General Paine used towards these men the most violent and abusive manner, cursing and vilifying them in the most shameful way.” Smedley states that these “men were all banished by General Paine although they are all union men as I well know and have always been good and loyal men”. William McKean Hubbard of Columbus was similarly treated and also banished. Smedley also claims the Colonel William H. Lawrence, post commander, “permitted 12 barrels of salt to a rebel sympathizer outside his lines when I could not get leave to take out a single barrel.”

Statement of Samuel L. Andrews (September 17, 1864 at Mayfield), Captain, Company H, 134th Illinois Volunteer Infantry

- Andrews states that on August 16, 1864, he was ordered by Colonel McChesney to report to Major John A. Wilson to fortify the courthouse. Andrews said McChesney “intended the rebels in and around Mayfield should do the work, that Major Wilson had charge of the work and that he wished me to report to Major Wilson for the purpose of superintending the workmen.” [Wilson later served with the 147th and 153rd Illinois Infantry in 1865.]
- “The first day, for want of proper tools very little was done at the contemplated work, but the men were employed in cleaning the streets. The next day the work of planking up the doors and windows of the courthouse and piercing the walls for muskets and throwing up earthworks at the north door was commenced. It is in my opinion that at this stage of affairs no earthworks of any considerable magnitude were thought of, at least no intimation was made to me of any work to be done except strengthening the courthouse but after working a day or two on the courthouse, T. W. E. Belden of Company A, 134th Illinois Volunteer Infantry (reported a good civil engineer) was detailed to lay out more extensive earthworks.” [note: Theodore William Ely Belden was a Yale University graduate of 1857. He was originally from West Springfield, Massachusetts and was a lawyer.]
- “The usual method of obtaining men to do this work was to make out lists of names of men reported disloyal in the different neighborhoods and then send a reported rebel to notify the parties. Some men however were sent to the work that were not notified but who coming to town on business or for other purposes and not being able to give proof of their loyalty were detained and set to work.”
- “Many of the men reported to me claimed exemption from work on account of being union men. Such I always referred to Major Wilson and I suppose every instance when

they gave him satisfactory evidence of being an unconditional union men they were released at once at least such was the Major's instructions to me for my government in like cases in his absence. It also happened that many of the men ordered in to work were from old age and disease physically unfit to work. In such cases it was the custom to require them to furnish substitutes or pay money to procure substitutes for them. In a few instances too, healthy men were allowed to pay money to procure substitutes, but so far as I observed that was only done in cases where the men had sick families at home or when for some human reason the major released them."

- "The money that I ordered men to pay in lieu of labor was paid to Judge Blount. I was authorized by Major Wilson to pay the money to Judge Blount, or rather to have the persons exempted pay it to him. My method of doing the business was this. I would on a small piece of paper write out a statement somewhat as follows, "Mr. A. B. will be excused from further work on fortifications of Mayfield on his paying to Judge Blount the sum of ----- dollars. The party then would go to Judge Blount and pay the money and on the back of the same piece of paper the Judge would [have] a receipt for the money. The party then went to the Provost Marshall and showing him the terms on which he was excused from work obtained a pass to return home."
- "When the arrangement was first made with Judge Blount to receive the money thus paid and Major Wilson also had the money paid to Judge Blount instead of himself but in a day or two after the Judge was appointed he was absent from town or sick I never was advised which and Major Wilson then and afterward received himself such monies as he adjudged parties to pay even after the judge's return. The amount of money thus paid in by men for exemption from work on fort I have no means of knowing except hearsay. Major Wilson told me that he had receipts from Colonel McChesney for about seventeen hundred dollars (\$1700) and Judge Blount told me that he had paid to the commander of this post about twelve hundred dollars (\$1200) and this paid by Judge Blount may or may not have been included some paid to Colonel Cunningham as it was after Colonel Cunningham was in command that he mentioned the fact to me."
- "And allow me here General to acknowledge myself much obliged to Judge Blount for his kindness in giving me such assistance in the discharge of my duties as only his extensive acquaintance with the men in my charge qualified him to give."

Affidavit of Hiram R. Enoch (September 19, 1864), Quartermaster of the 132nd Illinois Volunteer Infantry

- Witness testifies that he nothing "except hearsay" in regards "to the financial derelictions of Brigadier General E. A. Paine". Enoch states that "on several occasions during interviews between him (Paine) and citizens of the district when language like the following was used "you d—d rebel you, I will take every cent of property you have and send you to Central America" - "You are a d—d rebel and ought to be shot." Enoch was present when Lane, Sanford & Co. of Rockford, Illinois sought to obtain a permit to

purchase and ship tobacco from Paine. Paine's reply to the request was "No, sir! I will not permit one pound of tobacco to be purchased in the district". Enoch remarked "that a great deal of tobacco was being brought into this city from the country and the general understanding was that it was being bought by somebody". Paine replied that it "was not so and that he was permitting it to be brought in from the country and stored and that I might in a few days witness one of the biggest d—d tobacco smokings that I ever saw." The witness also stated that Paine said he would "not permit any outsider to come here to buy but would grant the privilege to men here who had borne the burden and the heat of the day". In regards to executions ordered by Paine, Enoch claimed he heard four men - Kesterton, Taylor, Matheny and Hess were killed without a "trail for their offenses". He also testifies that the furniture in the house occupied by Colonel Picket belonged to John W. Sheerer [grocer from Paducah] and inventoried by Bartling. He further claims Bartling conducted inventories in a "loose manner" and treated families affected by military closure and confiscation "very rough and ungentlemanly". Enoch concludes that he knew nothing of the affairs at Mayfield "except as informed by Colonel McChesney", who told him that he "had shot seven men and that he had another one in the guardhouse there whom he intended to shoot the next day". Enoch asked "if he gave them a trial", which McChesney responded "he did not but caused them to be shot as soon as captured and brought in saying that one of the men was killed and covered up in his grave in 45 minutes from the time he was brought into town".

Affidavit of J. C. Brooks (September 19, 1864), resident of Paducah

- Witness states that troops under the command of Paine "came to his house took two mules, one horse and ransacked his house taking off bed clothes and wearing apparel – in fact nearly everything they could lay their hands on".

Abstract of receipts and expenditures of the relief fund from July 22 to September 13, 1864
(image 408-409)

- Ledger lists funds received, how or who it was received from and who the funds were sent to. Seems to mention many of the controversial financial issues mentioned in Paine's court marshal. Fairly detailed.

Affidavit of Lucien Anderson (September 21, 1864), Congressman from the 1st District of Kentucky

- Witness testifies that he took the case of Ashbrook, Ryan & Co. "simply as attorney – that he examined the Treasury regulations and represented the law and facts to the surveyor of the port and to Brigadier General Paine and succeeded in procuring the release of Ashbrook, Ryan & Co. from restrictions". He claims he "received the sum of \$750 being part of a check for \$1500 executed by Ashbrook, Ryan & Co." and that the "check was handed to me by one of the partners and I having been told by one of the

partners (or perhaps by both) that Major Harry Bartling, 8th U. S. Colored Heavy Artillery had agreed to intercede for them and did the next morning hand the check for \$1500 to said Major Bartling and received \$750 as my share of it – Bartling kept the remainder”. In regards to the closing of Prince & Dodds storehouse in Paducah, Anderson was by them and remonstrated before Paine against an assessment of \$1000. He stated the funds were returned to Prince & Dodds. Upon his return from Washington he was met by Bartling “who exhibited \$400 which he said was a fee for Anderson from Prince & Dodds – Bartling handed deponent \$200 and kept \$200 for himself” for services rendered.

Letter written to Major General Burbridge from G. W. Anderson at Louisville (September 8, 1864)

- Letter states that Mr. Horne and Mr. Moore were “seized and sent out of the country” and that they are “known union men, are loyal citizens and have always been such.” The letter requests that his father be given an “order to take possession of his store and goods and guarantees to hold all monies from sale of said goods subject to your order.”

Affidavit of A. S. Arnold (September 17, 1864), Deputy Sheriff of Hickman County
[Arnold served as deputy sheriff from 1862 to 1867 and later served as a state representative in 1871.]

- Witness claims “the military came and took out the poll books and assessors books by force from the clerk’s office”. He named J. T. Bollinger as the person “acting as director in the concern” and that the clerk was powerless as there was a lot of armed Federal soldiers.” He also stated that “this was the time General Paine was at Columbus and sent off some exiles to Canada.”

Letter from Lewis N. [Demtre] to Major General Burbridge from Louisville dated September 4, 1864

- Letter is in regard to the “Lindsay tobacco case” in the civil courts. The writer states that included in the letter was a “copy of a telegraphic dispatch from General Paine giving his reasons for seizing Lindsay’s tobacco.” (could not locate attached dispatch)

Letter from G. Robertson to Major General Burbridge from Lexington (5th Division Headquarters, 23rd Army Corps) dated September 9, 1864

[note: John Quincy Adams King was state senator from 1855 to 1859, acting Lieutenant Governor in 1858 and house representative in 1861 prior to being expelled on December 21, 1861 for “giving aid and comfort to the Confederate Army. In 1876, he relocated to Denver, Colorado where practiced law.]

- Letter states that Paine ordered Mr. Cobb to pay \$400 fee to reside in a house owned by the wife of John Q. A. King of Paducah, former member of the Kentucky Senate.

According to the letter the Cobb family “was burnt out and reduced to destitution by rebel marauders.” Robertson requests “revocation or relaxation of the said order”.

Petition from Catherine R. Greathouse to Major General Burbridge from Uniontown, Kentucky dated September 6, 1864

- Greathouse writes that on August 18, 1864 that Paine “passed through this county with a number of troops landing at this place and they remained here until after dinner collecting horses, etc.” She heard of his arrival and had her 16 year old son hide their family’s four horses in the nearby woods. One of Paine’s soldiers demanded the horses from Greathouse, who replied they were in the woods with her son. The soldier told others in his command that “if he (her son) he attempts to run shoot him down”. She informed the soldier that “the owner of the horses was a Union man away from home attending the burial of his son in Vandalia, Illinois – Colonel Lucien Greathouse who fell before Atlanta, Georgia on 22 of July”. The soldier replied “it was hard to take his property while away...but they must have them”. “General Paine took all the horses and the saddle”. Greathouse pleads for the return of the horses and states she has “done nothing to merit such unjust treatment”. She claims “there are plenty of men in the county if General Paine had taken their horses would not have felt it having homes, stock and money to purchase more with.”

Affidavit of Joseph Ray (September 20, 1864), resident of Livingston County

- Witness states that Major John H. Peck of the 132nd Illinois Volunteer Infantry, under orders from Paine, levied assessments upon loyal citizens of Livingston County. Ray also claims “that numerous other instances of improper assessment and collection were committed in Livingston County and prays that the said Major John H. Peck be arrested and brought to trial.”

Letter by Paine to Captain J. Bates Dickson, Assistant Adjutant General at Lexington dated August 30, 1864

[Dickson was an officer in the 12th Illinois Infantry.]

- Paine replies to an order given by Burbridge to report goods seized by his troops while in Union County. He writes that he “seized sixty hogsheads of tobacco and shipped the same to the Assistant Quarter Master at Evansville, Indiana. Also seized seventy four barrels of whiskey, one hundred and forty barrels of salt, two hundred and sixty four bales of hay belonging to the government and seized and drove back here ninety head of cattle, one hundred forty seven horses and forty mules. The whiskey, salt and cattle were turned over to Captain McKenzie, Post C.S. The hay, horses and mules to the Post A.Q.M. Captain I. A. Fenley. I also seized 10 buggies and carriages, which were inventoried and turned over to the District Provost Marshal, Major Bartling, and all of

which are advertised to be sold at auction next Saturday, the proceeds to be put into the relief fund.”

Petition from Samuel Fels to Lieutenant Colonel Thomas B. Fairleigh commanding post at Louisville dated August 16, 1864

[Fairleigh was the commander of the 26th Kentucky Infantry.]

- Fels writes that Paine ordered the seizure of five hogsheads of tobacco, believed to be the property of rebels, and sold the said tobacco at public auction on August 16, 1864 at Paducah. The hogsheads were purchased from J. E. Woodward for \$2333.02 and sent to Louisville. The delivery of the proceeds of the sale were refused and Fels requests that the “military authority generally will protest him in his rights required under General Paine’s proceedings”.

Case of E. A. Lindsay vs. Samuel Fels & Gradison Spratt (September 2, 1864)

- Lindsay states he is the sole owner of five hogsheads of tobacco and that he was told to pay a 25 percent tax on the shipping of the tobacco by Paine. Lindsay refused to pay and Paine seized the tobacco. Paine sold the tobacco at auction to Samuel Fels. Fels shipped the tobacco to Dan Able & Co. of Cairo, Illinois who shipped it to Louisville. Lindsay claims the tobacco was worth \$600 per hogshead and seeks \$3000 in damages and “for other proper relief”.

Letter written by J. T. Boyle to Major General Burbridge from Louisville dated September 8, 1864

[note: Believed to be Brigadier General Jeremiah Tilford Boyle, who was appointed Military Governor of Kentucky by President Lincoln in May of 1862. He was relieved of his command on January 2, 1864 for not supporting the enlistment of black soldiers into the military along with other differences with the Lincoln administration. On January 4, 1864 he resigned his commission. He may have been the president of the Louisville City Railway Company at this time. Why did he write Burbridge?]

- Boyle begins the letter with “In behalf of an oppressed and injured people, I beg you will read and consider the statements here made and take each action as will relieve the people from such outrages and wrongs.” He mentions “Previous to his assignment to this command, he was commanding at Gallatin, Tenn. and committed there similar outrages to those states herein. I believe he has never been in front to meet the enemy and never has heard the whiz of a ball or the burst of a shell, but has remained in the rear to practice his cowardly acts of oppression and cruelty.” “This man has around him such creatures as Lucien Anderson, a degenerate son of Kentucky, to instigate him to his acts of outrage and oppression.” He claims the following against Paine:
 - o “refuses to permit the people to sell and dispose of their own produce to loyal purchasers, or compels them to sell to his favorites and protégés at prices far

below the value of their property. After permission of compulsion to sell, he refuses to allow the purchaser to pay the price agreed upon or the seller to receive it, except on his order.”

- “he seizes and confiscates the property of loyal men at his pleasure, counting all disloyal.”
- “he levies most exorbitant taxes on the property of loyal citizens and seizes and holds the same until tax is paid or sells the same at his pleasure”.
- “He arrests and sends off into exile among strangers without means of living men, women and children who have shown their loyalty for more than three years.”
- “he permitted a young man named Harris, doing business in Paducah, to sell his stock of goods and then refused to allow him to receive the poor price to be paid and directed the purchaser not to pay the same without his order.”
- “he refused to allow Mr. L. M. Flourney to bring or sell goods in Paducah, or to remove his goods, although you had given an order permitting their removal”. [note: Flourney was the president of the Commercial Bank of Kentucky.]
- “he forced a man named Bell, selling drugs, medicines, etc. in Paducah, to sell his stock of goods, whereby he was unable to get only \$5000 for near \$15000 worth of goods and this man Paine required Bell to pay \$2000.” [note: W. A. Bell owner of Bell’s Drug Store.]
- “Mr. Robert Enders, a loyal citizen and original union man, whose home was in Paducah, has been refused the privilege of collecting the rents from his tenants, and this tyrant Paine has ordered all his rents to be paid to the Provost Marshal, or Post Quartermaster, who is under the order of Paine.” [note: Enders was one of the early settlers of Paducah and was 64 year old merchant at the time.]
- “Mr. C. H. Rieke, a loyal citizen of Kentucky, purchased fifty nine hogshead of tobacco which Paine refused to be shipped and seized and holds nine hogsheads and requires one-fourth of the value of it to be paid to him or his officer. Mr. Ricke, in order to secure the tobacco sold one half of it to General John Boyle, recently Adjutant General of Kentucky, a friend and supporter of the present administration.” Boyle wrote Burbridge who ordered Paine to release the tobacco to be shipped. “Paine refused to obey the order and told Boyle that if he would pay him \$100 on each of the nine hogshead of tobacco he would let him have it all and gave positive instructions that your orders should not be obeyed.” [Charles H. Reike later managed the Paducah Furniture Manufacturing Company.]
- “Time and space would fail to communicate all the cases of tyranny, oppression and outrage of which this man Paine is guilty.”
- “He (Paine) has declared that he arrested and levied a tax of \$850,000 on the people of the seven counties west of the Tennessee River in the State of Kentucky. He levied \$90,000 on the people of Hickman, Kentucky. He disregards the proof of loyalty of the citizens and treats all as rebels.”

- “I stand pledged to prove and make good these charges and others of great enormity if you will bring the man Paine to trial before a proper judicial tribunal.”

Letter from E. A. Paine to I. Bates Dickson (September 5, 1864), Assistant Adjutant General at Lexington

- Paine writes “I am doubtful as to the loyalty of (Robert S.) Byrnes and (C. S.) Cambron but hold the property subject to order of the General (Burbridge).”

Letter from David G. Bainitz, Department General Agent of the Treasury Department at Cincinnati, to T. M. Redd, Surveyor at Paducah (August 12, 1864)

- Bainitz writes “If the goods reported by you in your letter of August 6th have been seized and turned over to you by General Paine for a violation of the Treasury Regulations you will carefully investigate all the facts concerning them and if satisfied that a willful violation of material importance has occurred you will send them to Evansville, Indiana with a full statement of the alleged violations that they may be reported to the U. S. District Attorney for libel and condemnation. But if you are satisfied that there has been no such violation you will decline to take any custody or control of the goods and will ask General Paine to relieve you from any further connection with the goods.” “If they have been seized by General Paine for any violation of a military order we can have nothing to do with them and they must be returned to him or the military authorities.”

Letter from Matthew Howard to E. A. Paine (September 2, 1864), resident of Mount Vernon, Indiana

- Howard writes “Mr. Robert Byrnes of Uniontown, Kentucky calls on me to endorse his loyalty. I can endorse him as a good meaning and quiet man but I have always been under the impression that his political sentiments were adverse to his government in the present struggle. I never regarded him as a thorough Union man...” “If consistent with your sense of duty, I would recommend the restoration of his goods on the conditions that he will solemnly affirm his innocence of all complicity in the rebellion in the past and his willingness to yield true allegiance to the U. S. government in the future”.
- Howard adds “In regards to Mr. Cambron, I can say nothing knowingly. I am aware of only one fact favorable to him in the present instance, I was present when he engaged in a fight with a man in Uniontown who quarreled with him for condemning the guerrilla system of firing on boats.”

Letter from S. M. Semont, per J. F. Gewell, of Louisville, to G. W. Wamack, Captain and Provost Marshall at Lexington (August 25, 1864)

- Semont writes “My friend Mr. Robert L. Byrnes of Unionville, Kentucky is about visiting Major General Burbridge at Lexington to see him in reference to some property taken from him at Uniontown by the military. I know Mr. Byrnes to be a good loyal man, he

has been doing business for me at that place for the last two years buying grain for the government.” He further requests assistance in the “recovery of his property.”

Letter from Richard H. Taylor, paymaster and mustering officer at Frankfort, Kentucky (August 25, 1864)

- Taylor claims he is a acquaintance of Byrnes and Cambron of Uniontown and believes them to be “loyal men”.

Letter to Matthew Howard of Evansville, Indiana from W. Lenour (September 1, 1864)

- Lenour states “I was down at Paducah and Mr. Byrnes was trying to get his stuff from General Paine and I thought he would succeed but he wants more testing in regards [to] his loyalty. He has explained himself as being a good union man and I believe he is but at home he could not do it as publically as he has to me”. Lenour also states “Mr. Cambron has often told me he was a better union man than I was, I have no doubt of either of them now.”

Letter from Captain I. Bates Dickson, Assistant Adjutant General, 5th Division, 23rd Army Corps at Lexington to General S. S. Fry (September 9, 1864)

- Dickson writes that he has attached a letter from Hall & Rudd in regards to charges on tobacco shipped from Evansville to Louisville. He remarks that the letter arrived at his office on September 2, 1864 and sent to General Hugh Boyle Ewing in Louisville.

Letter from Hall & Rudd Steamboat Agents at Evansville, Indiana to Phelps Caldwell & Co. of Louisville (August 31, 1864)

- Letter states “there is one charge of two dollars per hogshead for permit at Smithland that we don’t understand and here submitted it to the military commission” at Evansville. The charge was set on August 29th.

Letter from Captain I. Bates Dickson at Lexington to General S. S. Fry at Paducah (September 13, 1864)

- Dickson writes “the General Commanding [Burbridge] has understood that a Mr. J. H. Woodard at Paducah is charging \$10 per hogshead for permits to ship tobacco. He desires that you will make a thorough investigation of this case.”

Affidavit of Judge I. T. Handlin of Smithland (September 19, 1864)

- Handlin offers a “list of a part of the collections by assessment of Major John H. Peck while at Smithland, Kentucky.” The list contains 15 names and total collection of \$2,760.

Report submitted by S. S. Fry to Captain I. Bates Dickson (September [no exact date listed] 1864)

- The report begins “The undersigned a committee of investigation appointed by Brevet Major General S. G. Burbridge commanding Military District of Kentucky (special order no. 2 part II, Headquarters Military District of Kentucky) have the honor to report that in obedience to instructions they proceeded to Paducah, Kentucky and investigated the conduct of affairs in the West District of Kentucky under command of Brigadier General E. A. Paine, U. S. V. late military commander of that district. The report declared:
 - “they had much difficulty in procuring information from official sources as Brigadier General Paine and his Assistant Adjutant General left Paducah on the evening of our arrival taking with them or having sent away every clerk who was familiar with the office business of headquarters.
 - “the records of the Assistant Adjutant General office were submitted to our inspection by Brigadier General Meredith, the successor of General Paine, but were so incomplete and irregularly kept that they proved but little service in the investigation. Many orders proved to have been issued by Brigadier General Paine have no entry on his books.
 - “committee proceeded to examine numerous witnesses, both soldiers and civilians, and to reduce their testimony to the form of affidavits.” “The course, although irregular, was judged under all the circumstances to be necessary and expedient. It enables us to make the following report of facts about which we think there can be but little controversy.”
 - “His (Paine) violence of manner was of a character to very much alarm the community. Several of the citizens, whose uniform good conduct is a matter of public notoriety and who had fought to defend the city against an attack by General Forrest were terrified into leaving their homes. The most sanguinary and brutal threats were continually uttered by General Paine and the executions of some guerrillas or persons charged with that crime gave such color to his threats as to alarm the entire country”
 - The “committee have found but one single citizen of the city of Paducah (Mr. R. Ender) who was ever accosted by Brigadier General Paine in terms of common civility. His usage of gentlemen whose reputation for integrity and social work is co-extensive with the district was harsh and brutal in the extreme. Curses were heaped upon all who approached him. A favorite expression and one frequently made use of was - “you are a god damned scoundrel, god damn you, I’ll dig a hole and shoot and put you in it.”
 - “Private citizens against whom not an earthly charge could be made were summarily arrested and thrust into the yard house. One gentleman (Dr. Milan) was confined for fifty on days and finally thrust out as he had been thrust in, without charges or explanation.
 - “A man named Doughty was seized by General Paine and ordered to execution, although he had been tried and acquitted by a military court of the identical

charge upon which his death warrant was founded”. General Meredith countermanded the order and released the man.

- “...an order was issued by General Paine confiscating the rents of all property belonging to persons who were not and had not been of unconditional loyalty. Mr. R. H. Hall, Provost Marshal 1st Congressional District of Kentucky, who was charged by General Paine with the supervision and collection of the forfeited rents, testified that many loyal and union men suffered heavily by this order...”
“How much money was collected under this programme or whether Captain Hall’s report of \$2700 is correct your committee had no method of ascertaining except from Captain Halls affidavit...”
- “When the civil officers of the county remonstrated against General Paine’s policy they were notified to resign and in one instance did resign. The jailor of the county was forced to discharge from his custody persons committed for felony because their accusers in the civil courts were not proved to have been unconditional union men.”
- “Money was extorted from private citizens by officers with the knowledge and consent of Brigadier General Paine as will be particularly seen from the affidavits of William S. Mayes & Thomas A. Duke.” [note: Duke was an unsuccessful candidate for state office in 1863 and was associated with the Copperhead movement.]
- “The colonel commanding post at Paducah, Colonel H. W. Barry, 8th U. S. Colored Heavy Artillery forced a banker of the city to pay \$150 in gold to a prostitute whose society the Colonel enjoyed.”
- “Private houses were seized by General Paine’s order and the furniture and bedding confiscated.” “...Captain Phelps Paine, son of General Paine and his Assistant Adjutant General, actually appropriated bedding from a private house and carried it off when he left the station.”
- “General Paine announced his attention of excluding from trade privileges within the district all who were not of unconditional loyalty from the commencement of the rebellion. With this view he levied a tax of \$10 on each hogshead of tobacco and bale of cotton exported and assessed an ad valorena tax of 25 percent on all cotton or tobacco which had ever been the property, in whole or in part, of any person not an unconditional union man. The tax of \$10 per hogshead and bale was to be paid as a fee to Mr. John E. Woodward whom General Paine had appointed trade agent to grant permits. For the purpose of carrying out this order the large tobacco warehouse of Thomas Hale was seized and put in possession of Mr. Woodward. Towards the latter part of General Paine’s administration the fees of Mr. Woodward were reduced to \$2. It is but justice to Mr. Woodward that we should state our belief that he acted honestly in taking the fees allowed him.”

- “It is proper here to state that General Paine was chiefly advised by the following persons, to each of whom particular references will be made hereafter: Honorary Lucien Anderson, member of Congress, John I. Bollinger, R. H. Hall, Provost Marshal 1st Congressional District of Kentucky, Major Henry Bartling, 8th U. S. Colored Heavy Artillery and Thomas Redd, surveyor of the port of Paducah. Your committee distinctly and deliberately charge that these men and each of them, except Redd, are guilty of corruption, bribery and malfeasance in office.”
- “During the time that General Paine’s tax on tobacco and cotton was in full force Bollinger shipped as his own affidavit shows about 142 hogsheads of tobacco and 84 bales of cotton. The total sum paid by him as fees and permits was \$10...”
“...that a government steamboat was put a Bollinger’s disposal for the purpose of bringing his cotton and tobacco from a point where he had collected it and that U.S. soldiers were detailed for the fatigue duty of loading it into the boat.”
- “One part of the trade regulations promulgated by Brigadier General Paine was an order requiring that all bank checks should be approved by him or by an agent appointed by him before payment could be obtained.” “For granting the approval thus required Mr. Thomas Redd was empowered to charge and collect 50 cents on each check which he did as his fees. “
- “The seizure of store houses and goods was generally proceeded by the arrest of the owners or their clerks. In no case was reason assigned for seizure which was not explained away as soon as a fee was paid to Mr. Anderson and Major Bartling. In the great majority of cases your committee could not, with the most diligent search, discover any charge alleged or proved against the sufferers.”
- “As part of the trade regulations of the past of Paducah, we found a standing charge of ten cents for each letter, newspaper or parcel allowed to leave the city of Paducah. In some instances 50 cents were paid to Major Bartling for permission to send letters from soldiers to their wives and families.”
- “As a minor part of the financial management of the district all the barrooms, theater and other licenses were confiscated by the military.”
- “General Paine appointed one W. M. Starks to the duty of assessing the district for reimbursing the loyal men who had suffered from rebel and guerilla depredations.” “It shows that the men who were to pronounce on the validity of the claims for reimbursements were themselves claimants and also assessors.” “Your committee ascertained the fact that many loyal men were assessed in large sums, that many of the largest losers by rebel depredations were among those most heavily taxed and that an injustice of the most flagrant and oppressive nature was being perpetrated.” [note: William M. Starks was a farmer from Calloway County. See 1860 Calloway County Census.]
- “Your committee enquired carefully into the expatriation of citizens by Brigadier General Paine and we feel compelled to condemn his course. There may have

been, and countless were, cases of merited punishment but the great majority of those exiled were persons whose propriety and loyalty of conduct were proved...” “Your committee recommends that all General Paine’s orders of exile be revoked and the parties permitted to return to their homes.” “Your committee found that storehouses of exiled parties were rented ostensibly for the benefit of the government but could procure no account of the funds accruing there from. One storehouse was in the possession of Bollinger and your committee at once ejected him.”

- “It appears irregular that no account of the number of persons executed by General Paine, their names, crimes and sentences can be obtained. Your committee enquired of every witness and instituted extra official researches but without satisfactory results.” “The information elicited by your committee was vague and uncertain and fixed the number of persons who had suffered death at all numbers between 5 and 43. The order books of General Paine gave no clue to the matter, nor did the records of the guardhouse.”
- “At Mayfield, if men were shot by Colonel McChesney, 134 Illinois Volunteers, of whose guilt or innocence your committee have no means of judging.” “The current rumors are doubtless grossly exaggerated but in absence of any proof your committee forbear commenting.”
- “General Paine directed the construction of defensive works at Mayfield, Graves County, Kentucky. Of the unskillfulness exhibited in the selection of the site it is not our province to speak but the wanton and cruel destruction of a beautiful and thriving village was calculated to arouse our strongest feelings of indignation.” “A mass of affidavits, receipts and other proof are herewith transmitted establishing the disgraceful fact that cripples, sick and infirmed old men were forced to do hard manual labor unless they purchased immunity by paying money to the post commandant. The price of release varied from \$5 to \$400 with the wealth of the parties, nor was exemption upon payment confined to those physically disabled. The fact was unblushingly made public that anyone could by bribery obtain his release.” “It is true that the active and unmediated agent in this oppression and extortion was Colonel McChesney, 134th Illinois Volunteers, but your committee calls attention to the fact that Mayfield was but 25 miles from General Paine’s headquarters and was his nearest military post and was connected by railway with Paducah. That a matter of such public notoriety should have been unknown to General Paine is possible but your committee thinks hardly probable.”
- The committee found that:
 - Lucien Anderson was in “complicity with Major Bartling”
 - John L. Bolinger was granted special privileges by Paine
 - R. H. Hall “accepted bribes” and “abused his official position to extort money from citizens.”

- Thomas M. Redd is “guilty of receiving illegal fees and one of the principle agents in the entire catalogue of assessments extortions and oppressions”
 - Major Henry Bartling is guilty of extorting money and abusing his powers
 - Colonel H. W. Barry is guilty of “extorting money from a bank to pay a prostitute”
 - Paine and his staff were guilty of “impressments and retention of private furniture”
- “Your committee will not disguise the feelings of indignation and disgust which their investigation of the conduct of affairs in Western Kentucky has inspired them. The administration of Verres and Warren Hastings may be safely challenged to show a parallel to the fifty-one days of terror and rapine that measured the duration of General Paine’s authority. Well may we blush for the tarnish attached to the national uniform when debased to such ignoble uses by an officer whose only glory seems to have been the oppression of non-combatants and a loud mouthed denunciation of his superior officers as ‘cowardly scoundrels’. Such were the epithets repeatedly attached to Major General Halleck’s name by General Paine”.
 - “In healthy contrast your committee beg leave to allude to the firm, judicious and effectual administration of Brigadier General S. Meredith”.
 - “To Brigadier General Meredith and staff and Captain H. B. Grant, acting Inspector General military district of Kentucky, your committee are much indebted for assistance. To Lieutenant Colonel J. J. Craddock and Kentucky state troops our thanks are due for much information and aid of the most important nature.”
 - “In conclusion your committee most respectfully recommend that Brigadier General Meredith be instructed to consider General Paine’s administration as a nullity and that he be relieved from the accumulated enormities of the late rule in West Kentucky.”

Affidavit of Benjamin W. Odam (September 17, 1864), Sergeant of Company A, 1st Regiment Kentucky State Guard and resident of Graves County – he was acting as an orderly at the post headquarters at Mayfield from August 1, 1864

- Witness testified to the Graves County Justice of the Peace, LaFayette Anderson, that “Dr. [M. H.] Eaker came in and said to Colonel McChesney that he the doctor aforesaid was not able to work on the fortifications and had been exempted by the surgeon. After some conversation the colonel told Doctor Eaker that if he was not able to work he was able to pay him fifty dollars. He then said Eaker then handed Colonel McChesney a fifty dollar bill and left the office before mentioned. Again and after above, Alexander Dobson citizen of Graves County in presence of deponent told Colonel McChesney, Commanding

at Mayfield as aforesaid, that he was not able to work on the fortifications upon which the said McChesney, Colonel as foresaid, told the said Dobson that twenty five dollars would excuse him – whereupon the Alexander Dobson aforesaid handed the said McChesney twenty-five dollars and left the office. Deponent further says it is commonly reported and is moreover thoroughly understood that the payment of sums of money from twelve to twenty-five dollars would excuse men from laboring on the fortifications at Mayfield, further that the deponent never heard the above facts disputed and anyone who had the money could in the manner above described ‘payment’ or be excused from work on the fortifications”.

- Deponent further says that Colonel McChesney as aforesaid ordered deponent in charge of a squad of soldiers to go a citizens house and bring away his (the said citizen, Melvin Saxon by name) bacon and about 10 barrels of flour and some money that he the aforesaid McChesney had been told by negroes was at the house of the citizen Saxon before mentioned.”

Affidavit of T. J. Puryear (September 19, 1864), a resident of Mayfield

[note: Puryear was the county sheriff.]

- Witness testifies to a conversation with J .T. Bolinger “a short time before General Paine took command a Paducah, Kentucky that he Bolinger indicated the policy that General Paine would pursue which policy was carried out by General Paine. He Bolinger said that parties who had brought up certain products of the country would not be permitted to ship the same and that certain other men could buy it at low prices and proposed that I would go in with him and buy up the tobacco thus held and I would not accept so biased a proposition.”

Affidavit of M. T. Cobb (September 20, 1864), a farmer from Graves County

- Witness testified that “he was forced at Mayfield to work on the fort on 30 August 1864 and the sergeant in charge gave him a discharge which he presented to Major J. A. Wilson, overseer of the hands, who ordered him to furnish a substitute but told him \$20 in cash would answer the same purpose which he paid the Major...” A written waiver is included with the affidavit.

Affidavit of Eli Smith (September 19, 1864), a resident of Graves County

- Witness testified that “on the 29th day of August 1864 he was notified by one Tailor to go to Mayfield to work on the fortifications. He states that the next day he went to Mayfield as notified to do and being an old man now in his sixtieth year and a cripple he was exempted from personal labor as shown by the surgeon’s certificate have with filed. He states he was arrested by the military at Mayfield on August 30th 1864 and during the next two or three days tried by Colonel McChesney himself and his adjutant for harboring guerrillas and confederate soldiers. After the trial was completed he was told

by the adjutant that he had proved himself clear of the charges against him but that he the affiant must pay to him, the adjutant, fifty dollars as a fine for not being able to labor on the fortifications and fifty dollars tax, also fifty dollars lawyer's fee to W. G. Blount whom he had employed to attend to his affiant's trial above mentioned. Affiant states that he did pay to the adjutant the sum of one hundred and fifty dollars. Affiant states that he had made no agreement with Mr. Blount as to his fee for legal services."

Affidavit of L. G. Mason (September 20, 1864), a resident of Graves County "about ten miles from Mayfield"

- Witness testifies that he was "notified to work on fortifications at Mayfield, not being able to do work was required to pay \$30 to release me from said labor. I therefore paid to Major W. W. McChesney \$30 and took his receipt." Mason continues by stating that "on the 7th of September a squad of soldiers under Lieutenant Smith came to my home and took the following property..." The property added up to \$197.50. He seeks reimbursement for losses.

Affidavit of Jeff Alexander (September 19, 1864), a citizen of Mayfield

- [very difficult to read] Witness testifies that property was taken by Colonel McChesney and Captain Gregory worth \$200. He seeks reimbursement for losses.

Affidavit of William Enoch (September 19, 1864), a citizen of Mayfield

- Witness claims that John Ellison under Captain Gregory's command confiscated 2 horses and furniture worth \$200 from his home. He seeks reimbursement for losses.

Affidavit of Amos Smith (September 19, 1864), a grocer from Mayfield

- Witness states that "federal authorities took possession of and occupied said point (his store) as a military post in August 1864 – that upon arrival of said forces they broke into his grocery store and appropriated and destroyed property" valued at \$550. He further states that "at various times since their arrival as above stated, come to his farm near said post and fed carried away his oats and corn and killed and took away his chickens to his damage of at least \$2500. He also claims that soldiers "destroyed his account books, notes, etc. entailing upon him very serious almost incalculable loss and damage and he cannot guess at its extent". "Affiant will now state that he is, and has ever been, a truly loyal and unconditional union man and expects so to remain". He seeks reimbursement for losses.

Affidavit of George W. Carman (September 19, 1864), citizen of Mayfield

- Witness claims that soldiers under the command of Lieutenant Colonel Richard D. Cunningham of the 3rd Illinois Cavalry [actually the 8th U.S. Colored Heavy Artillery] broke into his house and took a "variety of articles" worth \$175.

Affidavit of James M. Jones (September 19, 1864), citizen of Mayfield

- Witness declares that “colored troops belonging to the regiment of Lieutenant Colonel Cunningham took from him a sorrel horse seven years old last spring”. He claims the horse, saddle and bridle are worth \$110. Seeks reimbursement.

Affidavit of James L. Dunbar (September 19, 1864), a resident of Graves County

- Witness claims that “he is now nearly sixty five years of age, that after the federal authorities came to Mayfield under Colonel McChesney he was summoned to come to Mayfield – he came to town and was ordered to work upon the fortifications, on account of age and being unwell and unable to do so he applied to Dr. R. W. Humble acting Assistant Surgeon who gave him a certificate showing that he was unable to do work on account of old age.” Dunbar presented the certificate to Major Wilson who ordered him “not to leave this post”. After thirteen days he was allowed to leave because of deteriorating health. Prior to his departure he was required to “give a bond that he would pay one hundred and fifty dollars”. The money was paid to D. D. Sexton, the adjutant of Colonel McChesney. He further states he had a mule worth \$50 that was taken from the home of his son Walter F. Dunbar by a cavalry force. He also claims that “colored soldiers belonging to the command of Colonel Cunningham took from me a horse” worth \$100, a saddle worth \$10 and bridle worth \$1.50 plus two loads of hay worth \$36. Seeks reimbursement.

Affidavit of William Cochran (September 17, 1864), a citizen of Mayfield

- Witness states that “not long after the arrival of Colonel W. W. McChesney at this place as commandant of the post of Mayfield, Kentucky he ordered affiant to bring him in all the horses and mules on his premises – that this affiant did in accordance with said order bring in the following day all his mules and horses.” Cochran claims two horses and one mules worth about \$300 were taken from him. He further states that he did not receive receipts from the Lieutenant Rueben P. Pierce, 134th Illinois Infantry, the acting quartermaster at Mayfield. Seeks reimbursement.

Affidavit of John Boyd (September 17, 1864), resident of Graves County

- Witness claims “that at different times since the occupation of the town of Mayfield, Kentucky as a military post, since the 12th day of August 1864. There has been taken from his premises and possession by military order about ten tons of hay worth four hundred dollars and about 5 barrels of corn worth \$25 and that he applied for a receipt for said hay to the post quartermaster who refused to comply with his request.” He further states “that some colored troops belonging to Colonel R. D. Cunningham’s command took from his possession a chestnut sorrel stallion colt” worth about \$150. The same

colored troops also took saddles and about 200 chickens worth another \$56. Seeks reimbursement.

Affidavit of James Bradshaw (September 17, 1864), resident of Graves County

- Witness claims that “on the 24th day of August 1864 some 8 or 10 of Captain Gregory’s command were at his house and upon leaving carried away a sorrel mare six years old” and worth \$100. He further states that no receipts were given to him. Seeks reimbursement.

Affidavit of D. M. Galloway (September 17, 1864), resident of Mayfield

[note: Galloway was the county jailer.]

- Witness claims to be the agent for the heirs of Daniel Talbert deceased. Talbert owned two buildings on the public square at Mayfield. When the town was occupied the Lieutenant Charles E. Sinclair, 134th Illinois and the acting Provost Marshal, ordered that rent not be paid on these buildings. Galloway states that Talbert was a “loyal citizen of the country” and believes his heirs deserve reimbursement for lost rent.

Affidavit of E. Moore (September 17, 1864), resident of Graves County

- Witness claims “that about the 8th day of September 1864 Lieutenant Smith of Captain [Jones] Gregory’s command took from possession and premises of affiant a small sorrel mule”. He never received a receipt for the mule and states its worth \$100.

Affidavit of John S. Wilkinson (September 17, 1864), resident of Graves County

- Witness claims “that on the 23rd day of August 1864 a squad of Captain [Jones] Gregory’s command came to his house and took from his possession a light bay horse” worth \$150 and that he did not receive a receipt. He also states that “he delivered to the quartermaster, Lieutenant Rueben P. Pierce, about 500 lbs. oats.

Affidavit of Charles McDonald (September 19, 1864), resident of Mayfield

- Witness states “that since the occupation of the town by the federal military authorities he has been annoyed and troubled and has had some property taken from him and that when they first come they took possession of his store room in which the affiant had a small stock goods taking possession of the goods at the same time said store room having been used the whole time as Provost Marshal office.” The soldiers took various items including “about 25 gallons of whiskey which the affiant had purchased for his own use under directions of his medical adviser being afflicted with disease of the lungs”. He claims the whiskey was worth \$125. He also claims a cavalry regiment took \$110 worth of hay and \$135 worth of garden vegetables. He also claiming damages to a hotel building he owned which was occupied by federal soldiers under Colonel McChesney. His sister’s home was also occupied by federal troops who cut holes through the plaster

and took an unknown amount of property. The damage was so extensive from the occupation that at the time of his testimony his hotel and house were condemned.

Affidavit of Levi Wimberly (September 19, 1864), resident of Mayfield

- Witness claims government troops of Captain [Jones] Gregory took 6 head of cattle on August 25, 1864 and 15 barrels of corn on September 3, 1864. Claimant wishes to be compensated \$165 for his losses.

Affidavit of Stephen Beasley (September 19, 1864), resident of Mayfield

- Witness claims "federal military authorities" took 300 pounds of hay and 2 wagon loads of oats on September 11, 1864. He wishes to be compensated \$20.80 for his losses. He further states Captain Gregory's men and the 3rd Illinois took his supplies.

Affidavit of Mrs. Frances Morse (September 19, 1864), a widow living on a farm in Graves County

- Witness claims members of the 3rd Illinois Cavalry under Lieutenant [Captain] Samuel L. Shelenberger and troops under Captain [Jones] Gregory took hay, oats, hogs, apples, chickens, bacon, sweet potatoes, barley and grain worth 1,352.25 from her family farm. She wishes to be compensated for her losses.

Affidavit of N. M. Morse (September 19, 1864), resident of Mayfield

- Witness states that cavalry troops under the commander occupying Mayfield confiscated corn, hay and oats estimated worth \$30.

Affidavit of Abe Adams (September 19, 1864), resident of Mayfield

- Witness claims Lieutenant Colonel Cunningham took his razor and strap, 35 pounds of bacon, a hat, one bay mare and a mule worth \$302.50.

Affidavit of James Biggs (September 19, 1864), resident of Mayfield

- Witness claims that on September 2, 1864 the Superintendent of the fort at Mayfield, J. A. Wilson, was paid \$25 for an exemption from labor.

List of names of rebel sympathizers from the Douglas Jones precinct of Calloway County (no date listed)

- List contains the following:
 - o Douglas Jones – rebel sympathizer
 - o Ned Morris – harbors guerrillas
 - o James Morris – his son in rebel army
 - o Nat Morris – rebel sympathizer
 - o Robert Morris – guerrilla harborer

- Joseph Moss – horse thief
- John Walker – rebel sympathizer
- Thomas Warren – guerrilla
- Jeb Warren – rebel
- James Jones – rebel soldier
- Joseph Jones – guerrilla
- William Hopkins – rebel sympathizer
- Kit Irwin – guerrilla
- Doctor Simmons – guerrilla harborer
- Jesse Connell – guerrilla harborer
- William Jones – southern sympathizer
- Bost. Cothran – guerrilla
- William Barnett – crippled with white swelling, guerrilla harborer
- John Jeffrey – harbors guerrillas
- Tolly Jeffrey – harbors guerrillas
- Samuel Terry – Southern sympathizer
- Thomas Jones – Southern big Com – Southern sympathizer
- William Gardner – Southern sympathizer
- Benjamin McNab – Southern sympathizer

List of names of rebel citizens of Marshall County from the Bishop Mills precinct (no date listed)

- List contains the following:
 - Gabriel Washburn
 - John Nichols – horse thief
 - Wyatt Mostris – horse thief
 - Alexander Morris – guerrilla
 - William Spicer – guerrilla
 - John Lee – guerrilla
 - John Washburn – guerrilla
 - John Ellis of Calloway County – guerrilla
 - Joshua Jones – harbored guerrillas and rebel sympathizer, lives on Mayfield Road
 - George Brooks – Harbored Spicer
 - Thomas Collins – Southern sympathizer
 - Newton Collins – Robber and horse thief
 - John Tucker – professes to be union horse thief
 - Widow Spicer and daughter – (keep @ crib) thieves
 - Patsy Giles and Jane Foster – sister harbor guerrillas and keep crib)
 - James Hill – southern sympathizer
 - R. Finley, Constable of Marshall County – horse thief

Affidavit of Bettie B. Hughs (September 16, 1864), has pages missing

- Witness states she is a widow with five children and that troops under Colonel Timothy C. Moore, of the 34th New Jersey Infantry, “some of them white, some negroes, most of them cavalry though there were a few infantry” took horses, cattle, saddles, ammunition, a guns and a flute. The soldiers also “forced away” her three slaves, “one of them belonged to my husband’s estate and the other to the estate of my brother in-law”.

Affidavit of William W. Tice (September 19, 1864), resident at Mayfield at time of testimony [note: Tice was a former officer in the 12th Independent Battery Light Artillery from New York State from October 12, 1861 to April 17, 1863. See *New York in the War of the Rebellion, 1861-1865*, Vol. 2, pp. 1588-1590. Prior to the war, Tice taught school in Mayfield and later became an attorney. Following the war, he established the 1st National Bank of Mayfield in 1875. See J. H. Battle’s *History and Biographies of Ballard, Calloway...*, pp. 52, 58, and 238.

- Witness states “that on or about the 11th of August he came to Mayfield, Kentucky just in the rear of the federal troops from Paducah”. After being in town for four or five days he was called to the headquarters of Colonel McChesney who claimed that Tice “had been reported to him as a copperhead”. Tice replied that “the man who had so reported him had smuggled more goods into the southern confederacy than anyone else in all this country”. Tice was placed under arrest “until he should tell who he referred to as smuggling”. Tice stated that Captain T. J. Puryear, “the present sheriff of Grave County”, had made similar charges against the same man and referred McChesney to the sheriff for the name of the man. Tice also informed McChesney that at the beginning of the war “he had gone to New York State and joined the federal army where he served for some fourteen or fifteen months, that he had after his return to Kentucky been again obliged to leave his home in Mayfield on account of guerrillas and had been living in Paducah until the federal forces again occupied Mayfield”. He declared he voted for Lincoln during the past election. Tice a few days later Lice “was arrested by the patrol guard and taken to the fort and told to go to work”. He worked at the fort for three or four days but “not doing much labor however through the kindness of the superintendent Captain Andrews”. Tice fell ill and “absented himself from the fort altogether for a day or so”. He was arrested for the third time and sent back to work. Tice told Andrews he “could not work and should not”. Andrews stated he would escort Tice to William Humble, a local surgeon, but Tice refused claiming “Humble had remained in town during its occupation by General Forrest and treated the Confederate officers to whiskey while he was lying behind a log hiding from them”. Andrews took Tice to the Army surgeon “who refused to excuse him although he was then vomiting and hardly able to stand.” Andrews told Tice that he “had been ordered to set him to work or shoot him”. Andrews assisted him to the fort and told to rest in the doorway of a house nearby. That night Tice was ordered to report under guard to the Provost Marshall in Paducah. When he arrived he was placed in the

guardhouse for a day and a half before his friends convinced Major Bartling to have him released.

Statement made by Stephen Beasley (September 19, 1864), a farmer from Graves County

- The statement is in the form of a questionnaire. Beasley states that he resides 4 ½ miles east of Mayfield. Beasley is asked if he knew of the killing of Eli Enoch. He responded that he was not present at the killing but that Enoch “was arrested in his front yard near sundown on the 16th or 17th day of August last. After he was arrested by the soldiers they all went into my house and took supper. After supper they started off with Mr. Enoch and when they had gotten about four hundred yards from my house near a church I heard the firing of guns. My daughter and myself started immediately for the church and on arriving there I found that Mr. Enoch had been shot and was near dying conditions. He died in a few minutes after I reached him.” Beasley claims that soldiers belonged to Captain Gregory’s Company. He states that Enoch was arrested on the rumor that he harbored guerrillas. Beasley states that Enoch was a “peaceable and quiet man”. He remarked “I never heard him justify the conduct of guerrillas and always condemned them”. Beasley and Enoch were partners in a wheat “thrashing machine”.

Statement made by Robert Beasley (September 19, 1864), son of Stephen Beasley and wheat farmer

- Witness testifies that “on or about the 16th or 17th day of August past Mr. Enoch, the deceased, my father and myself were engaged in thrashing my father’s wheat. After we had finished our days work , turned out our horses and started for the house of my father a squad of soldiers rode up and required of us to whom the thrashing machine belonged. My father told them it belonged to Mr. Enoch, Mr. Wilkerson and my father. Mr. Enoch spoke and told them his name was Enoch. They told him they had orders for his arrest and asked where his horses were. He told them where they were and they made me go with them after the horses. I caught the horses and went with the two men who went with me after the horses to my father’s. The other men who had Mr. Enoch in charge were eating with him. The two with me sat across and ate supper and after supper they all started towards Mayfield with Mr. Enoch. I started for my home which was only a short distance from my fathers. I went a short distance from my father’s on the loan path the men took and took another path to the right heading to my house. Very soon after reaching my house and whilst I was eating my supper my wife who was standing at the door said she heard holler and immediately after we heard the report of two guns. Two of the soldiers rode down to my house and told me they had shot Mr. Enoch and wanted me [to] come up and bury him. I immediately went to the place and found Mr. Enoch in a dying condition shot with two balls. They said he was not yet dead but soon would be. The soldiers were all sitting on their horses and some of them remarked they had shot Mr. Enoch and in doing so were obeying the orders they had. They said they had orders to kill

all guerrillas they said they were very sorry they had to kill him but they had to obey orders or acting under orders or something to that amends.” He also claimed that “I never saw him with a gun. He was a quiet peaceable citizen” and “he condemned guerrilla warfare”.

Affidavit of J. S. Thomas (September 19, 1864), a house joiner from Graves County near Mayfield

- Claimant states that members of the 3rd Illinois Cavalry confiscated boards, lumber, hay, corn, hogs, planks, honey and other items totaling \$225.50. The soldiers never issued him written receipts.

Affidavit of Joseph Carman (September 19, 1864), a house carpenter from Mayfield

- Claimant states that on September 1, 1864 federal troops took from his possession lumber, handsaw, square, chisel, axes, etc. worth \$146.00. He was ordered to work on the fortifications at Mayfield for 15 days. He also states that “he is now and has always been an unconditional union man.”

Affidavit of J. M. and W. O. Mahan (September 19, 1864), residents of Mayfield

- Witnesses claim they labored for 8 days on the fortifications at Mayfield and on September 3rd paid W. G. Blount fifty-five dollars for exemptions from further duties.

Affidavit of L. B. Holifield (September 19, 1864), farmer from Graves County near Mayfield

- Claimant states from August 13th to September 3rd, 1864, troops from the 3rd Illinois Cavalry under the command of Colonel McChesney came to his farm on numerous occasions and took hay, sheep, cattle, mules, hogs, chickens, turkeys, flour, corn, fence rails, lumber and a saddle worth a total of \$727.87. He also states that he was a rebel sympathizer at the outbreak of the war but took the oath of allegiance in late 1862 and since been a loyal citizen.

Affidavit of Z. B. Thomas (September 19, 1864), resident of Graves County

- Witness claims that on August 31, 1864 he paid “J. W. Wilson major and superintendent of fort thirty dollars each for myself and I. W. Baniger and G. G. Baniger for exemption from labor on the fortifications”. He seeks \$90 in reimbursement.

Affidavit of Thomas Carman and William Beadles (September 19, 1864), resident of Mayfield [Beadles was a state representative from the county from 1865 to 1866.]

- Witness states that in the later part of July of 1864 “he went to Paducah to make a statement in reference to one Jones Green – a young man who was there in the guardhouse charged with going to the house of one Hobbs as a spy for the confederates or

guerrillas.” While at Paducah he was arrested and brought before Paine “who cursed him for being a rebel and a liar and sent him to the guardhouse where he remained eighteen days in close confinement”. After his confinement he again appeared before Paine “who treated him very kindly telling him that he was released from arrest” and ordered to return home. When he returned home “he found his farm near Mayfield, Graves County, Kentucky had been almost desolated in his absence.” Carman claims that his overseer, Thomas Covington, stated “different parties of soldiers belonging to the command of Colonel McChesney” raided his farm between August 13 and August 27, 1864. He declared “his poultry yard was robbed and six pork hogs killed in addition to his other losses.” The soldiers also verbally insulted his daughters and threatened to burn down his home. Included with Carman’s testimony is a statement by W. W. Tice that Carman “has been regarded in this community as a southern sympathizer” but he had never in any manner violated the oath of allegiance or forfeited the protection of the government.”

Affidavit of Jacob Kiebler (September 18, 1864), resident of Mayfield

- Kiebler stated he paid Major Williams \$15 for the purpose of obtaining an exemption from working on the fortifications at Mayfield. He seeks to be reimbursed.

Affidavit of W. G. Blount (September 17, 1864), Graves County Judge

- Blount states that John Boyd “was a secessionist” but “he took the oath of allegiance and has not, that I am aware of, violated it other by conversation or otherwise.” Boyd is a “citizen and entitled to protection.

Letter to Brigadier General S. S. Fry and Colonel Mason Brown from Captain H. G. Grant (September 17, 1864), officer with the 27th Kentucky Volunteer Infantry in the District of Kentucky

- Grant writes that he is enclosing with this letter the “affidavits of the following named persons that charged with abuses by military authorities at Mayfield, Kentucky in the collection of fines and assessments made upon citizens”. Edward D. Luxton, Adjutant 134th Illinois Infantry with the exhibits of receipts and expenditures. Private James Fanning, Company B, 134th Illinois Infantry. Lieutenant Charles E. Sinclair, Company A 134th Illinois Infantry. William H. Miller, Post Master at Mayfield. William Hall, citizen of Mayfield. John A. McNutt, citizen of Mayfield. A. B. Carter, citizen of Mayfield. Grant also refers to two receipts for fifty dollars given by Colonel McChesney and Major J. A. Wilson to LaFayette Anderson. Grant claims “the receipts were given for money received from the above named citizens in consideration of moneys paid for their release from work on the fortifications.” He concludes the letter by writing that he forward the affidavit of a Sergeant Orderly at headquarters Mayfield “touching on the same matter”.

Affidavit of Edward D. Luxton (September 16, 1864), 1st Lieutenant in the 134th Illinois Infantry and Post Adjutant at Mayfield

- Only the final page exists of the affidavit. Luxton claims “that to the best of his knowledge and belief Colonel W. W. McChesney, 134th Illinois Infantry as foresaid, never kept an account of the moneys received by him or paid out while he was in command at Mayfield.”

Receipt from Colonel W. W. McChesney to LaFayette Anderson for \$50 dated August 29, 1864 at Mayfield. [LaFayette Anderson was the Graves County Clerk from 1866 to 1868.]

Receipt from Major J. Wilson to LaFayette Anderson for \$50 dated August 27, 1864 at Mayfield.

Affidavit and interrogation of Charles E. Sinclair (September 16, 1864), 1st Lieutenant 134th Illinois infantry and Acting Provost Marshal at Mayfield

- Sinclair states he was post officer at Columbus, Kentucky until August 6, 1864 when he was ordered by Paine to rejoin his company at Paducah on August 8. He was detailed as ad aid de camp to Colonel McChesney on August 14 by Paine. Sinclair was assigned to be Provost Marshall at Mayfield by McChesney on August 28. As Provost Marshall he states he received “six dollars from Mr. Sayers as license for keeping a grocery – six dollars from John Bender for keeping a barber shop – seven dollars as tax for keeping dogs, this from different persons, at the rate of \$1 for each dog kept. I also took \$3 from the keeper of Drug Store for medicines sold – but refunded the same when the drug store was opened by order of Colonel McChesney. The nineteen dollars received as before stated was sent by Mr. Boyd, the conductor on Paducah R.R. to Major Bartling, District Provost Marshal.” When asked about property he received he declared he was ordered by McChesney to take possession of a stock of grocery goods from Mr. Miller the Post Master which was later delivered to his wife and a small stock of goods belonging to Cochrane and McDonald. He also mentioned that McChesney delivered to his office “15 yards of domestics and eight pounds of coffee” seized somewhere in Graves County.

Affidavit of James Fanning (September 15, 1864), Private of Company B, 134th Illinois Infantry

- Private Fanning states that on September 6, 1864 he was directed to pack a box that had been “previously prepared” by order of Colonel McChesney. The contained:
 - o One clock supposed to have belonged to a lady named Mays and taken from her house by an orderly named McDonald
 - o One surveyor’s compass valued at twenty-five dollars
 - o One chain (surveyor’s)
 - o One Gallagher’s Carbine for which 1st Lieutenant G. E. Strobridge, Company F 134th Illinois Infantry had receipted

- One double barrel shot gun and squirrel rifle both taken from the “house of Mr. Cloyse in the town of Mayfield”
 - Two U. S. blankets
 - Two boxes of tobacco taken from Mr. Hall of Mayfield
 - One pair of officer’s pantaloons
 - One tin box containing one pair of drawers, a field glass, gold watch and hair chain
 - Four copies of reports of the superintendent of the U. S. Coast Survey
 - A lot of small books on mostly tactics
 - One citizen’s overcoat
 - Three pairs of boots
 - One U. S. regulation coat for officers of infantry with Colonel shoulder straps
 - One rifle that supposedly belonged to a “Guerrilla or bushwhacker that had been shot on the picket line – name of the bushwhacker is cut in the stock the name so cut is ‘Enoch’”
 - Three sheets white cotton
 - One rubber coat
 - One bag containing dirty clothes
 - Two blue over woolen overshirts
 - One box of cigars
 - One bag containing musket caps
 - One commissioned officers sword belt
 - One field officer’s sword – bright metallic
 - Pair of sky blue pantaloons
 - And other articles now forgotten
- Fanning nailed up the box and addressed the box to “W. W. McChesney, 134th Illinois Volunteer Infantry, Chicago, Illinois”.

Affidavit of John A. McNutt (September 16, 1864), a citizen of Mayfield

- Witness states that on August 16, 1864, Colonel McChesney demanded and received the following papers:
- One note on S. E. Lauder payable to J. L. Hudgens for \$100
 - One note on M. Summerville payable to J. L. Hudgens for \$125
 - One letter written by Hudgens to L. A. Hausen
 - One contract and receipt on W. W. Phipps to McNutt & Summerville
 - One receipt from a leather dressing house in Memphis to W. W. Phipps
 - A list of property owned by J. L. Hudgens
 - A list of household furniture belonging to J. L. Hudgens levied in by T. J. Jones Sheriff of Graves County

- Witness states the above mentioned papers were never returned to him. He also claims that he has been a “Union man from the commencement of the present war to the present time”. He concludes by stating that Colonel McChesney took possession of his house and removed “sleepers and other lumber in and about the new house”. Possibly used the home as a barracks for troops.

Affidavit of E. B. Carter (September 15, 1864), citizen of Graves County

- States that on August 13, 1864 “an officer dressed in the federal uniform together with one white man and a number of negroes came to deponent’s house in Graves County and said to the deponent that he must ‘get supper for 50 niggers and that damned quick’ the officer before mentioned had lost one finger and deponent thinks it was the 2nd finger on the left hand, deponent further states that the said officer was called as he understood the negroes and by them as Captain Dan, deponent has since learned that the officer’s name was Captain [Robert] Dunn of the U.S.C.A.H. [8th U. S. Colored Heavy Artillery]” Captain Dunn also ordered the confiscation of two horses, two mules and Carter’s cattle and sheep. On August 17, Carter was in Mayfield on business when he was ordered to work on the fortification and remained working “until the following Wednesday. He asked twice Captain Andrews to be relieved from his duties to “go home and tend to his tobacco”. Andrews replied the second time that if he paid \$10 to Colonel Blount (Judge Blount of Mayfield) he could return home. Carter paid Blunt who gave him a receipt which he presented to Adjutant Luxton who gave Carter a pass to return home.

Order issued to the Commanding Officer of the 34th New Jersey for a detail of “1 sergeant and 12 men” to report to Mayfield without delay (dated September 16, 1864)

Affidavit of William Hall (September 16, 1864), citizen of Mayfield

- Hall states “when General Paine came to Mayfield I learned that he was going to put troops in the house belonging to myself and partner (John Eaker) in which there was a lot of fine tobacco worth from eight to ten thousand dollars. I called on him to ask that I might prize the tobacco, he at first refused but after finding out that I was an unconditional Union man he consented that I should go in and work up. I was working it up and Colonel W. W. McChesney, 134th Illinois Infantry, called on me and requested me to come down and see him. When I went down he wanted to know what I was going to give him before he left us. I told him I had nothing to give him, he said yes that I could give him a hogshead of tobacco and if I did not do it, he’d be damned if he did not put me on the work (meaning thereby the fort in progress of construction) and believing that my tobacco would be at the mercy of the soldiers. I consented to give him the hogshead of tobacco believing that I would half or more if I did not, as they had taken from me from four to six hundred dollars worth before I got a guard. Colonel McChesney came to me about the 22nd of August – the time above referred to and gave him the tobacco six or

eight days afterwards. After he went to Paducah on or about the 3rd of September 1864 and sold the tobacco, he came to me or rather met me as I was going to the depot in Mayfield and said he would have to ‘come back on me as it was nothing but a hogshead of roots’. I went to Paducah as soon as I learned he had sold the hogshead and then notified the parties who had the tobacco, to wit J. T. Bolinger of Paducah to sell the tobacco for him. About the last of August I called on Colonel McChesney to ask that I might remove two parts of boxes of manufactured tobacco from the factory to my house stating that in my report to General Paine that I would account. He said he could not permit me to move it but as there was five small boxes at the factory I should send him two and then he would take no notice of what I did with the other three or the two parts of boxes, that same evening he sent his orderly up and got the tobacco (See Private Fanning’s testimony). About the 28th of August 1864, I called on Colonel McChesney’s Office and had two silver half dollars in my hands playing with them. He asked me to let him see them which I did after he got them in his hand he said he believed he would confiscate them, he put them in his pocket and that was the last I ever saw of them.”

Affidavit of William H. Miller (September 17, 1864), citizen and post master of Graves County

- Miller states he was appointed Post Master of the town of Mayfield in May of 1863 and held that position until he was summoned to the headquarters of Colonel McChesney and told “that he had been presented to him (Colonel McChesney) as a Copperhead”. Miller denied the accusation. McChesney asked “if he did not think it pretty savage to put the nigger in to the service” which Miller replied “that he was opposed to the policy and that he was opposed to the re-election of Abraham Lincoln.” McChesney answered “he was a Copperhead and the damnedest meanest kind of a rebel and too damned cowardly to go and fight”. McChesney then ordered his men to take possession of Miller’s “store of groceries, the post office and papers pertinent to the same”. Miller remarked that mail had accumulated at the post office “owing to the fact that the contractors had ceased carrying the mails on account of depredations committed by guerrillas.” Miller reminded McChesney that he had taken an oath as post master that he had not sympathized with the rebellion and declared he would take it again. McChesney demanded the keys to the store and post office which Miller handed over. Two weeks later, Miller was arrested and put to work on the fortifications and was not released until General Meredith assumed command on September 13. Miller concludes “that at the last election for congressmen he voted for Lucien Anderson on the “more men and more money” platform.

Note to Mr. Bock requesting any communications from General Burbridge or General Meredith in 1864 relating to General Paine on affairs in Paducah.

Note that lists “Camp Nelson October 11, 1864 file with 1394 B 1864 Fry S.S. Transmits affidavits against Brig Gen E. A. Paine”

Letter written by General S. S. Fry to Captain J. Bates Dickson, Assistant Adjutant General from Camp Nelson, Kentucky on October 11, 1864

- Fry writes that included with this letter is “another batch of affiants against Brigadier General E. A. Paine sent me soon [after] our return from Paducah”.

Two page letter image 653 and 654 near impossible to read, seems to discuss complaints of people from Caseyville, Kentucky during Paine’s raid on August 19 and 20, 1864.

Affidavit of Peter Acker (October 3, 1864), grocery store owner from Caseyville

- Witness states that soldiers under the command of Paine destroyed and took property from his possession on August 19 and 20, 1864. He claims a loss of \$1,724.10.
- Attached is a two page list of items and prices of goods taken by Paine’s troop on August 19 and 20, 1864. Included on the list are barrels of whiskey, bourbon, wine, brandy – cigars, tobacco, coffee, tea, sugar, raisins, paper, playing cards, pocket book, pencils, pens, combs, knives, French harp, books, oysters and 100 squirrel and bird shot.

Affidavits of William H. Kibby, John H. Wright, D. C. James, Samuel M. Taylor, John M. Young and William Greathouse (September 26, 1864), residents of Union County, Kentucky

- Wright declares that on “Friday the 19th day of August a large force of soldiers armed and said to be under command of General Paine of Paducah passed his house, which is on the road from Morganfield in Union County, Kentucky to Caseyville, a large number of them stopped in the road opposite his house four or five of them of the number came into his yard and called for his horse and cattle. He told them they were in the pasture – the soldiers then told two black boys who were present that if they did not drive them up immediately that they would blow their brains out - while the boys were after the stock they asked me if I had any arms. I told them I had a rifle gun which they took possession of and carried it away with them – when the stock came up they took four horses and a mule – before they got any cattle out of the enclosure the trumpet sounded and they left without any cattle”.
- Taylor states “that on the day that General Paine’s forces were in Morganfield his troops passed my house which is near the Morganfield – a gentleman whom I think was General Paine from the description I have had of him since – rode up to my house and called for me and I went out to the fence where he was – he ordered me to send out my negro fellow to him – I told him I had none they were all gone – he then called for my horses bridles, saddles, martingels and halters – said he wanted to leave me in a fix that the guerrillas would not bother me anymore and ordered his black troops to take three horses – four of them came up to my pasture and drove up the horses and took two horses two of the blacks got on one old mare and rode a short distance – she fell with them and got away, one of the black soldiers came up to the house and said he saw guerrilla men in my

house – cocked his gun and threatened to shoot me if I did not produce the guerrilla but he at length went away without doing any other mischief – seemed satisfied when I talked to him that it was me he saw go in the house instead of a guerrilla.

- Young reports “that on the 19th day of August, 1864 a number of soldiers white and black were at his house, which is on the Salem road from Morganfield to Caseyville, took from him two horse saddles and bridles and seven head of beef cattle and his negro boy between 17 and 18 years old, took his buggy out of the house but could not get a horse to work it and did not take it away but threatened to break it to pieces – he understood they were General Paine’s men and that they went onto Caseyville.
- Greathouse states “that on the 18th day of August last General Paine’s son with three white and one black armed soldiers came to my father’s residence near Uniontown and demanded of me my father’s horse – I did not tell where they were – they drew their pistols and ordered me to show them – we went through our cornfield and found the horses in a strip of woods that was under the same fence - they took four of them and took me with them to Uniontown – when I went to town the son took me to his father and said here is the fellow who gave the guerrillas a horse I reckon he can give us two – then General Paine began to curse and threaten to shoot me then put me in charge of two soldiers and told them if I did not get the other horse to shoot me down, dig a hole and put me in it – I got the horse for them that being the last horse my father had – they took a mare that had a sucking colt and left the colt - while I was under arrest I saw Paine’s men breaking open the store houses and taking everything out of them and I heard citizens say his son told General Paine that his men were breaking into the houses and the General asked if they were rebels – the son said yes – he said let them rob him they ought not to have anything – ~~that he came here to rob the rebels~~ – I heard one of his officers say that they came here to rob the rebels. General Paine was in sight and saw him breaking into the houses. I heard him curse Charles Wheatly and Judge Higginson who are good citizens as we have – I never had anything to do with the guerrillas and it was not true that I gave them a horse.
- William H. Kibby remarks that “on the 19th day of August 1864 some armed men white and black between 12 and 20 in number came to his house, which is immediately on the road leading from Morganfield to Caseyville, rode into his yard and round his house then dismounted went into his house turned everything in it upside down cursed and abused his family, his grown daughter and his wife who was in bed sick and had been for several months and took from his house two good guns, one rifle the other a double barrel shot gun both of which had been in his house undisturbed by soldiers ever since the war began – then went to the stables and horse lots and took out of said stables and lots five head of horses, one of them a fine stallion, three good man saddles, blankets, bridles and halters – they also went into his pasture and drove up his cattle just as they got to the house their bugle sounded and they hurried off and left the cattle – these men he understood were General Paine’s men under Colonel Moore and that General Paine was in the

neighborhood and on his way from Morganfield to Caseyville – he recognized among those men spoken of two colored soldiers who formerly belonged to two of his neighbors – viz Phil and Matt the property of James Trigg and J. M. Thompson.

- James states “that on the morning of the 19th of August 1864 he was sent for by General Paine to go to his headquarters in Morganfield, Union County, Kentucky where witness lives and where said Paine was at the time - that he went according to the general’s request and the general requested him to give him the names of the union men on the road to Caseyville, known as the direct road or Salem road – that he gave him the names of a few of the prominent Union men – viz A. L. Churchill, John P. Bishop and Joseph Sprague and several others and told him that there were many others that I did not recollect. I understood from him that his object was to take stock from all southern sympathizers to pay for the stock captured by the confederacy belonging to the United States. I then told him he must not think the few names I gave him constituted all the Union men on those roads that there were many others and I only referred him to those I named for information in the different neighborhoods – he then sent his son to procure guides who were familiar with the roads to Caseyville who brought in three negro men one I recognized as a man who formerly belonged to James Dyers estate, another Phil formerly the property of James Trigg – the general then in my presence directed those three negroes to act as guides to the forces that should take the direct road to Caseyville which road leads directly by William H. Kibby – he remarked to those negroes that they knew who were and who were not union men and that he did not wish anything interrupted belonging to union men, an officer then came in whom he addressed as colonel to whom he gave the same orders and stated that he would take the other road to Caseyville. I understood General Paine forces to amount to about 1,500 – General Hovey’s forces were in Morganfield at the time supposed to be 2,000 and while I was at General Paine’s headquarters marched out of Morganfield toward Henderson and further south”.

Affidavit of D. O. Conn (September 25, 1864), resident of Curlew Mines, Union County

- Conn testifies that “on the 20th day of August 1864 a squad of about 30 men came to my house and notified me that General Paine wanted me at Caseyville under arrest. I told them that I was quite unwell and had nothing to ride as the guerrillas had taken all my horses and I lived 4 miles from town – they replied I must go and walk which I did. The captain or commander asked me if I had any shoes in my store – I told him I had five pairs hid away from the guerrillas – he replied he wanted them – I got them and they took them away with them – they then sent for me to go to my store which was shut up – I opened it – they took from the store about 20 pair of boots and about from 150 to 200 pair of women’s shoes and various other things – in all worth \$900 or \$1000. I then went to Caseyville with them under arrest – General Paine then cursed and abused me in the most harmful manner, ordered me to Paducah where he kept me in a close prison for a

week doing with the other prisoners all the drudgery etc. of the prison. A delegation of 4 of my good union friends then came down and interceded for me – I was brought out of the prison and General Paine after talking awhile and abusing me ordered me back to prison - in the conversation he asked me why I have not taken one thousand dollars and bought guns and kept the guerrillas out of this county – I replied I had never been called in to buy guns but was ready as any man if necessary and would take my gun and help keep them out if others would – on the same day my friends still insisted on my release, I was again released and was again ordered out of prison and released. I omitted to say they took from my house also a lot of bed blankets also five overcoats worth seventy-five dollars in cash which was taken from me and I was not allowed a blanket or anything to sleep on for three nights – I insisted on them to loan me one or something else to sleep on – finally one of my friends prevailed on him to let him furnish me with a blanket but refused to let me have my meals furnished by the hotel – my sleeping in prison without blankets I took sick the next day after I got out and have not been able to get out since and this affidavit is given at my house as I am not now able to leave my room and it is now 4 weeks since I was released and under all my arrest and confinement I was never charged with anything – I would further say that after my release the money taken from me was returned.”

Affidavit of W. P. Tucker (September 24, 1864), resident of Caseyville

- Tucker states that “on the 19th day of August 1864 General Paine and staff stopped at my house and took dinner on his way from Morganfield to Caseyville and while at my house treated me and my family very well. Previous to coming to my house he took two horses and a lot of cows and various other articles from Mr. W. S. Buckner who is a union man - also 5 horses from Caleb Tucker who claims to be a union man - also from Henry Parsons two horses a yoke of oxen, a buggy - he claims to be a loyal man. After passing my house he took from Samuel Rudd a horse and swapped the horse back to Rudd for a James Cout – next place took two horses from Mrs. Fisher whose husband and son are both in the federal army and she a union lady – next took three horses and saddles from Robert Henry – next took two horses from F. H. Shinn who has been government assessor and was about from home at the time as he had been ordered to leave the state by Adam Johnson’s band – next took a fine stallion from William Gregg also some cattle – he is a union man – next took several horses and mules and cattle and buggy from Dr. Thomas Welch – he is a union man.”

Affidavit of James T. Pierson (September 24, 1864), resident of Caseyville

- Pierson states that “at Caseyville on the morning of the 20th day of August that he (General Paine) had some of my friends under arrest. I went down to Caseyville to assist some of them in getting them released also to assist some of them in getting their stock back that General Paine had taken - when I got to Caseyville he had Peter Aiker, a very

quiet citizen, strung up by the hands and still had him under arrest. Aiker complaining very much of his treatment and pain of the hands. He seemed very willing to give up all stock he had taken that belonged to union men and did so in a very instance where they could find their stock. D. O. Conn was brought in under arrest while I was with him General Paine was very abusive to him he cursed him also – was very abusive generally expressed great antipathy against Kentuckians - state governor Brumlette and George D. Prentice were traitors – said Kentucky did not have courage to secede – that he would like to march through Kentucky with 10,000 men. He took all stock he came to as he marched through the county regardless of who it belonged to.”

Affidavit of Will S. Pierson (September 24, 1864), resident of Caseyville

- Witness claims that General Paine “took four horses from me three of which I got back the other I did not. They also went where my negroes were at work and took off with three of my negro men”

Affidavit of L. L. Talboth (September 24, 1864), resident of Union County

- Witness declares that “on the 19th day of August 1864 Brigadier General Paine stopped near my house on his way from Morganfield to Caseyville – Mr. I. F. Alloway and myself were together - he General Paine and staff cursed and abused us very much – said he would teach you damned Kentuckians that your negroes were no better than Illinoisians – he took two negro men and two head of horse and some cattle from me and threatened to burn a large flouring mill near my home belonging to I. F. Alloway and Lieutenant Colonel Hodge – other things he took horses, etc. independent of my negroes – damaged me \$700 or \$800.”

Affidavit of A. J. M. Thompson (September 24, 1864), resident of Union County

- Witness states that “on the 19th day of August 1864 General Paine’s forces took from me 1 rifle gun and ordered me to report at Caseyville, Kentucky to General Paine at 10 o’clock a.m. the next day. I did so as ordered and when I went to him he asked what I wanted – I told him I was ordered to report to him and had come to do so. He asked me if I was an unconditional union man, I told him I was not. He flew into a rage, cursed me and ordered me out – said I ought to be hung or sent to the South America god damn you – that evening his forces came again to my home took a horse and saddle, 1 buggy and a bull and buggy harnesses from me.”

Affidavit of Hiram Smith (September 24, 1864), resident of Union County

- Witness claims “General Paine took from me three mares and one colt also one year old colt, five head of cattle, one pair of physicians saddle bags with about 30 vials of medicine and one case of pocket instruments, one man’s saddle and bridle.”

Affidavit of Allen Omer (September 24, 1864), resident of Union County

- Witness claims “General Paine took from me three head horses, five head of cattle, three side saddles, one man’s saddle, five bridals, about fifteen dollars worth of rope, about five dollars worth articles of house furniture.”

Affidavit of Joshua W. Collins (September 24, 1864), resident of Union County

- Witness claims “General Paine took five head of horses, one stable horse, three colts, twelve head of cattle and one bridle”.

Affidavit of John W. Hammock (September 24, 1864), resident of Union County

- Witness claims “General Paine’s forces came to my house and took off all my horses and cattle – myself and family being absent from my house they broke into my home and piled up everything in it – in the middle of the room and set fire to it. I was out on my farm and run to the house in time to save it from being burnt but everything in side was destroyed.”

Affidavit of Davis Collins (September 24, 1864), resident of Union County

- Witness claims “General Paine’s forces came to my house and took off one fine mare also my saddle and wife’s saddle also 4 head of cattle.”

Affidavit of Thomas L. Sturgeon (September 24, 1864), resident of Caseyville

- Witness claims “that on Saturday morning August 20, 1864 a messenger came to me and told me that General Paine wanted me. I accompanied him to see General Paine who asked me if I was a Union man, I told him I was. He asked me if I was an unconditional Union Man, I told him I could not say that I was, he also asked me if I thought it was right to arm the negroes to fight and I told him I had never expressed an opinion on that subject I believe. He, General Paine, then in a violent manner said I was a damned copperhead, damned traitor and applied various other very harsh epithets to me shaking his fists in my face etc. He said that he would hold me responsible with my life for any injury done to any union man in this part of the county. I further state that on the morning of the 20th when I went down to the mill of D. O. Connor in this place of which I am superintendent, I found that 30 or 40 negro soldiers had broken into the mill and was helping themselves to flour. I suppose that they carried off about 20 barrels of flour and fifty of sixty sacks worth about \$250 or \$300. When I enquired of someone whom I took to be an officer who would pay for what they had taken he told me I had better try and save the balance if I could.”

Letter from M. Hope from the Assistant Adjutant General’s Office headquarters at Camp Nelson, Kentucky on October 6, 1864 to Captain H. B. March at Lexington

- Hope requests on General Fry's behalf that the enclosed papers be added to the case against Paine.

Affidavits of 2nd Lieutenant Jonnel Higgins [Co. A], Corporal Edgar H. Address [Co. A], Private Henry B. Aldrich [Co. A], Sergeant Harry Post and Private Samuel Beers [Co. B] (September 24, 1864), members of Company B, 132nd Illinois Infantry Regiment

- Witnesses claim they "were present on the twenty seventh day of July 1864 when Kesterson or 'Kess' was shot to death on the bank of the Ohio River at Paducah, Kentucky just below fort Anderson by a squad of negro soldiers from the 8th United States Colored Heavy Artillery under the command of Lieutenant Richard Schofield, of said regiment. We have heard and [?] believed that said Kesterson or 'Kess' was shot without any legal trial. Colonel Harry W. Barry commanding said regiment was present at the shooting." [note: A "P. J. Kesterson" is listed in the 1860 Graves County census as a 35 year old farmer born in Kentucky.]

Affidavit of James H. Kerne (September 29, 1864), detective and agent of the United States government

- Kerne claims "in the year 1861, when this rebellion first broke out, I was employed by Brigadier General U. S. Grant as a secret military detective and by him ordered to report to Brigadier General C. F. Smith and Brigadier General E. A. Paine who were both then stationed at Paducah. On my arrival at Paducah I first got acquainted with John T. Bolinger of Paducah at General Smith's headquarters. I afterward met Bolinger on the street and in conversation he told me that he knew of a great many citizens who had lots of money in gold and silver [and] that he had fixed up things whereby he could get it and that we both could make money. I cannot now recollect the exact language he used at the time, but he conveyed the idea to me there that he had made arrangements whereby he would get their money and that we could make money by it. I then became disgusted with man. I was then ordered away by General Grant and ordered to report to Cairo, Illinois. In the spring of 1863, I was ordered to serve on the cars as secret detective from Paducah to Mayfield. I then caught John T. Bolinger smuggling one barrel [of] whiskey out of Paducah without [a] permit. I seized the whiskey, brought it back and delivered it to the quartermaster. At another time John T. Bolinger took out a small box of drugs, I asked him for his permit, he showed me a piece of paper or bill on which was written 'a small box of drugs' which had the customhouse seal on it and was permitted by the surveyor. I demanded the invoice to see how much and what sort of medicines were in the box. Bolinger said he had no invoice, but says he "you knows it is all right, Kernes". I there let it pass, but did not feel satisfied in my mind that all was right and in the conversation with Lieutenant Colonel R. D. Cunningham of the 8th Regiment U. S. Colored Heavy Artillery, sometime afterward, Cunningham told me how Bolinger obtained the permit for the box of drugs from the customhouse . He said when Bolinger presented the paper

or bill at the customhouse to have it stamped it only had the word ‘a small box’ and after it was stamped Bolinger brought the paper to the office of H. Bartling, then Adjutant of the post under Colonel Daugherty, and at Bartling’s desk in the presence of Bartling and Cunningham, Bolinger wrote on said paper the words ‘of drugs’.”

Affidavits of 2nd Lieutenant Jonell Higgins, Privates Robert H. Jenkins, Joseph A. Ghormley and Charles W. Van Vliet (September 24, 1864), of Company A, 132nd Illinois Infantry Regiment

- Witnesses stated that they were “present on the twenty third day of August 1864 when Richard Taylor and - - Matheny were shot to death by order of Brigadier General E. A. Paine, commanding the Western District of Kentucky. They were shot on the bank of the Ohio River at Paducah, Kentucky just below Fort Anderson by a squad of negro soldiers from the 8th United States Colored Artillery Heavy, under the command of Captain [Oliver M.] Norton of that regiment. We have heard and verily believe that these men were shot without any legal trial. Colonel Barry, commanding said regiment, was present when these men were shot.” [note: The 1860 Graves County census lists a R. P. Taylor as a 35 year old farmer born in Kentucky. The same census lists a Verfucius Matheney as a 14 year old born in Kentucky. Both are not found in the 1870 Graves County census.]

Affidavit of 1st Lieutenant Daniel Merriman (September 22, 1864), Adjutant of the 132nd Illinois Infantry Regiment

- Witness states he was “present on the twenty third day of August 1864 when Richard Taylor and Matheny were shot to death by order of Brigadier General E. A. Paine. They were shot on the bank of the Ohio at Paducah, Kentucky just below Fort Anderson by a squad of negro soldiers from the 8th United States Colored Artillery Heavy, under the command of Captain Norton of that regiment. I have heard and verily believe that the men were shot without any legal trial.”

Affidavits of Lieutenant Jonell Higgins, Sergeant James O. Tullis and Private James H. Baroff of Company A, 1st Lieutenant Charles Varges of Company B and Private Herbert E. Brown of Company F (September 24, 1864), members of the 132nd Illinois Infantry Regiment

- Witnesses claim they were “present on or about the sixth of September 1864 when – Hess was shot to death on the bank of the Ohio River at Paducah, Kentucky just below Fort Anderson by a squad of negro soldiers from the 8th United States Colored Artillery Heavy under the command of Robert Schofield, of said regiment, after the first discharge said Hess fell wounded in the abdomen, he rose to his elbows, pulled the bandage from his eyes and seeing the squad of negroes re-loading their muskets begged them for God’s sake not to shoot him again but take him to the hospital declaring that he was innocent and [seems to have been erased] while he was begging for his life four negroes marched to within four feet of him and shot him. [more writing seemingly erased] We have heard

and verily believe that Hess was shot without any legal trial. [note: No Hess could be found in any of the 1850 or 1860 county census records from the Jackson Purchase.]

Note from Chicago dated October 18, 1864 stating that W. W. McChesney is “unable to travel and requests commission convened to examine charges against him – ordered to Chicago – inquiries for private effects retained by General Fry.

Note signed by Burbridge from the Military Headquarters of the District of Kentucky on October 27, 1864 stating the “report of the investigating committee appointed to examine into alleged frauds in Western Kentucky under General Paine’s administration was not forwarded on the 12th instant – no action having been taken upon it at these headquarters. Orders have been sent for Colonel McChesney’s private effects to be returned to him.”

Letter from W. W. McChesney at Chicago dated October 18, 1864 to Burbridge in Lexington

- McChesney writes “Owing to continued indisposition under which I have suffered for nearly two months, I am quite unable to undertake a journey to Lexington and respectfully ask that the commission appointed (or to be appointed for I am still without a copy of the charges or other proceedings that may have been taken) to investigate the charges on which my arrest was ordered, may be ordered to this city to make the investigation – aside from the condition of my health (which my attending physician considers altogether too precarious to hazard such a journey for some time) the officers of my regiment, many of whom may be important witnesses in my behalf reside here and in the immediate vicinity. I would also respectfully ask that my private effects contained in the box which I am informed was taken possession of by General Fry at Paducah may be forwarded to me.”