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State of Louisiana, Court of Inquiry
PROCEEDINGS

OF THE

COURT OF INQUIRY,

RELATIVE TO THE

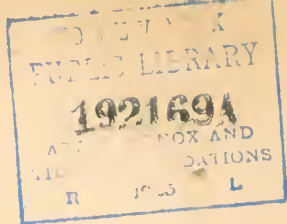
FALL OF NEW ORLEANS.

PUBLISHED BY ORDER OF CONGRESS.

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MESSAGE OF THE PRESIDENT.

RICHMOND, VA., *June 8, 1864.*

To the House of Representatives :

In response to a resolution of the House of Representatives of January 15, 1864, I herewith transmit for your information a communication from the Secretary of War, covering a copy of the proceedings of the Court of Inquiry relative to the capture of New Orleans.

JEFFERSON DAVIS.

COMMUNICATION FROM SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA, }
War Department, }
Richmond, Va., June 6, 1864. }

To His Excellency, the PRESIDENT :

SIR: In response to a resolution of the House of Representatives, adopted at its last session, I have the honor to forward, for transmission to Congress, a copy of the record of the Court of Inquiry on the fall of New Orleans, with accompanying documents, the preparation of which was not quite completed at the adjournment of the last Congress.

Very respectfully, your obedient servant,

JAMES A. SEDDON,
Secretary of War.



PROCEEDINGS

OF A

COURT OF INQUIRY,

Assembled at Jackson, Mississippi, pursuant to the following orders :

[EXTRACT.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
Richmond, February 18, 1863. }

SPECIAL ORDERS, }
No. 41. }

* * * * *

XVI. By direction of the President, on the application of Major General Mansfield Lovell, a Court of Inquiry, to consist of Brigadier General L. T. F. Drayton, Brigadier General T. C. Hindman and Brigadier General W. M. Gardner, will assemble at Jackson, Mississippi, on the 10th day of March next, or as soon thereafter as practicable, to examine into the facts and circumstances attending the capture of the city of New Orleans by the enemy, in April, 1862, and the defence of the city, and the evacuation of the same by our troops, under the command of Major General Mansfield Lovell. Major L. R. Page, Assistant Adjutant General, is appointed Judge Advocate and Recorder of the Court. The Court of Inquiry appointed in Special Orders, No. 177, A. & I. G. O., July 31, 1862, paragraph XX, is hereby revoked.

* * * * *

By command of the Secretary of War,
JOHN WITHERS,
Assistant Adjutant General.

[EXTRACT.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
Richmond, February 20, 1863. }

SPECIAL ORDERS, }
No. 43. }

* * * * *

XXIV. The Court of Inquiry directed in paragraph XVI, Special Orders, No. 41, current series, will sit without regard to hours, and will consider itself authorized to adjourn from place to place for the

convenience of taking testimony of witnesses serving with the army in the field or elsewhere, and whose testimony may not be otherwise conveniently obtained without embarrassment to the interests of the service.

The Court will finally report the facts resulting from the investigation, together with their opinion thereon, for the information of the President.

* * * * *
By command of the Secretary of War.

JOHN WITHERS,
Assistant Adjutant General.

[EXTRACT.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
Richmond, February 24, 1863. }

SPECIAL ORDERS, }
No. 46. }

* * * * *
XXIV. A mistake having occurred in paragraph XVI, S. O. No. 41, current series, designating General T. C. Hindman as Brigadier General, he is hereby announced as Major General, and senior officer of the Court of Inquiry convened in said order and paragraph.

* * * * *
By command of the Secretary of War.

JOHN WITHERS;
Assistant Adjutant General.

HALF-PAST TWELVE, P. M., *April 4, 1863.*

The Court met pursuant to the above orders.

Present—Major General T. C. HINDMAN,
Brigadier General T. F. DRAYTON,
Brigadier General W. M. GARDNER,
Major L. R. PAGE, *Judge Advocate.*

Major General Mansfield Lovell also present. The Judge Advocate having read the orders convening the Court, asked Major General Mansfield Lovell if he had any objections to any member named therein, to which he replied, he "had none." The Court was then duly sworn by the Judge Advocate, and the Judge Advocate was duly sworn by the presiding officer of the Court, in the presence of Major General Mansfield Lovell. It was then resolved by the Court to sit with closed doors; and ordered that W. H. Houston be employed as clerk to aid the Judge Advocate.

The Court adjourned, to meet at eleven, A. M., the 6th instant.

JACKSON, MISS., April 6, 11 A. M., 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Lovell. The proceedings of yesterday were read over. It was then ordered by the Court that the letter “I” prefixed to the name of Brigadier General T. F. Drayton, in the order convening the Court, should be hereafter omitted in the records, it appearing to the satisfaction of the Court that the insertion of the said letter “I” was a clerical error.

It was then ordered by the Court that the word “*accused*” should not be used to designate Major General Mansfield Lovell in these proceedings, there being no accusation or imputation against him before the Court; and it was further ordered, that the evidence in the case should be introduced without regard to the mode or order of proof governing in courts-martial or courts of inquiry, when charges are made and an issued joined.

Major General Mansfield Lovell was then sworn and examined as a witness.

By the Judge Advocate :

Question—When did you assume command of the city of New Orleans ?

Answer—On the 18th of October, 1861, pursuant to paragraph VIII, Special Orders, No. 173, Adjutant and Inspector General’s Office, October 7, 1861. [The original of the order was read to the Court, and a copy thereof appended as document No. 1.]

By the Judge Advocate :

Question—State, for the information of the Court, the limits and extent of Department No. 1, its topographical features, and the various approaches to the city of New Orleans.

Answer—Department No. 1 embraced the State of Louisiana and the southern half of the State of Mississippi, except that part of the latter State on the Mississippi river included between the New Orleans, Jackson and Great Northern railroad and the river, on which are situated Natchez and Vicksburg, they belonging to Department No 2. Department No. 1 extended on the sea-coast more than three hundred (300) miles from Texas, on the west, to Pascagoula Bay on the east.

The city of New Orleans is situated in an alluvial delta, on the left or northern bank of the river, about one hundred (100) miles from the mouth. From below New Orleans to Donaldsonville, a distance of about ninety (90) miles, the river runs in nearly an east course, almost parallel with the gulf coast. Bounding the city limits, on the north lies Lake Pontchartrain, which is almost forty (40) miles long by twenty-five (25) broad, its southern shore being nearly parallel to the Mississippi river for more than twenty (20) miles, thus forming a strip of land between the two of an average width of five (5) or six (6) miles, on which New Orleans is situated, thus placing it on an island, except this narrow strip of land, through which runs the New Orleans, Jackson and Great Northern railroad, the only line of land

communication the city has with the interior. The river, before reaching New Orleans, finds its way through the alluvial country in various channels to the sea, (as will be further described,) which, in high water, offer facilities for navigation. Lake Pontchartrain is also in immediate connection with the Gulf of Mexico, independent of all other approaches to the city. Lake Borgne, likewise connected with the gulf, gives us water approach to within a few miles of the Mississippi river at a point not far below the city. This was the route taken by the British in 1815. These are the general features of the location of New Orleans.

The coast line of Department No. 1 is penetrated by passes and streams navigable in high water season at not less than twelve or fifteen different points, many of which, as the enemy had entire command of the sea, required immediate attention. Commencing at Pascagoula, on the east, the coast could be entered by water at Belisier bay, St. Louis and Pearl river, which latter empties itself into the Gulf of Mexico by two mouths outside that entrance to Lake Pontchartrain, on which Fort Pike was located, to be hereafter described. A short distance up the Pearl river a bayou connected the river with the lake, thus avoiding entirely the guns of Fort Pike, beside which a fair road led west to the Mississippi river, giving access to the Jackson railroad, as well as the whole northern shore of Lake Pontchartrain. This lake was connected with the gulf by two outlets, the Rignlets and chief Mentuan Pass, on the former of which was located Fort Pike, and on the latter Fort Macomb, formerly called Fort Wood. From the shore of Lake Borgne four bayous put into the land, through which access could be had by water to points near to, and convenient for, attack on the city. Two of them had small works upon them (Bienview, and Phillippon) and others (Gentilly and Ciletche) were unguarded. Proceeding west, three (3) large streams gave access directly from the ocean, to firm ground near the river, more than forty miles above Forts Jackson and St. Philip, viz: Bayou La Loutre, Terre Aux Bœuf and Aux Chiens, the enemy occupying Isle Breton with land forces, directly off the mouths of these bayous. The next main point of entrance is the Mississippi river, which enters the gulf by five mouths or passes. Forts Jackson and St. Philip are located on opposite sides of the river, about twenty-five miles above the head of the passes and seventy-five below New Orleans. Further west is Barataria bay, at the entrance of which is an island, on the west end of which Fort Livingston is situated. The pass at the east end is not defended. From Barataria bay there is direct water communication with the river just above New Orleans, *via* Bayou Barataria, Bayou Familles and a short canal. The next principal inlets are Bayou Lafourche and the Grand Caillon, the former of which is one of the mouths of the Mississippi river, from which it offsets at Donaldsonville and crosses the Opelousas railroad at Thibodeaux. The other heads near that railroad. Atchafalaya bay and river affords the next important water approach.

This river also connects with the Mississippi through Bayou Plaquemine, above Donaldsonville, and, besides, gives access, *viz* Bayou

Teche and other streams, to a very rich and important section of country, as well as to the terminus of the Opelousas railroad, at Brashear City.

West of this are Bayous Sale and Dead Cypress and Calcaession bay, the latter of which gave entrance to a large cattle-range country. Besides these important points, there are numerous smaller creeks and bayous through which an enterprising enemy could penetrate and obtain access to important approaches above the defences.

West of Lake Pontchartrain, and between it and the Mississippi river, is situated Lake Maurepas, connected with Pontchartrain by the north and south Manshac passes, which were separated by an island, and with the river by Bayou Manshac, in former years "leveed" so as to destroy the river connection. The New Orleans, Jackson and Great Northern railroad runs through the narrow strip of land between Lake Pontchartrain and the river, skirting the southern and western shore of the lake, and passing between it and Maurepas, across the north and south Manshac passes, goes northward into the interior.

The New Orleans and Opelousas railroad starts from Algiers, opposite New Orleans, and runs westward, crossing Bayous Lafourche, Des Allemandes, and others, terminating at Brashear City, on the Atchafalaya, about eighty miles, where the great road led to Texas. This road was the principal means of transportation for beef cattle and supplies from Texas for New Orleans and the east, and its security was a matter of great importance.

The Mexican Gulf railroad connected the city with Proctorsville, on Lake Borgne, distant twenty-eight miles. There were also two short railroads from the compact part of the city to Lake Pontchartrain, besides a water connection with the lake by the new canal and the Bayou St. John, both of which led into the heart of the city. Through the latter the Confederate States steamers Bienville and Carondelet were taken from their place of building to the lake. There were two good roads from the city to Lake Pontchartrain, one along the Bayou St. John and the other on the Metairie ridge. Also, a road following Gentilly ridge to Fort Macomb, near which road heads Bayou Gentilly, emptying into Lake Borgne, by which route the forts would be avoided. The city could also be approached by the enemy's fleet from the upper Mississippi descending the river.

New Orleans is situated on low, flat ground, which is the character of all the surrounding country. To protect it against the annual rise of the river, which commences usually in January and lasts through the spring, embankments of earth, called levees, have been thrown up along its course, which levees extend from a long distance above the city, in its front and for thirty miles below. The tops of these levees are much above the surface of the country, so that when the river rises to the height of the levees it is above the level of the adjacent land. Below these levees the river, in years of very high water, overflows the adjoining country almost entirely. The land above the city, with the exceptions indicated, is generally low and swampy, the city itself extending for miles immediately along the

banks of the Mississippi river, but the inhabited part not extending far back towards the swamp.

For further answer of this question, and as explanatory of the above, I submit the accompanying map, which, while not correct in all minor details, gives all the general features of the country with sufficient accuracy to enable the Court to understand the numerous routes by which the Department could be entered.

[The map above referred to was inspected by the Court, and is hereto appended as Document No. 2.]

The Court adjourned to meet at eleven, A. M., 7th instant.

JACKSON, MISSISSIPPI, April 7, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Examination of Major General Mansfield Lovell continued.

By the Judge Advocate :

Question—What instructions, if any, did you receive on assuming command from the War Department? What report was made to you by your predecessor of the existing state of affairs at the time, and what was the general military condition of Department No 1 as you found it?

Answer—I received no specific instructions whatever from the War Department. The subject was referred to by the Secretary of War and Adjutant General Cooper, but they seemed to think it not necessary, expressing confidence in my judgment and ability to do what was right and proper.

I requested authority to control all matters for the defence of my department, naval and military, on the water as well as on land, assigning my reason therefor; but this authority was declined, as will appear by the letter of the President and Secretary of War hereunto appended. (Marked documents No. 3 and 4.)

When I arrived in New Orleans, my predecessor, Major General Twiggs, made no official report of the condition of affairs, but stated to me verbally that the department was almost entirely defenceless; that he had been unable to get anything done, and that at many points "we could not make an hour's fight." He dwelt particularly upon the want of guns and ammunition. He gave me little or no information, as he said his feeble state of health had prevented him from making personal inspections of the various points of the department.

I assumed command on the 18th of October, and in order to acquaint myself with the exact condition of the defences, the topography of the country, the approaches, &c., of all of which I was entirely ignorant, I made personal inspections and critical examinations throughout the whole extent of the department. These inspec-

tions, together with the details of the office, occupied me night and day for more than two weeks.

I found matters generally so deficient and incomplete that I was unwilling to commit their condition to paper for fear of their falling into wrong hands, and so stated to the Secretary. The troops (three regiments) on the Mississippi coast were badly armed and had very little ammunition—one of the regiments not more than five rounds per man. The entrances to Pearl river were entirely unobstructed, as, indeed, were all the other inlets and approaches into the country. In addition to the works hereafter to be named, there was an open battery of ten twenty-four pounders on Bayou Bienview, and one of five on Phillippon, and two small earthworks, intended for five guns each, had been thrown up guarding the approaches to Berwick's Bay, but had not been completed.

The forts in the department, viz: Pike, Macomb, St. Philip, Jackson and Livingston, were originally small works of a very inferior class, built of brick and earth, and, having been unoccupied for many years, had become much dilapidated, and in places I found them crumbling with their own weight. On inspection, I found them armed principally with smooth-bore twenty-four and thirty-two pounders, there not being in the whole department more than nine guns mounted of a greater calibre than a thirty-two pounder, and, indeed, but twenty-six of them mounted. Seven or eight of the thirty-twoes had been rifled, but there was neither shot nor shell for them. The gun carriages were generally old, and defective from long exposure to the weather.

Many of them were so decayed that I could insert a pen-knife with ease into the wood. There was likewise a very great deficiency in all the implements and equipments necessary for the service of heavy guns, as sponges, rammers, priming-wires, friction tubes, primers, haversacks, handspikes, hot-shot implements, budge-barrels, &c., &c. The ammunition did not average more than twenty rounds per gun. Forts Jackson and St. Philip, owing to the exertions of General (then Colonel) Duncan, were in a better state of preparation than the other works, but still sadly deficient in very many respects for their full defence, and much of the ammunition on hand was so inferior in quality as not to give more than half-range.

The Macomb had nothing but twenty-four pounders, which, indeed, composed the main armament of all the works. There were no guns or works at Pass Manchac or Bayou Lafourche, Grand Caillon or on the approaches, or Barrataria bay, to the river near the city. No measures had been taken for obstructing any of the rivers or passes, either by felling timber or driving piles or making rafts, except that the materials had been collected in part for making a raft to be placed in the Mississippi river at the forts, and work on it had been commenced.

A line of entrenchments around the city itself had been planned, and was commenced some weeks before my arrival, by Major (now General) M. L. Smith, but it was entirely unfinished, not a gun was mounted, a magazine built, nor a platform laid.

The length of this line was more than eight miles. General Twiggs had, shortly before being relieved, received from the Norfolk navy-yard more than one hundred old navy guns—many of which had been long in use and the rest so worn as to be unfit for friction tubes. Many of the guns had been cast more than forty years. There were none above a forty-two-pounder, and a number were thirty-two-pounder carronades, a gun entirely useless except for firing grape and canister at short distances. No carriages, chassies or implements came with these guns, and none of them were mounted when I took command. There was a vast amount of engineer and ordnance work to be done, and both of these important branches were imposed upon Major Smith, who found it impossible to do justice to them both.

On the water there were two small vessels, the *McRae* and the *Joy*, and the ram "*Manassas*" with one gun. Two river steamboats were being strengthened and ironed for service, the keels of two iron-clad ships, the "*Louisiana*" and "*Mississippi*," had been lately laid, and two smaller gun-boats, for service on Lake Pontchartrain, were on the stocks in the Bayou St. John.

This is about the condition of the preparations on the 1st of November, about the time I assumed command. I would add that several new regiments were in process of organization, and preparation at camp Moore, seventy-eight miles north of the city, but were only partially armed and equipped.

There were in all five new regiments, which were unfit to take the field.

The Court adjourned to meet at ten, A. M., the 5th instant.

JACKSON, MISS., April 8th, 1863.

The Court met pursuant to adjournment.

Present—All the members, the Judge Advocate and Major General Lovell.

The proceedings of yesterday were read over.

Examination of Major General Lovell continued.

By the Judge Advocate:

Question—What steps did you take to organize and perfect the defences of the department? Give a full account of your preparations and administration up to the time of the evacuation of the city.

Answer—Thinking it probable that an attack would be made sometime in January, I commenced at once, with all the available means at my disposal, to supply the deficiencies, and to provide against the dangers indicated in my last answer. In making these preparations, however, I was materially delayed by the want of a sufficient number of competent officers of experience and detailed knowledge. This deficiency was made known to the War Department and relief asked on several occasions, but without success. [See my letters to the War Department of various dates.] Having completed my inspection

in the early part of November, I telegraphed on the 5th to Colonel Gorgas, chief of ordnance, at Richmond, for mortars and columbiads. He replied the next day that "he had no mortars or columbiads to spare at present." I then telegraphed General Bragg at Pensacola to send me, if possible, some ten-inch guns and mortars. He answered "not a gun to spare." Knowing that there was no other point to look to for guns, I then turned my attention to making arrangements in New Orleans with Messrs. Leeds & Co., Burnett & Larges, and S. Walf & Co., for putting up reverberating furnaces, and making other preparations for casting eight and ten-inch columbiads, and ten-inch sea-coast mortars. I procured all the large chains and anchors that could be had from Pensacola, Savannah and other places, for the purpose of constructing rafts and booms to place in the various water approaches, giving particular attention to that in the Mississippi river. Contracted for the building and sinking of an obstruction in Pearl river, had Salt Bayou, as also Grallely and Aletche Bayous, filled with rows of piles driven across the channels, and La Loutre, Terre Aux Bœuf and Aux Chiens obstructed by felling the timber on the banks, and eventually, with the assistance of the Safety Committee of New Orleans, had two rows of piles, each more than one thousand yards long, and braced at the top, driven in the channel, under the guns of fort Pike, where the water was nearly fifty feet in depth. The channel leading into the Atchafalaya bay, was also filled up by sinking green live oak trees, forming an obstruction forty feet wide at the base, and eight at the tops, and a raft was placed on the river just below fort Berwick. Judge Baker, of Louisiana, superintended this latter work.

I replaced the twenty-four pounders *en barbette*, bearing on the water, at Forts Jackson, St. Phillip, Pike and Macomb, with the forty-two and thirty-two-pounders received from Norfolk, and added materially to the strength of the various garrisons. Obtaining sulphur and saltpetre wherever it could be found, I pressed to completion a large powder mill, under charge of Messrs. Hobart & Foster, and soon commenced the manufacture of powder, which was submitted to the eprouvette test before it was received. Having arrangements made with the foundries in New Orleans for casting shot and shell, I proceeded, with the permission of the Secretary of War, to convert one half of the large new marine hospital into an arsenal, where I had a steam engine put up for driving the machinery, small arms prepared, and the various implements, equipments and munitions made for the service of heavy guns. A cartridge manufactory was established, in which a number of hands were employed, and which not only supplied my department, but enabled me to send more than a million rounds to the army in Tennessee.

A considerable quantity of powder was brought in by the steamers Vanderbilt, Miramon and Victoria, but it was all old and unfit for use, and every pound was remanufactured in New Orleans; and from this source I transferred to the navy twenty-five thousand pounds, sent seventeen thousand pounds to other departments, and twelve thousand pounds to Richmond, besides furnishing ammunition to all

the troops sent to General A. S. Johnston in Tennessee, and giving the river defence fleet what they required.

Earth-work forts, mounting from two to six guns each, were commenced on the Grand Caillon and on Bayou Lafourche.

On Bayou Barrataria, at the Manshac passes, and at Proctorsville, and two forts off Berwick's bay, were almost entirely reconstructed. On the Mississippi river works were also put up above the city and on the southern and western shores of Lake Pontchartrain.

The general plan adopted was to have two lines of works, an exterior line passing through the forts, and earthworks erected to defend the various water approaches, and an interior line, embracing New Orleans and Algiers, which was intended principally to repel an attack by land. Commencing at the swamp on the west side of the river, about four miles and a half below Algiers, this interior line extended across the firm ground of the right bank of the river, and from the right bank, at a point just opposite across the dry ground, to a swamp which occupied the space between it and the Gentilly ridge, where the line extended across the ridge to the adjoining swamp. It was resumed at the various points of firm ground on the railroad, canal and roads, when they issued through the swamp in rear of the city towards Lake Pontchartrain; above the city, it also extended from the swamp to the left bank of the river again, and from the opposite side it ran along the Barrataria canal from the bank of the river to the swamp above Algiers.

The total length of the entrenchments on this line was more than eight miles, and when completed, it, in connection with the swamp, put New Orleans in an impregnable position so far as regarded any attack by land. It mounted more than sixty guns of various calibres, and was surrounded by wide and deep ditches. One regiment of troops was taken from the Mississippi coast, and stationed at Berwick's Bay, a point of vital importance, where I also located a battery of field artillery and a company of cavalry.

Twenty independent companies of infantry, raised by my predecessor, were organized by me into regiments, placed as garrisons in the various works of the exterior line, and thoroughly drilled in the heavy artillery service. The infantry at Camp Moore was brought to the city, placed in camp, and when General Ruggles (after four weeks of severe illness) reported for duty, he was charged with the organization of a brigade out of these troops. They were, after much difficulty, well armed, equipped and provided in all respects, and held at the central position to be sent to any point of the exterior line required, or to defend the interior line if attacked. I laid a railway track in the city between the Pontchartrain and Mexican Gulf railroads, so as to transfer troops rapidly from point to point, and established telegraph lines to Proctorsville and to Brashear city on Berwick's bay. We were already in telegraphic communication with Forts Pike, Macomb, St. Philip and Jackson and the passes at the mouth of the Mississippi river. I also made every effort, through the citizens, to endeavor to accumulate a supply of flour and meat sufficient for sixty days for the whole city, to enable the inhabitants to stand a siege; but

from causes beyond my control, their efforts failed entirely, and this want of provisions for more than one hundred and fifty thousand inhabitants was an important element in determining the evacuation of the city in April. In addition to the great amount of labor imposed upon myself, and the small number of experienced officers with me, by the details of the works above indicated, I received orders about the 15th January, 1862, from the Secretary of War, to seize fourteen steamers, then at New Orleans, which were to be strengthened, protected with cotton bales, armed, mounted and equipped, under my general supervision, by Captains Montgomery, Townsend and others named by them. For this purpose one million of dollars was placed to my credit, and although not favorably impressed with the plan myself, I labored assiduously to carry out the view of the Department. Montgomery and Townsend were sent from Richmond, and the twelve other captains were selected by them—the matter being placed in their hands by instructions from the Secretary of War. All these vessels were completed and put in service before the 1st of April—eight of them being sent up the river to Fort Pillow, and the other six retained for reasons indicated by me in my letter of the 10th of March to the Secretary of War, hereto appended.

Immense requisitions of all kinds were constantly made on my department, and provisions, clothing, camp and garrison equipage, powder and munitions of war of various kinds were sent to the different parts of the Confederacy. My chief quartermaster, chief commissary and ordnance officer, not only performed their department duties, but acted as agents for the heads of their respective bureaus at Richmond. I had twelve launches fitted up and armed with one gun each, for service on the small bayous and canals, by which the department is intersected in all directions. This was mainly for the purpose of preventing marauding expeditions, and to keep negroes and others from communicating with the enemy.

I reported, quite in detail, to the War Department my progress in the duties of my command on the 5th of December, 1861. During the succeeding four weeks, I was directed, from Richmond, to send out of the department twenty-two heavy guns to Tennessee and Charleston, South Carolina, [see dispatches herewith, marked five, six and seven,] and to provide one gun each for the fourteen vessels of the river defence fleet, intended for service on the upper river. I also turned over to the navy ten forty-two-pounders for arming the steamers *Bienville* and *Carondelet*, for service in Lake Pontchartrain and Mississippi Sound; besides which, I supplied them with powder and the men to serve their guns, as they had neither guns, powder, nor crews to make the ships available. I reported to the Secretaries of War and the Navy that I had turned over these ten guns. I also notified the former that I had sent two regiments of troops to Columbus, Kentucky, upon the urgent request of the General in command there.

In February, I was ordered by the War Department to send five thousand men also to Columbus, which took away all my available force in New Orleans, leaving me without a single armed regiment of Confederate troops in the city. Every vessel of war ready for service

in the river was also ordered up to the same point, and the department left without ships or men, except the garrisons of the works on the exterior line. On the 25th February, I made requisitions on the Governor of Louisiana for ten thousand militia for the defence of the city, but the Adjutant General of the State reported that, in November, 1861, he had only about six thousand armed militia available, and that since that time three thousand of the best armed of these troops had been sent to reinforce the army in Tennessee, upon requisition of General Beauregard. This gave me for the defence of New Orleans less than three thousand militia, of which twelve hundred had muskets, and the remainder very indifferent shot guns. These troops were commanded by their own State officers, and a part of them, when ordered to the support of Fort Jackson, mutinied and refused to go, and had to be forced on board the transports by other regiments.

I reported to the War Department the manner in which my district had been stripped of men, guns and ships, and objected thereto. [See my letters to the Secretary of War, 12th February, 6th, 9th, 10th and 22d of March, hereto appended, marked documents Nos. eight, nine, ten, eleven and twelve, as well as subsequent letters to the Department.*]

The strength of the land defences around the city was, however, so great, that I felt confident of repelling, even with the troops at my disposal, any attack that might be made by land, and I felt sure that the enemy was well posted as to the strength of our works.

With regard to the water approaches, I had put every gun in position that I could get, and had obstructed every river of any size leading into the department, relying upon the navy to have such iron-clad ships and other gun-boats as would enable us to oppose successfully every attack by water.

I desire to state that there were two separate and distinct organizations for the defence of department No. 1, viz: that under the control of the Secretary of War, of which I was the senior officer, and that under the Secretary of the Navy, of which Commodore Hollins and afterwards Commander Whittle were the seniors. We were entirely independent of each other, but were directed to co-operate cordially for the defence of the city.

I had no control whatever over them, but the best feeling existed, and there was very seldom any difference of opinion between us as to what should be done. I made requests at various times of them that they were unable to comply with. They complained frequently of the inadequacy of the means and material placed at their disposal to assist me, and regretted that they had no power to hasten the completion of the proper ships for our defence. What few they had were sent up the rivers, and the others were directed to follow as soon as completed. Against this I protested by telegram on 11th April to the Secretary of War, [see dispatches hereunto appended, marked document No. three.]

*No. 8 is letter of 12th February, 1862, page 50 of correspondence; No. 9, letter of 6th March, page 59; No. 10 is letter of 9th March, 1862, page 61; No. 11, letter of 10th March, 1862, page 62; No. 12, letter of 22d March, 1862, page 67; No. 13, telegram of 11th April, 1862, page 72.

These vessels, however, were never entirely finished. On land we had for the defence of the department sixteen different forts, large and small, (seven of which were built before the war,) upon the various water approaches, besides an entrenched line, with numerous batteries, around the city, in all of which there were in position nearly three hundred guns of various calibres, while on the 24th of April, there was not a single war vessel of any great size or power afloat on the Mississippi river in serviceable condition for the defence of department No. 1. There was an additional part of my administration of affairs which cost much time and labor.

On the 15th of March, 1862, by direction of the President, New Orleans and the adjacent parishes were placed under martial law. Eight provost marshals were appointed. Four for the city and four for the parishes, and, for valid reasons, I felt compelled to give a good deal of time and attention personally to their plans and course of action.

In the latter part of February, the great raft in the Mississippi river began to show signs of giving way. The drift had accumulated greatly and the river was higher than ever known before. I employed steamboats and skiffs to remove the drift, but it gained on us so rapidly that the attempt was given up. The raft gave way at various points, and, by the end of the first week in March, the main chains snapped and it ceased to be any longer an obstruction.

I determined, therefore, to detain six of Montgomery's boats at New Orleans, contrary to orders from the War Department; but reported the fact and the reason therefor, on the 10th March, by letter to the Secretary of War.

Previous to taking command at New Orleans, I had verbally stated, both to the President and Secretary of War, that, in my opinion, batteries on shore could be passed by ships-of-war under steam with the loss of but few vessels, and had repeated this opinion to the latter in my letter of November 17th, 1861. As soon as the raft had given way, I applied for and got one hundred thousand dollars (\$100,000) from the City Council of New Orleans, by whom the money for the previous raft had been furnished, and sent Colonel Higgins, an able and efficient officer, formerly of the United States Navy, down to endeavor to repair the raft. I gave him full authority to take or hire steamers, employ men, and do anything that might be necessary to accomplish his purpose. It was found impossible to restore the raft; but a new obstruction was made of parts of the old raft and with schooners anchored and fastened together by chains. This obstruction was, however, far inferior to the other, and was by no means satisfactory; but heavy chains for anchoring a more formidable obstruction could not be obtained by the most strenuous endeavors. I had prepared and sent down forty (40) or fifty (50) fire-rafts, loaded with light-wood and mixed with cotton, rosin and tar oil, which were placed above and below the new obstruction. This second obstruction was pretty much broken up and carried away before the final attack.

I also sent to Memphis and procured the services of Mr. J. B. Cook, who had much experience with torpedoes, and endeavored to have them

placed in the river; but the great depth (more than one hundred and thirty feet) and the powerful current rendered such attempts nugatory. I ordered a drummond light to be made and sent to Fort Jackson; but it was destroyed by one of the enemy's shells during the bombardment. Governor Moore, at my request, took two steamers lying in the river, had them strengthened with cotton bales, and provided with officers and crews, which he placed under my orders. I armed them with two heavy guns each, and furnished them with ammunition, &c., and sent them to Fort Jackson, under Captains Kennon and Grant.

The arrangements for casting heavy guns were meanwhile pressed forward under my frequent supervision; but many difficulties presented themselves. Pits for casting could not be used on account of the water which, in that low, flat country, rapidly filled them. It became necessary to make casings in the pits to exclude the water; but I succeeded, just before the evacuation, in having two (2) eight-inch columbiads and two (2) ten-inch mortars completed, and the model for ten-inch columbiads was ready. Learning, by accident, in the early part of March, that Pensacola was to be abandoned, I renewed my application to the War Department for some of the columbiads and mortars of which there was a large number there. I telegraphed Mr. Benjamin, Secretary of War, on the 7th of March, 1862, as follows:

"In case of evacuation of points now fortified, please order ten-inch guns and mortars here." To this telegram I received no reply.

On the 15th of March, I telegraphed to Major General S. Jones, commanding at Mobile, to send me ten-inch mortars, and also wrote on 21st. [See letter marked Document No. 14.]

Receiving no answer, I telegraphed the Secretary of War, requesting him to order General Jones to send the columbiads and mortars promptly.

To which he replied by telegraph that he had ordered them to be sent as requested. On the 29th, I telegraphed the Secretary of War that the enemy were in force at the mouth of the river, and please order commanding officer at Mobile, to send immediately. General Randolph, who in the meantime had become Secretary of War, telegraphed me, on the 29th March, to know what guns I meant, "whether guns in battery or guns on the way to me." I replied, "a part of the ten-inch columbiads and sea-coast mortars which were at Pensacola, that New Orleans had only one of the former and none of the latter."

On the 4th of April, the Secretary of War telegraphed me that he had endeavored "to get from Pensacola, columbiads and sea-coast mortars, but found that all had been sent to Mobile that could be spared."

Finding I could not obtain guns by authority, I sent Major Duncan, an energetic officer, to get possession of as many guns of that calibre as he could, and to bring them through, unless stopped by some superior officer.

Major Duncan is now dead. He reported to me that General Jones at Mobile, would let me have two ten-inch guns, if he were in command; but that he had been ordered away; that he telegraphed General Bragg, who replied that the commanding officer was "authorized to

give the guns if he thought proper, but that they regarded the points above Memphis as best for the defence of New Orleans."

The commanding officer at Mobile refused to give them. Major Duncan then went to Pensacola and took three guns, which he brought to New Orleans. I also telegraphed and wrote to General Beauregard, to request General Bragg to order me the guns. [See letters hereunto appended, marked documents Nos. 15, 16 and 17.] I borrowed some guns from Commodore Whittle, in the latter part of March, which were intended for the iron-clads Louisiana and Mississippi, and on the 4th April, suggested that the remaining guns of the Louisiana be sent to Fort Jackson, as I feared that vessel would not be ready in time for the fight.

On the 11th, the Commodore demanded the return of the guns, against which I protested. [See letters on these points hereunto appended, marked documents Nos. 18, 19, 20, 21 and 22.]

I urged the completion of the Louisiana and Mississippi upon Commodore Whittle; but he replied that they were not under his control, the contractors being made independent of his order by the Secretary of the Navy.

I sent a regiment of troops, under Colonel Schymansky, to Quarantine, to prevent an approach to the river bank above Fort St. Philip, by the enemy; but the unprecedented high water dislodged the troops, who were removed to the west bank where they were located until they were captured by the enemy's fleet. Sharpshooters were also organized by my orders, for service on the banks of the river below the forts. Obtaining a few heavy guns from Pensacola, I got one hundred and twenty negroes from the planters on the river, and sent them to General Duncan for mounting those guns in an additional water battery outside of Fort Jackson. General Duncan, lately promoted, had been placed by me in command of all the works of the exterior lines, and made his headquarters at Fort Jackson.

I also sent to General Beauregard for the ram Manassas, which he finally sent down, and she took part in the battle of the 24th.

Commodore Hollins came down in April, with the Macrae, and after consultation with Commodore Whittle, I telegraphed the Secretary of War, on the 17th April, to try and have Hollins put in command afloat below, until he could strike a blow. [See Document No. 23, hereunto appended.] This, however, was not done. The water, meanwhile, had risen in the river to an extraordinary height. Places heretofore free from overflow were entirely submerged, and the water was nearly two feet deep even in Fort Jackson. For miles above the forts the river formed one vast sheet of water in connection with the Gulf of Mexico, and nearer the city where the banks are "leveed," the surface of the river was not less than eight or nine feet above the level of the land adjacent. Major M. L. Smith, whose promotion I had urged for some time, was promoted a brigadier general in April, and assigned by me to the command of the interior line.

Ten thirty-two pounders, smooth-bore, and two eight-inch columbiads, just finished in New Orleans, were mounted at the interior line where it abuts upon the river, below the city, (half the guns on

each side,) and they were provided with seventy rounds of ammunition per gun.

On the 20th April Commodore Whittle informed me that the Louisiana, although not entirely ready with her motive power, would go down at once to the forts, but he could get no powder for the guns except the three thousand pounds which I had already turned over to him. As she was an iron-clad ship, mounting sixteen guns, a number of which were rifled, of the heaviest calibre and longest range, I determined, in the emergency, to take fifty rounds from my battery of smooth-bore thirty-twos on the lower line, which would give the Louisiana five thousand pounds additional, but only left twenty rounds at the interior line battery. I thought that the powder would do better service on the Louisiana than with my light guns and new recruits on the inner line.

I issued no ammunition to the militia at the camp near the interior line because they were utterly useless against ships; no land attack was anticipated, and, above all, they had in some regiments manifested such an insubordinate disposition that I felt unwilling to put ammunition in their hands. I had, however, six hundred thousand rounds of shot-gun cartridges made up for their use and put in the arsenal, ready for use when the proper time should arrive.

I employed two small steamers, with officers selected by myself, and sent them to General Duncan for towing the fire-rafts into position for setting them adrift. Several other steamers were also employed to carry down sand bags, already filled, for protection to the magazines, etc., of the forts.

For full particulars of the long and arduous contest at Forts Jackson and St. Philip, reference is made to General Duncan's official report.

On the 20th April, in consequence of the heavy fire, I turned over to Captain Mitchell the control of the fire-rafts, the steamers for towing them, and all other floating defences at the forts, as General Duncan found it impossible to take proper charge of them. I sent orders to that effect to Captain Stevenson, the senior officer of the six boats of the river defence fleet, and to the captains of the two ships turned over to me by Governor Moore.

This, I believe, answers the question in the most material points. A vast number of smaller matters gave me much trouble and labor, and took up a great deal of my time.

I refer the Court especially to my correspondence with the War Department for additional particulars as to all that was done by me in the administration of the affairs of Department No. 1.

The Court adjourned to meet at ten, A. M., the 9th instant.

JACKSON, MISSISSIPPI, April 9, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and also Major General Mansfield Lovell.

Examination of Major General M. Lovell continued.

By the Judge Advocate :

Question—Describe particularly the obstruction in the Mississippi river near Forts Jackson and St. Philip, and state what, if any, confidence you placed in that obstruction as a permanent work ?

Answer—The obstruction in the Mississippi river was placed just under the guns of Forts Jackson and St. Philip, and work upon it had been begun before my arrival. It consisted of cypress trees, forty feet long and averaging four to five feet at the larger end. These were placed longitudinally in the river, about three feet apart, so as to leave a water way. They were held together by (or rather strung upon) two 2 1-2 inch chain cables, which were passed through mortices in the under side of the logs and held in place by heavy iron staples.

To give it stiffening, large timbers, six by four inches, were securely pinned down transversely to the upper side of the logs. This raft was placed in the river by securing the chains on the left bank to large trees, and on the right bank, where there were no trees, they were fastened to crab capstans and to immense anchors, buried in the ground and held by heavy timbers. In addition, all the anchors that could be had were got from various points in the Confederacy, and the raft was anchored up stream, the large anchors being laid singly, and the smaller ones backed by a second anchor. The depth of the river being about one hundred and thirty feet at that point, this required an immense amount of chain, which was difficult to procure, as well as a sufficiency of anchors.

The difficulty of anchoring a heavy mass in the Mississippi arises from the fact that the bottom is a shifting sand, and in high water the swift current soon cuts out the anchors or other obstruction placed on the bottom. In this manner the raft began to sag, by the drifting of the anchors, and the whole weight was thrown upon the chains. And when an immense amount of drift wood had accumulated above the raft, these eventually parted. This occurred about the early part of March ; I employed steamers to remove the drift, but it accumulated much faster than it could be removed. I then authorized General Duncan to employ fifty or one hundred boatmen, with skills, to assist in the operation ; but only a few boats could be obtained. Persons well acquainted with the river told me that any obstruction of such character could not be made to hold in the Mississippi river for the reason above indicated, but I thought it possible that I could make it so that it would hold for several months, at all events until the middle of January, at which date I was informed by those superintending their construction, that the iron-clad vessels would be completed.

In constructing this raft, I employed the best engineering and nautical ability at my command. Major Smith, Colonel Duncan and Colonel Lovell, formerly of the United States navy, being charged with its construction and anchorage. Its position was fixed upon after consultation with General Beauregard, who, as an engineer in the United States army, had been in service in that country for many

years. I had a long boom constructed to stretch diagonally across the river above the forts, so as to shed the drift over through the opening, but all my endeavors to get chains and anchors to secure it in position proved futile.

I omitted stating that, on the 23rd of April, I requested Commodore Whittle to order the iron-clad steamer Louisiana to take position just below Fort St. Philip and endeavor to dislodge the enemy's mortar-boats, so as to give some relief to the garrisons and enable them to repair damages. He said she was not in condition for effective service, and she would probably be lost. I told him we had better lose her than the city of New Orleans, and he telegraphed Captain Mitchell to strain a point to endeavor to comply with my request. The naval commanders held a consultation on the subject, and, for reasons which they considered satisfactory, declined to place the vessel in the position indicated.

The Court adjourned to meet at ten, A. M., to-morrow, the 30th instant.

JACKSON, MISSISSIPPI, April 10, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and Major General Lovell.

Examination of Major General Lovell continued.

The proceedings of yesterday were read over.

By the Judge Advocate:

Question—State your reasons for the evacuation of the other forts and works of the exterior line and the city of New Orleans after the passage of Forts Jackson and St. Philip by the enemy's fleet, the measures you adopted for the removal of public property, the amount of such property, and the number of troops removed from the city? State also the facts and circumstances attendant upon the evacuation?

Answer—I was present, in a small river steamboat, at the engagement which resulted in the passage of the forts by the enemy's fleet on the morning of the 24th April, and proceeded immediately to the city. I had taken down on the boats with me to Fort Jackson a number of large cartridges, already made up, for General Duncan's heavy guns, which I was unable to deliver. On my return, I directed them to be left at the batteries on the lower interior line, stopped there myself and told the officers that the cartridges must be reduced to eight pounds each for service with their guns, which were thirty-two pounders—which, I believe, was not done.

I had already determined upon the course to be pursued in case of the passage of the forts, and had made arrangements to meet the emergency, having particularly directed my chief commissary, Major Lanier, to send out quietly from the city several hundred thousand rations, which were deposited at Covington and at points on the Jackson railroad. I had also, through Colonel Lovell, of my staff, made

arrangements to have several large steamers kept in such a state of preparation that they could be made available at a few hours' notice.

I determined to evacuate the city when the enemy succeeded in passing the forts, for the following reasons: The principal concentration in men, guns and ships had been made at this point. It had been selected as the spot where the battle for the defence of New Orleans, against a fleet coming up the Mississippi river, should be fought, and everything available for the defence below, both ashore and afloat, had been collected there, except the twelve (12) guns on the river, at the lower interior line, which were put there to flank that line. The obstacles had been placed there and swept away, and had been a complete bar to the passage of a hostile fleet, and the naval and river defence officers had brought to bear at that point all the available strength, and although New Orleans was still in condition to resist any attack by land, yet when, after six days and nights of incessant conflict, the forts were passed, and all our defences afloat were either burnt or sunk, I knew there was no material obstacle to prevent the fleet from proceeding at once to the city, and that all the guns, forts and men on the other ten or twelve water approaches, would go for nought.

The twelve guns in the upper earthworks, on the lower line, had but twenty (20) rounds of powder each, (the remainder having been given to the steamer Louisiana, for reasons which I have already stated,) and could offer no serious resistance to a fleet which had already passed more than one hundred (100) guns in masonry works, better mounted and amply supplied with powder.

The city was surrounded by swamps, and there was but one outlet by land, viz: through the narrow neck heretofore described, between the river and Lake Pontchartrain.

At Kenner, on the Mississippi, ten miles above the city, the firm ground between the river and the swamp which borders the lake is narrowed to about three-quarters of a mile, through which passes the Jackson railroad. The river at this time was full to the top of the levees, and a single one of their large ships-of-war, anchoring at this point, would have commanded with her broadside, at point-blank range, the only land exit from the city, sweeping with her guns (which would have been higher than the surface of the country) every foot of land between the river and lake. The obstructions placed across the Rignlets at Fort Pike had been swept away in a storm shortly before by some vessels which had broken adrift, and there was an open channel fully as wide as the Mississippi river into Lake Pontchartrain, which could easily be passed by the enemy at night. Such a movement, in connection with the placing of one or more ships at Kenner, would have completely surrounded New Orleans, cutting off all communication, by land or water, with the interior. [See the map heretofore submitted.] My efforts to accumulate provisions enough in the city to feed the population had proved abortive, and an examination made a few days previous to the evacuation had satisfied me that there was not in the city provisions enough to sustain the population for more than eighteen (18) days. Taking it for granted that the enemy would occupy Kenner, as, indeed, he did in a few days, we should

have been starved into a surrender in less than three weeks; for, when the hostile fleet anchored in front of the city, we were entirely cut off from Texas and Red river—our main source of supply. I had more than three months' rations available for my troops—less than three thousand (3,000) men—but this would have answered but a few days for a population of more than one hundred and fifty thousand persons. Some of the steamers on the levee had been destroyed, and a number had fled up the river; so that the Jackson railroad was the only means of transportation for removing the women, children and non-combatants from the city, which removal it would have required months to accomplish.

In the vicinity of New Orleans, and for many miles above, there was nothing but swamps, filled with water, in which the families could take refuge, and, moreover, a great portion of the male protectors of these families were absent with our armies in Tennessee and Virginia, and of course could not superintend their removal. The plan therefore of removing the non-combatants and remaining with the troops was entirely impracticable.

Thirteen (13) of the enemy's ships were anchored abreast of the city, with their guns looking down upon the streets, which they could have swept to the swamps in rear of the houses, or set on fire, at a number of points; and, had I continued to occupy it with troops, they would have been justified, by the laws of war, in opening fire, after due notice to the women and children to withdraw from danger. I knew that they had not, and could not have, for several days, land forces to take possession, and having determined, for the reasons above stated, to evacuate the city, I thought it best to remove the troops at once and speedily, and thus convert New Orleans from a military position into that of an ungarrisoned city. By so doing I should deprive the enemy of all pretext for a wanton and useless sacrifice of life and property, and, as they were unable to occupy it, I would have a number of days for the undisturbed removal of the vast amount of public property which was on hand at the time. My troops, however, were placed at Camp Moore, only four hours' run from the city by rail, and I could have reoccupied it at any time for several days after the evacuation, if it had been deemed advisable. Had I regarded the outside popular clamor that would ensue, I should have subjected the people of New Orleans to a bombardment; but I did not think myself justified, for such a purpose, in spilling the blood of women and children, when I knew that in two or three weeks, at furthest, want of food for the inhabitants would compel me to evacuate the city, or, if that had been impossible, to surrender.

I spoke to the mayor, several members of the city council, and many prominent citizens on the subject, and, while none seemed unwilling to undergo the dangers, if by so doing they could arrive at favorable results, yet all, without exception, under the circumstances, approved of and advised the withdrawal of the troops. In determining upon the evacuation, I, necessarily, as soon as the enemy's fleet had passed the forts, regarded the position the same as if both their army and navy were present before the city, making

due allowance simply for the time it would take them to transport their army up. Inasmuch as their ships had passed Forts Jackson and St. Philip, they could at once place themselves in open and uninterrupted communication with their army at points from six to twenty miles above the forts through various small water communications from the gulf, made more available by the extraordinary height of the river, and which, while they were in possession of the latter, I had easily and without risk, defended with launches and a part of the river defence fleet. I had also stationed Skymanski's regiment at quarantine for the same object. These were, however, all destroyed or captured by the enemy's fleet after they got possession of the river between the forts and the city. There was a further and very important reason for the course which I pursued. I knew that if I remained in New Orleans we should, in all-probability, lose, in a short time, troops, guns and supplies of all kinds, and the enemy then would be in full possession of the river as far as Memphis, which eventually fell also into their hands. By withdrawing my command, however, I would be enabled to fortify, arm and organize Vicksburg, a strong and defensible position.

On the 17th April I had written to General Beauregard, [see Document No. 24, herè appended,] recommending the fortification of Vicksburg, and asking him for an engineer officer, and, two days after the evacuation, I advised the Adjutant General at Richmond, General Cooper, that I should occupy that place and Jackson. [See Document No. 25, hereunto appended.] I sent thither a number of heavy guns and quantities of ammunition, with the artillerists from the various forts near New Orleans, and sent Gen. Smith, with a brigade of infantry, to take command of the whole. The officers, troops and guns which held Vicksburg last summer were almost entirely the same which I withdrew from New Orleans, rather than remain and submit to an inevitable surrender.

Results have fully proved the wisdom of the military policy pursued by me of collecting all the means in Department No. 1, and taking a new and stronger position on the Mississippi river.

The evacuation of New Orleans and its occupation by the enemy would necessarily be followed, sooner or later, by the abandonment of the various forts and small works of the exterior line, which were erected principally to defend the approaches to that city, and, after its evacuation, could no longer serve any useful purpose. As the position of the enemy (in the river abreast of the city) gave him control of the Opelousas railroad, thus enabling him to get in rear of the works on Barritaria bay, Grand Caillon, Bayou Lafouche and at Berwick's bay, by which he could cut off and capture all the garrisons with small arms, ammunition and stores, all of which were greatly needed at that time, I directed them to be abandoned at once. The officers in command were ordered to report with their troops and all transportable supplies at Camp Moore or Vicksburg. Some of them complied with this order, but a portion of the garrisons, after marching part of the way, refused to go further and, in spite of their officers, disbanded and went to New Orleans. Forts Jackson and St.

Philip surrendered in consequence of a mutiny among the men on the 28th April. [See General Duncan's report.] Forts Pike and Macomb were abandoned without my orders. When I returned to the city from the lower forts, on the 24th, I directed Colonel Fuller who was in command of the works on the lakes, which comprised Forts Pike and Macomb, to have everything ready to abandon those forts in case I should order order it.

Supposing that the enemy would occupy Kenner and thus deprive me of the use of the Jackson railroad, it was my intention to remove the troops, supplies, &c., across Lake Pontchartrain to Pass Manchac and Madisonville, holding the entrance to that lake by forts as long as possible.

The enemy, however, did not interfere with the railroad at Kenner, and the greater part of the men and public property were removed by rail. I went to Camp Moore, on the night of the 25th, to arrange matters there, and, on the morning of the 27th, received information that Col. Fuller had arrived at Covington, Louisiana, with the garrisons of Forts Pike and Macomb. This was the first knowledge I had of the abandonment of those works. I immediately directed them to be reoccupied, and sent a letter to Capt. Poindexter of the navy, in command of the ships on the lake requesting his co-operation in this movement. Colonel Fuller replied, on the 28th, that the forts had been dismantled, the guns spiked and the carriages destroyed, and that it was impossible to reoccupy them. I was officially informed of the surrender of Forts Jackson and St. Phillip on the 29th, and deemed it, therefore, useless to make any further attempts to reoccupy Forts Pike and Macomb. The cisterns in the two last named works only held water enough to serve the garrison a short time, and had to be supplied by steamer from a distance. They could not have held out for any great length of time for this reason, and I deemed it best to save their garrisons (composed of well-drilled artillerymen) for the works at Vicksburg, where they have ever since rendered such good service, but it was not intended to abandon them so soon, nor, indeed, until I had transferred all the public property from New Orleans.

The court adjourned to meet to-morrow at ten, A. M.

TEN, A. M., APRIL 11th, 1863.

The Court met pursuant to adjournment. Present—all the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

It was ordered by the Court that the examination of Major General Mansfield Lovell as a witness be suspended, so that the testimony of S. L. James, an important witness, now *en route* to Europe, might be taken. S. L. James was then duly sworn and examined as a witness.

By the Judge Advocate :

Question—Were you an officer in the Confederate States army, under the command of General Mansfield Lovell, at the time

of the evacuation of New Orleans? If yea, how long had you been under his command and what position did you hold?

Answer—I was in New Orleans at that time and in the service, but only as a volunteer aid to General Lovell, with the nominal rank of major. My services as such begun on the 24th day of April, 1862, the day before the evacuation.

Question—State what orders you received from General Lovell, what services were rendered by you in obedience to those orders, and the circumstances attendant upon their execution?

Answer—On the afternoon of the 24th of April General Lovell ordered me to detain all the steamboats at the landing until they could be loaded with Government stores. I gave notice of this at once to the captains and owners of these steamboats. During the day there were large quantities of Government stores placed upon these boats by the ordnance officers, but during the excitement of the evacuation, some of the engineers and pilots deserted their posts and left the boats at the mercy of the enemy or the people; those that were loaded went up the river, leaving some nine or ten at the levee. During that evening, General Lovell, to gratify the people, ordered me to call for a thousand men to man these boats for a hand to hand fight with the enemy's vessels, although General Lovell said it was impracticable.

The citizens promised to have the men ready the next morning at nine o'clock. I was authorized to take the boats that were left and make such arrangements as I thought necessary to carry out the plan. I published this order (with an appeal of my own to the people) in all the city papers. In the meanwhile, I sent down cotton bales to protect the boats, and molasses barrels to put in their hulls to keep them afloat in the event they were penetrated by shot. I called upon General Lewis and other militia officers, to assist me in carrying out this scheme, which they failed to do, and I only received in response to the call one hundred and forty men, without arms, under Captain Dupiere.

Hearing that the enemy's vessels were at Camp Chalmette, about five miles below the city, I sent an officer to the landing, who ascertained that the citizens had burnt a number of the boats, and the owners of the others had gone off with them. I then ordered these one hundred and forty men to proceed to the Jackson railroad depot to go to Camp Moore, and I then went to Camp Moore.

The morning of my arrival at Camp Moore, General Lovell ordered me to return to New Orleans and take with me Major Bell, Captain Venable and Mr. Caul Rives, and remove what Government property there was in the city, stating that the railroad authorities would give me every facility for its removal. I went to New Orleans the same day, in a special train, and hired drays, wagons, &c., to remove the Government property to the depot, whence it was removed out of the city by the railroad authorities. There were many citizens who assisted me, and pointed out private property which would be of use to the Government, which was also removed. I obtained funds from the Committee of Public Safety to pay for drayage and other charges incident to the removal. I also used the Mayor's office.

After delivering at the depot all the Government property I could find, I ordered the military property of the State to be seized and removed; after that I removed such supplies as were in the hands of contractors for the Government. We also moved two batteries belonging to the State, two guns of which had been spiked. We were engaged four days and nights in removing from the city property available for military purposes. Some eighteen or twenty mounted men were sent over the city to get such military supplies as might have been taken by citizens; there was, however, but little found in this way.

I requested the Mayor to give me an order upon General Pané Inge for the arms in the hands of the foreign brigade. This he would not do, but gave me a request for them to the General, which was refused. All the property available for military uses, that I could find, was removed, except some heavy guns, which had to be left because I could not get the men and sling carts necessary to their removal.

Question—Did you make any communications with the Mayor and council of New Orleans on behalf of General Lovell? If so, what was the substance of those communications and what was their result?

Answer—On the 28th April, Gen. Lovell telegraphed me to inform the Mayor and council that he would return with his forces to the city if they desired it, provided they would incur the hazards of a bombardment. They replied that General Lovell could do nothing further with his troops; that if they were brought back it would only cause a bombardment of the city, which would result in the death of many women and children; but they told me they would like the General to come down. I notified the General, and he came down that night. We went together to the Mayor's house, where the General repeated the proposition he had made to him through me. He replied as before, and asked the General to remain so that he might have the benefit of his counsel.

During the morning of the 29th, the Mayor received a communication from the commander of the Federal fleet, stating that it was useless to hold out longer, that the forts had fallen, and demanding the surrender of the city. In the afternoon the enemy landed their forces to take down the State flag. General Duncan also arrived in the city, a paroled prisoner of war.

About this time, a policeman told me that the Mayor of the city was anxious to see me. I immediately called upon him, when he asked me for God's sake to get General Lovell out of town.

Question—Were you present at any interview between General Lovell and Commodore Whittle, in reference to the location of the steamer "Louisiana." If yea, state where such interview occurred, and what passed between them?

Answer—On the morning of the 23d of April, I was present at such an interview, in which General Lovell stated to Commodore Whittle, commanding the naval station, that he had received intelligence to the effect that the forts and magazines had been very much damaged, and the sand-bags over the magazines, and that the latter were in danger of being blown up by the enemy's shell, and that the

sally-ports were injured to such an extent that it was impossible to replace the sand-bags under the enemy's heavy fire. General Lovell then said he was satisfied that by placing the iron-clad gunboat "Louisiana" on the Fort St. Philip side, about a half mile below the raft, where she would be under the protection of the cross-fire of both forts, she could enfilade the position of the enemy's fleet and drive them off, when the men in the forts could get some rest and replace the sand-bags. The Commodore replied that he had every confidence in the officers in command of our fleet below, and that he did not like to interfere with them. General Lovell then stated to him that Captain Mitchell had already refused to make the desired change, and that he came to him as chief in command. Commodore Whittle replied that the vessel was not entirely ready with her motive power, and that by placing her there he was afraid she would be lost. The General answered, saying, that he did not wish her to be sent down amid the enemy's fleet, but that she could be towed down and placed in position as a battery; that the necessity was such that it was better to lose the vessel than the city of New Orleans. Commodore Whittle then despatched Captain Mitchell, which despatch I saw and heard read. As near as I can recollect it was in these words: "I am informed by General Lovell that the garrisons need relief, and that by placing the 'Louisiana' in position in the eddy on the Fort St. Philip side of the river, below the fort, under the protection of the cross-fire of both forts, she can dislodge the mortar boats and relieve the garrison. If in your judgment this can be accomplished, strain a point to do so." He then turned to General Lovell and asked if that would do. The General replied, that nothing short of placing her in the position indicated would answer his purposes, and remarked to the Commodore that he was going down in a special boat to the forts that afternoon, and asked him to go with him and judge for himself. The Commodore replied that his business in the office was such that he could not spare the time.

Question—Were the steamboats that you say were burned by the citizens at the levee private property? State how many there were and whether other vessels than those steamboats, private property, were destroyed?

Answer—The gunboat "Yankee" was also burned, and, to the best of my knowledge and belief, with her armament aboard. I don't know by whose, if anybody's order, she was burnt. The remaining vessels were private property.

The Court adjourned to meet at ten, A. M., April 13th, 1863.

JACKSON, MISS., ten, A. M., April 13, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of the 11th instant were read over.

Examination of General M. Lovell resumed.

Answer (continued)—In answer to the latter part of the question asked previous to the examination of Major James as to the removal of public property, I will state, in general terms, that I gave orders to my staff officers to employ every means, by vessels on the Mississippi river and the lake, and by the Jackson railroad, to remove the public property in their charge. I also sent from "Camp Moore" several active and energetic officers, who were well acquainted with the city, to search out and to transport from thence all the Government property, and all property of the State of Louisiana, available for war purposes. Before the arrival of the enemy's fleet, several steamers had been sent up the river loaded with ordnance and commissary stores, and with the machinery of the rifle factory and powder mills. I took possession of all the rolling stock of the Jackson railroad, and with the co-operation and assistance of the superintendent, Mr. Williams, kept the whole force of the road moving night and day, employed in bringing out such property as my agents collected for transportation. Major James, Major Venable and Major Bell, with Captain McDonald and Captain Caulkins, were busily employed in this matter, under my orders, until they reported to me that they had brought every thing that could be found belonging either to the State of Louisiana or the Government, or that was in the hands of contractors, that could be made available for military purposes. For details I will have to refer the Court to other witnesses. I know that an enormous amount of property was brought from New Orleans, which I should estimate to be worth several millions of dollars. I advised the officer in command of the gunboats on the Lake to take his ships to Mobile, but he determined, for his own reasons, to destroy them. I then got from there ten or twelve heavy guns, with ammunition, which I sent up and put in position at Vicksburg.

On the afternoon of the 24th of April, after my return to the city, it was intimated to me that a thousand volunteers might be got, who, if placed on steamers partly protected by cotton bales, would undertake to board and take possession of the enemy's ships by a hand to hand fight. I did not think it practicable, because I did not believe that the requisite number of desperately bold men could be had. But I concluded to make the attempt, and published an order calling for the volunteers, placing the whole matter in charge of Major S. L. James. Advertisements to that effect were published in all the papers of the city, but less than one hundred and fifty men volunteered for the enterprise, and it was accordingly abandoned.

I returned to the city from Camp Moore on the evening of the 28th, three days after the evacuation, as it was intimated to me that the citizens intended to resist the enemy at all hazards, and, had they concluded to do so, I determined to support and assist them at any cost. I found, however, that no such idea was entertained. I was at the Mayor's house when Commodore Farragut announced by letter the surrender of Forts Jackson and St. Philip, and demanded the surrender of the city. Soon after, I met General Duncan, who con-

firmed the news of the surrender of the forts. The flag was taken down from the City Hall on the same day, and replaced by the United States flag, while I was yet in the city. I remained six or eight hours after that event took place, and finally returned to Camp Moore on the night of the 29th, as my presence could no longer be of any use in New Orleans. Three days later I addressed the following letter to the Adjutant General:

“CAMP MOORE, LA., May 2d, 1862.

General S. COOPER,

Adjutant and Inspector General, Richmond, Va.:

“SIR: I have the honor to request that the Department will appoint a board of competent officers to examine into and report upon the circumstances preceding and attendant on the evacuation of the city of New Orleans, as well as the passage of the forts (Jackson and St. Philip) by the fleet of the enemy, which brought about that evacuation. This is necessary as an act of justice to myself and officers, as well as to vindicate the truth of history.

Respectfully, your obedient servant,

M. LOVELL,

Major General commanding.”

No official notice was taken of this application.

The Court adjourned to meet at twelve, M., the 14th instant.

JACKSON, MISS., twelve, M., April 14, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Lovell.

The proceedings of yesterday were read over.

The Judge Advocate then read in evidence to the Court a certified copy of the official correspondence between Major General M. Lovell and the War Department, hereto appended and marked Document A, and certified copies of the official reports of Major General Lovell and Brigadier General Duncan upon the fall of New Orleans and the passage of Forts Jackson and St. Philip hereto appended and marked Documents B and C.

General Lovell then offered in evidence the letter-book of Department No. 1, for the purpose of supplying the omission of certain letters he had written to the War Department, already referred to and hereafter to be mentioned in his testimony, and to show his conduct while in command of said Department No. 1. Special reference to be made to such of its contents as will be used for the purposes indicated.

The Judge Advocate admitted the genuineness of said letter-book, when it was received in evidence by the Court.

The Court adjourned to meet at seven, P. M., the 15th instant.

JACKSON, MISS., seven, P. M., April 15, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Lovell.

The proceedings of yesterday were read over.

It was ordered by the Court that Mr. R. Hammet be employed as an additional clerk, to aid the Judge Advocate.

The Judge Advocate then stated to the Court that a question would arise as to the jurisdiction of this Court to inquire into the conduct of naval officers on duty in Department No. 1, at the time Forts Jackson and St. Phillip were passed by the enemy's fleet, and that he was of opinion that the Court had no jurisdiction to make such inquiry. It was thereupon ordered by the Court that the Judge Advocate communicate the question for decision to the Adjutant and Inspector General by telegraph, and in the following words:

“GENERAL: The Court of Inquiry instruct me to ask whether it is intended to restrict them in their investigation and opinion to the conduct of officers of the army, or is it their duty to inquire into and express their opinion upon the conduct of the officers of the navy, so as to embrace the whole subject of the capture, defence and evacuation of New Orleans.

“L. R. PAGE,

“Major, Adj't Gen'l Department, Judge Advocate.

“GENERAL S. COOPER,

“Adjutant and Inspector General, Richmond, Va.”

The Court adjourned to meet at ten, A. M., to-morrow.

APRIL 16th, ten, A. M., 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

The examination of Major General Mansfield Lovell continued.

By the Judge Advocate:

Question—State what preparations, if any, were made by you, and if so, when begun, to resist the progress of the enemy's fleet up the river, after the raft ceased to be an obstruction and when you believed the passage of the forts could be accomplished?

Answer—I made my preparations from the beginning on land, to resist the passage of the fleet up the river to the city, precisely as if there had been no obstructions in the river, and brought everything to bear that I could obtain for that purpose. I never did believe that the forts could have been passed if those who had charge of the construction of the vessels of war, which were intended to co-operate with me in the defence, had had them ready at the time named to me by themselves, as two powerful iron-clad steamers, heavily armed and

manned could have averted the necessity of any obstructions; with this assistance, which I was informed would undoubtedly be afforded, I did not think the enemy could get up the river. When the first obstructions were carried away, having done all I could by way of defence on land, I endeavored to urge forward the completion of the iron-clad steamers and was told by the builders that they would undoubtedly be ready about the 1st of April. Previous to this time I endeavored to get the heavy guns from Pensacola, as mentioned already in my testimony.

Question—When you considered the passage of the forts practicable, did you then, or at any time, urge upon the Government the speedy completion of the iron-clads, which were then being built in New Orleans, as necessary to its successful defence, and did you at any time advise the War Department of any tardiness on the part of those building them?

Answer—I did not. I had been distinctly informed by the Secretary of War and President that I was to have no control over those matters. The Navy Department had experienced officers at New Orleans, in charge of its affairs, and I should have considered it a reflection upon these officers for me to undertake their duties. I did, however, represent the matter frequently and forcibly to the naval officer in command of New Orleans, who informed me that it had been represented by him to Richmond. It was also stated, day after day, that the Louisiana would be ready, and she did go down the river on the 20th to the forts, and I supposed that, with her assistance, the enemy could be driven off. When she got there she proved not to be ready.

Question—What officers informed you from day to day that the Louisiana would be ready, and did you not know before she went down that she was not ready?

Answer—Various persons connected with her construction and her crew. I did know that she was not entirely ready, but supposed she was all prepared except some works upon the propellers, for the completion of which work she took down a number of mechanics, and I was informed that she would be entirely ready in less than two days by some of her officers or master mechanics.

Question—When it became evident to you that the security of New Orleans required that the Louisiana should be placed as indicated by you to Commodore Whittle, and that officer declined to give a positive order to that effect, did you or not communicate the fact to the War Department? If not, what were your reasons?

Answer—I did not. From information received, I felt convinced that the final passage would be attempted within twenty-four hours, and if so I knew it was too late to communicate with Richmond, and went down myself to endeavor to effect the change by personal application to Captain Mitchell, and arrived a few moments before the battle commenced and was unable to see him.

Question—By what considerations were you induced not to attempt the construction of defensive works on the river between Forts Jackson and St. Philip and your interior line?

Answer—I had no guns wherewith to arm them and could get none. I had concentrated almost all the guns for the defence of the river at those forts after consultation with General Beauregard, who understood well the nature of the country, because I could put men and guns there under the protection of masonry works, and because I intended to obstruct the river at that point and wished to bring to bear upon the enemy's fleet, when checked by such obstructions, the greatest possible weight of metal. The country for many miles above the forts offered no location for guns in high stages of the river, and nearer to New Orleans, where the banks are levelled, guns aboard ship in high water would command guns ashore; there was also great deficiency of earth for the erection of works, and had I located guns there the position could have been overflowed by breaking the levees; besides, I had not troops enough to act as a protecting force to a number of detached works.

Question—When did you make the arrangements with Leeds & Co. and S. Wolfe & Co. in regard to the erection of the reverberating furnaces; state what those arrangements were, and if you know where S. Wolfe & Co. and Leeds & Co. are?

Answer—I cannot state the precise time; it was soon after I became satisfied that if I wanted heavy guns I must have them made myself in New Orleans. The arrangements were to put up the necessary furnaces, and to get for S. Wolfe & Co. the large lathe at the Bellville Iron Works. Mr. Leeds, the member of Leeds & Co., with whom I made the arrangements, is since dead, and Mr. Wolfe is at Columbus or Athens, Georgia.

Question—Did not the War Department uniformly approve and, when necessary, ratify every step taken by you in perfecting the defences of New Orleans, and were you not authorized to adopt such measures as you deemed essential to its safety?

Answer—In answer to the first part of the question, I answer, yes; to the latter part, I answer, that I was authorized by the Department to adopt many, but not all of the measures which I thought essential to the safety of New Orleans. I wanted control of the defences afloat as well as ashore, and of their preparations and and I wanted guns transferred from points that I considered of minor importance (for instance, Pensacola) to New Orleans. There were other smaller points of difference, which appear fully in my correspondence. I had no funds placed under my control for river obstructions, although I directed Major Smith to make estimates, who reported that they had been made and sent forward. He may have obtained some money for this purpose, but the bulk of the money expended upon the obstructions was obtained from the city of New Orleans, amounting, in all, to nearly a quarter of a million of dollars. The estimates made by General Smith were not forwarded until I had been in New Orleans some months, because when I assumed command the city had already placed at my disposal nearly one hundred thousand dollars, which I could apply to the making of obstructions.

Question—Did not the Safety Committee of New Orleans repeatedly desire to know your necessities, and tender you money, and

every other means in their power to strengthen and perfect its defences?

Answer—The Safety Committee several times offered me any assistance in money that I might desire, or their personal services, and desired to know more of the necessities of my position than I thought proper to confide to fifty persons, (the number of the committee,) many of them unknown to me. I availed myself of their personal services in many instances, and got from them about two hundred and fifty thousand dollars in money. They offered me more money, to which I replied that I could not use the additional funds, as the articles of which I stood most in need, to-wit: guns of heavy calibre, anchors, chains and small arms, were not to be had in the Confederacy, but I urged them to obtain these things by running the blockade and to apply their funds to laying in a sufficient store of provisions to supply the population in case of a siege. In reply to my last call on them for funds, which they stated that I should have immediately upon my requisition, they waited several days, and then sent a sub-committee to me to know what I intended to do with the money before they would grant the request. This I declined to do, as I did not wish to make public the weak points of my department.

Question—When you ceased to feel secure as to the defence of the city why did you not begin the removal of public stores, and did you or not advise the removal of the iron-clads, particularly the Mississippi, to some other point?

Answer—Believing that the iron-clads would probably be completed before the enemy would make his final attack, I did not feel so insecure as to justify me in removing the public stores, which removal I knew would not be kept secret and would create a great panic among our own people, and also convey to the enemy the impression that we despaired of holding our position. I did not advise the removal of the iron-clads, because there were naval officers of age and experience present, who were as well or better able than myself to decide as to what steps should be taken with regard to the property entrusted to their charge. I did, however, make arrangements, as already stated, to remove the property under my control, in case of disaster at the lower forts.

Question—Give the names of the officers commanding the exterior lines of defence in your department, and the names of the officers upon your staff; state, also, their rank and specific duties?

Answer—The whole exterior line was under the command of Brigadier General J. K. Duncan, now dead, Colonel Fuller commanding, under him, the works on Lakes Pontchartrain and Borgne. Major Clinch commanded at Fort Pike; Captain Capers, at Fort Macomb; Captain Robertson, at Battery Bienview; Captain Plaznier, at Tower-du-Pere; Captain Patton, at Proctorsville works; Colonel Higgins, at Forts Jackson and St. Philip, the latter being under the immediate command of Captain Squires; Colonel Heard, at Fort Livingston and Little Temple. The works on Bayou Lafourche and Grand Caillon were under the command of two captains named Marks. Major Fry commanded at Forts Berwick and Chene, and Captain Davis com-

manded at Calcaison Pass, where I had placed two guns, which fort I omitted to state previously in my testimony. General Duncan's headquarters were at Fort Jackson.

My staff was composed as follows: Majors Pickett and Palfrey, assistant adjutants general; Lieutenant J. G. Dereseux, acting assistant adjutant general; Major Pickett disbursed recruiting funds for the army generally; Major M. L. Smith was my engineer and ordnance officer for several months, and acted also as the agent of the ordnance department at Richmond, purchasing supplies for the army at large; Lieutenant Colonel W. S. Lovell relieved him subsequently as ordnance officer, and, in addition, was charged by me with the general supervision of the preparations of the river defence fleet; Major W. L. Larice, my chief commissary, acted also as the general agent of the commissary department; Major Winnemore was the chief quartermaster, assisted by Captains Powell and Banks, the latter acting as paymaster; my quartermaster was the general agent of the department at Richmond for the supplies pertaining to his office, which devolved an immense additional labor upon him; Surgeon Hayden was the medical director, and Surgeon Howard Smith the general medical purveyor.

My aids were First Lieutenants J. Lovell and A. J. Toulant, besides whom I had several volunteer aids.

Question—Who informed you that the iron-clads would be finished by the January rise of the river?

Answer—One of the Messrs. Tift, shortly after I assumed the command.

Question—What were the names of the contractors building the iron-clad steamers, and who was the principal naval constructor?

Answer—Mr. Pearce was the principal naval constructor, as I was informed. I do not know the names of the contractors.

Question—Who were the navy officers who regretted that they had not sufficient means at their disposal to assist you in hastening the completion of the iron-clad steamers?

Answer—Commodore Hollins, Commodore Whittle and Captain Mitchell often spoke of the insufficiency of the means under their control.

The Court adjourned to meet at ten, A. M., to-morrow, the 17th instant.

TEN O'CLOCK, A. M., April 17, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Examination of Major General M. Lovell continued.

By a member of the Court:

Question—Did you, at any time, order all non-combatants, women and children, to leave the city of New Orleans?

Answer—I did not.

The following statement was then made by General Lovell:

“I desire to add, that when I have stated in my testimony I have done thus and so, it is to be understood that, in many instances, these matters were personally attended to by officers of my staff or members of the Safety Committee, but under my orders or with my knowledge and advice.”

A certified copy of certain letters, a part of the official correspondence between the War Department and Major General M. Lovell, was then offered in evidence by the Judge Advocate, which said copy was read to the Court and is hereto appended as Document N.

Surgeon D. W. Brickell was then duly sworn and examined as a witness.

Question by the Judge Advocate—Were you in New Orleans during the six months prior to its capture by the enemy in April, 1862; if yea, state what, if any, public duties were devolved upon you in that time?

Answer—I was in New Orleans during that time, and my only public duty was as a member of the Committee of Public Safety, from its organization to the fall of the city, a period of about sixty days.

Question by the Judge Advocate—State by what authority this committee was organized, the number and character of its members, what it did or endeavored to do while in existence?

Answer—The committee consisted originally of about fifty persons; several members of the city council, and other persons were, however, added to it, until the number was probably more than sixty. It consisted of persons from all classes and pursuits, selected for their worth, usefulness and intelligence, and was created by authority of the city council. Its object was to co-operate, in every possible way, with the Confederate and State authorities to defend and preserve the city. The first act of the committee was to tender to the commanding General its services, pecuniary aid and every other aid in its power to render.

The committee took charge of and urged the piling of the passage of the Rigolets. It also waited upon and urged the Governor to have Messrs. Cook & Brother's factory of small arms enlarged so as to have one hundred instead of twenty-five Enfield rifles turned out per day, and, to this end, we induced the Governor to appropriate forty thousand dollars, but this he would not do until the committee had appropriated a like sum.

The establishment at that time was making guns for the State of Alabama alone; we wanted that contract executed in the shortest time, so that the State of Louisiana might have the benefit of its works. The committee ascertained that the work on the “Mississippi,” an iron-clad gun-boat, was almost at a dead stand, and we proposed to the Messrs. Tift money without limit. We proposed also to light up the sides of the vessel at night, so that the work might be pressed forward both day and night; and also tendered them mechanics, both white and

black, to relieve their hands, and to be entirely under their control. It was offered to do these things at the expense of the city, without cost to them.

But every single proposal was rejected, and we were uniformly assured that the vessel would be completed within thirty days after our organization.

They declined the service of negro mechanics, stating that the hands would not work in the day if negroes were employed at night; to this we replied that we would form military organizations and compel his hands to work. As a member of the sub-committee to inquire into the condition and progress of the "Mississippi," I found that the contracts made for engines, sheet-iron work, and other material of construction by the Messrs. Tift were with men altogether secondary in their lines, of limited capital, generally in great need of money, and wholly unable to fulfill their contracts.

There were two or three machinists in the city of much larger capital and works, Messrs. Leeds & Co. and Bennett & Surges, who stood much higher with the citizens than these men. The committee sent an agent, Mr. James Beggs, to various places between Atlanta and New Orleans to collect the iron that was being made for plating the vessel, who brought it to the city. The committee also sent Major James to Richmond to bring the centre shaft, which he did bring to the city. A large quantity of light wood was collected by the agents of the committee for the purpose of making fire rafts to send down to the forts.

Large quantities of iron and other metals were brought by the agents from various points on the Mississippi, contributed by the planters, and turned over to the military authorities. Every requisition for money made by the commanding General and his subordinates was promptly complied with by the committee. The same course was pursued towards those in charge of naval affairs; their bills were paid, and money furnished them to go ahead. We discovered that the naval department was largely indebted, without credit, and we sent a special agent to Richmond to obtain for it the necessary relief. The committee also sent out agents through the country, obtaining food for the citizens, keeping a capital of \$250,000 in circulation, and selling the supplies thus secured at cost. The committee never refused assistance to any reliable man who was endeavoring to develop the strength of the city.

By the Court:

Question—Did the Committee of Safety communicate to any persons in authority the result of their inquiries as to the contractors, Tift & Co.? If so, to whom, when and what was the exact purport of such communication?

Answer—The committee did communicate the results of their investigations, particularly in regard to the "Mississippi," to Captain Mitchell, Commodore Whittle, and General Lovell. They all replied it was a matter not under their control. The Tifts replied to the sub-committee, after they had waited upon them many times, that

they were responsible to nobody in New Orleans, and exhibited a paper to that effect.

By the Judge Advocate :

Question—State all you may know, and your means of knowing, of the ability of the foundrymen in New Orleans to cast guns of heavy calibre ?

Answer—When the committee organized, some of our earliest efforts were directed to obtain such guns. We found all the foundrymen willing to undertake the manufacture of large guns, but Bennett & Surges was the only firm ready to go to work upon them immediately, and they would only work upon condition that no army officer should have anything to do or say about the matter, except to test the guns after they were completed. They might subject them to any test they pleased ; if the guns stood the test, we should pay for them ; if they burst, it should be their loss entirely. They were then ready to make eight-inch guns, and they were willing to make models for, and begin the manufacture of, guns of any calibre that we might call for. We at once contracted with them, without stipulation as to price, for all eight-inch guns they could make, until ready to make larger ones. At the time the city fell they had cast five eight-inch guns, two or three of which were completed, and the others on the lathes in process of completion. The models for nine-inch rifle guns were in a forward state. The guns that were completed were immediately turned over to the military authorities. I was on the sub-committee that superintended the construction of the heavy eight-inch guns, not at first, but taking the place of a member who had retired. I was in the foundry nearly every day, and saw the work progressing. Messrs. Bennett & Surges complained that they had not been patronized by the Government.

In my opinion, heavy guns could have been made in the city from the beginning of the war. Bennett & Surges were most anxious to engage in such work. They had made a heavy gun, which was mounted at Columbus and Island No. 10. They complained that they had always been willing and able to make heavy guns, but had received no encouragement from the Government. Messrs. Bujac & Bennett, by their individual efforts, built air furnaces, had six lathes all abreast for making guns up to eleven inches in calibre, and when the city fell they were engaged in casting their first heavy guns. Their machinery and works had been begun and completed within the six months prior to the fall of the city.

Question—Were you present in the city during the evacuation and the removal of public stores by our troops ; if yea, state all you may know on these subjects ?

Answer—I was there. On the day in which the enemy's vessels were coming up to the city, hearing that the Marine hospital, which had been converted into a factory for the repairing of arms and the making of cartridges, had been broke open by the populace, I went in that direction. I found them carrying off arms and everything pertaining to an establishment of that sort. In the foundry of Bennett & Surges several brass pieces, nearly completed, were left ; also

a heavy gun, and these should have been removed. After the troops under General Lovell had been removed, the foreign guard, at the instance of the city council, was keeping guard over many of the Government warehouses, to prevent the people from breaking into them. This is all I know of my own knowledge on these subjects.

On the day of the arrival of the enemy's ships, but previous to their arrival, I saw large quantities of sugar, molasses, bacon and some corn being seized and carried off from the town by the populace—men, women and children: black and white—and all without restraint; on the contrary, with the encouragement of a man, on horseback, dressed in Confederate uniform. This same man on horseback ordered a pile of corn to be burned. I personally remonstrated, telling him it was corn, the bread the people required. He repeated his order, and the corn was burned. I saw private individuals trying to save the sugar, &c., from the depredations of the populace, claiming some of it as their own, but they were disregarded.

Cross Examination.

By Major General Lovell:

Question—What was the quality of the iron offered by Messrs. Leeds & Co., Bennett & Surges, and others, for casting heavy guns when you made inquiries on the subject, and what amount had they on hand that was fit for that purpose?

Answer—The best opinion I can offer as to the quality of that used by Bennett & Surges is that it was good, as a gun made by them had been tested by the military authorities and approved. Messrs. Bujac & Bennett had a large amount of Tennessee iron, part of which they tendered to us to be used by other foundries, so as to expedite the making of heavy guns, in the event of such shops getting out of iron. I know nothing more as to the quantity and quality of iron to be used in making heavy guns.

Question—How many such lathes and furnaces had Bennett & Surges, and what time is necessary to cast and bore an eight-inch columbiad?

Answer—They had no lathes completed, but one was nearly done for boring large guns. I don't know that they had more than one furnace. A lathe in the machine shop of the Jackson and Great Northern railroad, and another in the Shakspeare foundry, through the exertions of the committee, were placed at their disposal. I am a novice in such matters, but should think that thirteen days would be sufficient to cast and bore such a gun—five days and nights.

Question—Do you know whether the committee advised and consulted with General Lovell on the subject of engaging Bennett & Surges in making heavy guns?

Answer—I cannot say whether they did or not. Bennett & Surges said that they would not make a heavy gun under the direction of a military officer.

Question—Did Bennett & Surges inform the officers engaged in the removal of property that they had some unfinished guns?

Answer—I cannot say.

Question—Do you know whether any attempts were made to carry away heavy guns, and why those attempts did not succeed?

Answer—I do not.

Question—Were Bennett & Surges largely engaged in making other war materials for the Government?

Answer—They were.

Question—Are you aware that the piling at Fort Pike was carried away on the 9th April?

Answer—I never heard.

By the Court:

Question—Did the Committee of Safety delegate any person to represent to the Confederate Government at Richmond the condition of the defences of New Orleans? If so, state the name of the person sent, with the date, what representations he was instructed to make, and what action, if any, was taken by the Government, or any department thereof, in consequence of such representations?

Answer—About six weeks before the fall of the city the committee sent Mr. Wm. Henderson to Richmond to represent to the President, and other authorities, their conviction that the city was insecure, and the deplorable condition of naval affairs, the want of credit from which that department suffered and its extraordinary indebtedness, which the committee ascertained to amount to \$600,000 00.

This latter point received the attention of the President, and the matter was arranged. I do not know that any other action was taken upon the representations of the committee.

Question—Did the Committee of Safety urge the launching of the steamer Mississippi? When and by whom was it undertaken? State all the facts connected with the launching of this vessel from first to last, with names of the parties engaged?

Answer—About four weeks before the city fell, the Committee of Safety, through the sub-committee, as well as various members who certainly visited the Mississippi, became convinced that the vessel should be launched without delay, and for the following reasons:

1st. That the vessel was in such a condition of completion that to launch her would not at all interfere with subsequent work on her, and then in case of the fall of the city she could at any moment be towed off to a place of safety.

2nd. That the river was rising rapidly, the stern of the vessel was being deeply immersed in the water, the bottom on which she lay was being softened, and the least giving way of the mud would result in "logging" her on the ways, thereby rendering it impossible to launch her.

They made these representations to Mr. Tift, and repeatedly urged him to launch her. He positively refused. Desiring to do only that which was right, and willing to admit the judgment of Mr. Tift in opposition to their own, they called his constructor, Mr. Pierce, before them, and asked his opinion on the subject. He unqualifiedly approved our recommendation to launch her, and assured the committee that he had personally urged the launching of the vessel. He expressed the greatest anxiety for the safety of his vessel, and expressed his

fears that she would never be launched. The committee then appointed a special committee, composed of eminently practical and intelligent men, mostly outside the committee, to survey the vessel and report forthwith. The survey was cheerfully and promptly made and the committee unanimously reported in favor of launching, and for the reasons stated. This report was sent to Mr. Tift, with renewed application for the launch. He refused ultimately, and, as I firmly believe, under the pressure of public opinion, a few days before the city fell, he attempted the launch by attaching steamers to the ram, which steamers were to pull her off her ways. He worked all day, before a large crowd, of which I was one, and utterly failed. That he would fail was the opinion of every intelligent man I met on the ground, as the vessels *pulling* were lower than the vessel *pulled*, and the mechanical effect was to pull the ram more and more firmly down on her ways at every effort. A conference was held with our practical men, and the result was that they went to the ship next morning with hydraulic rams and pushed her right out into the river. Bitterly disappointed by the persevering refusal of Mr. Tift to launch the vessel, and despairing of even her safety, the committee were on the eve of making a public announcement of the condition of things and calling on them to take the matter in hand, when one of its members, Mr. J. M. Marks, (if I am not greatly in error as to name,) received a private note from the commanding General, telling him that he was apprized of the probable action of the committee, that such an act on their part would apprise the enemy of our weakness, and intimating clearly that he would not permit such act on the part of the committee. This note was read to the committee and, I read it personally. The committee then abandoned all idea of the safety or utility of the ram.

The Court adjourned to meet at ten, A. M., the 18th instant.

APRIL 18, 1863, TEN O'CLOCK, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

T. S. Williams was then sworn and examined as a witness.

By Major General M. Lovell :

Question—What is your present occupation, and how long have you been engaged in it ?

Answer—I am General Superintendent of the New Orleans, Jackson and Great Northern railroad ; have been such for four years, and engaged on the road for the last ten years.

Question—Describe the country for the first ten or twelve miles above New Orleans, over which the New Orleans, Jackson and Great Northern railroad runs ?

Answer—From the city limits to the four-mile-post on the railroad

the country is a swamp ; from that mile-post, which is about a mile and a half from the river, the road passes over a narrow strip of firm land ; from the six to the seven mile-post it is about a mile in width, and at Kenner the railroad is about fifteen hundred feet from the river. From the river to Lake Pontchartrain the distance at Kenner is about four miles, three miles of which country is a swamp. The ridge upon which the road runs extends two miles north of Kenner.

Question—State when the enemy's ships-of-war took position at or near Kenner and cut off the communication from New Orleans by the New Orleans, Jackson and Great Northern railroad ?

Answer—I think it was about seven days after the city was evacuated before the enemy's vessels compelled the stoppage of the trains at Kenner.

Question—State what arrangements were made with you by General Lovell, or by his order, and what work was done in removing public property and military stores at and after the evacuation of New Orleans ?

Answer—On Thursday, April 24, I received orders to hold everything in readiness for the removal of troops and Government property, and, as it was necessary that this should first be removed, to allow no citizens or private property to be transported upon the trains. The next morning I ordered all trains coming south to be unloaded and sent to Kenner, to await further orders. For four days and nights we had every train and engine on the road at work for the Government, removing its property. Some of this property was put on at Kenner, Carrollton crossing, and Manshac—that at Manshac having been brought across the lake.

Question—Give, if you can, a general idea of the value of the property removed over your road ?

Answer—I don't know its value, but it required three or four trains a day for three weeks to take from Camp Moore the property which we had removed from the city.

Cross-Examination.

Question by Judge Advocate—Was there any unnecessary delay or confusion in loading the trains at the depot ?

Answer—There was some confusion, but it was unavoidable. No delay ; the trains were sometimes loaded before I was able to move them.

Question by the Judge Advocate—Was the property it took three or four trains a day for three weeks to move from Camp Moore *all of it* Confederate and State property ?

Answer—It was.

Colonel J. Skymanski was then sworn and examined as a witness.

Question by Major General Mansfield Lovell—Where were you at the time of the fall of New Orleans, and what, if any, position did you hold in the Confederate States army ?

Answer—I commanded a regiment, which was then located about

five miles above Forts St. Philip and Jackson, on both sides of the river. One of my largest companies was in Fort St. Philip.

Question—Where were you first located, and what were your instructions?

Answer—I arrived at the quarantine station, on the left bank of the river, on the 5th of April. I was ordered there to guard the approaches to the city from the sea, through the bayous and canals. Afterwards, Brigadier General Duncan ordered one of my companies at Fort St. Philip; the others were assigned to duty at various bayous and canals that intersect the country that lies above the forts.

Question—Was it practicable for the enemy, after the forts had been passed, to transport his army through these bayous and canals to New Orleans without encountering the forts?

Answer—It was practicable to do so. A portion of the enemy did come that way after his fleet passed the forts.

Question—How long have you lived in that country, and what was the state of the river, at that season, compared with other years?

Answer—I have lived in Louisiana upwards of a quarter of a century, and for many years owned a plantation fifteen miles below the city. I was very familiar with the whole country. I never have known the river as high as it was that year.

Question—What was the condition of the country above the forts for thirty or forty miles in regard to the overflow?

Answer—On the left bank of the river the whole country was one vast sheet of water from the river to the gulf, commencing at Point a la Hache, about forty miles below New Orleans. On the other side the country was not overflowed, but, on account of the high water and the transpiration resulting therefrom, the road (there being but the one) was impassable. The country was such that when the river was high no earth could be had for a levee in the rear without letting in water from the gulf. In the front an alluvial mud from the river, when low, might be had for levees. While General Lovell was in command at New Orleans the water was high and no earthworks could be put up in that neighborhood. Even in Fort Jackson, at the time of the bombardment, the water was from a foot and a half to two feet deep.

Cross Examination.

Question by the Judge Advocate—State the reasons for the surrender of yourself and a portion of your command?

Answer—When the forts were passed, just about break of day, the fleet came upon my small camp and opened fire. After losing some thirty men killed and wounded, without possibility of escape or rescue, perfectly at the mercy of the enemy, he being able to cut the levee and drown me out, I thought it my duty to surrender. A single shell could have cut the light embankment.

Question—Could not earthworks have been put up on the river banks a distance of twenty or twenty-five miles below New Orleans?

Answer—They might have been put up at English Turn, a com-

manding position, where the river makes a sharp turn—commanding, not from its height, but from the course of the river.

Question—State the elevation of that point above the water in high stages of the river?

Answer—It was not more than six inches above high water, but the ground was firm and would have supported heavy works.

Question—Is English Turn above the *debouches* of the bayous and canals through which the enemy might have turned Forts St. Philip and Jackson?

Answer—It is; but there is, above that point, water communication through Lake Borgne with the Gulf of Mexico, by other bayous and canals of the same character, principally by Bayou Bienvenue.

Examination.

By Major General M. Lovell:

Question—In that high stage of water, during the year 1861, was not the river higher than the surface of the country below New Orleans; if so, state about how much?

Answer—It was varying in depth from two to fourteen feet.

The deposition of R. F. Nichols, a citizen, taken at Jackson, Mississippi, pursuant to an order of the Court, Major General M. Lovell and the Judge Advocate being present at the time, was then read to the Court:

JACKSON, MISSISSIPPI, April 18, 1863.

R. F. Nichols, having been duly sworn by the Judge Advocate, testified as follows:

Question—Where did you reside in the years 1861 and 1862, up to the time of the evacuation of New Orleans, and what was your occupation previous to the 18th of October, 1861?

Answer—I resided in New Orleans. My occupation was that of a merchant, engaged in the Mediterranean trade. About the month of August, 1861, I was solicited by Governor Moore to procure chains and anchors for him. I was engaged in this when General Lovell took command of New Orleans.

Question—State, when General Lovell took command at New Orleans, whether you were employed by him in any capacity; if so, what; and state fully what steps were taken by you under his orders, or under those of his staff, to procure chains and anchors, cordage and other materials?

Answer—Immediately on General Lovell's taking command I was introduced to him by Governor Moore, and General Lovell thereupon employed me at once to procure chains, anchors, cordage, and other necessary materials which would be required for constructing and anchoring rafts or obstructions, that might be necessary for the protection of New Orleans in the water approaches. I immediately proceeded to procure all the chains and anchors suitable in the city of New Orleans, which could be found in all the stores or otherwise, and also all on board of each and every ship, bark, schooner and

steamboat in port, as well as on all the plantations and saw-mills on the coast and in the city of New Orleans. I further was authorized and did take one of the tow-boats for the purpose of taking the mooring chains from all the crafts afloat then in port, which I did, securing these vessels by such other means as I could, to-wit: by cordage and chains of smaller dimensions. I continued incessantly at this business, day by day, up to the time of the passage of the forts, having in my employ a large number of seamen and stevedores, to assist me. Often times I encountered serious difficulty in effecting my object, by the parties owning or controlling the chains and anchors concealing them from me. In several ships I found from five to six hundred fathoms of chains laid under ten to fifteen feet of ballast, and some were sunk in the Mississippi river, under the wharf, which I discovered and obtained. I further state that it was then and is now my firm belief that, through the means I adopted, I did obtain and turn over to General Lovell all the articles above named which were in and about the city of New Orleans that were in any way useful for the purposes required. After I had exhausted all that could be found, and more being required, as a last resort, I did, under the advice of General Lovell, procure from the Mayor of the city permission to take the chains from around the parks in the city, which, although far too small and not suitable for the purpose, was thought to be the best that could be done in our extremity.

The Court adjourned to meet at Vicksburg, Mississippi, on Tuesday, the 21st instant, at twelve, M., or as soon thereafter as practicable.

VICKSBURG, MISSISSIPPI, April 22, 1863—10, A. M.

The Court met pursuant to adjournment.

Present—Major General T. C. HINDMAN,
 Brigadier General T. F. DRAYTON,
 Brigadier General W. M. GARDNER,
 Major L. R. PAGE, *Judge Advocate*.
 Major General MANSFIELD LOVELL.

The proceedings of the 18th instant were read over:

Major General M. L. Smith was then sworn and examined as a witness.

By the Judge Advocate:

Question—Were you in the army of the Confederate States during the years 1861 and 1862; if yea, state what was your rank, where you were located, and to what duty were you assigned from May, 1861, to May, 1862?

Answer—I entered the service early in April, 1861, as a major of engineers. I was located in New Orleans from May, 1861, until the 26th of April, 1862. I was assigned to engineer and ordnance duty until the 11th of April, 1862, when I was made a brigadier general

and placed in command of the interior line of works around New Orleans.

Question—State generally your knowledge of the condition of the defences in Department No. 1 at the time General Lovell assumed command of it?

Answer—The defences consisted of Forts Pike and Macomb, guarding the approaches to New Orleans by way of Lake Pontchartrain; of Battery Bienview and Tower-du-Pere, guarding the streams leading from Lake Borgne to the main land between the city; of a field work at Proctorsville, prepared for six guns but not armed, guarding the approach to the city by way of the Proctorsville railroad; of Forts Jackson and St. Philip, guarding the approach to the city by way of the river from the gulf; of Fort Livingston, guarding the approach by way of Barrataria bay; of Forts Berwick and Chene on Berwick's Bay, guarding the approach by the Opelousas railroad, and a little work called Fort Guion, on Lafourche, was nearly completed and ready for guns. These constituted the outer line of defence.

In July, 1861, the inner line of defence was projected and in about the following condition when General Lovell assumed command, viz: It consisted of a continuous line across the Gentilly ridge, prepared for artillery and infantry—this work was, I think, finished, but no guns mounted; of a continuous line at Chalmette, stretching from the swamp to the Mississippi, also intended for artillery and infantry, about half completed, the contractor with his full power being at work upon it; of a continuous line on the right bank of the river, known as the McGehee line, also stretching from the river to the swamp and prepared for artillery and infantry—not more than one-sixth of the line was finished, but the contractor was at work upon it; of a line above the city, known as the Barrataria line, on the right bank of the river, also stretching from the river to the swamp—not more than a sixth of the line was completed, the contractor at work upon it; of a continuous line of works about a mile and a half above Carrolton, on the left bank of the river, then known as the Victor line, intended to mount fourteen guns between the bank and the swamp, this work was about half done, the contractor at work with full force, no guns mounted; of a two gun battery, guarding the Carrolton railroad from Lake Pontchartrain, together with supporting infantry works—I do not think this work was then commenced; of a battery and short infantry line, guarding the shell road and canal leading from Lake Pontchartrain to the city—no work had been done upon this line; of a battery and infantry line guarding the road, Bayou St. John, from Lake Pontchartrain to the city—the contractor had just commenced upon this, he being the same who had finished the Gentilly work; of a battery and supporting infantry works, guarding the Pontchartrain railroad, leading into the city—I do not think this work had been commenced. These works constituted the interior line.

A raft was projected to prevent the ascent of the river by Colonel (now Brigadier General) Hebert and myself, in July, 1861, which was completed and swung into place about the middle of September, stretching

from Fort Jackson to St. Philip, where it remained until in March or April, when it was swept away. Much labor was expended by General Lovell in securing this obstruction by additional chains and anchors, in keeping it stretched in position, in additionally securing it to the banks, and in preventing a too great accumulation of drift against it. Fort Pike, guarding the Rigolets, was a complete work in April, 1861, as originally designed, as also Fort Macomb and Fort Jackson. The inner or main work of St. Philip had once been complete, but, on account of the insecure foundation, it had settled, the walls had cracked, and were insecure in the rear. An encircling out-work had been projected by the engineer department of the United States, upon which about one season's work had been done. This was unfinished at the time General Lovell assumed command.

At Fort Livingston one cistern had been repaired the other two were incapable of repair; the pintle block and traverse circles were laid, and it had five or six guns mounted. The fort was gradually sinking, and the counterscarp gallery was constantly filled with water and remained so. All these forts on the exterior line were armed, except Fort Guion. Their precise armament you can better ascertain from the officers stationed there at that time, as also the amount of ammunition on hand. The materials of war, guns, powder, projectiles, &c., had, to some extent, been sent away from New Orleans and Baton Rouge to Pensacola, and I think everything of material remaining, except some guns recently arrived from Richmond for the interior line, had been distributed to the forts before mentioned. The department was originally poorly supplied.

Question—State your knowledge of the causes of the fall of New Orleans, and how it might have been prevented, if at all, with the means at the disposal of the commanding General?

Answer—New Orleans, in my judgment, fell of necessity, when thirteen of the enemy's vessels succeeded in passing Forts Jackson and St. Philip. These vessels, in my judgment, were able to pass at any time after the river was free from obstructions. Owing to the narrowness of the neck of land above Carrollton, separating the Mississippi from the impassable swamp and marsh bordering Lake Pontchartrain, New Orleans may be considered as situated on an island and subject to all the conditions of a place surrounded by water. The force controlling the water controls the supplies which subsist the island, and it can neither be approached or left except by consent. This I understand to have been precisely the case with the city—not a barrel of flour, not a pound of bacon or beef could have been brought there with the Federal vessels in possession of the river above the forts and of the lakes as they practically were. Without firing a gun, without making a single hostile demonstration other than keeping out supplies, the city would most probably have been surrendered in a month or two from starvation.

Had the fall of New Orleans depended upon the enemy's first taking Forts Jackson and St. Philip, I think the city would have been safe against an attack from the gulf. The forts, in my judgment, were impregnable so long as they were in free and open communication

with the city. This communication was not endangered while the obstruction existed. The conclusion, then, is briefly this, while the obstruction existed the city was safe; when it was swept away, as the defences then existed, it was within the enemy's power. I do not now think it was possible for General Lovell, or any other person, to have kept the obstruction in place during the continuance of high water and drift, and after it was swept away there was neither time nor materials for building another on a different plan.

Question—In the evacuation of New Orleans, were any means neglected which should have been taken to save the public property or any part thereof, and was the evacuation well conducted?

Answer—My command lay below the city; I was not in it during the evacuation; in fact, was not aware that it was evacuated until after the soldiers and officers had all left. As to public property I had none in charge, and am not sufficiently familiar with the means used to save it to give an opinion as to whether or not any means necessary to save it were neglected.

Question—Was it possible to save the gun-boat Mississippi, and could she not have been removed to some other point when the raft ceased to be an obstruction?

Answer—I have no positive knowledge of my own regarding the gun-boat Mississippi, was never on board of her, and am not cognizant of the efforts made to remove her.

Cross Examination.

By Major General Mansfield Lovell :

Question—What kind of works were Forts Berwick and Chene, and what were their condition and that of their armament when General Lovell assumed command?

Answer—They were the ordinary class of field works, intended to mount three or four guns. The parapet had sunk considerably at the time of his arrival and required fitting up again. From the character of the soil they required a good deal of work from time to time, and had already been repaired once or twice. After his arrival one or more gun-carriages had been substituted, and the equipments, upon his order, had been duplicated. There were three, perhaps four, guns mounted. There was one rifle thirty-two pounder; whether the others were all thirty-two pounder smooth bores, or twenty-four pounders, I do not recollect. There were no projectiles for the rifled thirty-two in the department—the kind of projectile having not then been decided upon. These pieces had been but recently rifled by direction of General Twiggs.

Question—Were any platforms for guns laid, magazines built, or hot-shot furnaces erected for the interior line at that time?

Answer—I think not.

Question—You say Fort Jackson was completed as originally designed. Was there not a water battery which was subsequently put in order, guns mounted and used by direction of General Lovell.

Answer—I believe there was an advanced out-work, not then ready

for use, put in order and guns mounted by General Lovell, but, not being done under my directions, I cannot say positively.

Question—What orders were given by General Lovell at Fort Livingston in relation to the preparation of the covered way for guns, and what time did the work occupy?

Answer—He directed the gallery to be pumped out and prepared for two flank howitzers, which were mounted. This took the garrison two or three weeks, but the water continued to flood the gallery.

Question—What was the general calibre of guns mounted at the various forts when General Lovell took charge of the department?

Answer—The general armament at Forts Pike and Macomb was twenty-four pounders; of Forts Jackson and St. Philip, twenty-four and thirty-two pounders, the majority, I think, being twenty-four pounders, together with seven eight-inch columbiads; Battery Bienview and Tower-du-Perc had twenty-four pounders; Fort Livingston had twenty-four pounders and a rifled thirty-two pounder.

The Court adjourned to meet at ten, A. M., to-morrow.

APRIL 23rd, ten, A. M., 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Examination of Major General M. L. Smith continued.

Cross Examined.

By Major General Lovell:

Question—Did you make any attempt to have heavy guns made by Leeds & Co., and, if so, with what success? Was their foundry employed to its full capacity by the Government, without intermission, in other work?

Answer—About June, 1861, Leeds & Co. cast an eight-inch columbiad for a private party in New Orleans. This fact becoming known, I was directed by the ordnance bureau to test it with a specified charge, and continue the firing until it burst, the object being to ascertain the quality of the metal used. The charge was the ordinary service charge, single shot. This was done by laying the gun upon a piece of timber in the ordinary way; it burst at the sixty-third or sixty-fifth round. In proofs of this kind, metal is unhesitatingly condemned that will not stand from eight hundred to one thousand discharges. It is considered inferior if not standing over twelve hundred, fair when standing from eighteen hundred to two thousand, and excellent when beyond this last number of discharges. I reported against that firm, as being unable, at that time, to cast guns of that calibre. The firm subsequently conceded that, without changing their furnace, they could not cast heavy guns. My report was fully en-

dorsed, I believe, by the ordnance bureau. I think that foundry, during my entire stay in New Orleans, had about all it could do making light guns, casting shot, shell, &c., for the Confederate Government; but about the time of the evacuation they were putting up reverberatory furnaces.

Question—Why were not arrangements made with Bennett & Surges and Bujac & Bennett to cast heavy guns in New Orleans?

Answer—Bujac & Bennett were erecting works with a view of making small arms and would not take contracts for making heavy guns until near the time the city was evacuated. Bennett & Surges were fully employed by the navy. These I think were the only foundries of any capacity in the city.

Question—Was any foundry and rifle factory set on foot in New Orleans subsequently to the arrival of General Lovell, and used entirely for Government work? If so, whose was it, and did it furnish any heavy ordnance?

Answer—Subsequent to General Lovell's arrival, Wolfe & Co. had undertaken the manufacture of heavy ordnance exclusively for the Government, as far as I know. There was in connection with this foundry a rifle factory, manufacturing exclusively for the Government. At the time of the evacuation, they had made two mortars and were making other heavy guns.

Question—What was the condition of the interior line of works at the time of the evacuation as to guns, magazines, hot-shot furnaces, implements and equipments; state your opinion as to its impregnability against land attacks?

Answer—This line of works was all completed; provided with magazines and hot shot furnaces on the river. On the whole series of works, there were probably from fifty-five to sixty guns mounted. I considered them of the very best class of field works, and, if manned and properly defended, capable of resisting any force that could be brought against them. The implements and equipments for the pieces that were mounted were generally in duplicate.

Question—What works were constructed after the arrival of General Lovell?

Answer—There was one enclosed field work opposite the Victor line; there were two advanced works higher up the river, about half completed at the time of the evacuation; a work about midway between New Orleans and Fort Livingston, known as the "Little Temple;" three batteries were put up at Pass Manchac, mounting two guns each; five one-gun batteries on the western shore of Lake Pontchartrain. There was a large brick fire-proof magazine erected below the city, and enclosed with substantial walls, with a railroad leading from it to the river, a well constructed break water protecting the river bank, where the Chalmette line touched it. Pearl river was obstructed, and three bayous leading from Lake Borgne in the direction of the city. These were the main works that I now recall.

Question—At the time of the evacuation were there more platforms, pintles and traverse circles ready in position bearing on the river below New Orleans than there were guns to mount on them?

Answer—There was.

Question—What orders in regard to the occupation of Vicksburg did you receive from General Lovell shortly after the evacuation of New Orleans, and what means were placed at your command to carry out those orders?

Answer—About the 2nd or 3rd of May, I was directed to send the twenty-sixth Louisiana to Jackson, and the twenty-seventh Louisiana to Vicksburg. About the 7th of May, I was directed to proceed to Vicksburg and take command of the line from Vicksburg to Jackson. In addition to these two regiments mentioned, there was placed at my disposal, about the 20th of May, the twenty-eighth Louisiana, the first Louisiana artillery and the eighth Louisiana battalion, also what was left of the twenty-second and twenty-third Louisiana regiments and the third Mississippi, in all about two thousand six hundred and thirty-two men, and about twenty-three heavy guns, ranging from thirty-two pounders to eight and ten-inch columbiads, all of which were mounted by me except some six or eight.

Re-examined.

By the Judge Advocate :

Question—Where were you on the day the city was evacuated?

Answer—I was in command of the forces on the Chalmette and McGehee lines, about four miles below the city. These forces numbered about one thousand infantry and five companies of artillery.

Question—At or near the time of the evacuation did you receive any orders from General Lovell in regard to the abandonment of the Chalmette line and the removal of the troops under your command; if so, state what those orders were?

Answer—I received no orders from General Lovell at any time on these subjects; no guns or implements were brought away; the ammunition was exhausted in resisting the passage of the gun-boats; the camp equipage was not saved because we had no wagons and were dependent upon the river for transportation, which was in possession of the enemy.

Question—Was it practicable for General Lovell to communicate with you after the enemy's fleet passed the Chalmette fortifications?

Answer—I cannot say that it was impracticable, as I crossed the river myself, as did also three other officers. I did not consider that I ran any risk in making the crossing. Orders would not probably have reached me after the enemy's fleet passed Chalmette.

Question—Did you see and have conversation with General Lovell after the enemy's fleet had passed Forts St. Philip and Jackson?

Answer—I saw him on the afternoon of the 24th April, 1862, the evacuation being on the 25th.

By a member of the Court :

Question—Were you at any time delayed or embarrassed in the discharge of your duties as engineer and ordnance officer by the want of funds?

Answer—As ordnance officer I was embarrassed for want of funds, but not materially delayed, because I borrowed money of the State of Louisiana. I made no requisition for money to expend on obstructions already alluded to, the expenses being borne by the State of Louisiana. Subsequent to General Lovell's arrival, I did receive funds from Government on requisitions, which were applied to obstructions and defence of the river; the amount received was, I think, twenty-five thousand dollars.

Major Henry A. Clinch was then sworn and examined as a witness.

By the Judge Advocate :

Question—Were you in command of Forts Pike and Macomb at the time General Lovell assumed command of New Orleans; if so, state their condition at that time ?

Answer—On the 19th January, 1862, I was ordered to the command of Fort Pike, and a few days thereafter I took possession of Fort Macomb, also, and garrisoned it. The armament and general condition of these works were nearly similar. They each mounted some thirty smooth-bore twenty-four pounders in barbette and casemate, together with nine twenty-four pounder howitzers in flank defences. For several years these forts had been under charge only of military storekeepers, and their general condition was far from good. I at once made every effort to place them in fighting order, but, owing, doubtless, to the then deranged condition of our ordnance bureau, the work progressed slowly.

Major General Lovell assumed command of the department in October of that year. At that time, I had received from Ship Island one nine-inch Dahlgren and one eight-inch shell gun; these were in position, but required several fixtures and appurtenances for their proper working. The garrison consisted of two companies, "A" and "I," first artillery. I at once urgently requested General Lovell, as well for heavier guns, as a general outfit for the fort. These, I think, were supplied to me as fast as possible. He sent me two rifled thirty-two pounder guns and four forty-two pounders; together with a ten-inch sea-coast mortar. The carriages and chassis were replaced by new ones; new cisterns sent down, and the old ones repaired, and a full supply of ammunition of all kinds and implements supplied. The garrison was also reinforced by three companies, making five in all—all large companies. Such was the condition of Fort Pike on the date of its evacuation, in April, 1862.

By the Judge Advocate :

Question—If you know, state what, if any, work was done in obstructing the Rigolets and the bayous in the vicinity of Fort Pike, after October, 1861 ?

Answer—The Rigolets at Fort Pike was three thousand seven hundred and fifty feet wide and ranging in depth from fifteen to fifty feet. In February, 1862, General Lovell determined to throw a raft, as an obstruction, across the pass, and charged me with the general superintendence of the work. It was extremely difficult to obtain logs of sufficient size and buoyancy for our purpose. These were obtained at a heavy cost, and from long distances. One or two steamers were

placed at my disposal by General Lovell, and the work went on night and day. When nearly ready to be laid across the channel, it was ascertained that a sufficiency of chains and anchors could not be had to secure it in its destined position. About this time several members of the "Safety Committee," as it was called, came down, took soundings and proposed to secure the raft by driving heavy piling on either side.

A few days after they returned with all necessary apparatus for piling, and with orders from General Lovell for me to furnish them all the assistance in my power—an order very cheerfully, and to a large extent, obeyed by me. After a month's work, and only a very few days after the raft had been got into position, there came on a heavy blow of wind. One or two steamers and schooners, lying above the raft, dragged anchor and lodged against the structure. The consequence was that by next morning the whole affair was a wreck, and at least one-half of the piling broken off and washed away. I at once reported to General Lovell. He promised assistance, and we were in a fair way to renew the experiment when further labor was rendered futile by the fall of New Orleans.

By orders from department headquarters, I obstructed, by very heavy piling, Salt Bayou, connecting West Pearl river with Lake Pontchartrain, and avoiding the guns of Fort Pike. This bayou was some ten miles long, sixty feet in width, and with an average depth, at high tide, of nine or ten feet. There was also Mill Bayou, connecting West Pearl and West Middle rivers. The mouth of West Pearl having been obstructed by rafting, it became important to secure the approaches to it from other rivers not so obstructed. Mill Bayou, three and a half miles long, forty feet wide and ten feet deep, was thoroughly obstructed under my personal direction, by cutting down heavy trees on either bank across the channel, for nearly its whole length.

Question—From whom did you receive orders to evacuate Fort Pike? State, also, the condition of that fort at the time of its evacuation?

Answer—It was on the morning of the 26th April, I think, that I received a telegraphic order to prepare to evacuate my fort. This I prepared to do by impressing one or two steamboats and schooners, lying at the wharf or in the stream, and holding them in readiness for any emergency. I do not remember exactly how the order referred to was signed, but it must have been signed by order of Major General Lovell, as otherwise I would have paid no attention to it. On the same afternoon I received another telegraphic order, I think, to the effect that I was to spike my guns and abandon the fort at once. This order was signed by "C. A. Fuller, Colonel commanding first Louisiana artillery," and dated New Orleans. I declined obeying this order, for the reason that I had never reported to or received orders from Colonel Fuller in my official capacity as commander of the fort, and I refused to recognize his authority in so grave a matter as abandoning a fortified position without fighting for it. I at once telegraphed Major Devereaux, assistant adjutant gene-

ral, for written orders, and, if it was decided to abandon the fort, I asked for transportation, if possible, for my best guns at least. About twelve o'clock that night a steamer arrived from the city, and the officer in charge handed me a written order to immediately evacuate the fort. This order was signed by "C. A. Fuller, Colonel commanding third brigade." I supposed that some accident had occurred to General Duncan, and that Colonel Fuller had assumed command of the brigade by seniority. Regarding, therefore, the order to be in form and from an authoritative source, nothing was left to me but to obey it. I embarked on board the transport all of my ammunition, implements, etc., all quartermaster and commissary stores, (ninety days' supply,) and, in fact, everything of value, save the guns, for which I had no room on board. These, the moment before leaving the fort, I thoroughly spiked and destroyed in various ways—burning the carriages and chassis, and setting fire to all the outbuildings. I left the fort, with my whole command, at daylight of the 27th.

At the date of its abandonment Fort Pike was in as good fighting trim as it was possible to place it, with the serious exception of the lightness of most of its armament. Had the raft held its intended position, all water craft would have been forced within fifty yards of the walls of the fort in order to effect a passage, which fact would have rendered each twenty-four pounder gun nearly as destructive as guns of much heavier calibre. My orders had been to fight the fort to the last extremity; these orders I would at least have obeyed, and with the most sanguine confidence of a successful result.

Lieutenant William M. Bridges was then duly sworn and examined as a witness.

By the Judge Advocate :

Question—What position did you hold at the time of the evacuation of New Orleans in April, 1862, and where were you stationed for the previous six months?

Answer—I was first lieutenant in the first regiment Louisiana artillery, and aid-de-camp to General J. K. Duncan; stationed at Fort Jackson at the time General Lovell assumed command, and was there at the time the fort was surrendered.

Question—What additions, if any, were made in new guns and munitions of war to Forts Jackson and St. Philip after General Lovell assumed command of Department No 1?

Answer—Several companies of artillery were added to their garrisons. Three ten-inch columbiads, five eight-inch columbiads, two seven-inch rifle guns, two unbanded rifled thirty-two pounders, twelve forty-two pounders, some smooth-bore thirty-two pounders, (their exact number I do not recollect,) and five ten-inch sea-coast mortars were added to the armament of both forts. A large quantity of implements were added to these after General Lovell assumed command, amply sufficient for the working of his guns. When General Lovell assumed command we had about eighteen thousand or twenty thousand pounds of powder, some of which was worthless, and was sent to New Orleans and re-worked. This supply was trebled by him.

The Court adjourned to meet at ten, A. M., the 24th instant.

APRIL 24, 10, A. M., 1863.

The Court met pursuant to adjournment.

Present—All the members, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Colonel Edward Higgins was then sworn and examined as a witness.

By the Judge Advocate:

Question—When did you first enter the service of the Confederate States; state your rank at that time; your present rank, where, and to what duty, you have been assigned from date of your entry into service?

Answer—I think I entered the service in April, 1861, as captain of the first Louisiana artillery. I served as aid-de-camp to General Twiggs during his command of New Orleans. After this General was relieved, I was placed in command of a light battery. About this time I resigned, and remained out of service for about a month, when I was reappointed a lieutenant colonel of the twenty-second regiment of Louisiana volunteers. My first duty as lieutenant colonel was, in obedience to orders from General Lovell, to save the raft between Forts St. Philip and Jackson.

I was assigned by General Duncan to the command of those forts. I was engaged upon this raft about two weeks with all the force that could be possibly had—it was a tremendous job.

Question—Were you in the service of the United States before the secession of the South; if so, in what capacity and for what length of time?

Answer—I was in the navy of the United States from 1836 to 1854, when I resigned, a lieutenant. The last two years of my service under that Government was spent in commanding an ocean steamer, in which command I remained four years after leaving the United States service.

Question—State generally your knowledge of the causes of the fall of New Orleans, and whether or not the same might have been prevented by Major General Lovell with the means at his disposal?

The Judge Advocate being told, informally, by the witness that the inefficiency and incompetency of the naval officers in command at or near Forts Jackson and St. Philip was the principal cause of the fall of New Orleans, here asked the Court to direct the witness to exclude from his reply to the foregoing question the expression of any opinion touching the efficiency or inefficiency of the officers of the Confederate States navy. Because the court has no jurisdiction to inquire into and pronounce an opinion upon the official conduct of such officers.

In support of this proposition, the Judge Advocate submitted the following argument:

Argument.

The ninety-first article of war, by which courts of inquiry are authorized, declares that they are “to examine into the nature of any

transaction, accusation or imputation against an officer or soldier." Their jurisdiction, both as to subject matter and person, is thus clearly defined. The person must be an officer or soldier, the subject matter must be the transaction of such officer or soldier, or the accusation that may be made against him. But as if to remove all doubt or uncertainty as to parties within the jurisdiction of army courts, their character is specifically designated in the ninety-sixth article of war, and in that specification naval officers are not mentioned. It should also be observed that the articles of war are acts of Congress declared to be for the government of the *armies* of the Confederate States.

If, however, this Court, composed exclusively of army officers, can go beyond these limits to bear testimony impeaching the official conduct of naval officers and pronounce judgment upon such conduct, the solecism in law and justice is presented of men being tried without notice and condemned without a hearing. Such a construction of the order convening this Court is less to be justified when it is borne in mind that officers of the navy belong to another and different arm of the service, and are responsible by law to a separate and distinct department, clothed with full power and every facility to ascertain and punish its own delinquents.

Again, such a course is not necessary to determine whether or not General Lovell has discharged the duties devolved upon him, nor does he ask it to be taken. He was directed by the President to consent and co-operate with the naval officers on duty in his department. If he obeyed this direction and was faithful to his other well known trusts, he should be acquitted of blame. The President and the Secretary of War also informed him that he had no control over officers of the navy, which fact of course exempts him from all responsibility for their acts or failure to act.

It is admitted that the witness may testify that General Lovell sought the co-operation of naval men, and suggested certain measures for their adoption, and that this co-operation was refused and the proposed measures designated. To be more specific, it may be shown, and the Court may report if proven, that the "Louisiana" was not placed in the position desired by General Lovell, and that Captain Mitchell did not make such use of the fire-rafts and guard-boats as he had been requested and had promised to make. Should such facts appear in the report of the Court, the basis of future action is furnished to the Government.

It is submitted that this line of procedure is in accordance with the law, the requirements of the order and substantial justice. The Court does that which all Courts of Inquiry are designed to do—it enables the Government to determine whether or not further proceedings shall be had. A different course tends to excite strife and contention, arraying one arm of the service against the other, when the public defence demands unity of spirit and action.

The Court, however, declined to make the direction, as requested by the Judge Advocate, for reasons set forth in the following opinion :

Opinion of the Court.

On the 16th instant, with the view to remove all doubt upon the point raised by the Judge Advocate, a telegram was sent by the order of this Court to the Adjutant General at Richmond, asking specific instruction in the premises. No reply has been received. It therefore remains for the Court to act upon its own judgment.

The order concerning the Court does not restrict its investigations to the conduct of Major General Mansfield Lovell, and the troops of his command, except as to the mere *evacuation* of New Orleans. In relation to the capture of the city the words of the order preclude the idea of such restriction, and they do not imply it in respect to *the defence*. It is required of the Court, too, in those matters, to examine into the attending facts and circumstances, without any limit as to persons or arm of the service. If a partial examination were intended, that intention would doubtless have been expressed. It is the duty of the Court to obey the order under which it acts. It does not belong to it to account for the consequences of so doing.

The witness then answered as follows:

Answer—I have no personal knowledge as to the extent of General Lovell's authority over the defences afloat. The inefficiency and incompetency of a majority of those commanding the defences afloat were, in my judgment, the causes of its fall, but among them were some exceptions. The officer in chief command of the Confederate States steamer "Louisiana," and all of those in command of the river fleet, they being unused to heavy guns and ships, with no idea of discipline, are those whom I consider inefficient and responsible for the fall of the city.

On the day and evening of the passage of Forts Jackson and St. Phillip, I sent three verbal communications to Captain J. K. Mitchell, Confederate States navy, informing him that the enemy's vessels of war were making disposition to unite with his mortar fleet in an attack upon the forts, or in an attempt to pass them that night, and requested him to place the steamer "Louisiana" in position before St. Philip, so that she could enfilade the mortar fleet, thereby enabling the men in the forts to stand to their guns to resist the passage of the enemy's vessels of war. The last of those communications was under these circumstances, and to this effect. I went into General Duncan's quarters, who remarked to me that Commodore Mitchell had sent him word that he (Mitchell) would move the Louisiana in twenty-four hours. The message was brought by Commodore Mitchell, and I immediately turned to the latter officer and said to him, "Tell Commodore Mitchell that there will be no to-morrow for New Orleans unless he immediately takes up the position assigned to him, with the Louisiana; if he does not do so, the city is gone, and he will be responsible to the country for its loss. The forts are powerless to prevent it."

The commanding officer afloat turned a deaf ear to all our warnings and entreaties, and did not coincide with us in the belief that the enemy would have the temerity to attempt the passage of the forts,

and they were not prepared to resist it. It was fully twenty minutes from the time that the enemy rounded the point below the forts before the vessels of our fleet could move; most of these were run ashore and burned as the enemy passed. I am of the opinion that if the vessels sent down from New Orleans to co-operate with the forts in the defence of the city had been properly officered and commanded, and had been under the control of an efficient head, we would now be in possession of New Orleans. The Louisiana was invulnerable, as was demonstrated by the fact that one of the heaviest of the enemy's ships poured broadside after broadside into her at the distance of twenty or thirty feet, without the least damaging effect. The fleet would render us no assistance. We entreated Commodore Mitchell to draw the enemy's fire for a short time to enable us to secure one of our magazines, which was in danger, and to repair our damages and remount guns. He refused. One reason which he assigned for not taking up his position was that he had but two weeks' provision. Another was, that he was not bomb-proof above, and a shell might with him. I was obliged to move the powder from one of the magazines, under the fire of the enemy, when their shells were bursting every two or three minutes in the fort. The river fleet, commanded by Stephenson, refused to obey orders from Mitchell; there was no authority and no concert of action afloat. There were twelve vessels in all, including the Louisiana. Three of these were commanded by Commodore Mitchell, six by a New Orleans merchant and former steamboat captain named Stephenson, one by Captain Beverly Kenon, formerly of the United States and Confederate navy, and one by Captain Grant, a steamboat captain. They were all placed under the command of Mitchell, but he failed in making the river fleet yield obedience to him.

Question—Was anything done by you in preparing launches for additional defence of water approaches in Department No. 1, and under whose orders?

Answer—I was ordered by General Lovell to seize twelve fishing boats and fit them up as small gunboats. I seized them, and his orders for fitting them up were being carried into execution, when I was assigned to other duty in fitting up the raft. I know that some of them were completed.

By the Court:

Question—State what was done in the forts after the enemy's fleet had passed up the river; were any preparations made to defend the forts from an attack above; and what co-operation, if any, did you receive from the defences afloat?

Answer—All damages were repaired as far as possible, dismantled guns were remounted, the heavy guns in the lower front were traversed round so as to bear upon the fleet above in case of attack. A return of all the provisions in the forts was made. A demand for surrender by Commodore Porter was refused, and Commodore Mitchell was requested by me to move his vessel to the opposite side of the river, above Fort Jackson, to assist in the defence from an attack which was expected from above, which he would not do or attempt to do.

By the Court :

Question—Under whose command were the fire-rafts and guard-boats before and after the time of the passage of the forts, and were they used as they should have been ?

Answer—Previous to the arrival of Commodore Mitchell, (the second or third day of the bombardment,) the river fleet was under the order of General Duncan ; when he came down the fire-rafts, gun-boats, the river fleet, and every thing afloat was turned over to him. The fire-rafts were not lighted up the night of the passage of the enemy's fleet, although Captain Mitchell had promised to have it done. While General Duncan commanded the floating defences, fire-rafts and guard boats were regularly sent down, but not afterwards, to the best of my knowledge.

Question—Did General Lovell ever send you to Baton Rouge to induce the Legislature of Louisiana to make appropriations for the building of gunboats for the defence of New Orleans ? If yea ; state at what time this mission was undertaken, and was it practicable to have constructed the gunboats and had them ready for service before the fall of the city ?

Answer—General Lovell did send me to Baton Rouge on such duty in December, 1861. There was ample time and material obtainable to have provided a fleet sufficient for such purpose. A bill making an appropriation of two and a half millions of dollars passed the Senate and was defeated in the House.

Question—Were you sent by General Lovell in the early part of March, 1862, to endeavor to replace the obstructions at Fort Jackson ; if so, state what were your instructions, and give a general idea of what was done by you ?

Answer—Yes ; about that time. At the time spoken of, I was informed by General Lovell that the raft had broken from its fastenings on the Fort Jackson side of the river, and left about one-third of the river open. He instructed me to go down with a number of barges and fill up the gap by placing them in the open space, and using them as buoys to stretch chains across from the raft on the shore. Upon arriving at the fort I found the raft had also broken from the Fort St. Philip side, and had dragged several hundred yards below its first position—it was then hanging by its heaviest anchors, which held it lengthwise of the river. I commenced immediately to cut it into sections, and telegraphed to the General to send me tow-boats to assist in replacing it by sections. I found it impossible, however, on account of the strength of the current, to hold all the sections in position after replacing them ; the immense weight of the chains, together with the pressure of the water, forced them under the surface and slowly dragged them down the river, except three sections of about one hundred yards each, one on the Fort Jackson side and two on the Fort St. Philip side, which remained where placed.

I then went up to New Orleans and reported the fact to General Lovell, who directed me to seize a number of vessels, take them down between the forts and anchor them in line across the river, stretching chains across over them. I accordingly seized a number of heavily

built vessels, and carried out my instructions. They were anchored across the river, as nearly as possible, in the position occupied by the raft and dismantled, their masts and rigging left to trail astern in order to catch the propellers of any vessel which might attempt to pass. Each vessel had two anchors down, and sixty fathoms of chain to each anchor, and three one-inch chains were stretched across all of them, connecting them with the raft sections remaining in position, forming a barrier which, I am confident, none of the enemy's ships could have forced under fire from the forts.

Question—What number of fire-rafts were sent to Fort Jackson for use by General Lovell?

Answer—I do not remember the number; there were a great many.

Question—What was the immediate cause of the surrender of the forts on the 28th of April, 1862?

Answer—Mutiny of the garrison.

Question—What amount of powder was expended in the fight at Forts Jackson and St. Philip, and what amount turned over to the enemy, what the number of the garrisons, and the amount of provisions on hand?

Answer—About seventy thousand pounds of powder. I think about thirty thousand remained in our magazines when we left the fort. There were about eleven hundred (1,100) men in the two forts. Provisions for sixty (60) days were on hand at the time of the passing up of the Federal fleet.

Question—Did you supply the artillerists to serve the guns on the steamer Louisiana; if so, how many?

Answer—Yes; about one hundred and fifty picked men, under Captain Ryan and Lieutenant Dixon.

Question—Were the defences strengthened by sand-bags, &c., previous to and during the bombardment; and at what time and under what circumstances were the last heavy guns mounted?

Answer—Yes; very considerably, by sand-bags and cotton bales. The last heavy guns were mounted a few days before the bombardment by the northern fleet, and under fire from the gunboats.

Question—Was it possible to place sharpshooters on the bank of the river near the enemy's fleet to endeavor to dislodge them?

Answer—We placed sharpshooters in the swamp below, but they could not exist there on account of the high stage of water. The river at this time was so high that the parade ground of the fort was covered with water, and we had nine inches of water in the casemates. Traverses were built around the magazine doors, and an engine and a large detail of men with buckets were kept constantly at work, day and night, during the bombardment, to keep the water out of the magazines.

Captain Edward Hobart was next sworn and examined as a witness.

By Major General Mansfield Lovell:

Question—What business were you engaged in at New Orleans while General Lovell was in command of Department No. 1?

Answer—Mercantile profession. We also furnished capital for the erection of the Louisiana powder mills.

Question—What assistance, if any, did you receive from General Lovell in getting into operation the powder mills near New Orleans?

Answer—General Lovell rendered important aid in enlarging and hastening the erection of the mills, ordering the foundries to give the necessary work precedence. He also, through means at his disposal, afforded "material aid" to complete the re-erection after the first explosion. By his direction the mills, originally located at Handsboro', Mississippi, were removed to New Orleans, the former location being deemed insecure. He also rendered valuable assistance in supplying the mills with materials.

Question—Was the machinery of these mills removed at the time of the surrender; if so, how was that effected, and what has become of the mills?

Answer—The machinery of the powder mills was entirely removed after the passage of the enemy's ships by the forts. It was taken by steamer to Vicksburg, and subsequently located at Selma, Alabama, where it has been since in operation, when materials could be obtained. The boat was furnished by General Lovell.

Question—What was the daily capacity of your mills when completed?

Answer—Five thousand pounds powder in twenty-four hours. The mills were never pushed to their capacity for want of material.

Captain J. Brien was next sworn and examined as a witness.

By the Judge Advocate:

Question—What position did you hold in New Orleans at the time of the evacuation, in April, 1862?

Answer—I held the position of assistant ordnance officer, and had charge of the main magazine, and was charged by Major General M. Lovell with the proof of all powder manufactured and imported at New Orleans?

Question—Did you bring away the powder, cartridges and other public property belonging either to the State of Louisiana or the Confederate Government?

Answer—I brought away every pound of ammunition and other public property in my charge. The following is a list thereof:

182 barrels cannon powder, 100 pounds each.

245 kegs musket powder, 25 pounds each.

52 boxes cannon powder, 100 pounds each.

150 boxes damaged Spanish powder, 100 pounds each.

1,110 boxes small arm ammunition, 1,000 cartridges each,

And a number of wagon loads of implements, tools and Government property of all kinds.

Question—What was the quality of the powder brought to New Orleans by the steamers Vanderbilt, Merrimac and Victoria in the winter of 1861; what was done with it?

Answer—The powder brought by these steamers was damaged, and totally unfit for service. A portion was reworked, and the saltpetre extracted from the remainder and made into new powder.

Captain W. C. Capers was next sworn and examined as a witness.

By the Judge Advocate :

Question—What command did you have previous to and at the time of the evacuation of New Orleans ?

Answer—I was in immediate command of Fort Macomb, one of the defences of Lake Borgne.

Question—What additions, if any, had been made to the strength of Fort Macomb after General Lovell assumed command of Department No. 1, in guns, powder, munitions, &c. ?

Answer—The additions to my armament were one eight-inch columbiad, four forty-two-pounder guns, six thirty-two-pounder smooth-bore guns, one thirty-two-pounder rifle gun, and one ten-inch sea-coast mortar, all in place of twenty-four-pounder guns. I also received, in place of old and worthless powder, an ample supply of the best powder then to be had, with all the munitions necessary for the complete equipment and defence of the fort. In addition to these, all the timber bordering the pass above the fort, and which would have completely masked the enemy's vessels, thereby rendering my fire comparatively ineffective, was felled, presenting an open field of fire, both by land and water, to the mouth of the pass. General Lovell furnished me everything necessary for placing the fort on a firm war footing.

Question—Under what orders did you evacuate Fort Macomb ?

Answer—On the morning of the 25th of April, 1862, I received an order from Colonel Fuller to hold myself in readiness to abandon the fort, which was signed by order of General Lovell. This order I did not obey, as I wished the order to come through General Lovell's assistant adjutant general. During that afternoon I received another order, signed C. A. Fuller, colonel commanding second brigade, requiring me to destroy my guns and report to him at Madisonville. This order I had to obey, as my fort was in his district.

Question—What official conversation, if any, took place between yourself and General Lovell relative to the evacuation of Forts Pike and Macomb, immediately after your arrival at Camp Moore, after that evacuation ?

Answer—I had a conversation with General Lovell at Camp Moore on the subject of the evacuation of the forts, sought by myself, as I desired to know whether Colonel Fuller really had authority for his act. During that conversation General Lovell informed me that he had not issued any such order, and that Colonel Fuller had only been required to have the forts in readiness, in the event it became necessary to abandon them. He also said that, hearing the forts had been evacuated, he issued orders to have them reoccupied. This is as near as the frailties of memory will allow me to say concerning this particular point.

Lieutenant Colonel Edward Fry was next sworn and examined as a witness.

By Major General Mansfield Lovell :

Question—What position did you occupy in October, 1861, when General Lovell took command of Department No. 1 ?

Answer—I was assistant adjutant general at Camp Moore, the camp of organization and instruction in Louisiana.

Question—What was the condition of the troops at Camp Moore at that time as to numbers, arms, equipments and ammunition? Were they subsequently put in complete order, and what became of them?

Answer—The thirteenth, sixteenth, seventeenth, eighteenth and nineteenth regiments Louisiana volunteers, averaging nine hundred men each, were organized at Camp Moore, rather poorly armed and equipped, and transferred to Confederate States service during October, November and December, 1861. They were not supplied with ammunition when transferred. I know nothing of my own knowledge in regard to these troops after they were transferred to Confederate States' service.

Question—Were you stationed, at the time of the evacuation of New Orleans, at Forts Berwick and Chene? If yea, what was the condition of those works when abandoned?

Answer—I was in command of both forts. The works were in fair condition.

Question—What property was brought away and what disposition was made of the remainder?

Answer—About five thousand pounds of powder, over twelve thousand rounds of musket cartridges, all the infantry arms and accoutrements, and fully two months' supply of commissary stores for about one hundred and sixty men—all this property was turned over to the proper officers at Camp Moore, Louisiana. The remainder—the heavy guns, carriages, chassis, etc., etc.—was destroyed or rendered unfit for service, in obedience to orders from General Duncan.

Major W. H. Devereaux was then duly sworn and examined as a witness.

By Major General Mansfield Lovell :

Question—What position did you hold at the time General Lovell took command of Department No. 1, and from that date to the evacuation of New Orleans?

Answer—I held the position of chief of staff to Major General Twiggs at the time General Lovell arrived to take command of Department No. 1, and continued in that capacity under Major General Lovell until his own staff was organized, when, being ranked by Major Palfrey, I performed the duties of acting assistant adjutant general, in immediate and confidential connection with Major General Lovell.

Question—What was the general condition of the department as to its defences, as shown by the official reports, when General Lovell took command?

Answer—The general condition of the defences of the Department, when General Lovell assumed command, was not one of strength commensurate with the interest to be protected, nor yet hopelessly inadequate to encounter the force of the enemy then in the gulf.

The armament of the forts on the exterior line were light in calibre and insufficient in the number of guns, some of the gun-carriages

were reported weak, implements were wanting, and the ammunition was inferior and very scarce. The interior line of defence, for the immediate protection of the city of New Orleans, was well advanced, but not completed. For this interior line a number of guns, perhaps one hundred and twenty-five, were arriving from Richmond, but unaccompanied by any equipment; these guns were also of light calibre. They had been secured by General Twiggs, and their equipment ordered to be prepared before the arrival of Major General Lovell.

Question—Were you present at interviews between General Lovell and members of the Safety Committee? If so, state substantially what passed at these interviews?

Answer—I was present at many interviews between General Lovell and members of the Committee of Public Safety, and affirm, as the substance of their conversations, that the General accepted their offers of material, anchors and chains for rafts, iron and copper for castings, and, briefly, those articles for military purposes and construction which at that time could only be obtained readily by private enterprise, but declined a part of their tenders of money, as he was not embarrassed for want of funds, but retarded by the deficiency of procuring through Government agents articles of prime necessity which had grown to be scarce. The General also declined many suggestions of military plans.

Question—What was the number and composition of the troops in the city at the time of the evacuation, and how were they armed?

Answer—There were two brigades of State troops, under Generals Tracy and Buisen, in New Orleans at the time of its evacuation. These numbered in all, perhaps, three thousand men, were new levies, chiefly composed of the men of the families resident in and about the city. They were indifferently armed, shot-guns being, I believe, the prevailing weapon. Two-thirds of them belonged to the French class of the population. Included in the above estimate was a battalion of some four hundred men, Orleans Guards, which was well armed and equipped. There was, besides, the Confederate regiment State troops, about seven hundred strong, well armed and equipped, and the Pinckney battalion (now eighth Louisiana battalion) heavy artillery, five hundred unarmed men, newly enlisted, occupying the works on the river, above and below the city. Also, the Thomas battalion, Confederate troops, numbering about three hundred and fifty men, also unarmed.

Question—State what was General Lovell's habitual routine of business while in command of Department No. 1. Was he ever absent from his office a single day during his administration, except while engaged in personal inspections of the troops or works of his department?

Answer—General Lovell's hours of business were habitually from nine, A. M., to three, P. M., during which he was always in his office. Most frequently, he returned at seven or eight, P. M., and continued in the transaction of public affairs until very late hours of the night. During the interval between three and eight, P. M., General Lovell was ordinarily occupied in personal inspections of the troops and

lines of defence, visits to the foundries and workshops, examinations of proper means in the construction of Montgomery's and the State fleets and the rams Mississippi and Louisiana. His tours of inspection through his department were frequent and, I believe, thorough. The restless activity displayed by the department commander was a subject of general remark.

Question—What was the general military character of the population in New Orleans at the time of its fall?

Answer—It was indifferent. The better part of the fighting material had volunteered and been ordered elsewhere. The young men were all gone from the city, with a few glaring exceptions.

The Court adjourned to meet at ten, A. M., the 25th instant.

VICKSBURG, MISS., April 25, 1863—10, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

Captain W. B. Robertson was then sworn and examined as a witness.

By the Judge Advocate:

Question—Where were you when the Federal fleet passed Forts St. Philip and Jackson in April, 1862; and what, if any, position did you hold in the army of the Confederate States?

Answer—I was in command of the water battery at Fort Jackson; a captain in the first regiment Louisiana artillery.

Question—What orders did you receive from Colonel Higgins on the afternoon previous to the passage of the forts by the enemy's fleet, on the morning of the 24th April, 1862?

Answer—I received a written order from Lieutenant Colonel Higgins, commanding Forts Jackson and St. Philip, that there was a movement among the enemy's gunboats and ships-of-war, below his mortar-boats, and that he was planting signals on the St. Philip shore, indicating that they would probably take up position and bombard in conjunction with the mortar-boats, and, if a favorable opportunity presented, would attempt the passage of the forts. He charged me to prepare for such events. He also stated that the river would be lit up. The order from Lieutenant Colonel Higgins is now in Louisiana, near the enemy.

The Court adjourned to meet at Jackson, Mississippi, April 27th, 1863, at ten, A. M.

JACKSON, MISS., April 27, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and also Major General Mansfield Lovell.

The proceedings of the 25th instant were read over.

The following communication was then read to the Court by the Judge Advocate, to-wit :

"APRIL 21, 1863, }
 "By Telegraph from Richmond, 21st, 1863. }

"To Major L. R. PAGE :

"The Court is required by the order to examine into the facts and circumstances attending the capture of New Orleans, the defence of that city and the evacuation of the same. The inquiry is broad and not restrictive, and will embrace every fact and every officer, whether of army or navy, connected with the object of inquiry. It is fully competent for the Court, and it is expected of it, to report all the facts of the whole subject, of the capture, defence, and evacuation of New Orleans, which included the defences on the river, below the city, and to report their opinion thereon.

"S. COOPER, *A. and I. G.*"

Lieutenant Colonel W. S. Lovell was then sworn and examined as a witness:

By Major General Mansfield Lovell :

Question—What duty were you assigned to in New Orleans by General Lovell, in November, 1861? State what was done by you.

Answer—I reported for duty to General Lovell, at New Orleans, on or about the 8th of November, 1861. Was ordered immediately to take charge of the raft between Forts Jackson and St. Philip, to repair, replace it in position and anchor it properly. I found the raft had, by either dragging its anchors or parting its moorings, drifted so far down the river that the end towards the Fort Jackson side was about the middle of the river, leaving the river open between them about four hundred yards; many of the gum rails which were joined on top of the logs forming the raft were broken, and the end towards the St. Philip side very much broken up. Most of the anchors which had been used in mooring the raft were very small, and had rope attached to them instead of chain. Some of the ropes were so short as to lead almost up and down, not having sufficient scope. A number of the anchors were not recovered, having parted the moorings. Most of the gum rails or stringers were broken, or wrenched out of place. I pinned down new ones. I secured the end on the Fort Philip side by planting a large anchor, about three thousand pounds, with what is called "dead men," or longer logs placed in front of each arm. The anchor was then backed by chains to a stump, and the stump backed by a small anchor, from the main anchor. Mooring chains were secured to the end of the raft; there were no other means of securing the raft to the shore. The raft was then hauled back into position on this side by steamers and anchored. The heaviest anchors, from two thousand five hundred to three thousand pounds, were placed in the deepest water, with chains from forty-five to sixty fathoms each. To the best of my recollection, there

were between twenty-five and thirty anchors used in anchoring the raft, and each with a sufficient scope of chain. A number of the anchors were between two thousand and three thousand pounds. The end of the raft on the Fort Jackson side was secured by two heavy chains running to two "crabs," also by heavy chains, made fast to a large anchor, planted as the one on the other side, so that they might be stacked up or lengthened if necessary. When the drift got to be heavy against the raft, steamers were employed to endeavor to haul it out, which was found impossible. I built, by General Lovell's order, a raft or boom above the city of New Orleans, about one thousand yards long, which was ready to be thrown across should it be required. I had charge for a time of a raft to be placed across the lake at Fort Pike. I also fitted up the steamers "Oregon" and "Arrow" as gunboats for the lake. The former vessel carried two guns, one eight-inch gun and one thirty-two pounder rifle; the latter one thirty-two pounder. I also fitted up the yacht "Corypracs" with one gun, to be used in the lake.

Question—What duty was performed by you under orders of General Lovell in connection with the river defence fleet? also with ships fitted out at expense of the State of Louisiana?

Answer—I was appointed ordnance and disbursing officer of the river defence fleet by General Lovell. As ordnance officer I superintended the necessary work on vessels of the fleet to receive and place in position their armament, thirty-two or twenty-four pounders, furnished by General Lovell. I also furnished them ammunition and small arms, and established a system of signals. As disbursing officer, I had to examine and pay the many bills incurred in fitting out the fleet. When the steamers "Charles Morgan" and "Galveston," (afterwards the "Governor Moore,") and "General Quitman" were taken by Governor Moore to be fitted out as gunboats, they were immediately, by General Lovell's consent, turned over to me to be altered, protected, armed, officered and manned as I might deem proper. I had the whole charge of these two steamers. All that was done by the State was to pay the bills approved by me. The captains appointed by me, (and confirmed by Governor Moore,) to the command of these vessels, were Captain Beverly Kennon, of the Governor Moore, and Captain Alexander Grant of the General Quitman.

Question—When the raft at the lower forts was completed and put in position, did you consider it an effective obstacle to ships ascending the river, as long as it remained in place?

Answer—When the raft was in position, after I had taken charge of it, I considered it an effective obstruction to vessels coming up the river, and that it would have so remained had it not been for the extraordinary high water and drift. By the water overflowing the banks the ground was softened, which prevented the anchors from holding. I did not think it possible for the enemy to remove the raft, under the guns of Forts Jackson and St. Philip. If the raft had not been carried away, I do not believe it possible for the enemy to have passed the forts.

Question—What measures were taken by you under authority of

General Lovell, previous to the passage of the forts, previous to the evacuation, in case of such passage, and what use was made of such means at the time of the evacuation ?

Answer—Some days before the enemy passed the forts, by General Lovell's directions I got ready, for any move that might be necessary, the three steamers Magenta, Peytona and Pargond; these vessels were in such condition so that they could all be ready to move at four hours' notice. I ordered these three vessels to get ready to move at 7 o'clock the morning the enemy passed the forts, 24th April, 1862. I turned over the largest steamer, the Magenta, to Major Lamar, for the purpose of removing government commissary stores. The next largest steamer, the Peytona, I turned over to Captain St. Clair, at his urgent request, to assist in towing the "Mississippi." The third steamer, the Pargond, was used to remove commissary and ordnance stores. Among the latter stores she had one thirty-two pounder, and a number of battery forges—I think six. The cabin of the boat was filled with persons, many women and children, who wished to leave the city.

Cross Examination.

By the Judge Advocate :

Question—What was your occupation before April, 1861 ?

Answer—I was an officer in the navy of the United States for nearly twelve years. I resigned from that service in 1859. I entered the naval school of Annapolis as a midshipman in 1847, and graduated in 1853. During the last three years of my service in the United States navy I was in command of steamers.

Question—Did you not succeed General M. L. Smith as ordnance officer of Department No. 1; and if you were acting as such at the time of the evacuation of New Orleans, state the amount of ordnance you then had on hand, and what became of it ?

Answer—I did succeed him as such. I cannot state the amount on hand without reference to my ordnance papers—there was a great deal of ordnance stores at the various forts. Of that in the city, under my immediate charge, the larger proportion was saved—very little was lost. Many supplies of ordnance stores were furnished to various works, for which I received no receipts, and had to report them in my returns as lost. To illustrate my meaning, the powder reported by me to be lost was sent to the forts below the city, Chalmette, and to the upper batteries, and two or three eight-inch columbiads, reported as lost, were used at Chalmette in the fight.

Question—State your knowledge as to the effectiveness of the river defence fleet? In what respect, and by what means, if any, might the same have been made more efficient in the defence of the city ?

Answer—The boats were fitted up generally very well, for use as rams. I considered most of them as better for that purpose than the Queen of the West, a ram taken from the enemy, which I have well examined since her capture. There was no discipline, no organization, but little or no drill of the crews. I frequently requested the

commanding officers, Montgomery and Tenierand, to drill their men at a gun I placed on one of the vessels expressly for that purpose. I offered to employ a navy officer to drill them. I also employed a person who had been a gunner in the United States navy to act as such to the fleet, to mount the guns, to have a general superintendence of everything belonging to the gunner's department, also to teach the officers and men of the fleet how to use and manage the guns. I do not believe one of the officers in command of any of the vessels of the fleet knew how to load or manage heavy guns. Some of the vessels had men employed as gunners. Some of the captains told me they knew nothing about heavy guns and must have gunners.

Question—Were there in Department No. 1 any vessels, not of the river defence fleet, which might have been fitted up similarly for resisting the enemy?

Answer—In my opinion, the best steamers were taken and fitted out for the river defence; there were a number of other steamers that might have been fitted out as rams and gunboats.

Question—Were the rams of the river defence fleet, and such other vessels as were in Department No. 1, capable of being fitted out as rams or gunboats. Was it practicable, after October 1st, 1861, to have prepared a fleet sufficient to cope with the war vessels of the Federal fleet, or which passed the forts?

Answer—In my opinion, no fleet could have been fitted out in New Orleans since the 1st October, 1861, out of the steamers there, to be able to cope with that of the enemy. One might have been fitted out to assist greatly regular gunboats like the Mississippi, had they been properly officered and manned.

Question—Were as many shipwrights employed upon the Mississippi as could have been worked to advantage, and could they have worked at night?

Answer—I am unable to say how many were employed. Work could have been done at night on the vessel with great advantage. She could have been lighted up very easily with gas, or by lightwood torches from a steamboat anchored on the outside of her, and by torches from the shore or the inside. I suggested this latter plan to Mr. Tift two or three times. I have seen the workmen quit the vessel by sundown, when they ought to have worked an hour or two longer.

Question—Could the Mississippi have been saved; if so, how?

Answer—My opinion is, that she could and ought to have been saved by having vessels ready to tow her off, and there were an ample number of steamers at New Orleans that could have been used for that purpose. In my opinion, had they begun to make these steamers ready as soon as the report of the passage of the forts had reached the city, the Mississippi could have been removed. I received information about five o'clock on the morning of the 24th that the enemy's fleet had passed the forts—it anchored before the city about twelve, M., the next day. About eleven, A. M., on the 24th, Captain Sinclair applied to me for the steamers I had gotten ready. I refused him all but one, the second largest of the three; the largest was, I think, then being loaded with commissary stores.

Question—Was the *Star of the West* at New Orleans at that time; if so, describe her, as also the *Peytona* and *St. Charles*?

Answer—She was there, a regular sea-going side-wheel steamer of good power for towing. The *Peytona* was a river steamboat of fine power. The *St. Charles* was an old tow-boat, one that I had discharged as not strong enough to work on the rafts, and the two were, in my opinion, unable to tow the *Mississippi*. The *Star of the West*, the *Peytona*, and another strong boat could have done it.

Question—As the result of your knowledge, military and nautical, what is your opinion as to the ability of land defences to resist vessels of war under steam?

Answer—My opinion has always been that steam vessels of war can pass forts, in an open channel, free from obstruction?

Question—How many guns of calibre of eight-inch and above that were mounted for defence of Pensacola harbor?

Answer—When I left Pensacola, about the 5th November, 1861, there was at least fifteen eight and ten-inch columbiads, also a number of ten-inch and two thirteen-inch mortars. Three of the ten-inch guns were brought to New Orleans after the 1st of April, 1862.

Captain Beverly Kennon was then sworn and examined as a witness.

By Major General Mansfield Lovell:

Question—What position did you hold when General Lovell assumed command of Department No. 1 in October, 1861?

Answer—I was in charge of the ordnance department of the navy.

Question—Did you make arrangements with Bennett & Surges to cast heavy guns; if so, how many, and when were they to begin work?

Answer—I did make arrangements with the firm of Bennett & Surges to cast guns. This was about the 1st of October, 1861. They could not make the guns I wanted *then*, because they had not the proper iron. I ordered fifty (50) heavy eight-inch smooth-bore guns. This party was to commence work when they procured the proper material, but the Secretary of the Navy broke all my contracts before any one firm was really ready to commence work.

By the Judge Advocate:

Question—Why was not the arrangement spoken of in regard to heavy guns executed by Bennett & Surges? State all the facts connected with this matter?

Answer—Because the Secretary of the Navy ordered that all work that I had ordered should be stopped. He gave as a reason that the “expenditures in the ordnance department were enormous, and must be curtailed.” This note, or order, or whatever it may be termed, came from the C. S. Naval Ordnance Department, I suppose, with Mr. Mallory’s endorsement.

Question—State generally what other contracts made by you, if any, were stopped by order of the Secretary of the Navy?

Answer—All contracts were stopped, and, in the majority of cases, all purchases returned. By all contracts I mean the manufacture of guns and carriages, shot, shell, spherical case, and pretty much every-

thing belonging to an ordnance department. Mr. Mallory or his subordinates would not take the lead, copper, block tin, zinc and flannel that I had purchased. As an instance of my purchases, in the line of flannel I must have gotten fifty thousand dollars worth. Yet Mr. Mallory would not take it. I procured it at an average price of forty-five cents per yard. He afterwards bought the same article at four times the price. All other articles rose in price in the same ratio. He found he had to have them, but paid a much greater price for them. Had Mr. Mallory allowed the foundries and other establishments in New Orleans then working for the navy to continue their work, I am sure the city would not have fallen. There were an abundance of guns and projectiles of all sorts making and made when he stopped work. Amongst the contracts or work in progress I had three hundred submarine batteries, which Mr. Mallory would not use, or allow to be completed for use. I furnished General Polk with one hundred and fifty of them. I know not what became of the rest. I made no contract for fuzes, fire-works, rockets, etc., as they were made in the C. S. navy laboratory. I started a powder mill, which was broken up by order from Richmond. To bring this answer to a close, every contract was more or less broken in upon by Mr. Mallory's order, until just before New Orleans fell, when it was too late to repair damages.

Question—Did you take part in the engagement with the Federal fleet before the passage of the forts; if so, in what capacity and with what result?

Answer—I did take part in the engagement below New Orleans with the Federal fleet. I was then commander of the steamer Governor Moore, and with her sunk the U. S. steam sloop-of-war Varana. I afterwards destroyed my ship to prevent her falling into the hands of the enemy. I lost seventy-four men out of ninety-three; besides this, the ship was completely disabled.

Question—What assistance that was not rendered might have been given by the vessels of the C. S. navy or of the river defence fleet, or by fitting out vessels then at New Orleans belonging to private parties?

Answer—There were no C. S. naval ships-of-war in our neighborhood, therefore no assistance could come from them, unless, of course, I except those in the fight. Had all our vessels been at the forts, and had all the vessels alongside the wharves been fitted up properly, I am sure that the enemy would not have passed us. All the assistance was given by the C. S. naval vessels present that could be given, but Mr. Mallory ordered Captain Mitchell to take command near the forts at an hour too late to do much service. As to the river defence fleet, they behaved very shamefully; every single vessel ran away, or were deserted by all hands, without fighting. The vessels belonging to private parties or companies at New Orleans, in the fall of 1861, numbered somewhere in the neighborhood of twenty tow-boats, strong and comparatively fast, which would and could have made excellent *rams*. There were about as many large ocean steamers which, in smooth water, could have carried, on an average, twenty heavy guns. There

were also about a dozen ships, brigs, etc., which, on an average, could have carried six heavy guns each. Yet Mr. Mallory did not take any of these vessels. They were taken by the State, but it was then too late. I was making preparations to arm and equip *all* these vessels, when I was relieved of my command in New Orleans and ordered to Richmond. I then resigned my commission as a naval officer. After I resigned the State of Louisiana took many of these vessels, but there was too little time then to fit them, man and officer them. Regular naval officers, even at that late hour, would have done better than the river steamboat captains who were on board of them.

Question.—What was the character of the vessel you commanded, and what was the character of the Federal vessel Varana, as to construction, armament, &c. ?

Answer—My ship was an ordinary merchant mail steamer—strong, fast and of much weight. Her battery was only two thirty-two pounder rifles. The Varana was a regular man-of-war built ship, with a crew of two hundred and fifty-nine men, and eight eight-inch guns, four heavy thirty-two pounders, two twenty-pounder Parrotts and one twelve-pounder howitzer.

The Court adjourned to meet at Charleston, South Carolina, at twelve, M., May 15, 1863, or as soon thereafter as practicable.

CHARLESTON, S. C., 10, A. M., May 18, 1863.

The Court met pursuant to adjournment.

Present—Major General T. C. HINDMAN,
 Brigadier General T. F. DRAYTON,
 Brigadier General W. M. GARDNER,
 Major L. R. PAGE, *Judge Advocate*.
 Major General MANSFIELD LOVELL.

The proceedings of the 27th ultimo were read over.

General G. T. Beauregard was then sworn and examined as a witness.

By Major General Mansfield Lovell :

Question—What was your rank in the United States army, and were you, while in that service, stationed at or near New Orleans, and what were your opportunities to form an acquaintance with the topography of that section of country ?

Answer—I was a brevet major of engineers in the United States service, and in charge, for about fifteen years, of the works defending the approach to New Orleans, which made me thoroughly acquainted with the topography of that section of Louisiana.

Question—From your knowledge of the country and its peculiarities, would you think it the proper plan to concentrate the main strength, in artillery, at Forts Jackson and St. Philip, in connection with obstructions at that point, rather than to place the guns at many points along the river, which the enemy would have to pass in succession ?

Answer—The true plan for the defence of a river from the passage of steamers, etc., is, when practicable, to obstruct its navigation with rafts, piles, torpedoes, etc., etc., at the most favorable points for such obstructions; then to defend the latter by a concentration of the greatest number of heaviest guns at one's command, separating them, however, from each other by traverses, when necessary to protect them from enfilade fires. Such was the system proposed by Generals Bernard, Patton, Majors Chase, Delafield, etc., when they planned Forts Jackson and St. Philip and the batteries contiguous to those works. Detached batteries are very good when properly located and supported; otherwise, they are apt to be overpowered successively by a naval attack, or to be taken in rear by a land force. It is evident that since the enemy's steamers and gunboats passed the concentrated fires of Forts Jackson, St. Philip, etc., etc., without much injury, they would have done so even more easily if our guns had been scattered over seventy-five miles from those works to New Orleans. Moreover, the river being very high and the country between those two points being low, it could easily have been submerged by cutting the levees at night near any batteries which might have been constructed along the river, thereby cutting off their garrisons from succor or retreat. I will remark that Forts Jackson and St. Philip were placed that low down the river, to protect from the enemy's depredations as much of the country liable to cultivation as practicable, and also, to increase the obstacles to a regular siege, resulting from the lowness of their sites, which does not admit of the construction of boyaux and parallels, especially when the river is high.

Question—The battle having been fought at the forts and the fleet having passed, do you consider New Orleans a tenable military position, and did its evacuation by the infantry forces necessarily follow, as a matter of course, when the enemy was in full possession of the river?

Answer—The forts commanding the river having been passed, New Orleans necessarily laid at the mercy of the enemy's heavy guns afloat; which, owing to the high stage of the river, commanded the banks on both sides to the swamps, skirting the river at a distance varying from a half to one mile. An army of fifty thousand men or more could not then have saved the city from destruction. Whether the latter was desirable at the time, before New Orleans had experienced Butler's iron rule, could only have been determined by the State or Confederate authorities, who should have considered whether the destruction of so large a city would have done more injury to the enemy than to ourselves. It is evident that, to him, Baton Rouge is a better strategic point than New Orleans, and the destruction of the latter would have relieved him of the necessity of keeping a garrison of five or six thousand men there to guard it; this act would have been a mere empty *bravado*—a wanton destruction of an immense amount of private and public property, which would have shaken, at the time, the Confederacy to its very foundations, and thrown upon its Government a helpless population of about one hundred and sixty thousand non-combatants, (men, women and children,) to feed

and provide for, when already overburdened to supply the wants of the armies in the field. When the Russians burnt Moscow, it was for the purpose of annihilating Napoleon's army of three or four hundred thousand men, which had invaded their country. When they again consented to the slow but certain destruction of Sebastopol, it was to prevent the allies from taking possession of its immense docks, arsenals, military stores, and the fleet which had sought refuge under the guns of its forts. The possession of the harbor of Sebastopol would also have afforded them a magnificent base for their future operations in the Crimea.

As I have already stated, the Mississippi river being extremely high, the streets of New Orleans could have been swept from one extremity to the other by the heavy guns of the enemy's fleet; or had Commodore Farragut preferred reducing the place to submission without using his guns, it would have been only necessary to have cut the levee above and below the city, and the whole population would have been utterly defenceless and in a starving condition in a few days. Without the command of the Mississippi river, New Orleans is not worth holding as a military or strategic position.

By a member of the Court:

Question—Was the land on the sugar plantations below New Orleans high enough for the construction of batteries upon them?

Answer—From Point a la Hache, about forty miles below the city, batteries could have been constructed along both sides of the river, provided there were no crevasses. Such batteries would be liable to be submerged by breaks in the levee.

Question—What was the width of the levee in front of New Orleans?

Answer—Immediately in front of the centre of the city the levee will average about a hundred and fifty feet in width. Opposite the extremities of the city, the levee varied from five feet in width, at the crest, to ten or twelve. The slopes of the levee have about an angle of forty-five degrees; their height varies from five to eight feet.

Question—Would the water let in from above the city through a crevasse have submerged the whole city, or only that portion next the swamp and lakes?

Answer—The crevasse at Carrolton, about six miles above the city, several years ago, submerged the city to about Bourron street, the fifth street on Canal street from the river. A crevasse nearer to the city than Carrolton would probably have submerged it to a greater extent. The water would have remained in the city as long as the river remained at a high stage. I have known the city to be in danger of submersion without any crevasse of the levee, owing to the exceeding high stage of the river, and, in the event of a crevasse, the depth of water arising from the submersion would be proportioned to the height of the river and the width of the crevasse.

Question—Could Forts Jackson and St. Philip have held the river against a hostile fleet without obstructions in the channel? What should have been the character of these obstructions? By what means could the accumulation of drift have been prevented?

Answer—I am decidedly of the opinion that Forts Jackson and St. Philip could not have prevented a certain number of steamers out of a fleet from passing up the river in a dark night or a foggy day. A boom obstruction is, in my opinion, the only kind that could have answered the purpose of preventing the enemy's steamers from passing those forts, but the problem of constructing those booms so as to enable them to resist the pressure of the drift wood is a difficult one, which would require very thorough examination and study to solve it satisfactorily. Knowing the importance of a boom for the defence of New Orleans, when the State seceded, I had made the drawings and estimates of a boom to be put across the river between those two forts. When, in February, 1861, I left New Orleans for Montgomery, at the call of the Confederate States Government, I placed the drawings and plans referred to in the hands of Colonel Paul Hebert for the use of the State Military Board, calling their attention to the urgent necessity of having the boom constructed and put in position at the earliest moment practicable; but I am informed it was never done, on account of its cost (less than \$100,000) and the time required for its construction, probably three months. It was designed to make it in two sections, of several layers of logs, strongly bolted together; each section strongly anchored at one extremity, to each bank of the river; their other extremities were then to be brought together down stream, near the Fort Jackson side, about one-third the width of the river, by means of steam power, chains and anchors; these chains were to be slackened when the drift wood accumulated too much above the boom, and hauled taut again after its passage.

Question—As against a naval force of say twenty mortar vessels and thirty steam vessels, and a land force of fifteen thousand men, what works, guns, obstructions and troops would be necessary to the successful defence of New Orleans, and what naval co-operation would be required?

Answer—This question is so important and difficult that I do not feel competent, away from the locality, to give it a reliable or satisfactory answer. In October, 1861, when General Lovell was ordered to Louisiana, he called upon me for my general views as to the defence of that State, which I furnished him in writing. He informs me that he has it now in his possession. It was hastily written, but it, or so much as may be deemed proper by the Court, may be annexed as a part of this answer.

The Court adjourned to meet at ten, A. M., to-morrow.

CHARLESTON, S. C., May 19, 1863—10, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

Lieutenant A. F. Warley, Confederate States navy, was then sworn and examined as a witness.

By the Judge Advocate :

Question—State your rank in the navy, and where you were on duty in April, 1862 ?

Answer—I am a first lieutenant in the Confederate States navy, and was in command of the Confederate States ram Manassas, between Forts St. Philip and Jackson, in April, 1862.

Question—State, if you know, the condition of the Confederate States steamer Louisiana at the time the forts were passed by the enemy's fleet ?

Answer—I was not attached to her, but joined her the morning after the fight, when my vessel had been destroyed. The Louisiana was without motive power, and was made fast to the bank and had an anchor down. She was to have been propelled by a submerged wheel and two propellers. The submerged wheel had proved to be useless, and the propellers were unfinished. I know but little of her armament. There are other persons who can give you full information on this subject. Captain Mitchell and Lieutenants Shryrock and Bowen were attached to the vessel.

Question—Were you one of the officers of the naval council convened to consider and determine a location for the Louisiana, in the effort to resist the attack of the enemy's fleet upon and their passage of Forts Jackson and St. Philip ; if so, state why she was not placed in the position desired by Generals Lovell and Duncan ?

Answer—I was one of that council. The vessel was not put in the position desired by Generals Lovell and Duncan because the vessel had no propelling power of her own, and to have taken that position she would have been under the fire of the mortar-boats of the enemy, while she would not have been able to have reached them ; her port-holes were so constructed that her guns could not have had sufficient elevation to bring their fire within range. In my opinion she would have been sunk in that position in a half-hour, without effecting a particle of good. In that opinion the senior officers of the council concurred, without a dissenting voice. I was the junior member of the council. The practice of the enemy's mortar fleet was perfect. As an illustration, I was satisfied before the bombardment commenced that they had been taking observations of the Manassas ; I had orders to remove my vessel to the other side of the river as soon as the fight commenced ; at the explosion of the first shell I hauled out of my position, but had not removed a ship's length before two mortar shells fell in the position I had held, and I subsequently counted sixty shots that struck, within a short time, the place the Manassas had retired from. The Louisiana presented a much larger surface than the Manassas, and one shell falling perpendicularly upon her upper deck would have been sufficient to have sunk her. The upper deck was flat and only covered with very thin iron. She was built to fight against vessels throwing broadsides at close range. We hoped to be able in three or four days to propel her at the rate of three knots an hour, which, if done, would have

enabled her to have destroyed everything in the river. The port-holes were small, so as to present as small an aperture as possible to the guns and musketry of the enemy. Her range was not designed to be greater than fifteen or eighteen hundred yards.

Question—Could the *Louisiana* have been finished, had she not been removed from New Orleans, in time to have resisted the passage of the forts or to have protected the city; state also why she was removed to the forts before her motive power was effective?

Answer—I think she could have been completed sufficiently to have protected the city had she not been removed. The day she was blown up, the 25th of April, she was to have been finished, at twelve, M. I think the mechanics could have worked to better advantage at the city than while the vessel was in motion and at the forts.

I had telegraphed to Commodore Whittle that it was necessary to make a naval demonstration in order to save the forts. He, I presume, sent her down, hoping that she might be got ready on her way down and assist in such demonstration. I also informed him at the same time that the *Montgomery* fleet was giving the forts no assistance whatever.

Question—If the ram *Manassas*, and one or two other war steamers, had been placed in position at the bar below the forts, do you think the enemy would have attempted to lighten over their ships of war while thus exposed to our fire?

Answer—I don't think they would, but at that time the *Manassas* had been sent up the river, and had her propellers broken to pieces.

Question—What measures, not adopted, might have been taken that would have been effective for holding the Mississippi river against the Federal fleet?

Answer—If the river defence fleet and the Governor Moore and the General Quitman had co-operated with the *Manassas*, as rams, they might have prevented the passage of the forts. One of the river fleet, the *Defiance*, never left the bank, and all the other boats, except the *McRae*, steamed up the river without firing a gun or taking any part in the fight. The next morning the *Stonewall Jackson* and the Governor Moore came down to the quarantine, and ran into a Yankee gunboat and sunk her. Had they acted in the same manner the night before, making their power available, they could have kept the enemy's fleet under the fire of the forts and the city would have been saved. If the fleet could have been held fifteen minutes under the fire of the forts I believe we might have sunk every vessel they had. Had there been proper use of the fire rafts it would have conduced greatly to the safety of the city. I know of but one fire-raft carried down to the fleet, which came near destroying the *Hartford*, the flag-ship of the enemy; this was taken down by the *Mosher*, commanded by a Captain Sherman, who was wounded and had his vessel sunk. There were a large number of these rafts, thirty or forty of them, which were not used, and which, even if not set on fire, would have been useful in blockading the channel had they been sent down. Stevenson, generally called Commodore Stevenson, of the *Montgomery* fleet, in attempting to carry down some fire rafts on the other side of the obstructions,

permitted them to drift upon the obstructions, which caused them to be broken in the centre, so that the middle of the river was a free and open channel.

Captain Grant, of the General Quitman, and Captain Hooper, commanding the Resolute, of the river defence fleet, came aboard the Manassas the evening before the fight, and, in course of conversation, they denied that they were under the command of Generals Lovell and Duncan, or of any one except the Secretary of War; that they were there to show naval officers how to fight.

Cross-Examination.

By Major General Mansfield Lovell.

Question—If the Montgomery defence fleet had been properly officered and manned would they not have been of very great effect in resisting the passage of the forts?

Answer—It would have been very effective to that end.

Question—State in general terms your opinion of the means placed at the disposal of the naval officers at New Orleans to enable them to co-operate with the land forces in preventing the passage of the forts on the 24th April, 1862, mentioning each vessel and its efficiency?

Answer—We had the Louisiana, a formidable vessel, with a powerful battery, but without motive power. Her crew was of mixed character, some good men and some indifferent; at least such is my opinion, based upon the fact that some of her crew were from the army, others from the lake fleet, &c. &c. The McRae was a light vessel, with a fine crew; her battery consisted of one heavy nine-inch gun and six light thirty-two-pounders; the nine-inch gun burst early in the action; for her size she was a very efficient vessel. The Jackson was only a river boat, with two thirty-two pounders. She was not in the fight; and the Manassas, a tug-boat that had been converted into a ram, covered with half-inch iron, and had a thirty-two pounder carronade; her crew consisted of thirty-five persons, officers and men. She was perforated in the fight by shot and shell as if she had been made of paper. These vessels constituted the entire naval force.

By a member of the Court:

Question—Were any torpedoes placed in any of the passes leading into the Mississippi, and could they have been there used to advantage?

Answer—I do not know of any being used there, if they could have been used to advantage anywhere, they might have been there.

The Court adjourned to meet at ten, A. M., to-morrow.

CHARLESTON, S. C., May 20, 1863—10, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Lieutenant C. B. Poindexter, C. S. navy, was then sworn and examined as a witness.

By Major General M. Lovell :

Question—State your rank and position at and before the evacuation of New Orleans, in April, 1862 ?

Answer—I was a lieutenant in the C. S. navy, and in command of C. S. gunboat Bienville, on Lake Pontchartrain, at that time.

Question—What assistance, if any, was furnished by General Lovell in arming and fitting the Bienville for service ?

Answer—General Lovell furnished five of the six guns that she carried and the powder, and was always willing and anxious to assist me in every way.

Question—At the time of the evacuation of the city what services were you requested to render in assisting General Lovell ?

Answer—When I came up to the city from Fort Pike I found the naval commandant of the station had left, when I, in company with Lieutenant Gwathmey, of the Carondelet, tendered my services to General Lovell, who requested me to detain the gunboats at the lake end of the Pontchartrain railroad, and to seize all the private steamers I could find in the neighborhood, and there to await further directions from him. That took place on the night of the 24th of April.

Question—From whom did you receive the order or request which induced you to go to Forts Pike and Macomb and bring away the troops, and were you ever requested by General Lovell to do more than hold yourself in readiness for that duty ?

Answer—From Colonel Fuller. I received no order from General Lovell to remove the troops until after they had been withdrawn.

Question—Did you observe any indecision, confusion or want of coolness and energy on the part of General Lovell in your interviews with him during the evacuation of the city ?

Answer—I did not. He was so cool and collected that I congratulated him.

Question—Were you ever requested by General Lovell to re-enter the lake, in connection with a proposed reoccupation of the forts by our troops ?

Answer—I was, on the 27th or 28th of April.

Question—What disposition, if any, of the vessels under your command was suggested by General Lovell after the evacuation of the city ?

Answer—General Lovell advised me by letter to go to Mobile, if I deemed it practicable.

Question—What disposition did General Lovell request you to make of the guns and ammunition of the gunboat Bienville, and when were they destroyed, and what was done with them ?

Answer—On my arrival at Camp Moore, when I reported to General Lovell, I had the guns, (eleven in number,) ammunition and projectiles saved from the gunboats. He asked me to take them immediately to Vicksburg, which I did, and assisted in putting them in position.

By the Court:

Question—Did you command the Confederate naval forces on Lake Pontchartrain?

Answer—I did not. I commanded the Bienville.

Question—How many steamers were you able to collect at the Pontchartrain end of the railroad, and what services did you render in compliance with General Lovell's request?

Answer—I collected three or four steamers, which were used in withdrawing the troops from the forts, but under the immediate orders of Colonel Fuller. I also carried over two batteries of artillery and fifteen hundred or two thousand troops from the city to Covington.

Question—Why did you not carry out the instructions of General Lovell to re-enter the lake?

Answer—The withdrawal of the troops, the dismantling of the forts, the burning of the gun-carriages, &c., rendered it unnecessary; besides I believed, at the time, that entrance was completely obstructed by the sinking of the Oregon.

Samuel Wolfe was then sworn and examined as a witness.

By Major General M. Lovell:

Question—What business were you engaged in at New Orleans for some months prior to its evacuation in April, 1862?

Answer—I was first a merchant, and then engaged in the foundry business.

Question—State what suggestions and aid you received from General Lovell in your operations, and what results, if any, were achieved?

Answer—General Lovell suggested that the necessities of the Government were such as to require the full use of the foundry. We set a number of men at work to make the patterns for field-pieces and ten-inch mortars, and at last patterns for ten-inch columbiads, also the requisite shot and shell for those guns. The patterns of the ten-inch mortars and field-pieces were begun in November, 1861; the patterns for the columbiads were completed about the time the city fell. We cast quite a number of field-pieces, probably six were finished, and several ten-inch mortars, one of which was completed. We had employed over a hundred men. I was not acquainted with the business myself, but my employees were. Among them was an artillery officer who was skilled in the fabrication of arms, &c. General Lovell called very frequently at the foundry and urged forward the completion of the guns ordered by him and the ordnance officer. Our supply of the iron best suited for guns was quite limited, and General Lovell gave us an order for one hundred very large water pipes, a portion of which we used. General Lovell also found that we needed a very large lathe for the working of heavy guns, and provided us with one from the other side of the river, by permission of the Government. General Lovell, early in March, issued an order to the effect that the foundry was in the hands of the Government, and the employees in its service, for the purpose of protecting them from the militia officer and to secure the entire services of the foundry; but that was unnecessary, as it had been purchased for Government use

alone. At the suggestion of General Lovell, we were putting up reverberatory furnaces, which were nearly completed when the city fell. General Lovell frequently tendered me money, which I declined to take.

Question—Were any attempts made to remove the property at your works at the time of the evacuation? State what was removed and your reasons for not removing the whole?

Answer—We were ordered, on the 24th or 25th of April, 1862, to remove all work at our shop, finished and unfinished. There were, I think, about eight brass pieces, part finished, part unfinished, sent up the Jackson railroad. The mortars that were unfinished were thrown into the basin of the new canal. Some of the mortar beds were buried in the ground at the foundry. The reasons for these acts were that we could not get men and vehicles to carry them to the railroad depot. Men were afraid to be seen working about such an establishment upon the arrival of the enemy.

The Court adjourned to meet at ten, A. M., to-morrow.

CHARLESTON, S. C., 11, A. M., May 21, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and Major General M. Lovell.

The proceedings of yesterday were read over.

The Judge Advocate then informed the Court that certain witnesses whom he had summoned from Savannah, Georgia, had left that city for Richmond before the arrival of the summons, and that there were no other witnesses to examine at Charleston.

The Court was then adjourned to meet at Richmond, Virginia, on the 1st of June, 1863, or as soon thereafter as practicable.

RICHMOND, VA., 10, A. M., June 2, 1863.

The Court met pursuant to adjournment.

Present—Major General T. C. HINDMAN,
 Brigadier General T. F. DRAYTON,
 Brigadier General W. M. GARDNER,
 Major L. R. PAGE, *Judge Advocate*.
 Major General MANSFIELD LOVELL.

Lieutenant W. H. Ward, Confederate States navy, was then sworn and examined as a witness by the Judge Advocate.

Question—State your profession and what duty you were on in April, 1862?

Answer—I was a lieutenant in the navy, on duty at New Orleans, attached to the Confederate States steamer Louisiana at that time.

Question—Were you on duty aboard the Louisiana when the enemy's fleet passed Forts Jackson and St. Philip; if yea, state what part she bore in resisting its passage, and her location during the action?

Answer—She was fought to the best advantage under the circumstances; her guns were fired with her bow down stream, the starboard battery bearing upon the channel. She had no effective motive power, and her location on the east side of the river was the best, in my judgment, that she could have taken.

Question—State all you may know touching the request of Generals Lovell and Duncan to have the vessel placed in a particular position before the passage of the forts, and if you know why their suggestions were not heeded? State also when and why the Louisiana was destroyed by our forces?

Answer—I know nothing of my own knowledge as to such request being preferred by those gentlemen.

On the morning of the 28th of April, about six o'clock, Captain Mitchell sent for the commissioned officers of the vessel and said to them when they had assembled: that he had just received a communication from Fort Jackson stating that General Duncan was about to surrender the forts to the enemy; that he had no previous information that such a course would be pursued; that a large Federal fleet had passed up the river; that if the forts surrendered we would be immediately under the fire of their guns; that we would be attacked from above and below by the enemy's vessels; that we had no motive power of our own, being dependent altogether upon two high pressure river steamboats, which would have most likely been disabled or destroyed by the enemy's first fire, and could not, therefore, withdraw from the fire that would be opened upon us by the forts.

He then asked the officers what was the best course to pursue? The unanimous opinion was that the vessel should be destroyed rather than that she should fall into the hands of the Federals. In pursuance of this conclusion, she was fired about ten o'clock that morning and, in a short time, blown to pieces. The Louisiana was the only vessel of the defences afloat that was left, except a towboat, the Defiance, which had been abandoned by her officers and crew.

Question—State the condition of the Louisiana with respect to her fighting capacity at the time she was destroyed; and state how long it would have required to have completed her for effective service.

Answer—When we left New Orleans, by some mistake or mismanagement, some of the guns, about three or four, were mounted on carriages that did not belong to them, and could not be worked efficiently in the forts; all the time we had was devoted to the correction of the mistake; there was also one gun lying in the dock that was not mounted at all. In my division, owing to an improper mounting of an eight-inch shell gun, it was ineffectual. The facilities for mounting the guns were very indifferent; it had to be done by blocking them up. Her motive power was also incomplete. She had to depend on wooden tugs to give her motion. Her wheels, which were designed as her chief motive power, were wholly inadequate, and I think they could never have been made serviceable; her propellers, which were nearly auxiliary, it was said would have been done that day, but I do not think they would have moved her; their chief value would have been to assist in steering the vessel. I looked upon her as a total failure, except that she might have been used as a floating battery, but even then her accommodations were so inferior that it would have been difficult to have lived on her. It may be well to state that the crew of the Louisiana was not full, and of a mixed and indifferent character. A company of artillery from the Crescent regiment constituted a larger part of the crew, and were not skilled in the use of heavy guns.

Cross Examination.

By Major General Lovell:

In your opinion, was the Louisiana, or could she have been made within a reasonable time, an efficient war vessel for service in the Mississippi river?

Answer—I do not think she could have been made efficient for such purposes within a reasonable time. I regarded her an entire failure.

Commander Arthur Sinclair, Confederate States navy, was next sworn and examined as a witness.

By the Judge Advocate:

Question—State your rank in the Confederate States navy, your length of service as a naval officer, and the duty you were on in April, 1862?

Answer—I am a commander in the Confederate States navy, and held the same rank when I resigned from the Federal service. I have been forty years in the navy, twenty of which I spent at sea. In the early part of April, 1862, I was ordered by the Secretary of the Navy to New Orleans to superintend the fitting out of the Confederate States steamer Mississippi then on the ways, and when finished I was to take command of her.

Question—State generally the condition of the Mississippi upon your arrival at New Orleans, your means of knowing such condition,

and the length of time you deemed requisite to complete her for service ?

Answer—She was on the ways at that time, and was not launched until about the 30th of April ; she was not near complete then, nor at the time of her destruction. She had been ironed as high as her “knuckle,” but had no iron upon her flush deck, either forward or aft, at the time she was destroyed. I was daily aboard superintending her construction, often three or four times a day. A small part of the iron for her roof or shield had been laid down, but not bolted ; one of three propellers was in position, the others lying upon the wharf ; her rudder was just commenced ; a box had been just begun to fit around the vessel—a sort of dry dock and a very tedious and heavy piece of work—which had to be constructed to enable the remaining propellers to be shipped. A portion of her machinery was on board ; her armament had not arrived ; shot and shell were in process of manufacture, but only a small quantity cast ; not a grain of powder was on board ; her port frames had not arrived, which had to be put in before the plating was bolted down.

The day the vessel was launched I borrowed from Captain Whittle, commanding the station, four old-fashioned smooth-bore thirty-two pounders and mounted them, and from General Lovell I borrowed a thousand pounds of powder, and endeavored to get them ready so that if the enemy came up I might, if possible, make some resistance with the workmen aboard, she having no crew, not a man having been shipped for her ; no complement of men had been assigned, but I thought five hundred men requisite for her crew. In attempting to mount these guns I found there was not a ring-bolt or eye-bolt, nor any iron work on the ship by which a gun could have been secured. To be within bounds, I have said that six or seven weeks were required to finish the vessel, but I believe it would have taken three months. In support of this opinion, I may mention that I left a ship at Savannah recently, which I had observed for three months ; when I was ordered there the work upon her was much more advanced than that of the Mississippi, and although she is scarcely one-fourth the size of the Mississippi, she is not yet done, though the work upon her has been prosecuted with energy.

Question—Was the work upon the Mississippi prosecuted with diligence and effect by those charged with her construction, during the time that you superintended her ?

Answer—The work during that time was pushed forward with great zeal, energy and skill ; all was done that could be done to finish her.

Question—As the officer supervising her construction, and to command her when completed, what, if any, authority or control had you over the constructors and the builders of the Mississippi ?

Answer—I had no authority over them, but could and did make suggestions, which were followed. I could also have reported them to the commander of the station or the Navy Department for any dereliction of duty.

Question—Did General Lovell ever say to you that there was a probability of the enemy's fleet passing the forts, and did he ever

recommend to you precautionary measures for the removal of the Mississippi in such event?

Answer—He never did, that I remember.

The Court adjourned to meet at ten, A. M., to-morrow.

RICHMOND, VA., 10, A. M., June 3, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General M. Lovell.

The proceedings of yesterday were read over.

Examination of Commander Arthur Sinclair continued.

By the Judge Advocate :

Question—State what measures were taken to remove the Mississippi, and whether or not she could have been saved ?

Answer—The Mississippi might, doubtless, have been launched and towed up the river many days previous to the enemy's passing the forts, and there finally completed. But her completion would have been greatly retarded, as all the workshops, material, workmen, in fact the whole naval establishment, would have had to be transferred from New Orleans to the place of transfer, and there was no place of safety above, that I knew of, short of Fort Pillow, and all above on the river was then menaced by the enemy. Her completion was a momentous affair, and therefore the work was prosecuted up to the last moment with all the energy within our power. I received no orders from the commander of the station, Captain Whittle, under whose orders I was, or from the Navy Department, to remove her until the morning of the 24th of April, the day upon which the enemy passed the forts. On that day Captain Whittle sent for and informed me that the enemy had passed the batteries and were coming up, at the same time directing me to take the ship up the river, if possible, to some place of safety, but not to let her fall into the hands of the enemy.

I immediately sent orders to the steamers engaged by the Messrs. Tift to proceed at once up to the ship yard for the purpose of taking the ship in tow. The officers sent by me upon this duty returned and informed me that the steamers referred to had been detained by order of General Lovell. I called myself upon Colonel Lovell, the General being out of his office upon business, and obtained from him the release of two of three which were engaged for this purpose, the Peytona and St. Charles. Although directed to proceed at once, they did not reach the ship yard until late in the evening. The captains of these boats showed every disposition, in fact determination, to thwart me in my wishes and to accomplish my ends. I had, with my own officers, to lash and secure them alongside, and furnished one of them, the steamer St. Charles, with an engineer, as the captain said he had only one. I finally succeeded in getting off, but found, after many hours of hard tugging against a powerful current, that I could not succeed. Assistance was promised me by Colonel Baggs or Biggs,

of the Safety Committee, but none was received. Still unwilling to "give up the ship," I went myself back to the city in the Peytona and urged the aid of the steamers, but in vain. Every variety of excuse was offered by their captains, and no disposition manifested to help me, in fact a fixed determination not to move in the matter. While thus negotiating the enemy hove in sight, and I at once started back for the ship, four miles above, intending to fire her, but the officer in charge, Lieutenant Waddell, anticipated me and applied the torch. After remaining in the stream until the ship was nearly consumed, I held a council of war with my officers, and it was determined to return to the city and offer our services to General Lovell.

I was on my way back when I met Lieutenant McCorkle, of the navy, who informed me that the enemy were off Canal street, and that General Lovell had marched his troops out. I then proceeded up the river, with my officers, to Vicksburg.

I will also state that the assistance of several steamers which passed up the river, while engaged in towing the Mississippi, was asked and refused.

I also engaged the services of navy workmen to accompany me up in the ship to try and finish her, and put on board, while awaiting the arrival of the steamers, much of the material for her completion. Some was afterwards put aboard of the steamer St. Charles, before firing the ship, taken up to Vicksburg and saved.

The Mississippi was launched on Saturday, the 19th of April, and burnt the Friday following. In this connection I would state that, on my arrival at New Orleans, there was a great desire upon the part of many persons expressed that the ship should be launched. The Tifts objected, and I agreed with them, that to launch her in her then condition would cause much delay in shipping her propellers and involve the expense of building the box or dock for that purpose, of which I have already spoken. But finding the attack about to be commenced, I recommended her being launched to her builders, the Tifts, in which Commander Mitchell joined me; the suggestion was heeded, but not until many days after, for reasons which they assigned.

Question—If the Mississippi had been completed, and with her armament and men on board, could she alone have held the river against the entire Federal fleet coming up from below?

Answer—I think she could. She would have been the most formidable ship that I ever knew or heard of—very creditable to her projectors, builders and country.

Cross Examination.

By Major General Mansfield Lovell:

Question—You have been asked whether General Lovell recommended to you precautionary measures for the removal of the Mississippi; did you consider that he was the proper person to give you advice or instructions as to your official acts and duties, and did you look to him for such?

Answer—I did not. Although I would have respected very highly his suggestions, I should have felt it my duty to have laid them before Captain Whittle, my immediate commander, before acting upon them. My orders were to report to Captain Whittle for the command of the ship.

Captain George N. Hollins was next sworn and examined as a witness.

By Major General Mansfield Lovell :

Question—What position did you hold at New Orleans and in the west in the latter part of 1861 and the first part of 1862?

Answer—At New Orleans I commanded all the vessels afloat and the naval station; in the west, near New Madrid and Island No. 10, I only commanded the vessels afloat. I left New Orleans in January or February, 1862, Captain Whittle then assuming command of the station, but not the vessels afloat.

Question—State the force you took with you from New Orleans above, and what force you left there?

Answer—I took with me from New Orleans eight vessels, averaging six guns each, except the Manassas, that had but one gun. I left no naval force at New Orleans. General Lovell urged me to leave some of the vessels there, but this I could not do, as my orders from the Navy Department were to take them all above.

Question—What conversation, if any, passed between General Lovell and yourself shortly before the fall of New Orleans relative to a proposed co-operation of your fleet with his forces for the purpose of driving the enemy from the Lower Mississippi river?

Answer—General Lovell, Captain Whittle and myself had a conversation at that time, in which we agreed that such an expedition should be made. I had often passed the Yankee batteries and knew that they could pass ours, and I was anxious that my squadron, which was up the river, should be ordered down to resist Farragut, feeling satisfied that I could have cut him up. I should have fought him to the greatest advantage. Farragut's ships would have been exposed bow foremost to my broadsides, and the sides of his vessels to the fire of the forts; had he exposed the sterns of his vessels to the fire of the forts they would have been sunk in a short time.

I had previously presented this plan to the Secretary of the Navy, but it was rejected, he replying that the main attack on New Orleans was to be from above and not below. The enemy had never passed our fortifications until they had been reduced, and I know there would have been time enough to have gone below and returned to assist the land forces at Fort Pillow.

Question—State, if you know, what steps were taken by General Lovell, in connection with Commodore Whittle, to have your fleet ordered below for such purpose?

Answer—Being detached from the command of the squadron, General Lovell and Captain Whittle prevailed upon me to remain a day longer in New Orleans, while they could communicate with the Secretary of the Navy and urge his consent to such an expedition. I did remain twenty-four hours, but no reply was received.

Cross-examined.

By Judge Advocate:

Question—While you were in command of the naval station at New Orleans, had you opportunity of observing General Lovell's official conduct; and, if so, state his habits as an officer in command?

Answer—I had good opportunities of observing him, living in the same house with him and seeing him day and night. I thought him active, zealous and most attentive to his duties.

Question—While in command of the defences afloat at New Orleans were your requisitions promptly filled, and were zeal and energy manifested by the Navy Department in perfecting the naval defences at that point?

Answer—All the powder I used was obtained from General Lovell. I could scarcely ever get money. I borrowed from the merchants of the city forty-five thousand dollars (\$45,000) in bankable funds, which the Department, after a delay of four months, wanted to refund in Confederate bonds, which were then at a heavy discount, and I believe the debt was so settled. I was all the time cramped to pay even the smallest debts due to the wives of soldiers who were making cartridge bags. I had no control whatever of the Louisiana or Mississippi. The work generally seemed to progress well, although I think, at one time, they were delayed for want of iron. There was but little energy or promptitude displayed by the Navy Department in the conduct of naval affairs at that station. My ordnance officer, Lieutenant Beverly Kennon, made contracts for naval supplies of all sorts at low rates, but many of these contracts were annulled by the Secretary of the Navy. Such articles would now bring seven or eight times the price that they were contracted for then.

I rather avoided any close inspection of the working upon the "Louisiana" and "Mississippi;" special agents, not naval officers, were assigned to that duty. The general custom is, that bills for construction of ships are always to be approved by the officer commanding the station, who has a general supervision of ships building within the limits of his command; but such was not the case with regard to these steamers.

Question—From what failure, if any, to take necessary and possible measures of defence, did the capture of New Orleans result?

Answer—Had my squadron been at the mouth of the river, I could have kept the enemy from crossing the bar; their heavier ships had to be lightened very greatly; their armament, etc., taken out before they could have been put over; I could then have whipped their smaller craft with my squadron, and have prevented their larger vessels getting over, if it had not been in my power to have destroyed them. Subsequently, when the enemy's fleet was in the river, if I had been permitted, I could have taken my squadron and have driven him back at the time he passed the forts. The refusal of the Secretary of the Navy to allow these measures to be carried out, is the cause, in my judgment, of the fall of New Orleans.

Commander J. K. Mitchell was then duly sworn and examined as a witness:

By the Judge Advocate :

Question—State when and by whose order you were assigned to the command of the defences afloat at or near Forts St. Philip and Jackson ?

Answer—On the 10th of April I received my orders from Captain Whittle.

Question—State the number of vessels, their armament, condition, etc., constituting your command ?

Answer—The principal vessel of my command was the steamer Louisiana, iron-clad, mounting sixteen guns; was without sufficient motive power even to stem the current of the Mississippi with the aid of her two tenders, the Lundis and W. Burton; her two propellers were not ready for use, and were designed more to assist in steering than in the expectation of adding to her speed, and her rudders had little, if any, power to control her movements; most of her guns had to be dismantled after arriving at Fort St. Philip and shifted to points where they could be worked, and one of them was not in position in the action of the 24th April, being dismantled. The crew of the Louisiana, aided by men from the McRae, were employed constantly, night and day, in arranging the battery for action; the decks were thus, from this cause and the presence of numerous mechanics, employed in completing machinery for the propellers, the ironing of the decks and caulking wheel-houses, much encumbered, and, being very cramped at best for room, prevented the proper exercise of the men at their guns. This condition of her motive power and battery rendered her not only unfit for offensive operations against the enemy, but also for defence, as, being immovable, her guns all round could only command about forty degrees of the horizon, leaving three hundred and twenty degrees of a circle on which she could have been approached by an enemy without being able to bring a gun to bear upon him. Her guns, from the small size of her ports, could not be elevated more than four to five degrees, which, with our best guns, would not have given a range probably of more than two thousand yards. The means for purchasing her anchors were inadequate, and it was utterly impossible to weigh them when once they were let go, either from the bow or stern, and, indeed, her steering apparatus prevented her being anchored by the stern in the middle of the river, a position, under all the circumstances, I should have preferred to being tied to the river bank, by which more guns might have been used against the enemy, and the vessel might have been warped or sprung so as to bring some of her guns to bear upon any given point.

The quarters for the crew of the Louisiana were wholly insufficient, and for her officers there were none at all, except on the shield deck or roof, under a tented awning; most of the officers and crew had to live on board of two tenders, which were also required as tugs, without which the vessel could not be moved at all. The shield of the Louisiana was effective, for none of the enemy's projectiles passed through it; but, as it only extended to the water line, a shot between wind and water must have penetrated the perpendicular pine sides. In addition to the Louisiana, the following vessels of the Confederate States navy were under my command at the forts, viz: Steamer

McRae, Lieutenant commanding Thomas B. Huger, with six light thirty-two pounder smooth bore broad side guns and one nine-inch shell gun pivoted amid ships—total seven; the steamer Jackson, Lieutenant commanding F. B. Renshow, two pivoted smooth bore thirty-two pounders, one forward and one aft; the iron-plated ram Manassas, Lieutenant commanding A. F. Watley, one thirty-two pounder in bow; Launch No. three, Acting Master Telford, one howitzer, twenty men; Launch No. six, Acting Master Fairbanks, one howitzer, twenty men. Also the following converted sea steamers into Louisiana State gunboats with pine and cotton barricades to protect machinery and boilers, viz: The Governor Moore, Commander Beverly Kennon, two thirty-two pounder rifle guns; the General Quitman, Captain Grant, two thirty-two pounder guns. All the above steamers, being converted vessels, were too slightly built for war purposes.

The following unarmed steamers belonged to my command, viz: The Phoenix, Captain ———, tender to Manassas; the W. Burton, Captain Hammond, tender to Louisiana; the Lundis, Captain Davis, tender to Louisiana.

The following named steamers, chartered by the army, were placed under my orders, viz: The Mozier, Captain Sherman, a very small tug; the Belle Algerine, Captain ———, small tug; the Star, Captain La Place, used as telegraph station; the Music, Captain McClellan, tender to forts. The two former were in bad condition, and were undergoing such repairs as could be made below previous to the 24th.

On arriving below, I delivered to Captain Stevenson written orders from Major General M. Lovell requiring him to place all the river defence gunboats under my orders, which consisted of the following converted towboats, viz: 1st, The Warrior, under the immediate command of Captain Stevenson; 2nd, the Stonewall Jackson, Captain Philips; 3rd, the Resolute, Captain Hooper; 4th, the Defiance, Captain McCoy; 5th, the General Lovell, ———; 6th, the R. J. Breckinridge, ———, joined the evening before the action. All of the above vessels mounted from one to two pivot thirty-two pounders each, some of them rifled. Their boilers and machinery were all more or less protected by thick double pine barricades filled in with compressed cotton, which, though not regarded as proof against heavy solid shot, shell and incendiary projectiles, would have been a protection against grape and canister, and ought to have inspired those on board with sufficient confidence to use their boats boldly as rams, for which they were, in a good measure, prepared with flat bar iron casing around their bows; in thus using them their own safety would be best consulted, as well as the best way of damaging the vessels of the enemy.

Question—Did you have any control or authority over the Montgomery or river defence fleet?

Answer—None. Captain Stevenson, who commanded them, on receiving General Lovell's orders, addressed me a communication to the effect that all the officers and crews of the vessels under his command had entered the service with the distinct understanding or con-

dition that they were not to be placed under the orders of naval officers; and therefore, while willing to co-operate with my forces, he could receive no orders from me himself, nor allow any vessel of his command to do so; that he reserved to himself the right of obeying or not any orders I might issue. His attitude with respect to my authority was one of absolute independence of action and command, and very embarrassing in the face of the enemy. A copy of his communication was sent by me to General Duncan, and one, through Captain W. C. Whittle, to General Lovell, informing them at the same time that the position assumed by Captain Stevenson relieved me from all responsibility for the conduct of the vessels under his command. Not knowing what moment an attack might be made by the enemy, I endeavored to agree upon a plan of co-operation with his forces by the arrangement of signals and concert of action, and the particular service to be performed by him—an endeavor which he himself seemed disposed zealously to second in many respects.

Question—If the fire-rafts and guard-boats were under your command, state why they were not used to watch the enemy's movements the morning the enemy's fleet passed the forts?

Answer—The five (5) boats were under my control, and Captain Stevenson reported to me the evening of the 23d that each one of his vessels and the two tugs had a fire-boat secured to her ready for firing, and to be towed against the enemy's vessels in the event of an attack. I was getting, however, most of the fire-boats into position, to be chained or strung together, and so made to form a cordon, if possible, entirely across the river, on the enemy's attempting to pass the forts, for which purpose they had been specially prepared, chiefly under my direction, and with some aid from General Smith, before they were sent down from New Orleans, the chains for which had, however, been scattered about so that the fire-boats could not be made ready in this manner before the attack of the enemy. The little unarmed tug Mozier, it is thought, was the only one that succeeded in towing one of the fire-boats against a vessel of the enemy, by which she was set on fire, but it was soon extinguished, and the Mozier was sunk by the enemy's shot. I am not aware of more than one or two of the fire-boats having been fired during the passage of the enemy. The night of the 20th of April, on my way down in the Louisiana, the enemy's boats are said to have visited the raft obstructions and cut the chain. To prevent further injury to it, to break up the night reconnoissances of the enemy, and to watch and report all his movements, I was unsuccessful in my efforts to get Captain Stevenson to employ one or two of his gunboats below the obstructions at night. Although favoring the idea, he seemed to have no confidence in the fitness of his commanders for the service, and I could not induce him to give the necessary orders to them. I had no suitable vessels for this duty under my command—the only one that would have answered (the Jackson) having been sent with the launch No. 3 five miles above to the quarantine station, at the request of General Duncan, to watch the enemy in that neighborhood and prevent his approach through any of the adjacent bayous and canals. The vessels under Captain

Stevenson having guns aft, and being converted tow-boats, were well calculated for the duty of making reconnoissances or keeping guard below, from their light draft, easy management in the river, and being comparatively low in the water. The McRae, the Manassas, the Governor Moore and the General Quitman were all converted sea steamers of a deep draft, great length, high out of the water, except the Manassas, and very difficult to handle, and none of them, I think, had after guns. One of the two launches (No. 6) was kept near me for the special purpose of acting as a guard-boat for the two nights preceding the action, and was well provided with the means for signaling the approach or any unusual movement of the enemy by firing its howitzer and setting off rockets. She was stationed below St. Philip, but on the appearance of the enemy, or sooner, her commander deserted his station, returned clandestinely to the Louisiana, made no report of it, and, consequently, no alarm was given, at least by him.

Question—Was the river defence fleet of any service in resisting the enemy's fleet in passing the forts ?

Answer—I am not aware that the river defence fleet did any service in resisting the enemy; if they did, it did not come under my observation, nor has it in any way been brought to my notice. I understand that four were destroyed by the enemy, or set on fire and abandoned by their own crew; also the Louisiana State gunboat, General Quitman. The Resolute was run ashore and abandoned, and finally burnt by my order, to prevent her falling into the enemy's hands, as it was impossible to float her off on account of shot holes through her bows. The Defiance was discovered in our immediate vicinity after the action, having escaped without any material damage.

Question—State why you did not comply with the request of Generals Lovell and Duncan to place the Louisiana in the position they desired her to take prior to the passage of the forts ?

Answer—The chief reasons for not placing the Louisiana in the position desired by Generals Lovell and Duncan below Fort St. Philip, were that she would at once be under the fire of the enemy's mortar fleet, the position proposed being about the same distance from his fleet as Fort Jackson, and he would only have to change slightly the direction of his fire to throw his shells with speedy and fatal effect on the deck of the vessel, while her guns, as stated in my answer to the first question, would not have a range probably greater than two thousand yards, which was of course too short to reach his mortar fleet, for the seven (7) inch navy rifle in Fort Jackson, mounted on high parapets, and with an elevation of about thirteen (13) degrees, could not reach them, as I was credibly informed. For these reasons alone, the position proposed would have been an improper one for the Louisiana. But her battery was not ready for use, and parties of mechanics were busy day and night preparing the propellers for service, and, besides, the strong current, deep water, and coming immediately under fire of the enemy, she could not have been secured properly. I made a reconnoissance the afternoon of the the 23d, and

determined that the proper position for the ship was below Fort Jackson, where the current and anchorage would admit of her being secured before the enemy could open his fire with effect, and from whence he could be in effective enfilading range of the Louisiana's guns. This position I purposed taking with the Louisiana as soon as she was in a condition to be placed under fire of the enemy, which I hoped would have been the next day.

Question—Who was in immediate command of the Louisiana in the conflict with the enemy's fleet, and was the ship, in your opinion, fought to advantage?

Answer—Commander Charles McIntosh was in immediate command of the Louisiana, and the ship, in my opinion, was fought to the best advantage, under the very disadvantageous circumstances which have been detailed in my previous answers.

Question—Why was the Louisiana destroyed? Could she not have been saved?

Answer—The Louisiana was destroyed by my order on the unanimous advice of all the commissioned sea officers within my reach, because the forts were about being surrendered to the enemy, under the close fire of which she lay, with a heavy naval force both above and below her, from which it would have been impossible to escape or to attack, for want of motive power, and, if not destroyed, she must inevitably have fallen into his hands, as she could have been approached from many points by his vessels, without being able to return his fire with effect from a single gun.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 4, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Examination of Commodore J. K. Mitchell, continued.

Cross-Examination.

By Major General M. Lovell:

Question—While you were in charge of the naval station at New Orleans, was not there a cordial co-operation between the military commanders and the naval officers at that point, so far as was practicable?

Answer—There was so far as I know. Applications were often made for powder which were not always promptly satisfied, I suppose for good reasons on the part of General Lovell. At all events the delays occasioned no unpleasant feeling. Nearly all the powder received came from the army; all that was used on the Louisiana was supplied by General Lovell.

By the Court:

Question—In your judgment were the Confederate States naval forces, placed at your disposal for co-operation with Forts Jackson and St. Philip, at all adequate to the requirements of the occasion?

Answer—Not at all adequate. The enemy had five first class sloops-of-war, independent of seven (7) or eight (8) gunboats; every one of which sloops was a match for my entire force, in the condition of the Louisiana at that time.

Question—Were you acquainted with the vessels of Commodore Hellins' squadron? In your opinion, could those vessels, together with such others as could have been added, have prevented the enemy's passage over the bars at the mouths of the Mississippi, or could these vessels at any time afterward have driven the enemy's fleet out of the river?

Answer—I was acquainted with the squadron. I do not think it, with other vessels that might have been added, could have prevented the crossing of the bar, nor afterwards have driven the enemy's fleet out of the river.

Question—In the defence of New Orleans was anything omitted to be done by which the city might have been saved?

This question was objected to by Major General Lovell, because the witness is an officer of the navy and cannot be considered an expert as to army affairs, there being no proof to show him possessed of skill in military affairs, which alone would authorize an answer to the question.

(The Court was then cleared for deliberation, and, when re-opened, it was announced that the court overruled the objection.)

Answer—On the part of the navy there was nothing omitted by which the city might have been saved; on the part of the army I am unable to say that any step was omitted that should have been taken for its defence.

Lieutenant W. Gwathmey, Confederate States Navy, was next sworn and examined as a witness.

By Major General M. Lovell:

Question—Where and on what duty were you immediately before the fall of New Orleans?

Answer—I was the Lieutenant commanding the Confederate States gunboat Carondelet, in Lake Pontchartrain at that time.

Question—What, if any, assistance did you receive from General Lovell, in fitting out the Carondelet for service?

Answer—Her armament was furnished chiefly by the army; five out of seven guns came from that source; also thirty men, as a part of her crew were supplied from Fort Pike.

Cross-Examination.

By the Judge Advocate:

Question—Did you see General Lovell after the passage of the forts, and during the evacuation of New Orleans; if so, did he seem

cool and collected, and competent for the duties devolved upon him by the disaster to the city?

Answer—I saw him the evening after the enemy's fleet had passed the forts; he seemed to me very cool and collected, decidedly competent for the work on hand.

Major C. S. Venable, Confederate States army, was next sworn and examined as a witness.

By Major General M. Lovell:

What duty were you on at the time of the evacuation of New Orleans in April, 1862? State what was done by you under orders of General Lovell, in the removal of public property, army stores, &c.

Answer—On engineer duty. On Sunday morning, April —, after the evacuation, I was sent back by order of Major General Lovell to act in conjunction with Major James and others in the removal of public property. After reaching the city I considered myself as acting under Major James, by General Lovell's order.

These orders were, as I understood, to remove all public property belonging to the Confederate States or State of Louisiana, which could be transported and be of use to the army; also, the guns on the fortifications in the rear of the city, for use on works to be re-erected at Vicksburg, papers and other property of the engineer department, &c. We arrived in New Orleans on Sunday afternoon in the train from Camp Moore. Arrangements were made that night by Major James, and agents set to work.

On Monday I took charge of the shipment of the stores, hire of laborers, drays, &c. A large amount of public stores were shipped: light artillery, shot and shell from the arsenal; a great quantity of clothing, shoes and blankets belonging to the State of Louisiana; medical stores, commissary stores, some machinery; leather and harness belonging to a Government contract; many new wagons and other articles of camp equipage; in fact everything that could be found by the indefatigable search of Major James, who seemed to be well acquainted with the city and citizens. Lieutenant McDonald of the Engineers, whom we found in the city, was engaged on the same duty. I sent drays down to Chalmette to bring away camp equipage said to be left there by the troops, but found none.

I made efforts to have the ammunition removed from Proctorville, but failed on account of the short time, and some misunderstanding of orders by the sergeant in charge. We met with much difficulty in procuring labor, on account of the confusion and excitement of the people. This will account for the want of success in the removal of the guns on the fortifications, as this required a peculiar kind of transportation, and guns for shipping. Several guns and two mortars were carried to the depot, but I do not think they were shipped.

On Wednesday, the 30th instant, General Lovell, who was in the city at the time, ordered Lieutenant McDonald and myself to remain still longer, and urged especially the removal of the guns. We found it impossible to procure the necessary transportation and labor for this purpose, but found other stores of the commissary department,

which had been overlooked, and succeeded in shipping some by the railroad, and the rest by a schooner to Manshac. Many citizens aided us in our efforts, among them Mr. Bell, civil engineer, especially, in bringing guns to the depot.

On Thursday or Friday I returned to Camp Moore, the transports of the enemy having reached the city. The confusion was great, and there was an increasing timidity on the part of citizens to act with us. I signed many receipts for goods delivered at the depot, made contracts, and offered rewards for the delivery of guns at Manshac, by order of Major General Lovell, as the necessity of the occasion demanded. The stores saved were large in amount and value, and so far as my information went, constituted by far the greater proportion of those which were in the city.

By the Judge Advocate :

Question—What was General Lovell's demeanor during the evacuation when you were with him? Did he seem confused and overwhelmed with the work before him, or was he cool and collected?

Answer—I saw him with his staff riding to and fro in the streets at that time giving orders; he seemed, on the occasions that I met him, cool and collected. He gave me orders upon my application, and they were given in a clear and satisfactory manner.

The Judge Advocate here stated to the Court that he had been summoned to appear to-day as a witness before a court-martial, and that the only witnesses, as far as he was then advised, remaining to be examined, were not likely to arrive in the city for several days; thereupon the Court adjourned to meet at eleven, A. M., the 8th instant.

RICHMOND, VA., 11, A. M., June 8, 1863.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Peter W. Woodlief, a citizen, was next sworn and examined as a witness.

By Major General Mansfield Lovell :

Question—What business were you engaged in prior to and at the time of the evacuation of New Orleans, in April, 1862?

Answer—I was a contractor with the Government for the furnishing of all sorts of military supplies.

Question—What amount of the property in your possession, available for military purposes, was brought out of the city and turned over to the Government agents?

Answer—I delivered to the Government agents for removal, and removed myself from New Orleans at that time, about one hundred thousand dollars (\$100,000) worth of such property, consisting of harness, saddles, valises, saddle-bags, horse-shoes, clothing, blankets, &c.

These steps were taken of my own motion, and not by order of General Lovell, though he knew I was engaged in the removal.

Captain William C. Whittle, C. S. Navy, was next sworn and examined as a witness.

By the Judge Advocate :

Question—When and by whose order did you assume command of the naval station at New Orleans ?

Answer—About the 23th of March, by order of the Secretary of the Navy.

Question—Did you approve the conduct of Commodore Mitchell, with reference to the disposition of the Louisiana, during the fights at Forts Jackson and St. Philip, in April, 1862 ?

Answer—I neither approved nor disapproved his conduct touching the management of the Louisiana at that time, not knowing the circumstances which surrounded his command.

Question—If you know state whether the work upon the steamers Louisiana and Mississippi was pressed forward with energy and skill by the builders, while you were in command of the naval station at New Orleans ?

Answer—I can't say that I had any personal knowledge as to the work upon those vessels, but from all I could learn from the builders and officers connected with the Mississippi, the work must have progressed well. If I had not thought the work was getting on well, I should have reported the fact to the Department, notwithstanding I had no authority over the builders of the Mississippi.

Question—If you had opportunities of observing, be pleased to state the demeanor of General Lovell during the evacuation of New Orleans ?

Answer—We sat together at breakfast the morning after the enemy passed up. I saw nothing in his demeanor derogatory to him as an officer.

Cross Examination.

By Major General Mansfield Lovell :

Question—Was there cordial co-operation between yourself and General Lovell as far as the circumstances of the respective arms of service would allow, and always good feeling between you ?

Answer—There was. I believe the very best feeling existed between us.

Question—Were the naval means at your disposal for co-operation in the defence of the Mississippi river at all adequate for that purpose ?

Answer—They were not, in my judgment. I only had command of the station on land. Commander Mitchell was placed by me temporarily in command of such defences as we could muster for the fight at the forts.

Question—What steps were taken by you to have Commodore Hollins assist in the defence of the lower river ?

Answer—I telegraphed Commodore Hollins that his presence with his fleet might be important at New Orleans, if he could be spared for a few days from above.

After Commodore Hollins had received a dispatch withdrawing him from the command afloat at New Orleans, General Lovell and myself had a conversation on the subject of his removal, and General Lovell was authorized by me to use my name in connection with his own in a communication to the Government requesting that Commodore Hollins might be permitted to remain there longer.

There was time enough in my opinion for the fleet to have come down.

By the Court :

Question—Did you make, or cause to be made, any inspection of the Louisiana; if so, when and what defects, if any, presented themselves; what steps were taken to remedy those defects; was there sufficient time to remedy them before the vessel was destroyed?

Answer—I had daily reports of the condition of the Louisiana. She was deficient in motive power. All the workmen considered necessary and all requisite were placed upon her and used before she left New Orleans; there was not time enough to remedy this defect in view of the circumstances.

Question—What length of time would reasonably be required under the circumstances existing since secession to build and equip for service such a vessel as the Louisiana; answer same question as to the Mississippi?

Answer—I have no idea of the time to build such vessels, not being acquainted with the building of such vessels, they being entirely new, and not being a naval constructor.

Question—Could Commodore Hollins' squadron, with such other vessels as might have been added, have prevented the enemy's vessels from crossing the bar at the mouths of the river, or when in the river have prevented the passage of the forts?

Answer—My impression is, that if Commodore Hollins had been present with his fleet near Fort Jackson, when they attempted to pass there, that in connection with the naval force already there, and the co-operation of the forts, they would have greatly embarrassed, if they had not succeeded in stopping, the passage of the enemy's fleet.

Question—In your opinion, was it practicable to save the Mississippi from the time the attack was commenced upon the forts and their passage with the means on hand?

Answer—I do not think she could have been saved.

The following communications were then read to the Court by the Judge Advocate :

RICHMOND, VA., June 4, 1863.

Major L. R. PAGE, *Judge Advocate, &c.* :

SIR: I respectfully request that the findings and opinion of the Naval Court of Inquiry that has already examined into my conduct as a participant in the defence of New Orleans, may be spread

upon the record of the Military Court now investigating the same subject in this city.

This request is made because I understand this latter tribunal is authorized to pronounce an opinion upon the conduct of naval officers on duty at New Orleans.

(Signed,)

Very respectfully,

J. K. MITCHELL,
Commander C. S. Navy.

RICHMOND, June 8th, 1863.

Major L. R. PAGE, *Judge Advocate,*
Court of Inquiry, &c., Richmond, Va. :

SIR: I respectfully request that the findings and opinion of the Naval Court of Inquiry, in the case of the destruction by fire of the C. S. steamer Mississippi, may be placed upon the record of the Military Court, now in session in the city, as I learn that the conduct of naval officers is authorized to be pronounced upon by said tribunal.

Very respectfully, &c., your obedient servant,

A. SINCLAIR,
Commander C. S. Navy.

It was thereupon ordered by the Court that the foregoing communications be made a part of the record, and that the Judge Advocate reply to Commanders Mitchell and Sinclair that this Court will recommend that the same publicity be given to the findings and opinion of the Naval Court of Inquiry referred to in their communications, as to the findings and opinion of this court.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 9, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and Major General M. Lovell.

The proceedings of yesterday were read over.

Lieutenant Colonel E. A. Palfrey, C. S. army, was next sworn and examined as a witness.

By the Judge Advocate:

Question—Where were you on duty in April, 1862, and for several months prior thereto? What was your rank and position at that time?

Answer—I was on duty as major, adjutant general's department, on the staff of Major General Lovell, in the city of New Orleans, from the 7th November, 1862, to the fall of the city.

Question—What were the business habits of Major General Lovell during that time ?

Answer—The office opened at half past nine A. M., the General remaining in the office about three hours in the morning ; from that time until eight, P. M., (excepting the interval for dinner,) he was generally mounted, making an inspection of the camps and batteries. At eight, P. M., he returned to the office, where he met his staff. His duties generally detained him until ten or eleven o'clock, and sometimes later. As well as I remember, the routine of duty that should obtain at headquarters was observed, business being despatched with regularity and promptitude. I don't know that the General was ever absent a day from his office except on duty.

Question—Had you conversations with General Lovell touching the condition of the defences of New Orleans and his ability to resist the attack of the enemy ? If so, state the substance of those conversations.

Answer—He expressed confidence in his ability to resist the enemy so long as the obstructions at the forts might continue.

Question—Did General Lovell ever express to you any distrust as to the continuance of the obstructions ?

Answer—About the 1st of March, to the best of my recollection, he expressed some apprehension lest the accumulation of drift might destroy the raft.

Question—After the raft had been broken did he ever say to you that he considered the passage of the forts was practicable ?

Answer—I don't think he ever did ; but in a letter of March 10th, to the Secretary of War, which came under my inspection, I think he said as much.

Question—Did General Lovell ever make known to you by word of mouth that the city of New Orleans could be taken by the enemy after the destruction of the raft between the forts, or from your conversations with him were you impressed with the belief that the city of New Orleans was likely to be captured ?

Answer—I was not that I remember.

Question—When was the piling begun at the Rigolets, when was it completed, and when washed away or destroyed ?

Answer—It must have been begun and completed after the 18th of February, and it was destroyed before the city fell.

Question—Do you know whether any preparations were made for an evacuation before the forts were passed, or while the fight was there progressing ?

Answer—As near as I remember commissary stores were sent from the city to various points on the railroad and to Covington some ten or fifteen days before the passage of the forts. That is all that I can recollect, and I regarded it rather as a precaution in the event of disaster, than a preparation for an evacuation.

Question—Was the evacuation conducted with as much order and effect as the circumstances would allow ?

Answer—I saw but little of the evacuation ; the little I did see was conducted in an orderly manner.

Question—Did you see General Lovell often during the evacuation? If so, state his demeanor on such occasions.

Answer—I saw General Lovell upon his arrival from the forts, immediately after their passage by the enemy. He placed me in charge of the office and went out, I presume to make ready to receive the enemy. I saw him late that night at the camp of the Confederate Guard regiment; saw him again the next morning between nine and ten o'clock, when he ordered me to pack up the records and proceed with them to the Jackson railroad depot. I saw him again at the depot just before the last train started, after all the troops had left the city, or were leaving on that train, he being among the very last to leave. At no time did he exhibit anything like flurry or a want of presence of mind.

Question—Were the troops that left the city demoralized in their bearing, or did they conduct themselves like disciplined soldiers?

Answer—I saw no further evidence of demoralization or want of discipline than is usual among raw, fresh levies.

Question—What forces were in the city and removed at the time of the fall?

Answer—There was but one company of Confederate artillery, disciplined, Semmes' battery, and about four thousand militia, turned over for local defence by the Governor a short time before the city fell, armed chiefly with old altered muskets and double-barreled shot-guns—the shot-guns predominant. The majority of the militia and local defence troops remained in the city, and a large portion of the local defence force that went to Camp Moore returned to the city, being over age, and merely enlisted for duty in New Orleans.

Question—What was the character of the population in New Orleans, in a military point of view, when it was captured?

Answer—The best fighting material was off in the armies of the Confederate States; that left consisted of old men and foreigners. A large portion of the German population was disloyal. There were a good many others capable of bearing arms, but there were no arms for them.

Cross-Examination.

By Major General Lovell :

Question—Was General Lovell in the habit of expressing his hopes, fears, plans and views to those about him on duty?

Answer—He was not.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 10, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Lovell.

The proceedings of yesterday were read over.

Archibald Mitchell was next sworn and examined as a witness.

By the Judge Advocate :

Question—Where did you reside, and what was your occupation, during the year 1861, and until May 1862 ?

Answer—I resided in New Orleans, and was the principal foreman of the iron foundry of Leeds & Co. during that time.

Question—How long have you been in the iron foundry business, and what was the character of the work made by Leeds & Co., in their establishment ?

Answer—Since the year 1836. Sugar mill machinery, steam engines, boilers and saw mills, and all sorts of machinery were made in their establishment. The works were the largest in the city, and had been in operation continuously since 1824 or 1825, and employed some three hundred (300) hands.

Question—Do you know who were the contractors for the engines, &c., which were to be placed upon the Mississippi, a gunboat or ship-of-war being completed in New Orleans at the time of its capture ; if so, state their resources for a prompt compliance, with your opinion of their ability to fulfill such contract ?

Answer—Mr. Kirk was the contractor, but he used the name of Jackson & Co. His establishment was next to that of Leeds & Co. in capacity, working seventy-five (75) hands. He was generally reputed to be a man of limited pecuniary resources and of inferior mechanical capacity, but I have no personal knowledge on these points. It was a mechanical impossibility for him to have finished such a contract in the time agreed upon, to wit : three (3) months. No establishment in the city could have performed the contract within that time. From my knowledge of the machinery of that vessel, and the fact that Leeds & Co. could not, with greater facilities for the despatch of such work, have completed the contract in less than four (4) months, I am of opinion that Kirk, with far inferior force, could not have complied with the terms of contract as to time. The contract was made about the latter part of September, and when the city fell the machinery was not then completed. When the enemy were assembling at Ship island in force, some weeks previous to the fall of the city, much of the work of the Mississippi was distributed among other establishments. Leeds & Co. had about six thousand dollars (\$6,000) worth of it to do.

Question—Did Leeds & Co. make a bid for the construction of the machinery for the Mississippi ; if so, state their proposals with reference to the amount for which they would do the work and the time at which they would complete it ?

Answer—They did make such a bid, and, to the best of my recollection, they agreed to make the entire machinery of the vessel for sixty-five thousand dollars. I don't think they proposed any definite time as to the completion of the work, but expressed the opinion confidently that it could be done in four months. We could have made closer estimates, but we had no drawings or specifications. I believe we would have bound ourselves to have finished the work within five months. The capacity of an establishment like that of Kirk and

Leeds & Co. was limited by the quantity of machinery they had. Leeds & Co. could not have made a greater force than they had available.

Question—Do you know who were the builders of the machinery of the Louisiana?

Answer—I do not know of my own knowledge, though I am well satisfied that Kirk and a machinist named John McLean did the work. I don't know where they are.

Question—How long had Kirk been established in the city, and what, if you know, was his general reputation as a business man?

Answer—He had not been long in the city before the war began. His reputation was that he was a man destitute of principle, though it was not generally so reputed at the time he took the contract for the machinery of the Mississippi.

Question—Did General Lovell ever visit the works of Leeds & Co., and manifest an interest in the progress of the Government works?

Answer—He visited there frequently, and urged the progress of the work.

Question—Were any heavy guns made at Leeds & Co.'s establishment, or were any rifled or banded?

Answer—We made a few heavy guns for the navy and one for the army. We rifled quite a number of old thirty-two and forty-two-pounders for the army; and we banded one seven-inch gun. I do not recollect whether any more were banded.

Question—Were Leeds & Co. ever applied to by General Lovell to make heavy guns on an extensive scale, or could they have done it?

Answer—I do not know that he did. He did business with Mr. Thomas Leeds, who is now dead.

Question—Was the establishment of Leeds & Co. in constant employment for the Government?

Answer—It was steadily employed for the Confederate States and the State of Louisiana from within a short time after the war begun. The proprietors refused to undertake work for planters, &c.

Question—Were you in New Orleans when it was evacuated; if so, state if you know whether Leeds & Co. removed their machinery and such material of war as might have been then in their establishment?

Answer—None of the machinery was removed, but all the Government work was sent off that could be; much the larger portion was removed under the order of Colonel Lovell, received on the morning of April 24, 1862. About two hundred tons of shot and shell were all that was left and that could have been got off, but the railroad became gorged up, and its agents refused to receive more.

From experiments and authorities on the subject, we found that heavy guns could not be well made with the machinery we had; the iron was much injured by being fused in a cupola furnace, but we went to work and had nearly completed a reverberatory furnace when the city fell.

Question—Did you ever inspect the machinery being erected on board of the Mississippi; if so, when, under what circumstances, and

what time, in your opinion, would have been required for its completion?

Answer—I did, about the 15th of April, 1862, in company with Mr. Cook, a well known machinist of New Orleans, who had been requested to make the inspection by a committee in the city. We were of opinion that, with the best assistance of other establishments in the city, aside from Kirk's, it might have been done in six weeks.

Hon. C. M. Conrad was next sworn and examined as a witness.

By the Judge Advocate :

Question—Have you not been a member of Congress from the city of New Orleans since the organization of the Confederate States Government, and for the same time have you not been Chairman of the House Committee on Naval Affairs? If so, state all you may know touching the defences of New Orleans, particularly its naval defences, its capture by the enemy and its evacuation.

Answer—I know very little about the defences of New Orleans generally, being absent most of the time from the commencement of the war until it was taken, first at Montgomery and afterwards in this city. I will state, however, from the commencement of the war a great deal of anxiety was felt by the citizens for its safety, as there was no defence whatever from an attack from above, either by land or naval force, and the only defences below were the two forts, Jackson and St. Philip, which were known to have a very insufficient armament, and which it was known the highest military or naval officers regarded, even with a complete armament, inadequate to prevent the passage of steamers. At that time no preparations whatever had been begun to resist an attack by land; under these circumstances, the city authorities determined to provide, as far as possible, for the defence of the city, aided also by the Governor of the State. They made a large appropriation in money, and, I think also, the Governor assumed the responsibility of advancing some, on behalf of the State, for the purpose of erecting fortifications around the city. Engineers were employed for this purpose. These works were commenced, but they seemed to advance very slowly, and I was requested to see the President to have one or more engineers assigned to duty there. A committee of the council came or sent to procure guns for the works, and some guns were obtained, but not as many as were demanded for these works were supplied. Still, however, great complaints were made as to a want of energy in the construction of the works, and great anxiety manifested lest they would not be done in time; under these circumstances, the Government determined to send General Lovell to take command. I returned to New Orleans about the time the General did. I had, myself, but little opportunity of judging of the manner in which he discharged his duties, as I only remained four or five weeks, and returned to Richmond, but I must say that it was a subject, at the time, of general congratulation among the citizens, that more energy seemed to be infused into the work of defence than had previously prevailed. He immediately visited all the forts, (which General Twiggs' infirmities prevented him from doing,) and it was understood that he had made important changes in the land defences.

I left there favorably impressed with his administration, although without accurate knowledge on the subject, and so stated on my arrival here. I observed, however, that the iron-plated gunboats were progressing slowly. I went up to look at them; the work on one of them, I think it was the Mississippi, had been suspended for ten or twelve days. While I was there, this was a subject of remark among the citizens generally. During the course of that winter I received frequent letters from my constituents complaining of the slowness with which the work advanced, and requested that I should urge the adoption of measures to expedite the work. Either before I left New Orleans or after arriving, some one suggested that arrangements should be made to have the vessels worked upon at night and on Sundays, as there were many mechanics idle in the city that could relieve each other. I saw the Secretary of the Navy frequently upon the subject of these vessels; told him that I considered that the safety of New Orleans depended mainly if not entirely upon them, so far as a naval attack was concerned, which was the only one I apprehended, and I informed him of the anxiety that was felt by the people of New Orleans on the subject. The Secretary did not, however, seem to be alive to the magnitude of the danger, although I read him an extract from a New York newspaper containing a description of iron-plated vessels that were being built at St. Louis and Cincinnati, also expressly to descend the Mississippi, and spoke of similar gunboats being built at New York. I mentioned the suggestion, which I thought a good one, that the work upon these vessels should be continued at night and on Sundays. I do not remember what he said about night work, but in regard to working on Sundays, he said it would shock the religious sensibilities of the people. I told him, in reply, that so far as my constituents were concerned, there were none of them that would be at all shocked; that the enemy would not hesitate to attack us on Sunday, and I did not see why we should not prepare to defend ourselves on Sunday.

The letters to me also mentioned, on several occasions, that the mechanics employed on the naval works were not punctually paid, and, in consequence, they were greatly dissatisfied and much indisposed to work for that arm of the service. I think they stated that numbers had left on that account, refusing to work. I invariably informed the Secretary of the Navy of these complaints or read him that portion of the letter; he did not seem at all surprised at this information, but stated that the Treasury Department failed to supply him the funds as fast as they were needed. On one occasion I was somewhat excited because I thought he treated such information too lightly, and told him I did not know anything more important to which money could be applied than the completion of the two vessels upon which the safety of New Orleans depended, and that as he was responsible for the improper prosecution of the work, I thought it was his duty to insist that the money should be so applied. Finally, a committee of several prominent citizens of New Orleans were deputed to come on here to urge the Government to more energetic measures in regard to the two gunboats; they came to me, and I in-

roduced the chairman, Mr. Wm. Henderson, a respectable merchant of the city, a very zealous and energetic man, to the President and the Secretary of the Navy, and he represented to them the delay attending the building of these vessels, and made some suggestions on the subject, the nature of which I do not now recollect. He spoke particularly of the backwardness of paying the workmen as one cause of the delay. After the interview, he said orders had been given to remedy the financial troubles, and also for the shipment of "the shaft," that had been here for some time. This was in January or February, 1862. After this, however, the complaints about the slow progress of the work still continued, and I frequently saw the Secretary and informed him of the uneasiness felt by the citizens for the safety of New Orleans, in which I fully participated. I at last came to the conclusion that New Orleans would be taken, the only question in my mind being whether by the gunboats from above or the fleet from the sea. So strong was my belief that I mentioned it confidentially to several of my friends, though I did not publicly declare it, not deeming it prudent. Mr. Mallory having addressed a letter to the chairman of the Committee on Naval Affairs, recommending the construction of a foundry and naval depot at New Orleans, I mentioned to the committee my opinion on this subject as a reason why the suggestion should not be adopted, as I thought New Orleans would probably be taken that spring, and accordingly I wrote a letter to the Secretary, in reply to his note, in which I mentioned, as our reason why his suggestion was disapproved by the committee, the belief or the apprehension felt by them that New Orleans would be captured owing to the backwardness of the naval preparations at that place. This was some five or six weeks before the attack on the forts. I also felt it my duty, both as the representative from New Orleans and as chairman of the Committee on Naval Affairs, publicly to proclaim in Congress my conviction of the incapacity or inefficiency of the Secretary of the Navy.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, June 11, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Lovell.

The proceedings of yesterday were read over.

Examination of Hon. C. M. Conrad continued.

By the Judge Advocate:

Question—Did not the President grant the request preferred by you, on behalf of the citizens of New Orleans, for engineers to take charge of the fortifications there in process of construction?

Answer—There was already a Confederate States engineer officer

there; a Major M. L. Smith, but General Twiggs had expressed to me doubts of his activity and energy, although he spoke highly of him in other respects, and expressed a wish that some officer of more distinction should be given the superintendence of the works at New Orleans. On my arrival here I conferred with the President upon the subject, and he expressed very great willingness to comply with the request as far as practicable, but stated that very few engineers had resigned and come over to us from the old service, and that there was a great deficiency in our army as to that corps. He looked over the list and found that some had already been assigned to important duty, and of those that remained he said that he would send any of them that General Twiggs would prefer, but expressed the opinion, from what he had heard of Major Smith, that he was as competent as either of those that were mentioned as disposable.

I informed General Twiggs of the result of my interview, but am unable to say whether or not any change was made.

Question—Do you know any particular facts touching the defences of New Orleans, not before stated, which you deem important; if so, state them?

Answer—I know nothing further on this subject than I have stated, except the condition of Fort Jackson before or shortly after General Lovell's arrival, and that shortly after the commencement of the first session of the Provisional Congress, at Montgomery, in February, 1861, before the President was inaugurated, either Major now General Beauregard, or some one else, sent me a slip from a paper containing a letter from General Beauregard, in regard to the defences of New Orleans. In this letter he expressed the opinion that the forts below the city would not be sufficient to prevent the passage of steam vessels of war, even if their armament was complete and the guns of the heaviest calibre; but added, that the armament was not complete nor the guns of the heaviest calibre. He recommended, therefore, that some measures should be adopted retarding the progress of such vessels—keeping them under the fire of the forts. He suggested two modes that might be adopted to accomplish this end; the one was the stretching of heavy chain cables across the river, the other, which he considered most effective, the construction of a raft in the channel, and stated that he had prepared a plan of such raft, and gave an estimate of its cost. Considering this communication a very important one, I summoned the Committee of Naval Affairs and laid it before them. They agreed with me, and it was determined that we should summon naval officers of the highest rank in order to lay this subject before them, and I applied for and obtained authority from Congress to summon them. The summons was issued to Captains Ingraham, Rosseau, Tatnall, Randolph and Commander Semmes. They all obeyed the summons, and, at the time appointed, came to Montgomery and appeared before the committee, when I laid before them the communication of Major Beauregard, and requested them carefully to consider it and furnish the committee with their views in writing at the next meeting. They did so, and sent me a report expressing their entire concurrence in the view of General Beaure-

gard, as to the ability of a fleet of steam vessels of war to pass the forts, even with a complete armament of heavy guns.

A day or so after the inauguration, I laid this communication of General Beauregard and the report of the naval officers before the President.

My belief that New Orleans would be taken was based mainly upon this paper of General Beauregard's, and the report of the naval officers.

Question—Were you at Camp Moore shortly after the evacuation of New Orleans; if so, state the condition of military affairs there at that time?

Answer—I arrived in Camp Moore a day or two after the evacuation. I found General Lovell there with such force as he had brought out of the city, very small in number; I should not think it exceeded over twenty-five hundred men—the troops seemed to be very much disorganized. The General's main attention seemed to be directed to getting the military supplies from the city, large quantities of which were constantly arriving.

With the exception of Colonel De Clouet's regiment, which had been raised but a few days, and a battalion of Zouaves, the force was mainly composed of militia and troops raised for local defence. General Lovell, while I was there, was making arrangements for the destruction of cotton up the river, and informed me that he had given instructions for the fortification of Vicksburg. There was no greater confusion than was natural, and to be expected; there was no military confusion. General Lovell gave no evidence of embarrassment, was perfectly cool, and told me that he was willing to go back to New Orleans if the authorities desired it.

Cross-Examination.

By Major General M. Lovell:

Question—Was not General M. L. Smith in immediate command of the troops at Camp Moore, General Lovell merely having his department headquarters in the vicinity of those troops?

Answer—He was in the immediate command, General Lovell merely having his headquarters there.

Nelson Tift was next sworn and examined as a witness.

By the Judge Advocate:

Question—What were your relations to the Government with reference to the Confederate States steamer Mississippi?

Answer—I was the inventor of the plan of that vessel, and with my brother, Mr. A. F. Tift, brought a model to Richmond, submitted it to the Navy Department, and tendered our services without compensation, to construct such a vessel. As a means of showing to the country our true relations to the Government, I here submit our proposition to the Secretary of the Navy, and his acceptance and instructions.

Question—Had you or your brother any experience as constructors of vessels?

Answer—Neither of us are practical mechanics—both of us are familiar with the character and qualities of vessels and the manner in which they are constructed. My brother has, as proprietor and superintendent during the past twenty-five years, had many vessels built and repaired. In the case of the Mississippi, I furnished the plan.

My brother and myself superintended the entire work as agents of the Government, and Mr. Joseph Prim, a practical naval constructor, had the charge of her construction.

Question—Did you make the contracts for the construction of the Mississippi; if so, state with whom the more important contracts were made?

Answer—As the agents of the Government we made all the contracts that were made. We contracted with Jackson & Co., represented by Robert Kirk, for the machinery; with Scofield & Markham, of Atlanta, Georgia, for the iron plating, &c.; with Winship & Co., of Atlanta, for bolts for plating and for making port-doors; with Wells, Portevant, Cary, Hammond & Co., Garland and others for timber; with Slocumb, Bean & Sons, Stark, Stanfier & Co., Folger & Co., and others, for iron fastenings, tools, &c.; with Leeds & Co., John Clarke, Barringer, Cosgrove, McCan & Harrold, Beanmiller, D. H. Fowler, Purseglove, Wheeler & Forestall, and others, for iron work of various kinds and machinery.

Besides these, we purchased elsewhere, where we could get them, such articles as could not be obtained in New Orleans, bolt-iron, spikes, oarmen, &c., in Mobile, bolt iron in Macon, Atlanta and Etowa, Georgia, and in Chattanooga, Tennessee, &c.

The Court adjourned to meet at eleven, A. M., to-morrow, the 12th instant.

RICHMOND, VA., June 12, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Examination of Nelson Tift continued.

By the Judge Advocate :

Question—What obstacles had you to encounter in the progress of the work, and what delays were you subjected to, and what means were used to overcome such obstacles?

Answer—We arrived at New Orleans on the 18th of September, 1861. There was no ship-yard suitable for the building of the Mississippi; they were all on the west bank of the river, were too small and inconvenient, the bank high and the water deep alongside of it. We selected a suitable place on the east side of the river at Jefferson City, where we prepared a yard with suitable buildings, sheds, blacksmith shops, a saw mill, &c.

We found no timber in New Orleans suitable for building the vessel. We contracted as soon as possible with all the responsible parties we could for the necessary timber, and though it was brought to us by the contractors as fast as they could prepare it, we were sometimes delayed in the early part of the work for want of timber. Our contracts covered a space of more than one hundred miles from the city.

We sometimes had obstacles in the carpenter's department. There was a strike of all the ship carpenters in New Orleans for a few days. We first appealed to the authorities and finding no remedy, we raised the wages from three (3) dollars to four (4) dollars per day. All the workmen were called out by Governor Moore, one or more days for military parade, and at other times some of our men were taken from their work by military officers for duty. This was remedied as far as possible, by appeals to the authorities. Sometimes we had more men than we could continue to work, and discharged them, and at other times we lacked men for a short time. When the Louisiana was being prepared for service we let them have fifty carpenters when we did not need them. Subsequently, when we did need them, we could neither get them or hire others. We then procured the necessary men from other ship yards.

When we commenced putting on the iron casing, and could use laboring force at night, we procured, through the aid of Captain Elmore, from neighboring plantations, between two and three hundred negroes, who were worked as a night-gang. We had obstacles in the procurement of bolt-iron, spikes and other materials which could not be obtained in New Orleans; these were procured with some difficulty from distant points in Alabama, Georgia and Tennessee.

We had difficulty in procuring the iron plating. The Tredegar Works in Richmond was the only establishment doing that kind of work in the Confederacy, and this was fully occupied to supply the wants of the Government here. We tried to induce other establishments to prepare for and execute this work without effect, and was preparing to use railroad iron when Scofield & Markham, of Atlanta, Georgia, one of the parties to whom we had applied, concluded to consider our proposition. I went to Atlanta, and, on the 15th of November, 1861, concluded a contract with them to roll and prepare the plating for the vessel, and through them, a contract with Winship & Co. for the bolts for the plating.

This being a new character of work, Scofield & Markham had to change the rolls of their establishment, erect new drills and otherwise prepare for it. These arrangements were completed, I think, early in December, and they went on rapidly with the work. They encountered difficulties for want of hands, and sometimes for want of coal, in both of which cases we aided them by appeals to the Government and the railroad agents. We had obstacles in the transportation of plating and other materials. Our first shipments from Atlanta were by way of Memphis and the river; finding delay by this route, we arranged to send through by railroad to Grand Junction and New Orleans. Subsequently a part of this line was occupied by the army of

General Johnston, and transportation by that route rendered impossible.

We then arranged to send by way of Montgomery and Mobile, and thence by railroad to New Orleans. On this route delays were encountered at Mobile and Montgomery, which were as soon as possible removed by personal effort, by appeal to the Government and by aid of friends. The cars containing the best of our iron plating arrived at New Orleans, I think, on the 23d of April. We encountered many obstacles in the machinery department. Our final contract with Jackson & Co., was that they should complete the machinery on board the vessel by the 30th of January. In view of the fact that it might be impossible to procure wrought iron shafting, we could make no positive contract for it. The contract, therefore, was for cast-iron shafting, with a provision that if the contractors could obtain wrought iron shafting we were to pay the difference in cost. Under ordinary circumstances our duties and responsibilities in this department ended here, and were assumed by the contractors. But finding extraordinary difficulties in the way of procuring shafting and other materials, and suitable mechanics, and looking only to the final success of our labors, we made every effort in our power to aid the contractors to fulfill their contract. We aided, as far as possible, in furnishing men. They could get no skilled propeller moulder. We procured one in Norfolk. We appealed to the committee of public safety to aid them in men. They could get no wrought iron shafting. We made diligent search in New Orleans and throughout the Confederacy. There was no establishment which could forge the shafting, and we could find but one shaft which could be adapted to our purpose. That was the shaft of a burned steamer at Richmond. It was procured for us by the Secretary of the Navy, and fitted, with great trouble and expense, at the Tredegar Works, and transported to New Orleans, where it arrived on the — day of April. It was immediately put into the shop of Jackson & Co., turned and fitted with couplings, and was placed in its position, with its propeller, on board the ship before she was launched. We continued our efforts to find material which would make the two long pieces of our side and quarter shafts, (which were thirty-two and a half feet long each, and nine inches diameter at journals,) or to engage parties to prepare the proper furnaces and hammer, and forge them. We applied several times to Leeds & Co., who as often answered us that they could neither procure the shafting or forge it. We supposed it could be made in Richmond or at the Norfolk navy-yard, but ascertained that it could not. At one time we supposed that we had secured the making of these shafts by Ward & Co., of Nashville, but were disappointed. In the latter part of December we learned that Mr. John Clarke had taken a contract from the Government for making the Armstrong gun, and was about to erect a building and furnaces and hammer for that purpose. We saw him, induced him to make some necessary changes in the plan of his works, and to agree to make our side shafting. On the 10th January we wrote to the Secretary of the Navy: "We have been much troubled about the side shafts. Mr. Clarke, of this place, has agreed to make

them, and, we hope, will have them done in February." This hope was derived from the opinion of Mr. Clarke, expressed to us. But he was unavoidably delayed in the erection of the building and works by much rainy weather and a scarcity of suitable mechanics. I think that his works were completed about the middle of March. He could get no person who had experience with such work. But with perseverance he succeeded in forging them—the first in about fifteen days and the second in about eight days. By our previous arrangement with Leeds & Co., these shafts, as soon as they were forged, were taken to their shop, and worked upon, day and night, until they were finished. The last of these shafts were put on board the vessel, I think, on the 23d of April.

We frequently visited the foundry and workshop of Jackson & Co. to urge forward the work and to render all the assistance in our power. When we were convinced that the machinery would be the cause of delay, we urged the distribution of such parts as could be removed, and thus finished earlier, to other shops, and promised to pay any extra cost. We also, on the 3d of April, promised Jackson & Co. to pay them five thousand dollars extra if they would have the machinery complete according to the specifications of their contract, by the 25th of that month. Parts of the machinery were distributed to Leeds & Co., Clarke, Barringer and other shops. We purchased two small auxiliary engines and a steam pump, which were a part of the machinery contract, and charged them to the contractor. We procured hands to aid in putting the machinery up in the ship, and did all we could in every way to remove every obstacle and forward the work. I have mentioned only the more important obstacles, and our efforts to remove them. The committee of public safety attempted to make us launch the vessel before she was ready. We convinced them that they were wrong, and they desisted. Mr. V. Sheldon, a member of the committee, refused to let us have his submarine armor to examine the ways of the ship, which was necessary to her safety in launching. We sent a steamer twenty-five miles to procure another, which was cheerfully furnished by Captain Whiting. We found it impracticable, in the early part of the work, to get from the authorities an armed guard for the protection of the vessel. These are samples of the minor difficulties.

Question—Was not Leeds & Co. a larger and better establishment than that of Jackson & Co; if so, why did you not give the contract to Leeds & Co.? Did you know the character of Kirk as a business man? State, also, the reason that influenced you in giving the contract?

† Answer—Leeds & Co. had a larger, and I think a better, establishment, all things considered. But I think the establishment of Jackson & Co., known as the Patterson foundry, was, for the purpose of building the machinery of the Mississippi, the equal of Leeds & Co., in point of capacity, tools, lathes, steam hammers, foundry, &c. Jackson & Co., or Kirk, as their representative, had, I think, recently removed from Mobile to New Orleans, where they purchased the Pat-

on foundry, and were doing work for the Government when we

arrived there. I know nothing of his character as a business man. He occupied a position as the head and proprietor of a machine shop and foundry second only to that of Leeds & Co. in New Orleans, which was calculated to recommend him, and I heard nothing objectionable to his character or capacity as a mechanic.

Our reasons for making the contract with Jackson & Co., and not with Leeds & Co., were :

1st. The lowest price of Leeds & Co. was sixty-five thousand dollars, and the shortest time four months. The bid of Jackson & Co. for the same work was forty-five thousand dollars, and the time three months.

2d. Leeds & Co. were pressed with work, and they did not seem at all confident that they could do our work in the time mentioned. Jackson & Co. had but little work on hand, and this they promised to dispose of in a few days, and to devote the whole capacity of the establishment exclusively to our work.

Under these circumstances, with a saving of twenty thousand dollars to the Government and one month in time, and with an apparent superior capacity for doing the work, we did not hesitate to make the contract with Jackson & Co.

With continued, earnest and zealous efforts, I believe that Jackson & Co. could have completed the machinery earlier than they did, and yet I doubt whether any other establishment in New Orleans, with their other engagements, could have completed it earlier than they did.

I have mentioned the case of Mr. Clarke, a first-rate business man, who was delayed in making our side shafts some two months beyond the time he calculated. Leeds & Co., on the 18th of February; agreed to make the iron rudder for the Mississippi; it was not completed on the 25th of April. I doubt whether they or any other similar establishment in New Orleans performed any important contract within the time contemplated when they undertook it. I mention these facts to show that the difficulties encountered by these establishments were common to all.

Question—How many working days were lost from the commencement of the Mississippi to the passage of the forts, including Sundays as lots days?

Answer—Not one working day was lost except that already referred to, when the men were called out to military parade by the Governor, and this was done against my personal request that they should be allowed to go on with the work. There were some rainy days when the men could not work outside, but work was continued in the shops and under the sheds.

I do not remember how many Sundays we worked, but, as a general rule, we worked every Sunday when we thought it necessary to forward the work. We also worked nights in the shops, when necessary, and we could get hands for the purpose.

Question—In how many days would the Mississippi have been completed, beyond all doubt, had not the city fallen?

Answer—In my opinion two weeks as the extreme. I know that

some other men entertain a very different opinion, but it will be found on examination that they have formed their opinion without a sufficient knowledge of the particulars necessary to her completion. All the iron below the deck line was on; the iron for the upper works had all been cut, fitted and assorted to its place. About one-third of it had been put on within two days, and the opinion of the workman in charge was that the remainder could be put on and bolted in six days. In less than that time the machinery could have been connected ready for steam, and the port doors, which were completed and hinged, put in place, and the rudder hung.

The dock for putting in the side propeller shafts was completed and launched. The shafts had been completed and the propellers fitted to them, and the side bearings were completed, ready to be bolted up. I suppose that ten days would be a full allowance for this work. We had men enough, including a large force of negroes, which we worked as a night-gang, to handle iron plating and other labor, to carry on all the departments of the work together, and it could have been done without interference with each other. It will be seen, therefore, that in fixing the time of completion at two weeks, I have allowed four days to cover contingencies.

I know that the public mind has been prejudiced against my brother and myself by unfounded rumors and mistaken reports, but I state, without fear of contradiction by those who know the facts, that our best energies of mind and body were devoted to this work from the beginning to the end, and that we accomplished all that it was possible for us, or for any other persons with the means at our command, to do; and, in this connection, it is proper to state that the Secretary of the Navy, under whose orders we were acting, furnished us with all the means and facilities in his power, with repeated instructions to spare neither money or men to forward the work, and that we obeyed the order in letter and spirit.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 13, 1863..

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General M. Lovell.

The proceedings of yesterday were then read over.

The Judge Advocate then read to the Court, prepared according to its directions, the following letter:

“RICHMOND, VA., June 13, 1863..

“General S. COOPER,

“*Adjutant and Inspector General, Richmond:*

GENERAL: I have advised the Court that it has in law the right to summon before it any member of the Cabinet whose testimony may

be deemed important. But it is to be borne in mind that the Court exercises its functions for the information of the President, and it may be considered a work of supererogation on its part to ascertain from members of the Cabinet, who are but parts of the Executive, facts which in law the President is presumed already to know. I am instructed by the Court to ask your opinion as to the propriety of issuing a summons as above indicated, and whether such a step is in accordance with the custom of the service.

“I have the honor to be, your obedient servant,
 “L. R. PAGE,
 “Major, Adjutant General's Department, and Judge Advocate.”

It was then ordered by the Court that the Judge Advocate forward the said letter to General Cooper.

The Judge Advocate then informed the Court that the Adjutant and Inspector General had advised him that orders were in preparation affecting the investigations of the Court, which would render it expedient for the Court to suspend its proceedings until said orders were issued.

The Court thereupon adjourned to meet on Monday, 15th instant, at eleven, A. M.

RICHMOND, June 15, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General M. Lovell.

The proceedings of the 13th instant were read over.

The following communication to Major General T. C. Hindman, President, was then read to the Court by the Judge Advocate:

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
 Richmond, June 15, 1863. }

Major General T. C. HINDMAN,

President of Court of Inquiry in Richmond, Va.:

“GENERAL: I have the honor to refer to you the enclosed copy of a letter of the Secretary of the Navy, with the President's endorsement thereon, on the subject of the examination of navy operations by the Court over which you preside. Recurring to my answer of 21st of April last to the telegram of the Judge Advocate on this subject, I find that my language was not as precise as could be wished, and in order that there may be no misunderstanding, I desire now to state my views:

“The Court of Inquiry, being an army Court, is, of course, without authority to express any opinion upon the conduct of any officers of the Navy Department.

“But where the General, whose conduct is under investigation,

alleges that the fall of the city was attributable to the misconduct or failure of any person not under his control, it is perfectly proper to examine as witnesses all that are cognizant of the facts, even if they be officers of the navy. The inquiry is to be directed solely to the purpose of ascertaining whether the defence of the General is true; if it be so, the Court will pronounce, of course, that the failure to defend the city arose from causes not within his control, but will not express any opinion as to the conduct of the officers of another department of the service. If, on the contrary, the defence of the General is rebutted by the evidence, the Court will give its opinion that his defence is not sustained. In this way the truth may be reached without the Court touching at all on the province of a naval Court.

“It is plain that no opinion of the conduct of an officer connected with the navy can be expressed by the Court, because if the Court desires to examine into the conduct of any other officer than General Lovell, the Court would be compelled to cite the officer before it, and it has no power to do so with a navy officer, whose conduct can only be enquired into by a naval Court.

“Very respectfully, your obedient servant,

“S. COOPER,

“*Adjutant and Inspector General.*”

“CONFEDERATE STATES OF AMERICA, NAVY DEPARTMENT, }
Richmond, June 8, 1863. }

To the President :

“SIR: I learn to-day, from an authentic source, that the Court of Inquiry convoked by the War Department, at the request of General Lovell, and now in session in Richmond, for the ostensible purpose of investigating his conduct as connected with the defence and fall of New Orleans, is engaged in taking testimony, formally, as to the official conduct of the Navy Department and that of all its officers, civil and military, in any way connected with its operations in New Orleans and on the Mississippi river; embracing within the field of its inquiry the manner in which this department transmitted funds from Richmond, how it met its expenditures, its correspondence with its subordinates, the construction and equipment of vessels, &c. A Court of Inquiry is a tribunal whose results necessarily shape public opinion, and obvious justice demands that if this Court could properly enter upon such investigation at all, the parties whose conduct is to be inquired of, and whose fame may be disparaged by its results, should have notice of its purpose, and opportunity for explanation and defence.

“I will not dwell upon the evils which may follow a precedent thus established of subjecting the conduct of one department of the Government and its officers to the formal inquiry of the officers of a different department, and this, too, without notice; but I cannot refrain from saying that, in my judgment, the proceeding is illegal and is fraught with mischief to both branches of the military service. The naval officer in command afloat at New Orleans has been subjected to

a Court of Inquiry formed of his peers, and the entire operations of the department connected with the defence of New Orleans have been investigated by a Committee of Congress, and the testimony in both cases is of record.

“I respectfully submit these facts to your attention as the Commander-in-Chief of the army and navy.

“I have the honor to be, very respectfully, &c.,

“S. R. MALLORY,

“*Secretary of Navy.*”

“Official:

“JOHN WITHERS, *Assistant Adjutant General.*

“ADJUTANT AND INSPECTOR GENERAL'S OFFICE, JUNE 15, 1863.”

“Respectfully referred to Adjutant and Inspector General that proper notice may be given to the Court.

“JEFFERSON DAVIS.”

“June 9, 1863.”

Examination of Nelson Tift resumed.

Cross-Examination.

By Major General M. Lovell:

Question—Did you suppose when you laid the keel of the Mississippi, in October, 1861, that it would take so long a time to get her ready?

Answer—We did not suppose that it would take so long a time to get her ready. We could not anticipate the many difficulties we had to encounter. We thought then that we could get her ready in about four months.

Question—If the machinery had been finished in proper time would the other work on the vessel have been ready for it?

Answer—The wood work would have been ready, but the iron-plating would not have been.

By the Court:

Question—Have you or your brother ever received any compensation from the Government for your service as agents for the construction of the Mississippi?

Answer—None whatever; nor would we have received any had it been tendered.

Question—When you made the contract for machinery with Jackson & Co., how did the number of workmen they could usefully employ in their shops compare with the number in Leeds & Co.'s establishment?

Answer—I don't know the relative capacity of the two establishments as to the number of workmen they could employ on other work. Leeds & Co. was certainly much the larger, but as to their capacity for work on the machinery of the Mississippi I think they were equal.

Upon application of Messrs. A. and N. Tift to inspect the testi-

mony of Surgeon D. W. Buckell, who appeared before the Court as a witness, no member of the Court objecting thereto, it was ordered that the application be granted. It was then ordered that H. L. Coll be employed as a clerk to aid the Judge Advocate—his compensation to begin from the 12th instant.

The Court adjourned to meet at eleven, A. M., to-morrow, the 16th instant.

RICHMOND, VA., June 16, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

It was ordered by the Court that the following communication, addressed to the President of the Court, should be read to the Court and made a part of the record :

“ To General T. C. HINDMAN, C. S. A.,

“ *President Court of Inquiry :*

“ SIR: Having perused, by the courteous permission of the Court, the testimony given before it by Dr. D. W. Buckell, and found that his testimony is calculated to create an erroneous judgment as to our conduct in the construction of the Mississippi, and a judgment adverse to our skill, energy, good faith and loyalty, as agents of the Government; and that, in his testimony, he refers particularly to the Committee of Public Safety of New Orleans, whereof he was a member, and to Mr. Pearce, the naval constructor; we respectfully ask the Court, in justice to ourselves thus assailed: 1st, To take the testimony of Mr. Pearce, the naval constructor of the Mississippi, as to building and launching her; 2nd, the testimony of naval constructor Murray, the builder of the Louisiana, as to the work upon, and the launching of, the Mississippi; 3rd, to receive and place on record the correspondence between ourselves and the Committee of Public Safety of New Orleans, referred to by Dr. Buckell, touching the completion and launching of the ship; and our correspondence with Commanders Mitchell and Sinclair, of the navy, Constructor Pearce and others, relative to the launching of the Mississippi, together with our correspondence upon the same subject with the Navy Department.

“ By this testimony we expect to show, beyond all rational question or doubt, not only that Dr. Buckell's testimony as to our action is erroneous and that he is mistaken both in his facts and his conclusions in relation to ourselves, but that the course we adopted and pursued had the sanction and approval of the men to whom he refers, and that any other course than the one we did pursue would have been wrong.

NELSON TIFT.

A. F. TIFT.

The request of the Messrs. Tift to introduce testimony, as indicated in the foregoing letter, being considered by the Court, it was ordered that the same be refused: 1st, Because the admission of such testimony would be contrary to the instructions of the Adjutant and Inspector General, set forth in the record of yesterday; 2nd, because the proposed testimony has already been taken before a Committee of Congress, and is likely thereby to have the same or a greater publicity than the proceedings of this Court.

Lieutenant D. P. McKorkle, Confederate States navy, was then sworn and examined as a witness.

By the Judge Advocate:

Question—State all you may know touching the defence, capture and evacuation of New Orleans in April, 1862?

Answer—I know nothing of the fight at the forts, except that I sent a good deal of ordnance to them. I was the ordnance officer of the naval station. I witnessed the fight at Chalmette from the city. Two vessels were at first turned back. I know nothing of the evacuation under General Lovell. Between three and four, P. M., of the 24th April, being anxious to mount and fight some guns on a floating battery, I applied to General Lovell for powder; he gave me an order for a thousand pounds. The order was returned with the endorsement that all the powder had been sent up the river. I forget the name of the person who made the endorsement. This is all I know of my own knowledge upon the subject.

Cross Examination.

By Major General Mansfield Lovell:

Question—From what source was all the powder procured for the use of the navy while you were the naval ordnance officer at New Orleans?

Answer—From General Lovell.

Question—State in general terms your opinion, as ordnance officer, of the adequacy of the means at your disposal, for purposes of co-operation with the land forces in the defence of New Orleans.

Answer—We had everything we needed except powder. The guns were at Jackson, Mississippi, on their way to New Orleans. The carriages had been made in the city, under my direction, and were ready for use. We had to get our powder from General Lovell, as we would not compete in the market with the army.

It was ordered by the Court that the Judge Advocate prepare interrogations to be propounded to A. D. Kelley, summoned as a witness before this court, but unable to appear on account of his health, and that he give notice of the taking of such deposition to Major General Lovell.

The Court adjourned to meet at eleven, A. M., to-morrow, the 17th instant.

RICHMOND, VA., June 17, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

The proceedings of yesterday were read over.

Joseph Stinson, a citizen, was next sworn and examined as a witness.

By the Judge Advocate :

Question—Were you in New Orleans from October, 1861, to May, 1862 ; if so, state your occupation during that time ?

Answer—I was there during that time, keeping a hotel.

Question—State all you may know, of your own knowledge, concerning the evacuation of New Orleans. Was there much property of the Government lost that might have been saved with ordinary efforts ; and if you know, state what sort of property it was ?

Answer—A few tents were left on Lafayette Square ; the bells sent by the planters to make cannon were also left, and some heavy cannon with gun carriages were left, which fell into the hands of the enemy.

Question—Do you know, of your own knowledge, that any property of the Government was left at Camp Lewis when our troops evacuated the city ?

Answer—Only from hearsay.

Question—Did you see General Lovell during the evacuation ; if so, state whether or not he was cool and self possessed ?

Answer—I saw him the day after the fleet passed the forts. I did not see him again. I went to see him about removing Government property, which I understood was left at Camp Lewis. Some one had told him that I had reported he had run away. He told me that he would cut the throat of any man who said so. His manner was excited then and he passed right on.

I don't know where he went to. This is all I know of my own knowledge. I have spoken of other things on various occasions, but spoken from rumor.

Question—State, if you know, the feeling of the citizens of New Orleans when the forts were passed. Was it for resistance, or for a surrender ?

Answer—I am under the impression that a majority were for resistance. The best of the French held out very well. The Germans took no active part either way.

Question—What were your opportunities for forming an opinion as to the feeling of the citizens ? Did you know of any meetings that were held counseling resistance ; if so, were you present ?

Answer—My opinion was formed from mixing with the people. I heard of such a meeting, but it fell through. I was not at it.

Question—Do you know of any persons volunteering with the army to defend the city after the passage of the forts ; if yea, state their number, and whether or not they were able-bodied men ?

Answer—It was calculated that we could get twenty-five or thirty

thousand men, including those under arms, for the purpose at that time. Some four or five hundred of us were ready to join the army for that purpose, and applied to Governor Moore for arms. He said that he had none, and referred us to General Lovell, but we could not see General Lovell, and abandoned our effort. A majority of the men referred to by me were too old to go into camp, but could have done good fighting. I don't know the number of men under arms.

Question—Was there much private property destroyed or left in the city that would have been valuable for military uses?

Answer—I saw a pile of corn burned, and some sugar and molasses. This property might have been saved if steamboats that were at the levee could have been used to transport it; but the boats were made ready to leave by their owners as soon as they knew the forts had been passed.

Cross-Examination.

By Major General Mansfield Lovell.

Question—Did the heavy guns that you saw laying at the custom house belong to the army or the navy?

Answer—I don't know.

Question—Did not General Lovell stop on the City Hall steps directly after his conversation with you and address the people for some time, attempting to allay their excitement?

Answer—My impression is that he did, though I can't say whether it was before or after our conversation. I was too far off to hear or see well. The crowd was very great.

Question—On the morning after the day in which you say four or five hundred of your crowd were willing to fight, did not General Lovell publish an order and appeal in all the papers of the city calling for one thousand men to board the enemy's vessels? Did any of that crowd volunteer for that service that you are aware of?

Answer—I did not, nor did any of our crowd that I know of.

Question—You say that you think twenty-five or thirty thousand men could have been obtained in New Orleans to defend it; did not General Lovell, through Governor Moore, call for ten thousand men from the city at least six weeks before the fall of New Orleans?

Answer—I don't recollect.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 18, 1863—11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate and Major General Mansfield Lovell.

F. W. C. Cooke, a citizen, was then sworn and examined as a witness.

By the Judge Advocate :

Question—Were you a resident of New Orleans from October, 1861, to May, 1862; if so, what was your occupation?

Answer—I was, and with my brother was engaged in the manufacture of small arms. I have lived in New Orleans for seventeen years.

Question—Was your machinery removed from the city at the time of its capture in April, 1862; if so, was it done in pursuance of orders from or with the assistance of General Lovell?

Answer—I saved all the machinery connected with the armory, except the motive power. I did not save all the work. I left one hundred and thirty tons of wrought iron, which I could not bring away. We lost the tools and machinery of the machine shop. Afterwards, on or about the 29th of April, I received a schooner laden with steel and iron. Madisonville, the Yankee sentinel, permitted her to pass through the canal for twenty dollars.

On Thursday morning, April 24th, 1862, at eleven o'clock, Major Smith sent for me and told me the fleet had passed the forts, and to save what I could. I asked him to put it down in writing, which he did; the paper I have not here with me. It was to the effect that, by the wish and consent of the General commanding, Cooke & Bro. were requested to remove their machinery from New Orleans. After setting the men to work, I sought for General or Colonel Lovell to get an order for a steamboat; the order was received from Colonel Lovell the same day. In obedience to it, I took and used the steamer Newsboy, but had to pay twenty-six hundred [dollars] for freightage.

On the morning of the 25th, finding the enemy not at the city, but, not being able to find any one to give me an order for another steamer, I wrote one myself and signed General Lovell's name to it, per my own name, which I subsequently reported to General Lovell at Camp Moore. That boat left the wharf about twelve o'clock that day. While at Camp Moore, General Lovell gave me another order to the effect that steamboat men and railroad agents should give every facility for removing the machinery throughout the country after we had brought it from New Orleans. This order was given on the 28th of April.

Question—When you applied to Colonel Lovell for an order for the steamboat had you any difficulty in obtaining it, and did you then consider one steamboat sufficient for the removal of your machinery?

Answer—I only asked for one steamer. At first Colonel Lovell told me he could not give me an order, but upon my telling him that I had taken down my machinery in obedience to orders, he gave me an order.

Question—After getting the order, did you have difficulties in obtaining and using the steamboat; if yea, state what those difficulties were?

Answer—I got the steamboat without trouble, but there was no one on board but the captain. I had to furnish the crew, engineers and pilot. There was a general stampede among all the steamboat men, as far as came under my observation.

Question—After the bombardment commenced, why did you not take

earlier measures for the removal of your stock and machinery from the city?

Answer—Because Major Smith had promised me forty-eight hours notice of the time when the removal should be made. Messrs. Leeds & Co. had applied with me for permission to remove our shops some six weeks before the city fell. Major Smith, whom we saw, said he would see General Lovell; after leaving me in his office a short time, he returned and said that the removal of our establishment would create too much excitement, but said he would give us forty-eight hours notice, the time in which I told him I could remove my works, &c.

Question—State all you may know touching the testing of a heavy gun made by Leeds & Co.?

Answer—The gun was an eight (8) inch columbiad and when tested it was placed on the levee at the end of the shell road, at an elevation of from fifteen to twenty degrees, the breach placed against heavy piling fastened by a strong horizontal timber, thus depriving it of ———* ; it burst, I think, about the seventy-sixth charge. I do not remember the name of the officer who was superintending the test; he was a Frenchman belonging to an artillery company from the city. I was present at intervals during the day when the gun was tested.

Question—State all you know concerning the evacuation of New Orleans?

Answer—There seemed to be a decided panic in the city. I was only enabled to obtain wagons and teams to remove my machinery by seizure made by Deputy Provost Marshal McCann, who, with such force as I could furnish, was engaged all of Thursday in seizing teams. While removing the machinery, I delivered to Major Smith, on his order, two hundred (200) rifles, retaining two hundred (200) for the use of my hands.

There were several steamboats at the levee when I went to procure one, but they had been deserted by the crew and all the officers but the captains. Of three of these boats, one fell into the hands of the enemy, another was burnt, and the third went up the Ouachita river.

As I was leaving on the boat, on Friday evening, the 25th of April, we were hailed by some Irish women, at the Marine Hospital, with guns in their hands; we stopped and got the guns, some ten or twelve in number.

I don't know whether there were others there. I met a good many soldiers the evening I left; they were very greatly disordered and moving in squads.

I was closely occupied at work in removing my machinery, after the passage of the forts, and did not see a great deal. This is about all I can remember on this subject. When I left the wildest confusion prevailed upon the levee; men, women and children were removing sugar and molasses up the streets to their houses.

Question—In the foregoing testimony have you omitted any material fact bearing upon the fall of New Orleans or the loss of property during the evacuation?

*The blank is in the original.

Answer—I recollect nothing more. I have stated about all I know of my own knowledge.

Cross-Examination.

By Major General M. Lovell:

Question—Do you know whether or not many of the stores of which you speak as being in the city on the 25th April, the day you left, were not subsequently brought out on railroads and by the lake, by Majors James, Venable and others?

Answer—It might or might not have been saved. I do not know.

The deposition of Captain E. Powell, A. Q. M., duly attested, was then offered in evidence by General Lovell. It being within the knowledge of the Court that the witness had been summoned before the Court at Vicksburg, and in obedience to its summons had reached Jackson, Mississippi, when he was ordered to return to his post at Natchez, by Lieutenant General Pemberton, who informed the Court that the services of Captain Powell could not be spared at that time, and since then the state of affairs being such in Mississippi, that the witness' attendance could not be procured, although all proper efforts had been made to that end.

To the reading of this deposition the Judge Advocate objected, because depositions of officers in the line or staff of the army are not admissible as evidence before Courts of Inquiry.

The Court having considered the objection, decided that under the circumstances it should be received.

By Major General Lovell:

Question—What position did you hold before and at the evacuation of New Orleans, in April, 1862?

Answer—I was an assistant quartermaster in the Confederate States army, with the rank of Captain, and was in charge of the clothing, camp and garrison bureau, in the city of New Orleans.

Question—What amount of the public property in your charge was saved at that evacuation, and what was its estimated value?

Answer—I saved the whole of the public property in my charge, with the exception of a few castings, and would have saved them also if Major Winnermore, A. Q. M., had not taken my means of transportation from me. I am unable to state the value of the property saved, my books and papers having been removed from here (Natchez) for safety, and I cannot refer to them. I also saved all my books, papers and funds at New Orleans; a considerable quantity of stores, &c., was stolen from the cars whilst *in transitu* from New Orleans to Camp Moore and above.

Question—Was there any other property of the same kind belonging to the State of Louisiana, or other parties brought out, that was turned over to you; if so, what was the value of the same as estimated by you?

Answer—There was no other property turned over to me that was brought out of New Orleans, belonging to the State of Louisiana or others, but I picked up a portion of clothing, camp and garrison

equipage which I believe belonged to the State of Louisiana, and for which I gave credit on my papers, together with a large quantity of quartermaster's stores, for which I believe Major Winnermore, A. Q. M., was responsible, the whole amounting to about one hundred and twenty-five thousand (\$125,000) dollars.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 19, 1863, 11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court, the Judge Advocate, and Major General M. Lovell.

The proceedings of yesterday were read over.

Lieutenant A. J. Toutant was then sworn and examined as a witness.

By Major General M. Lovell :

Question—What position did you hold in New Orleans from October, 1861, to May, 1862.

Answer—I held the position of aid-de-camp to Major General Lovell.

Question—What were your opportunities for knowing the routine business habits of General Lovell in New Orleans; if you know, state what they were?

Answer—I was with General Lovell more regularly than any of his staff-officers, not only in the office, but also in all out-door duty. I, in fact, accompanied him on all his tours of inspection out of town, which gave me full opportunities to judge of his business habits. He was industrious, attentive, punctual and energetic in despatching all business connected with his department.

Question—Was he ever absent from his office or from duty for any cause, whatever, a single day, while in command at New Orleans.

Answer—He was never absent from his office whilst in command at New Orleans, except on duty, which duties consisted in the inspection of camps, fortifications, also foundries and all other Government works about the city, also a thorough inspection of forts and defences commanding the different entrances to it. On these occasions he took particular pains to examine thoroughly the arms, ammunition and clothing of the garrison, and pointed out, if any, the deficiencies to the commanding officer of the post. The visit to the foundries, &c., in the city was generally done after dinner, say four o'clock, P. M., when the General could more easily be spared from the office. His time then was entirely devoted to the investigation, and to the urging of the completion of public works; this lasted until dark, when he again returned to the office to finish his correspondence or attend to some other business matters, which invariably kept him there until ten, P. M., and often later. The different officers of the staff were also required to be in their respective offices until that hour.

Question—Did you have occasion to observe General Lovell during

the engagement at Fort Jackson, when the enemy's fleet passed, and at various times during the evacuation; if so, state what was his demeanor as to calmness, coolness and decision?

Answer—As on almost all other occasions, I accompanied the General to the forts below the city. He left New Orleans the evening previous to the passage of the enemy's gunboats, and arrived there probably half an hour before the attempt was made. He had ^{gone} down for the express purpose of trying to have the position of ^{the} Louisiana changed; also, to verify for himself the amount of damage done to Fort Jackson by the enemy's shells. We observed, as we arrived, that the fort was being slowly shelled by the enemy's mortar fleet, when, all of a sudden, the number seemed to increase, and Forts Jackson and St. Philip both opened fire. It was not until one of the Federal vessels, the Verona, had got close by us, that General Lovell ordered the captain of the packet boat we were on, the Doublon, to steam up the river as fast as possible, so as to get out of the reach of the gunboat that was pursuing us. Whilst under the fire of that boat, which was gaining on us, Captain Kennon engaged and sunk her. General Lovell was coolly delivering orders to some of the river defence fleet, which, to his great contempt, seemed to be getting out of the enemy's way. He ordered them to go back and fight him. After reaching about thirty miles from the city, the General, knowing that by taking a carriage he could get to the city sooner, concluded to proceed by land; his presence, he knew, would be needed there as soon as possible, during the excitement of this sad news. I continued with some of the other members of the staff on the boat, again joining the General that afternoon. I found him engaged in giving orders in reference to the removal of Government property; also in giving orders for what defence could be made at Chalmette in case the enemy should make his appearance. I noticed no change in his manner, his decision, his coolness. I was with him pretty near the whole of the next day, (the 20th of April,) with the only exception of the moments that I was conveying his orders. And again I must say he gave the orders of the evacuation with the same coolness, determination and precision that characterized his demeanor during the whole time. When it was found that the fortifications at Chalmette could not check the enemy's fleet, orders were immediately given by him to the different commands to proceed to the New Orleans and Jackson railroad where the cars were held in readiness to remove them from the city in case of need. Due notice was also given to the boats remaining in the river, and employed in removing Government property. He himself leaving the city in the last train. General Lovell subsequently returned to the city on the 28th, but I did not accompany him.

Major General Lovell was then recalled and examined.

By the Judge Advocate:

Question—In your testimony you speak of many deficiencies in Department No. 1 which are not mentioned in your correspondence with the War Department; why were you silent as to these points?

Answer—I did not particularize all the deficiencies in my letters

to the War Department, because, before I assumed command, and, while in Richmond, I learned from conversations with the Secretary of War and heads of bureaus, in substance, that, as the Department and its various bureaus had been but lately set on foot, there was in almost all the kinds of material required for war purposes many deficiencies, not only in the materials, but in the mechanical means and appliances for erecting them; and I was informed that my predecessor had made persistent appeals for things which, as yet, the Department had no means of furnishing, which was a source of some annoyance, and I stated that I should make the most of the means at my disposal, without bothering the Department about deficiencies in which I knew they could not help me. When, therefore, I ascertained these deficiencies, I set to work, as rapidly as possible, to supply them, and was in a fair way to make my department self-sustaining when New Orleans fell, both as to guns, powder, munitions of war, and supplies of all kinds.

By the Court:

Question—Was not the impression created upon the public mind, that you had, at New Orleans, shortly before its fall, a force of twenty or twenty-five thousand men; if so, state, if you can, by whom it was created and for what purpose?

Answer—In February, 1861, Governor Moore and his major general of militia, Lewis, proposed a grand turn out of all the militia in the city, saying that they could parade about twenty-five thousand men, and asked my opinion as to the policy of such a display. I asked how many of them could be furnished with arms of any description, even pistols and sabres, to which they replied about five or six thousand. I then objected strongly to parading eighteen or twenty thousand men without a weapon, as an uncalled for display of weakness. They replied that the papers, in giving an account of it, need not speak of their arms and equipment, but would mention their numbers. I said we would only deceive our own people, as the enemy had, without doubt, spies among us, who would give him correct information. A parade was, nevertheless, made of twenty-five or twenty-six thousand men, and the adjutant general of Louisiana, at my request, furnished me a return of all those in any manner armed, which numbered about six thousand men. This was before the troops were sent to Beauregard. The next morning all the papers gave glowing accounts of the magnificent parade of twenty-five thousand men that occurred on the day previous. This was doubtless the origin of the impression. Had I had twenty-five thousand additional infantry I should have still evacuated the city, as numbers would only have added to the slaughter. They could have inflicted no damage to gun-boats anchored off the city, while they themselves would have been within point blank range.

General Lovell then submitted to the Court the following copies of letters from the official letter book and telegram book of Department No. 1, already in evidence, viz:

A letter from Colonel Gorgas, chief of ordnance, on the subject of establishing a laboratory at New Orleans, and disapproving the same,

appended as Document No. 26. A letter to Governor T. O. Moore, suggesting the seizure and fitting up of two ocean steamers for the defence of New Orleans, appended as Document No. 27. A letter to Governor T. O. Moore, calling for militia to the number of ten thousand men for defence, appended as Document No. 28. Two letters from General R. E. Lee, relative to the evacuation of New Orleans by General Lovell, and his occupation of Vicksburg, appended as Documents Nos. 29 and 30. A telegram to my reply from Governor Pettus, of Mississippi, relative to sending heavy guns to Vicksburg, appended as Document No. 31. A letter of General Randolph, Secretary of War, omitted in the printed correspondence relative to New Orleans, appended as Document No. 32.

The said letters and telegrams were admitted by the Judge Advocate to be correct copies, and were read to the Court.

The deposition of W. L. Lanier was then read to the Court.

By Major General M. Lovell:

Question—What position did you hold in New Orleans at and for some months prior to its evacuation in April, 1862?

Answer—I was post commissary.

Question—Did you, under orders of General Lovell, make an examination and estimate, a short time before the evacuation, of the amount of provisions in the city at that time available for the support of the population; if so, please state how many days' provisions was on hand at the time of the evacuation?

Answer—I was ordered by General Lovell to ascertain, as near as possible, the amount of provisions in the city, not belonging to Government, for the support of the population. I did so, and reported supplies from sixteen to twenty days' subsistence.

Question—Was the great bulk of the commissary stores in your charge saved at the time of the evacuation? Did any amount thereof that was fit for issue fall into the hands of the enemy? Were any such destroyed?

Answer—They were. No stores fit for issue fell into the hands of the enemy, as all sound stores left in the city, by order of General Smith, during the absence of General Lovell at Fort Jackson, the day previous to the evacuation, were turned over to the Committee of Safety for sales to the citizens, proceeds of which to be placed to the credit of the Government, except fifty hogsheads of sugar, which had been sent to the New Orleans and Jackson railroad depot some days before the evacuation, for shipment to Summit, Miss., where General Lovell had ordered me to establish a depot for stores some time previous. This sugar, on the evening of the evacuation, as I learn, was either destroyed or taken by the mob from said depot.

Cross Examination.

By the Judge Advocate:

Question—Were any preparations made by you, under orders of General Lovell, for supplying the people of New Orleans with provisions in the event of a siege?

Answer—None that I remember.

Question—Were you present during the evacuation of New Orleans; if so, state the manner in which it was conducted; and if you saw General Lovell during that period, state whether or not he was self-possessed and seemingly equal to the emergency?

Answer—I was in the city until about two o'clock of the day of the evacuation. I did not see General Lovell more than once during the day, and then only a very short time. He seemed to be a good deal excited.

The Court adjourned to meet at twelve, M., the 24th instant.

RICHMOND, VA., June 24, 1863---12, M.

The Court met pursuant to adjournment.

Present—All the members of the Court and the Judge Advocate.

To enable the Judge Advocate to prepare a summary of the evidence, the Court adjourned until eleven, A. M., the 28th instant.

RICHMOND, VA., June 28, 1863---11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court and the Judge Advocate.

The evidence adduced in this investigation was then read over to the Court by the Judge Advocate.

The Court adjourned to meet at eleven, A. M., to-morrow.

RICHMOND, VA., June 29, 1863---11, A. M.

The Court deliberated upon the evidence in this case.

The Court received notice from the Adjutant General, General S. Cooper, to continue in session until the deposition of A. D. Kelly arrived.

The Court then adjourned to meet at 11, A. M., July 9, 1863.

RICHMOND, VA., July 9, 1863---11, A. M.

The Court met pursuant to adjournment.

Present—All the members of the Court and the Judge Advocate.

The deposition of A. D. Kelly is hereto appended and marked Document A.

The Court having maturely considered the evidence adduced, submit the following report of facts and opinion thereon:

Report of the following, furnished Secretary of State, October 17, 1863:

Report of Facts.

Department No. 1 is intersected by numerous streams which, in high water, afford ten or twelve different approaches to New Orleans, and render its defence difficult without a strong naval force.

When General Lovell assumed command of the department, on the 18th of October, 1861, but little had been done in constructing the land defences of New Orleans. Two lines of entrenchments had been laid off, but were wholly incomplete, without platforms, guns, magazines, ammunition, and all necessary implements and equipments. The forts on Jackson, St. Philip, Pike, Macomb and Livingston were in great need of repair, the two first named in better condition than the others, but all of them deficient in armament, requiring an increase in the number and calibre of their guns. There was also needed at these works ammunition and all the implements necessary to the use of heavy guns. The keels of two iron-clad gunboats had been recently laid. Under the direction of General Lovell, the forts mentioned were strengthened and the number and calibre of guns composing their armament increased. An exterior line passing through the forts, with earthworks to defend the various water approaches, and an interior line, embracing New Orleans and Algiers, designed chiefly to repel attacks by land, were pressed to completion. The best guns that could be had were mounted upon these lines, magazines constructed, and ammunition and all the necessary implements supplied. In a word, every thing was done that could be to render them first class works of their kind.

The various water approaches were obstructed by piling, etc., and launches prepared and put in service to protect several of them from navigation by the enemy.

An immense raft was constructed in December, 1861, to serve as an obstruction in the Mississippi river between Forts Jackson and St. Philip, but owing to the strong current of that river in its highest stages, and the great accumulation of drift, it was swept away in the latter part of the February following.

From its fragments and such other material as could be obtained, it was attempted, but without success, to make another effectual obstruction.

Mills were erected for the manufacture of powder, considerable quantities of which article were turned out, and much that had been received at New Orleans in a damaged condition was reworked and made fit for use. At the time of the fall of the city more than one establishment was ready for the manufacture of heavy guns, which, until then, had been impracticable for the want of suitable furnaces.

Such was the condition of the department when the enemy, on the 18th of April, 1862, opened fire upon Fort Jackson, from a fleet of twenty-one (21) mortar boats. The bombardment continued, with but slight intermission, until the morning of the 24th of April, when, between the hours of three and four, the enemy's vessels of war and gunboats succeeded in passing the forts. One of his vessels was sunk; his loss in killed and wounded is not known. Our loss in the

fight and during the bombardment did not exceed, at the forts, more than fifty in killed and wounded. Owing to the high stage of water, the river being higher than it had been before for twenty-five (25) years, the efforts to employ sharpshooters outside the forts proved ineffectual. In the forts the water rose to a height of from twelve (12) to eighteen (18) inches, causing great discomfort to the garrisons, and requiring the men in Fort Jackson to work day and night to prevent the magazines from being flooded. The damage done by the enemy had also to be repaired under heavy and incessant fire, which added much to the suffering of the men. While the bombardment continued, and when the enemy were making the passage of the forts with a fleet consisting of five steam sloops of war and eight or nine gunboats, the men fought with great courage and determination; but at midnight, on the 27th of April, it was discovered that they were in open mutiny at Fort Jackson. This mutinous spirit pervaded the entire garrison at Fort Jackson excepting the St. Mary cannoners. It was also soon discovered that the garrison of Fort St. Philip was similarly affected. The officers, however, by their coolness managed to hold the men in check until the morning of the 28th of April, when the forts were surrendered upon liberal terms to the enemy. For this strange revolt no cause could be ascertained. A large part of the enemy's fleet, after passing the forts, proceeded up the river. At Chalmette, and from the opposite bank, its further advance was resisted by two batteries of six guns each, until their ammunition was exhausted, but with little or no effect, the enemy having nearly as many vessels of war and gunboats as we had guns in position at that point. More than half the ammunition designed for these batteries had been given to the iron clad steamer Louisiana.

Six vessels of the river defence fleet were at the forts at the time they were passed, but rendered no assistance in checking the enemy.

To meet this attack it is shown that General Lovell's plan was to concentrate as many heavy guns as possible at the forts, and thereby obstructions to detain the enemy's vessels under their fire, as well the fire of such defences afloat as we could bring to bear.

The country between the forts and New Orleans is of a character most unfavorable for the construction of batteries, the banks of the river, in its highest stages, being below the surface of the water, and only protected from inundation by levees which might be easily destroyed by an enemy.

It also shows that there were no suitable guns in Department No 1 for such batteries, and no infantry forces adequate to their protection against a land attack.

On the morning of the 25th of April, several of the enemy's gunboats anchored off New Orleans, about which time General Lovell gave up the city to the control of the municipal authorities, by whom, on the 29th of April, it was surrendered to the enemy.

It is shown that but little or no provision was made for an evacuation before the passage of the forts. After that event the work of removing supplies was prosecuted with energy, and a vast amount of

property belonging to the Confederate and State Governments, as well as that of private individuals, was saved.

Forts Pike and McComb were evacuated by the order of Colonel Fuller, and without the knowledge or approval of General Lovell, on the morning of the 27th of April. Brigadier General M. L. Smith, commanding the forces at the McGhee and Chalmette lines, numbering about one thousand of infantry and five companies of artillery, received no orders as to their removal, although he and General Lovell were together on the afternoon of April 24th. The troops withdrawn from New Orleans by General Lovell did not exceed four thousand in number, and, with slight exceptions, were raw levies belonging to the militia and organizations for local defence. A large proportion of this force was unfitted for service in the field. In their movement from the city there was no greater confusion manifested than is usual among such bodies of men. The best troops in Department No. 1 had been sent to reinforce General A. S. Johnson after the fall of Fort Donaldson. General Lovell had also sent many supplies from his department to the army of that General.

Between General Lovell and the naval officers on duty in Department No. 1 there existed good feeling and a desire to co-operate for the public defence. General Lovell often supplied the navy with guns and ammunition. During the bombardment it was designed by Generals Lovell and Duncan that the Louisiana should be placed in a position from which they thought she could enfilade and drive off the mortar fleet of the enemy, but this request was not complied with—Captain J. K. Mitchell, commanding the defences afloat, alleging, in reply, that the Louisiana was without motive power, but in the position indicated her guns could not be given sufficient elevation to reach the enemy, while she would be in full range of his mortar fleet, and that her top deck was flat and vulnerable. These statements are proven to be true. He also added, as his opinion, sustained by a council of naval officers, that the desired movement would result in the destruction of the vessel by the enemy. The guard boats and fire-rafts were not used to any advantage, if at all, on the night preceding the passage of the forts. General Lovell left New Orleans for Camp Moore on the 25th of April, but returned on the 28th, and proposed to bring back his command to the city, if the authorities would incur the risk of a bombardment, which he thought might and would ensue if the city were occupied by his troops.

The proof shows that General Lovell's demeanor was cool and self-possessed during the evacuation.

Opinion of the Court.

1. As against a land attack by any force the enemy could probably bring, the interior line of fortifications, as adopted and completed by Major General Lovell, was a sufficient defence of the city of New Orleans, but his ability to hold that line against such an attack was greatly impaired by the withdrawal from him, by superior authority, of nearly all his effective troops.

2. The exterior line, as adopted and improved by him, was well devised, and rendered as strong as the means at his command allowed.

3. Until the iron-clad gunboats Louisiana and Mississippi should be ready for service, it was indispensably necessary to obstruct the navigation of the Mississippi river between Forts Jackson and St. Philip. The raft completed under General Lovell's direction was adequate for the purpose while in position, but it was swept away, and left the river unimpeded, either by reason of some error in its construction or neglect in preventing the accumulation of drift, or because of insuperable mechanical difficulties, as to which this Court feels unprepared to give an opinion. General Lovell communicated to the Government no opinion as to the insecurity of the raft, nor any apprehension that it might be swept away, nor did he immediately make known that fact when it occurred. In this it is considered that he was remiss in his duty.

4. When the raft was swept away General Lovell, with great energy, immediately endeavored to replace it, and partially succeeded, but without fault, on his part, this last obstruction was broken by the carelessness of vessels of the river defence fleet colliding with it and by fire-rafts drifting against it, and by the failure of the guard boats to protect it against night expeditions of the enemy.

5. The non-completion of the iron-clad gunboats Louisiana and Mississippi made it impossible for the navy to co-operate efficiently with General Lovell.

6. The so-called river defence fleet was wholly useless as a means of resistance to the enemy, for which General Lovell was in no wise responsible.

7. Under the existing circumstances, the passage of the forts by the enemy's fleet could not have been prevented by General Lovell, with any means under his control, and, the forts being passed, the fall of New Orleans was inevitable and its evacuation a military necessity.

8. When the first raft was broken, and the danger of New Orleans thus became imminent, all necessary preparation should have been made for removing the public property and private property available for military uses, and when the second obstruction was swept away the removal of such property should have been commenced immediately. The failure to take these timely steps caused the losses of property that occurred, but there was comparatively but little property lost for which General Lovell was responsible.

9. The failure of General Lovell to give proper orders to Brigadier General M. L. Smith for the retirement of his command from Chalmette is not sufficiently explained, and is therefore regarded a serious error.

10. The proposition of General Lovell to return to New Orleans with his command was not demanded by his duty as a soldier, involving, as it did, the useless sacrifice of himself and his troops, though it explains itself upon the ground of sympathy for the population and a natural sensitiveness to their reproaches.

11. General Lovell displayed great energy and an untiring industry

in performing his duties. His conduct was marked by all the coolness and self-possession due to the circumstances and his position, and he evinced a high capacity for command, and the clearest foresight in many of his measures for the defence of New Orleans.

The Court respectfully reports that its assembly was delayed by the failure of its president to receive his orders in due time, and that its session was protracted by the taking of testimony, under the order of the War Department, as to the conduct of naval officers on duty in Department No. 1. This order was rescinded, thus rendering irrelevant and useless much of the labor of the Court. The testimony referred to, although appearing of record, was not considered by the Court in determining its findings and opinion.

There being no further business before them, the Court adjourned *sine die*.

T. C. HINDMAN,
Major General, and President Court.

L. R. PAGE,
Major, Adj't Genl's Department, Judge Advocate and Recorder.

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
Richmond, Va. }

Official copy :

W. S. BARTON, *Major and A. A. G.*

RICHMOND, VA., July 13, 1863.

General S. COOPER,

Adjutant and Inspector General, Richmond, Va. :

GENERAL: I have the honor herewith to transmit the record of proceedings of the Court of Inquiry convened to examine into the facts and circumstances attending the capture of New Orleans, &c., and accompanying documents.

I have the honor to be, your obedient servant,

L. R. PAGE,
Major, Adj't Gen. Department, Judge Advocate and Recorder."

DOCUMENTS 1 TO 31,

AND

DEPOSITION OF A. D. KELLEY,

*Accompanying and referred to in Record of the Court of Inquiry on the
Capture of New Orleans.*

[Document No. 1.]

ADJUTANT AND INSPECTOR GENERAL'S OFFICE, }
Richmond, October 7, 1861. }

EXTRACT.

SPECIAL ORDERS, }
No. 173. }

* * * * *
VIII. Major General Mansfield Lovell, provisional army, will proceed to New Orleans, La., and relieve Major General D. E. Twiggs, provisional army, in command of Department No. 1.
* * * * *

By command of the Secretary of War.

JOHN WITHERS,
Assistant Adjutant General.

[Document No. 2.]

RICHMOND, VA., June 17, 1863.

Interrogations to be propounded to A. D. Kelley, a citizen at Columbia, S. C., which, with the answer hereto, will be read as evidence before the Court of Inquiry, convened pursuant to paragraph XXI, special orders, No. 41, (current series,) Adjutant and Inspector General's office, and now in session in this city.

By the Judge Advocate :

Question—Where were you residing from October, 1861, to May, 1862, and what was your occupation during that time ?

Question—State whether or not you were a member of the Safety Committee of New Orleans; and, if yea, what duties were devolved upon you as such ?

Question—State whether or not you have had conversations, official or otherwise, with General Lovell touching the defences of New Orleans; if yea, state the substance of such conversations, when they occurred, and in whose presence ?

Question—State all you may know of your own knowledge touching the defence, fall and evacuation of New Orleans ?

Cross Examination.

By Major General M. Lovell :

Question—Were the conversations between yourself and General Lovell official or casual private conversations ? If both, state what information you derived from official, and what you inferred from private conversations ?

I object to the third question asked by the Judge Advocate, asking for conversations, other than official, between General Lovell and Mr. A. D. Kelley, as a member of the Safety Committee. A general officer in command of a department is frequently asked officious questions by very respectable citizens in relation to public affairs, to which he may give inaccurate or incorrect replies, either as a matter of policy or to avoid making known matters which he wishes kept secret. Such answers, if spread upon the record as testimony, might unjustly produce a prejudicial effect. I claim that the witness should first establish the fact of the existence of such relations between himself and the commanding general as to entitle him to his confidence, and not give casual conversations as testimony bearing upon his official conduct of affairs.

M. LOVELL.

The answer of A. D. Kelley to the interrogations propounded to him by L. R. Page, Major, &c., and Judge Advocate, in the case of Major General M. Lovell, on trial in Richmond, and which interrogations were forwarded in a letter dated 17th June, 1863 :

First Question—Where were you residing from October, 1861, to May, 1862, and what was your occupation during that time ?

Answer—I resided in New Orleans from 1st October, 1861, to 28th April, 1862; my occupation was that of commission merchant, though during that time, was much and earnestly engaged or occupied in all efforts or aid that I could give for the protection of New Orleans.

Second Question—State whether or not you were a member of the Safety Committee of New Orleans, and if yea, what duties were devolved upon you as such ?

Answer—I was a member of the Safety Committee of New Orleans, which committee was recognized by the citizens and the city authorities. The duties of said committee were to confer with the military,

naval and city authorities in all matters in relation to the defence of the city, and to tender and appropriate any money from the city that might be needed, in promoting the safety and defence of New Orleans.

Third Question—State whether or not you have had conversations, official or otherwise, with General Lovell concerning the defence of New Orleans; if yea, state the substance of such conversations, when they occurred, and in whose presence?

Fourth Question—State all that you may know, of your own knowledge, touching the defence, fall and evacuation of New Orleans?

Answer to third and fourth questions—By direction of the Safety Committee, I, with Dr. G. W. Campbell and two other members whose names I do not recollect now, were appointed and instructed by the Safety Committee to confer with the military and naval authorities about the defences, and to tender all financial aid that might be required. We conferred with General Lovell, tendered to him all needful financial aid, and asked many questions about his plans of defence in certain places; also about his supply of arms, ammunition, &c. He replied explicitly to some of the minor questions, but declined replying to others, stating that the commanding General deemed it best not to give information to any one in certain matters. Some of the members appeared satisfied with the interview, though I was not, and so expressed myself to the other members, and in two or three days afterwards I sought another interview with General Lovell, alone at his office, and promptly stated that I came to discuss more fully our city defences, and at the same time I renewed the assurance that the city would furnish any money that he might need in making any defences for the city. I renewed this assurance, because General Lovell had the day before complained much that his draft on the city was not promptly paid, which occurred because there was some officer in the city treasury department who was not aware of General Lovell's authority to draw such a draft when it was presented to him. During this interview with General Lovell I discussed many matters about the plan and the prospect of the successful defence of the city. In this discussion some of my inquiries were not answered, as he did not consider it proper for the commanding General to do so. In some of these positions he was, perhaps, correct; but the effect upon my mind during and after the discussion was that, if a vigorous attack was made by the enemy, and the forts passed near the mouth of the river, I did not believe that the city would be held by our forces. This impression was confirmed after an interview with the naval commander. These views depressed me much, and I communicated my fears not only to my family, but to several friends, and we most decidedly condemned the administration for sending such an officer as General Lovell to defend New Orleans, the most important point in the Confederacy, when the Government had in the field two such Generals as Beauregard and Bragg, both citizens of Louisiana. When the enemy commenced the attack on the forts, I most anxiously watched the prospect. As I had before feared, I found that our reliance was altogether upon a successful defence at the forts, though I

had been confident that a good general, with such resources as had been at the command of General Lovell, could and would have defended the city from the extensive and expensive fortifications a few miles below the city, and on both sides of the river. I could not see or hear of any proper arrangements for defence at that point, and as our defence, therefore, was alone at the forts, I did expect to see the commanding General go promptly to that point and there see that all possible defence was made. Although the attack lasted several days, General Lovell made no effort to go to the forts until about the time the enemy's fleet passed them. I had many unofficial conversations with General Lovell, and none of them inspired me with confidence in the safety of New Orleans, if vigorously attacked by the enemy.

A. D. KELLY.

MAYOR'S OFFICE, Columbia, S. C., July 2, 1863.

Personally appeared before me, A. D. Kelly, and made oath that the foregoing statements are facts, according to the best of his knowledge.

T. S. GOODWYN,
Magistrate ex-officio.

[Document No. 3.]

RICHMOND, VA., October 17, 1861.

General M. LOVELL :

SIR : I am induced by the impression made on the mind of the Secretary of War, in a conversation which you had with him just before your departure, to write to you on the subject of your relations to the officers of the navy. When you mentioned the subject to me, I supposed you referred to the case provided for in the 61st and 62d Articles of War, as enacted by the Congress of the Confederate States. Therefore it was that I read and commented on those articles, particularly the 62d. The fleet maintained at the port of New Orleans and the vicinity is not a part of your command ; and the purposes for which it is sent there or removed from there, are communicated in orders and letters of a department with which you have no direct communication. It must therefore be obvious to you that you could not assume command of these officers and vessels, coming within the limits of your geographical department, but not placed on duty with you, without serious detriment to discipline and probable injury to the public service. To promote harmony, to secure co-operation and increase the power for public defence, it will often be desirable that each arm should know the objects and means of the other. To this end it is hoped that there will be unrestrained intercourse and cordial fraternization.

Very respectfully, yours,

JEFFERSON DAVIS.

A true copy :

G. W. CUSTIS LEE, A. D. C.

[Document No. 4.]

CONFEDERATE STATES OF AMERICA, }
Department of State, }
 Richmond, January 19, 1863. }

Major General MANSFIELD LOVELL, *present* :

SIR: I state, at your request, that, while I was Secretary of War, in giving you orders to take charge of the defence of the Department of Louisiana, you requested authority to control the operations of the officers of the navy within the department, and to order such dispositions of naval forces as you might deem best to aid in defence.

I answered you that your request could not be granted; that the Department of War could assume no control over naval operations, which were confided by law to a distinct department, and that you must rely (for securing the aid of naval forces) on endeavoring to establish concert of action through mutual understanding between yourself and the naval officer highest in rank in your department.

Ycur obedient servant,

J. P. BENJAMIN,
Secretary of State.

[Document No. 5.]

BY TELEGRAPH.

From Richmond, December 17, 1861. Received at New Orleans,
 December 17, 1861.

To General M. LOVELL:

The Secretary of War desires you to send seventeen thirty-two-pounder guns, if you can spare them, to General A. S. Johnston.

J. GORGAS.

[Document No. 6.]

BY TELEGRAPH.

From Richmond, December 17, 1862. Received at New Orleans,
 December 17, 1862.

To General M. LOVELL:

Please send three thirty-two pounder guns to General Lee at Charleston, S. C. No carriages required.

J. GORGAS.

[Document No. 7.]

BY TELEGRAPH.

From Richmond, January 1, 1862. Received at New Orleans,
 _____, 1862.

To General M. LOVELL:

Please send two large thirty-two-pounder navy guns for General A. S. Johnston, care of Lieutenant M. H. Wright, ordnance officer, Nashville, Tennessee.

L. GIBBIN,
Captain, for Chief of Ordnance.

[Document No. 13]

NEW ORLEANS, April 11, 1862. -

General RANDOLPH,

Secretary of War, Richmond, Va. :

With forty (40) vessels in the lower river, please protest, in my name, against sending the Louisiana up the river; if she must go let them leave her two (2) seven (7) inch rifles, now at Fort Jackson. She has one on board, besides other heavy guns, all she can use in the upper river to advantage. We have not now as many guns of heavy calibre as at Mobile.

M. LOVELL.

[Document No. 14.]

HEADQUARTERS DEPARTMENT No. 1, }
 New Orleans, March 21, 1863. }

General S. JONES, *Mobile :*

DEAR GENERAL: Learning that most of the guns at Pensacola were to be removed, I wrote to Bragg and learned that he had requested some to be sent here. Major Duncan went after them, and only succeeded in getting one ten-inch columbiad. There is not another one in this whole department to defend this, the most important city on the great water communication from the gulf to the Ohio river.

The enemy is collecting his ships at the mouth of the river to combine his attack with the great effort from above, yet all the heavy guns are kept at places of minor importance. I shall send Major Duncan

over again, and beg that you will give him every ten-inch columbiad and ten-inch sea-coast mortar that you can possibly spare. Time is passing rapidly; more than a dozen ships of war are at the mouth of the river, of which seven are inside the bar. If you can spare a dozen ten-inch columbiads do let us have them.

Beauregard telegraphed me that the heavy guns would be sent here; Duncan only got two, one of which he says you took from him. Give us a share. What is Mobile worth with the Mississippi in the hands of the enemy?

Yours very truly,

M. LOVELL,
Major General, C. S. A.

[Document No. 15.]

HEADQUARTERS DEPARTMENT NO. 1, }
New Orleans, March 7, 1862. }

General G. T. BEAUREGARD,
Jackson, Tennessee :

DEAR GENERAL: I received your notes of 24th February and 3rd March. Have ordered the additional flags you wish. I have pushed forward to your support every available man. Seven companies of the Crescent regiment left here yesterday; the remainder will leave on Saturday with the Washington artillery. I shall also send you the twentieth regiment and the Orleans artillery, with a battalion from that corps; Gibson's and Vaiden's artillery has already been sent. You will have in all from me ten infantry regiments and four batteries of artillery. Full forty rounds of ammunition (in some instances one hundred) have been furnished to every description of troops sent on. I shall have to hold up now and look out a little for New Orleans. I asked Bragg for some ten-inch guns, but he had none to spare. New Orleans has inferior calibre to Mobile, Pensacola and even Galveston. People send here for everything, and I have literally stripped the department, but never get any thing in return that I ask for.

I wrote and urged General Polk to send me the anchors and chains from Columbus to obstruct the river at the forts below the city, but he never would send them, and finally abandoned them at Columbus. I intend hereafter to hold on to what I have until I feel perfectly secure.

If you can put me in the way of getting any large guns, chains or anchors, I beg you will do so. In a few days we hope to be able to cast ten-inch columbiads and sea-coast mortars.

In haste, yours truly,

M. LOVELL.

[Document No. 16.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, March 8, 1862. }General G. T. BEAUREGARD,
Jackson, Tennessee :

DEAR GENERAL: The current and drift have finally got the upper-hand of my raft between St. Philip and Jackson. This, taken in connection with the facts that Commodore Hollins has taken up the river every vessel that mounts a gun, and that General Polk declined to ship me the chains and anchors at Columbus, which would have saved my raft, compels a new disposition as to the fourteen vessels of Montgomery's expedition. They will not be ready under ten days, but I will send up eight of them with circles laid for one thirty-two-pounder each, provided you can supply the guns up there. I cannot, under the circumstances, send a gun out of this department. The remaining six vessels I will have to keep here until I ascertain whether I shall be able to fix an obstruction in the river at Fort Jackson. Their fleet in the gulf is much more formidable than that above, and the river is now open to them if they pass the lower forts. You will, therefore, see the necessity of my retaining every gun and a portion of the vessels until I can bar the river again. I should have to dismount guns from my works to put on these ships, and, under the circumstances above set forth, you will be able to do that with as little risk as I can. I can send no more ammunition up with men, as we have no caps. Calls are made upon this department from all parts of the Confederacy, but nothing is sent here in the way of materials to make up, and no facilities are given except what I take in opposition to the wishes of heads of bureaus.

Yours truly,

M. LOVELL,
Major General, C. S. A.

[Document No. 17.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, March 9, 1862. }Major General BRAXTON BRAGG,
Jackson, Tennessee :

MY DEAR GENERAL: I received your dispatch this afternoon asking me to send up all the small arm ammunition that I could manufacture. This I have already done. The department has been literally stripped of everything—men, arms, guns and munitions of war—so

much so that evil-disposed persons do not hesitate to say that I am placing New Orleans in such a condition as to make it an easy prey to the enemy. More than a million cartridges have been forwarded in the past few weeks, nearly ten regiments, well armed and equipped, and four batteries of artillery. I have literally nothing more to send, and must cast about to place myself in condition to defend this important position in case the enemy—informed of our situation—should return to attack. I have called upon the Governor of the State for the militia, who are coming in slowly with shot-guns, for which I am having ammunition made. But we are out of caps; they were to have been furnished us from Nashville, but none came; nor, in answer to all my calls, has anything of any kind been sent here. Yesterday I sent ten thousand pounds of musket powder to Richmond, which leaves me none to make up; and I have no caps. The powder that came in from Cuba is all inferior, and has to be reworked, but I can get no saltpetre. That which comes from Memphis has been sent to Augusta, and if the raw materials are sent elsewhere the requisitions must be made in the same direction. With a large fleet concentrating on the coast, and a force of the enemy collecting at Ship Island, it behoves me to commence to make some preparations to defend my own position. In default of any definite information from your part of the country as to your supplies and necessities, I shall be compelled to use my best judgment as to what further can be spared of the supplies that I *expect to get together*. At this present moment I have nothing to send, unless it may be a small amount of musket cartridges. I wrote to Beauregard to-day my reasons for applying everything here to my own use. If you can push some saltpetre here I will try to help you, but you must not rely upon me, as I have deficiencies here to make good before I can send off anything, except upon reasons of the most imperative necessity. Those reasons, if they existed, have been studiously withheld from me thus far.

Very truly yours,

M. LOVELL,
Major General commanding.

[Document No. 18.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, March 21, 1862. }

Captain MITCHELL,

Commanding Naval Station :

SIR: The concentration of the enemy's ships-of-war at the mouth of the river induces me to suggest to you the propriety of putting in position, at the forts below, the two seven-inch rifled cannon lately received from Richmond by you. The heavy guns from Pensacola have mostly been placed on the river above, where the weight of metal

against them is less than we may expect below. When Tift's vessel is ready for service the guns could be returned if necessary.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 19.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, March 30, 1862. }

Captain WHITTLE,
Commanding Naval Station :

SIR: I learn that you have four rifled thirty-two-pounder guns intended for a gunboat not yet complete. As the enemy is collecting in force at the mouth of the river, and may attack at any moment, I should like to get the four guns alluded to to place, temporarily, on my boats to assist in repelling attack. They will be returned when your vessel is ready.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 20.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, April 4, 1862. }

Commodore WHITTLE,
Commanding Naval Station :

SIR: Would it not be well to place the guns lately arrived for the navy in position on the floating battery until such time as the Louisiana can be ready to receive them? They would make a formidable addition to the strength of our defences at the lower forts, and I fear that the Louisiana will not be ready for them in time, to take part in the approaching contest.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 21.]

HEADQUARTERS DEPARTMENT No. 1, }
 New Orleans, April 11, 1862. }

Commandant WHITTLE,
Commanding Naval Station :

SIR: I have telegraphed General Duncan to send up the seven-inch rifles and three thirty-two pounder rifles. I regret that these guns have been taken, as, in my judgment, the safety of this city does not warrant the withdrawal from below of a single gun, while so many vessels of war are within the "mouth" of the river.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 22.]

NEW ORLEANS, *April 11, 1862.*

Major General Lovell, *commanding, &c., &c. :*

SIR: I have received your note of this date. You cannot regret more than I do the necessity which compels me to ask the return of the guns loaned you by the navy, but I am ordered, with emphasis, to send the Louisiana with all despatch up the river, and these guns are absolutely necessary to arm her partially.

May it not be that the city is in as much danger from above as from below? This opinion, it would seem, is entertained in a high quarter at Richmond—I mean at the Navy Department.

I am, sir, respectfully, your obedient servant,

W. C. WHITTLE.

[Document No. 23.]

COPY OF TELEGRAM.

NEW ORLEANS, *April 17, 1862.*

General RANDOLPH,
Secretary of War, Richmond :

After conversation with Commodore Whittle, we beg that Commodore Hollins may be allowed to remain in command afloat, at least until he can strike a fair blow at the enemy, which he is ready to do.

M. LOVELL.

[Document No. 24.]

CONFEDERATE STATES OF AMERICA, }
 Headquarters Department No. 1, }
 New Orleans, Louisiana, April 17, 1862. }

General G. T. BEAUREGARD,
Commanding Army of Mississippi:

DEAR GENERAL: I telegraphed and subsequently wrote you in reference to fortifying the vicinity of Vicksburg, for the double purpose of protecting the river and giving you a *point d'appui* for the left of your line in case you are compelled to occupy a position in rear of your present one. I have some twelve or fifteen guns in position above New Orleans, and, in case others could be got, we might, as soon as the works were finished and the platforms laid, transfer our batteries to that point. There is no engineer officer here to be sent on that duty, or I should have fortified Vicksburg long since. Have you any one in your army who, with the help of a few thousand negroes, could put up the works, and thus perhaps delay the enemy until we can finish Tift's iron-clad steam ram. I will give you all the assistance in my power in pushing forward the matter; but with the limited means at my command, and the enemy knocking at the door below, I cannot give it personal attention. M. L. Smith, now a brigadier general, is now on duty here with me, organizing troops and attending also to the engineer duties of the department. The subject of fortifying Vicksburg strikes me as of pressing importance, and, if you agree with me, I will endeavor to push it as much as possible.

Yours, truly,

M. LOVELL,
Major General commanding.

[Document No. 25.]

HEADQUARTERS DEPARTMENT No. 1, }
 Camp Moore, April 26, 1862. }

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

SIR: The bombardment of Fort Jackson, which commenced on Friday, the 19th instant, was continued day and night until about three o'clock, A. M., on the 24th, when the whole of the enemy's fleet came up abreast the forts, and while a portion of them engaged our batteries and vessels, the remainder passed under the fire, our men being greatly worn and exhausted with an incessant fight of six days. General Duncan and Colonel Higgins were in command of the troops. I had just arrived in a river steamer, and was about to disembark as the engagement commenced. When the enemy's fleet passed I was satisfied that New Orleans could not be held for more

than twenty-four (24) hours. I therefore started at once for the city in order to remove as many of the troops and as large a quantity of stores as possible. I was well aware that my batteries of thirty-two-pounders at the lower lines, manned by inexperienced troops, could not detain for any length of time the heavy ships of war of the enemy, armed with nine and eleven-inch guns. I will state that when the current and drift had carried away the obstructions of the river, I became convinced that a portion, at least, of their fleet would pass whenever the attempt was made, and had already given orders to prepare for removal a large quantity of the government stores, directing cars and steamers to be held in readiness for that purpose. On my arrival at New Orleans I gave orders to the few regiments that I was organizing there to be ready to move, and had the larger portion of the Government property placed in the boats and cars and started north. In this manner a very inconsiderable portion of our stores were left behind. The guns on the lines about the city could not be removed for want of transportation. Moreover, as soon as it became known that the enemy had passed the forts, laborers refused to work, and the large majority of persons declined to take any more Confederate notes for property bought. On the morning of the 25th thirteen of the enemy's ships engaged our batteries five miles below the city, and after two hours firing, during which time they drove the men from one battery and disabled the other, they passed up and anchored abreast the city. General Smith had a few companies of his brigade at these works. At eleven, A. M., our last batteries were passed. I immediately ordered the troops and stores to be sent off rapidly by rail towards Jackson, Mississippi. At three, P. M., Captain Bailey and another officer of the Federal navy came ashore and demanded the surrender of the city, and that the United States flag be put up on the principal public buildings.

I declined peremptorily to surrender; saying to Captain Bailey that while they were too strong for us on the water, I felt abundantly able to beat them on land, but that as I did not feel willing to the bombardment of a city filled with the wives and children of absent soldiers, I should evacuate with my command, and turn the city over to the mayor; that if they were willing to consent to this proposition I would quietly withdraw; if not, they might commence the bombardment at once. He said he could report to his commander, and, at his request, I sent two of my staff with them to their boat to protect them from the people. I then continued the removal of troops and stores, and left the city at three, P. M., on the last train of cars. I have been unable to receive any report from General Duncan or General Smith, so am unable to give any details further than above stated, but will communicate with the Department as soon as possible. I shall probably fall back to Jackson to prevent the enemy from going up to Vicksburg and coming in rear of Beauregard.

Respectfully, your obedient servant,

(Signed,)

M. LOVELL,
Major General commanding.

P. S.—I will add, as a postscript to my letter, that, as far as I could see, the river defence boats, six in number, made a very poor show—want of discipline, system and training. I had a few regiments apart from the miscellaneous and self-armed militia of the city, and think I shall endeavor to collect such men as I can from the various forts in the department, and fall back to Jackson to prevent the enemy, now in possession of the river, from getting in rear of Beauregard, by way of the Vicksburg and Jackson railroad. I write this in great haste, and without any facilities or conveniences.

Respectfully,

M. LOVELL,
Major General commanding.

[Document No. 26.]

ORDNANCE OFFICE, }
Richmond, Feb. 15, 1862. }

General MANSFIELD LOVELL,
New Orleans :

GENERAL: I received this morning, a letter from Richard Lambert, ordnance officer on your staff, enclosing an estimate for \$66,000, copy of which I enclose.

We have already one disbursing officer at New Orleans, (Major M. L. Smith,) and it is deemed advisable not to have more than one for the department at the same post.

The estimate indicates the intention of erecting a laboratory shop, etc. This has not been contemplated by the department.

Very respectfully, your obedient servant,

J. GORGAS,
Lieut. Colonel and Chief of Ordnance.

[Document No. 27.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, Feb. 19, 1862. }

Governor T. O. MOORE :

SIR: I would suggest the propriety and necessity of your taking possession of the steamers Charles Morgan, Galveston and W. H. Webb, or two of them, for the immediate defence of the city, and to be used as transports for troops in case the occasion should require it. One gun might be put on each to prevent small parties of the enemy

from annoying them with boat-howitzers, sent up the river by launches from the shoal water to the eastward.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 28.]

HEADQUARTERS DEPARTMENT NO. 1, }
New Orleans, Feb. 25, 1862. }

His Excellency, Governor THOS. O. MOORE :

SIR : I have the honor to make requisition upon you for volunteers and militia, to the number of ten thousand men, to be placed in camp and held ready for defence at short notice.

Very respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

[Document No. 29.]

HEADQUARTERS RICHMOND, VA., }
May 8, 1862. }

Major General M. LOVELL,
Commanding, &c., Camp Moore :

GENERAL : Your letter of the 26th ultimo, to the Adjutant General, containing a report of the circumstances attending the fall of New Orleans, is received. The loss of this city is a very severe blow to us, and one that we cannot fail to feel most sensibly, but it is believed that with the means of defence at your disposal you have done all in your power.

Your plan of collecting all the troops you can, and taking a position which will enable you to defend the rear of General Beauregard, and protect his communications, is fully approved, and I regard it as a matter of great moment.

You will endeavor to collect as large a force as possible, and collect all the arms that you can procure. The want of arms is very severely felt at this time, and I hope you will spare no efforts to collect all that can be obtained in the hands of the people, that can be made serviceable.

You will organize and prepare the troops that you may be able to collect, to act most efficiently against the enemy, should he expose himself in any manner, and protect, as far as it is possible, the army of

General Beauregard from any movement that may endanger his communications or threaten his rear.

I am, General, very respectfully,

Your obedient servant,

R. E. LEE,
General.

[Document No. 30.]

HEADQUARTERS, RICHMOND, VA., *May 24, 1862.*

Major General M. Lovell,

Commanding, &c., Camp Moore :

GENERAL: I have had the honor to receive your letter of the 11th instant. My reply to your former communication will have made known to you the opinion I entertain of your course in evacuating New Orleans. That opinion is confirmed by the additional particulars contained in your letter just received.

After the enemy succeeded in passing the forts, it seems there was nothing left for you to do but to withdraw the troops. I think you may confidently rely upon the judgment of intelligent and reflecting men for the justification of your course, as soon as the facts, as they actually existed, shall be known. The city being lost, I approve of your purpose to confine the enemy to its limits as closely as possible, and to protect the State from his ravages. The means with which you propose to accomplish this seem to be the best that you can now employ, and I must urge you to put them in operation without delay, soliciting bold and judicious partizans who can raise proper corps, and whose appointment, when recommended by you, will be subject to the approval of the President. In the meantime set them vigorously to work. The want of arms is much felt everywhere, and no exertions should be spared to procure all of serviceable kind. I hope to be able to send you one thousand rifles from a cargo lately arrived at Charleston, should it embrace arms for the Confederacy.

I am, General, very respectfully,

Your obedient servant,

R. E. LEE, *General.*

[Document No. 31.]

CAMP MOORE, LA., *April 28, 1862.*

Governor JOHN J. PETTUS,

Jackson, Mississippi :

Please send cannon from Mobile, intended for New Orleans, to

Vicksburg; also any powder. General Jones says he sent both from Mobile.

M. LOVELL.

Answer.

JACKSON, Miss., April 29, 1862.

To General LOVELL:

Five army guns here from Mobile; nine navy guns without carriages. Do you want many guns sent to Vicksburg?

JOHN J. PETTUS.

[Document No. 32.]

HEADQUARTERS DEPARTMENT No. 1, }
New Orleans, April 12, 1862. }

General G. W. RANDOLPH,
Secretary of War:

SIR: I have the honor to report that we shall in a few days have about five thousand men in this part of the State enlisted for the war, for whom I have no arms. All the troops for the interior lines about the city that I had organized were sent to Corinth, and the defence of those lines left in the hands of a few, badly organized volunteers, very poorly armed. The forces of the enemy at Ship Island and Isle Briton cannot be less than ten or twelve thousand men, and I deem it my duty to lay before you the entirely defenceless condition of the city against any attack by land. Should the enemy attempt to land at Bay St. Louis, and march a column of twelve or fifteen thousand men to Jackson, Mississippi, he would cut off all communication with Beauregard without the possibility of my preventing it. Learning that a large number of arms had arrived in the country, I telegraphed and wrote at once for them, as I have only about two hundred, but have received nothing.

The condition of our defences, so far as regards artillery, has been represented to the Department, yet, upon the evacuation of Pensacola, the greater portion of the heavy guns were sent to Mobile and other points, and that, too, at a time when the whole mortar fleet of the enemy and twelve steamers were in the river below the forts. I wrote to General Jones, at Mobile, and telegraphed the Department, and received the reply that some of the heavy guns were ordered here. I learn that fourteen ten-inch Columbiads were kept at Mobile, while three were sent here. Mr. Benjamin also wrote me that forty-four thousand pounds of powder had been sent from Columbus, but it was depleted on the road to less than half that amount. With powder mills that have abundance of sulphur and charcoal and facilities for

making three thousand pounds of powder per day, saltpetre has been sent from Arkansas to Georgia, while *Memphis and Corinth were making requisitions on me for powder*. Not a pound of saltpetre has been sent here for three months.

I mention these things, not that I am by any means discouraged or disheartened, but to account, in some measure, for the dissatisfaction that exists among the people here, who, having sent men, arms and everything they had to Virginia and Tennessee, now find the enemy at their doors, both by land and water, while they can obtain neither heavy guns nor small arms, which they learn by the papers are being sent to places which certainly are not considered so important as the city of New Orleans and the mouth of the Mississippi. The whole city is in a fever of anxiety about the finishing of the Louisiana and Mississippi, which they consider as their salvation against the fleet below, and I should not regard it as wise to send them above, unless we could place in position at Fort Jackson such a number of guns of heavy calibre as would insure that New Orleans could not be taken by a bold dash. It is scarcely probable that the gunboats of the enemy would come down the river much in advance of their army. Meanwhile we might clear the mouth of the river, and then send the whole fleet above and drive them back to Cairo. But, in any event, we require several more ten-inch guns, and at least four or five thousand stand of small arms.

I would also earnestly urge the confirmation of Colonel Smith as a brigadier general. I have but one officer of that rank in the department, which compels me to do a great deal of work that should devolve upon subordinate officers.

Very respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

REPORT
OF THE
BOMBARDMENT OF FORTS JACKSON AND ST. PHILIP,
AND
THE FALL OF NEW ORLEANS.

HEADQUARTERS DEPARTMENT No. 1, }
Jackson, Miss., May 27, 1862. }

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

SIR: Herewith, I have the honor to enclose my report of events attendant upon the fall of New Orleans. Also, the reports of General Smith and General Duncan—accompanying the latter, are a diagram of Forts Jackson and St. Philip—the report of Lieutenant Colonel Higgins and Captain Squires, and a report of the killed and wounded at these points.

Respectfully, your obedient servant,

M. LOVELL,
Major General commanding.

REPORT OF MAJOR GENERAL LOVELL, COMMANDING.

HEADQUARTERS DEPARTMENT No. 1, }
Vicksburg, May 22, 1862. }

General S. COOPER,

Adjutant and Inspector General, Richmond, Va. :

SIR: Herewith, I have the honor to transmit the reports of Brigadier Generals Duncan and Smith, with the accompanying documents, of the operations preceding and attendant upon the fall of New Orleans.

The department is fully aware, from my official correspondence and telegraphic dispatches, of the exact nature of the defences erected for the protection of that city; consisting in general terms, of an exterior line of forts and earthworks, intended to prevent the entrance of the armed vessels of the enemy, and an interior line in the immediate vicinity of the city, which was constructed almost entirely with reference to repelling any attack made by land with infantry. Where this line crossed the river below the city, it was intended to have a battery of twelve thirty-two and ten forty-two-pounders, which it was considered would enable us to drive back any small number of ships that might succeed in passing the obstructions at the forts, under the fire of their guns. But, whether sufficient or not, no more were to be had, and subsequently, at the earnest request of the naval authorities, I transferred the forty-two-pounders to the steamers Carondelet and Bienville, for service on Lake Pontchartrain, in connection with Forts Pike and Macomb. Immediately after I assumed command of the department, finding that there were no guns of the heaviest calibre, I applied to Richmond, Pensacola and other points, for some ten-inch columbiads and sea coast mortars, which I considered necessary to the defence of the lower river, but none could be spared; the general impression being that New Orleans would not be attacked by the river, and I was, therefore, compelled to make the best possible defence with the guns at my disposal. Twelve forty-two-pounders were sent to Forts Jackson and St. Philip, together with a large additional quantity of powder, and being convinced that, with the guns of inferior calibre mounted there, we could not hinder steamers from passing, unless they could be detained for some time under the fire of the works, I pushed forward rapidly the construction of a raft which offered a complete obstruction to the passage of vessels up the river, except through a

small opening, and then only one at a time. The forts had seventy-five or eighty guns that could be brought successively to bear upon the river, were manned by garrisons of well trained artillerists, affording a double relief to each gun and commanded by officers who had no superiors in any service. Under these circumstances, although I feared that the high water in the spring, with the accompanying drift, would carry away the raft, yet every confidence was felt that the river would remain closed until such time as the iron-clad steamers, "Mississippi" and "Louisiana," could be finished, which I was confidently informed would not be later than the 1st of February. The first raft constructed was not carried away by the high water and drift until the latter part of February. But with funds placed at my disposal by the citizens of New Orleans, another was placed in position in March, by the energetic labors of Colonel Higgins and others, and the position was again temporarily secure. No heavy guns had yet been received, although strenuous applications were made by me to get some from Pensacola, when that place was abandoned. The general impression of all those to whom I applied was, that the largest guns should be placed above New Orleans, not below, although I had notified the department on the 22nd March, that, in my judgment, the fleet only awaited the arrival of the mortar vessels, to attempt to pass up the river from below. By means, however, of an energetic and persevering officer, Major W. P. Duncan, commissary subsistence, three ten-inch columbiads and five mortars, were finally procured and brought over just in time to be put up as the firing commenced. Thinking that the enemy's troops at Isle Breton, were intended to land at Quarantine and act in rear of Fort St. Philip, I ordered Colonel Sysmauski's regiment of ninety day's men, armed with shot guns, to that point as a protection. I had likewise organized two companies of shapshooters and swamp hunters, under Captains Mullen and Lartique, which were sent down for operation upon the enemy's vessels from the banks of the river; but the high water, keeping the men day and night nearly waist deep in water, soon compelled them to abandon their positions. I will here state that every Confederate soldier in New Orleans, with the exception of one company, had been ordered to Corinth to join General Beauregard, in March, and the city was only garrisoned by about 3,000 ninety-day troops,—called out by the Governor, at my request,—of whom about 1200 had muskets, and the remainder shot guns, of an indifferent description.

The river rose rapidly in April and soon drove out Sysmauski's regiment, which was removed to the west bank, about six miles above Fort Jackson. The whole country became one vast sheet of water, which rose in the forts and covered places heretofore safe from its encroachments. Under the tremendous pressure of this current and a storm of wind and rain, the second raft was broken away in the night of Friday, the 11th of April, two days before the enemy first opened fire. The fourteen vessels of Montgomery river defence expedition had been ordered by the department when completed to be sent up to Memphis and Fort Pillow, but believing the danger of attack to be greater from below, I detained six of them at New Orleans, of which

change, the department was fully advised. At my suggestion, Gov. Moore had also fitted up two steamers which were sent to the forts below the city. A large number of fire-rafts were also constructed and steered down, and two small steamers were employed for the special purpose of towing these rafts into position where they could be most effective, so as to leave the armed vessels free to operate against the enemy. I telegraphed General Beauregard to send down the iron-clad ram *Manassas*, and when the Secretary of the Navy ordered the steamer *Louisiana* to be sent also up the river, I protested, through the War Department, being satisfied that we required more heavy guns below. She was eventually permitted to go down the river on Sunday, the 20th of April; but not in a condition to use her motive power with effect. It was hoped that, notwithstanding this, she would be able to assume a position below Fort St. Philip, discovering the location of the mortar boats, and being herself proof against direct fire, dislodge the enemy with her guns, which were of very heavy calibre. Knowing also, that the incessant bombardment kept General Duncan closely confined to Fort Jackson, so that he could give no orders to the river defence steamers, I placed the whole under the control of Captain Mitchell, the armed steamers, as well as the tugs intended to tow down the fire-rafts. I will here state, that the river defence fleet proved a failure, for the very reasons set forth in my letter to the department of the 15th of April. Unable to govern themselves and unwilling to be governed by others, their almost total want of system, vigilance and discipline, rendered them useless and helpless, when the enemy finally dashed upon them suddenly in a dark night. I regret very much that the department did not think it advisable to grant my request to place some competent head in charge of these steamers. Learning subsequently that the *Louisiana* was anchored above the forts and that the fire-rafts were not sent down, I telegraphed Captain Mitchell, requesting him to attend to it, and afterwards called upon Commodore Whittle and entreated him to order the steamer to take the desired position below the forts. This he declined to do; but telegraphed Captain Mitchell, telling him "to strain a point to place the vessel there, if, in his judgment, it was advisable." No change, however, was made, and in the night of the 23d March, I went down myself in a steamboat, to urge Captain Mitchell to have the *Louisiana* anchored in the position indicated, also, to ascertain why the fire-rafts were not sent down. A few moments after, the attack commenced and the enemy succeeded in passing with fourteen ships, as described in General Duncan's report—and the battle of New Orleans, as against ships of war, was over. I returned at once to the city, narrowly escaping capture, and giving orders to General Smith, in command of the interior lines, to prepare to make all possible resistance to the enemy's fleet at the earth-work batteries below the town, instructed Colonel Lovell to have several steamers ready to remove, as far as possible, the commissary and ordnance stores, being satisfied that the low developments at Chalmette could offer no protracted resistance to a powerful fleet; whose guns, owing to the high water, looked down upon the surface of the country and could sweep away any number of infantry by an enfilading

fire. These lines, as before remarked, were intended mainly to repel a land attack, but in a high stage of water were utterly untenable by infantry against guns afloat. It having been reported to me that a sufficient number of desperately bold men could easily be got together to board the enemy's vessels, and carry them by assault, I authorized Major James to seize such steamers as might be necessary for his purpose and to attempt it. He called for one thousand men by public advertisement, but being able to find but about a hundred who would undertake it, he abandoned the project. On the morning of the 25th, the enemy's fleet advanced upon the batteries and opened fire, which was returned with spirit by the troops as long as their powder lasted, but with little apparent effect upon the enemy. The powder intended for this battery of thirty-two-pounders, had been transferred by me to the steamer Louisiana a few days before, under the supposition that it would render much better service from her heavy rifles and shell guns than with a battery of light thirty-two's. For the operations at these works, you are respectfully referred to General Smith's report. The greater portion of the ordnance stores, provisions and quarantine property, were sent from the city by rail or steamer, and a portion of the volunteers also took the cars for Camp Moore, seventy-eight miles distant on the Jackson railroad. The greater part of the ninety days' troops disbanded and returned to their homes. There were two or three regiments and smaller bodies of men, raised for Confederate service, in the city at the time; but being entirely without arms of any kind, they could be of no service, and were also ordered to Camp Moore. I adopted this course, recognizing the perfect absurdity of confronting more than a hundred guns afloat, of the largest calibre, well manned and served, and looking down upon the city, with less than three thousand militia, mostly armed with indifferent shot guns. It would, in my judgment, have been a wanton and criminal waste of the blood of women and children, without the possibility of any good result, for the enemy had only to anchor one of his ships at Kenner, to command the Jackson railroad, and he could have reduced the city to ashes at his leisure, without our being able to make any resistance whatever, or without firing a shot he could have starved the city into a surrender in less than three weeks, as there was not more than eighteen days food on hand for the population, from which my troops were almost entirely drawn.

Why he did not occupy Kenner and cut off all exit from the city immediately, I do not understand. Presuming that he would do so, as a matter of course, I had requested Capts. Poindexter and Gwathmey, of the navy, to have all the steamers ready in Lake Pontchartrain, to carry the troops over to Madisonville, whence they could march to Camp Moore. A portion of them were taken over by this route. Knowing that the enemy would at once seize the Opelousas railroad, and thus cut off the troops occupying the works on the coast of west Louisiana, I sent orders to the different commanding officers at Ports Livingston, Guion, Quitman, Berwick and Chene, to destroy their guns, and taking their small arms, provisions and ammunition, to rejoin me at Camp Moore. Major Ivy brought away the troops at

the two latter forts, in a very creditable manner, but these at the other works became demoralized, disbanded, and returned to New Orleans. I gave verbal instructions to Col. Fuller, to have the garrison of Forts Pike and Macomb, Battery Bienvenu and Tower Dupre, ready to move at a moment's notice, as their posts were dependent on the city for provisions, and frequently for water. It was understood that the naval steamers, in connection with other vessels in the lake, should bring away these garrisons when called upon to do so, and after my arrival at Camp Moore, orders were given on the 26th to go for them, as I had been informed that Forts Jackson and St. Philip had been surrendered. Finding that this report was untrue, I immediately countermanded the orders, giving instructions that they should be held until further notice; but before either order could reach Madisonville, it was reported that the whole command was already at Covington. I advised Capt. Poindexter to make his way to Mobile, with his armed steamers, but he concluded to destroy them. We, however, procured from them some of the guns and ordnance stores, which I ordered immediately to Vicksburg, to be put in position there. On the 25th, Capt. Bayly, of the Federal navy, demanded the surrender of the city, and that the flags should be taken down, and the United States flag put up on the mint, custom-house and other public buildings. To this demand I returned an unqualified refusal, declaring that I would not surrender the city or any portion of my command; but added, that feeling unwilling to subject the city to bombardment, and recognizing the utter impossibility of removing the women and children, I should withdraw my troops and turn it over to the civil authorities. This I did in compliance with the openly expressed opinion of all the prominent citizens around me—that it would be a useless waste of blood, without being productive of any beneficial results to the cause, for the troops to remain. Captain Bayly then returned to his ship, under escort, through the city, at his own request, of two officers of my staff, Colonel Lovell and Major James, and I then advised the Mayor not to surrender the city, nor to allow the flags to be taken down by any of our people, but to leave it to the enemy to take them down himself. This advice was followed by the city authorities; but the idea being held out in their subsequent correspondence with the Federal officers that they were placed in a defenceless condition by the withdrawal of the troops, but for which a different course might have been pursued, I promptly telegraphed to Major James, of my staff, then in the city, offering to return at once with my whole command, if the citizens felt disposed to resist to the last extremity, and remain with them to the end. I had deliberately made up my mind, that although such a step would be entirely indefensible in a military point of view, yet if the people of New Orleans were desirous of signaling their patriotism and devotion to the cause by the bombardment and burning of their city, I would return with my troops and not leave as long as one brick remained upon another. The only palliation for such an act would be that it would give unmistakable evidence to the world that our people were in deadly earnest. This determination, plainly expressed in my despatches to Major James, (herewith transmitted,

marked A,) was read by him to the Mayor, and also to the city council in presence of one or more prominent citizens. The opinion was generally and freely expressed by the Mayor and others, that the troops ought not to return. (See report of Major James, hereunto appended, marked B.) I went to the city myself, however, on the night of the 28th of April, and in order that there might be no mistake, made the same proposition in person to the Mayor. He said he did not think it advisable for the troops to return—that such a step would only be followed by a useless sacrifice of life, without any corresponding benefit, and urged decidedly that it be not done. I, however, addressed him a letter (herewith appended, marked C,) declaring my willingness to return and share a bombardment with them, and waited until the night of the 29th for an answer; but receiving none in writing, returned to Camp Moore. The same proposition was made by me, in the course of the day, to several prominent citizens, but was invariably discountenanced by them.

For a week after the withdrawal of the troops, I had a number of officers in the city, and kept trains running regularly, which brought out a large amount of Government property and stores, as well as those of the State of Louisiana. Nearly everything was brought away except the heavy guns and some property which persons in their fright had destroyed, and everything might have been saved, had not persons refused to work for my officers, fearing that they might be subjected to punishment by the enemy. Many, also, refused to work for Confederate money, which occasioned some delay and difficulty in the removal of stores. I feel gratified, however, in being able to state that we brought away all the troops that would leave, and, including the property of the State, a greater amount in value than belonged to the Government. What we failed to bring was from inability to get transportation. In this duty, I was mainly assisted by Col. Lovell, Major James, Major Ball, Captain Venable and Lieutenant McDonald, to whom the Government is greatly indebted for the safety of much valuable property. It was a source of great distress to me, to see the result of months of toil and labor swept away in a few hours, but it was, in my opinion, mainly attributable to the following causes, which I could not by any possibility control.

1st. The want of a sufficient number of guns of heavy calibre, which every exertion was made to procure, without success.

2d. The unprecedented high water which swept away the obstructions upon which I mainly relied, in connection with the forts, to prevent the passage of a steam fleet up the river; and

3d. The failure, through inefficiency and want of energy of those who had charge of the construction of the iron-clad steamers Louisiana and Mississippi, to have them completed in the time specified, so as to supply the place of obstructions; and, finally, the declension of the officers in charge of the Louisiana to allow her (though not entirely ready) to be placed as a battery in the position indicated by General Duncan and myself. On these last points I could only advise and suggest, as they appertained to a separate and independent department, over which I had no

control whatever. (See letter of Major James, hereunto appended, marked D.) I cannot close this report without recording in terms of the highest praise the glorious and heroic defense made at Forts Jackson and St. Philip by Brigadier General Duncan, Lieutenant Colonel Higgins, their officers and men. The enemy opened fire on the 13th of April, which was kept up, at intervals, for five days, when the mortars opened, and, from that time, with but a single interruption of a few hours, a bombardment was kept up for seven days and nights, which, for great rapidity and accuracy of range, has no parallel. More than twenty-five thousand shells were thrown, of which not less than one-third fell within the limits of Fort Jackson, yet the garrison held out, although wet, without change of clothing, and exhausted for want of rest and regular food, with a heroic endurance which is beyond all praise. That the enemy succeeded in passing a large portion of his fleet by the forts on a dark night, under a heavy fire, is due to no fault of the garrison of the forts. They did their whole duty, nobly and heroically, and had they been seconded, as they should have been by the defences afloat, we should not have to record the fall of New Orleans.

To the officers of my staff, who underwent months of severe and arduous labor, collecting supplies, creating resources, with the most limited means, and preparing all sorts of materials and munitions of war by ingenious makeshifts, I return my thanks. Left in the city with a small force of badly armed militia, all opportunity for distinction or glory was cut off, yet they never flagged in their zeal and devotion to the cause. When the country knows all that was done, and under what disadvantages it was accomplished, I feel confident that their verdict will do ample justice to those who shared equally in the labors of preparation, while they were denied the glory of taking part in the defence. The battle for the defence of New Orleans was fought and lost at Forts Jackson and St. Philip.

The extraordinary and remarkable conduct of the garrisons of these forts, in breaking out in open mutiny, after covering themselves with glory by their heroic defence, is one of those strange anomalies for which I do not pretend to account. The facts are recorded and speak for themselves. The causes will, probably, never be known in full.

For the detailed accounts of the bombardment of the forts, and the engagements at the time of the passage of the fleets by them and the batteries at Chalmette, you are respectfully referred to the accompanying reports of Generals Duncan and Smith. There were no batteries except at these two points, for the reason that no guns could be procured to place in them. I had frequent occasion to regret that it was found impossible to give me control of the defences afloat as well as ashore. A single controlling head might have made all the resources more available and efficient in working out the desired result.

Very respectfully, your obedient servant,

M. LOVELL,

Major General commanding.

[A.]

CAMP MOORE, April 28th, 1862.

Major JAMES, *New Orleans* :

If the people are willing to stand the result, I will bring 4,500 men down, as soon as I can give them arms and powder, and stay as long as a brick remains. It is their interest I am endeavoring to consult, not the safety of my men. I have nothing but infantry and two batteries of field artillery, which would be of no use against ships. I will come down myself if they wish it, and bring the men along as fast as ready. They are newly raised regiments, and are being now armed and equipped, as you know. Can begin to bring them down to-morrow, if that is the desire of the citizens. Shall I come down myself to-night? Will do so if I can be of any assistance, and leave General Smith to complete the organization and bring down the five regiments when ready. The citizens must decide as to the consequences. I will come, if it is wished, cheerfully.

M. LOVELL,
Major General commanding.

 CAMP MOORE, April 28, 1862.
Major JAMES, *New Orleans* :

I shall start down myself, with an aid, now, and am perfectly ready, if it is the desire of the city, to hold it to the end. It is for them to say, not me.

M. LOVELL,
Major General commanding.

[B.]

General M. LOVELL :

SIR: I have the honor to report that while I was in the city of New Orleans, on the 27th of April, executing your orders to assist in removing the Government and State property, and while the negotiations were going on between the city authorities and the Federal officers for the surrender, I was informed that the nature of the replies to the naval commander was such as to throw some censure upon yourself for leaving them, as the Mayor styled it, without military protection.

I deemed it my duty to advise you of this immediately, the result

of which was the enclosed despatches from you, offering to return with your troops and afford them all the protection in your power, but that the responsibility of any results that might ensue must rest upon the citizens themselves. I read your despatches to the City Council, which was then in session, in presence of Mr. Pierre Soule, who happened to be there at the time. That gentleman, who seemed to speak for the Mayor and Council, most emphatically declared that you ought not to return with your troops, as did also the Mayor and members of the Council. Several of them, however, declared that they would be glad to have you return alone, and see matters for yourself, to which effect I telegraphed you. You came to the city that evening, with a single aid-de-camp, and went with me to the Mayor's house, where you, in my presence, told him that the citizens should have no cause to say that they were obliged to submit for want of military protection, that you were ready and willing to bring your whole command into the city within twenty-four hours, and undergo a bombardment with them, if that was their desire. That you had withdrawn to enable the citizens to decide the matter for themselves, as it was they, and not you, who had their families and property at stake. In reply, the Mayor earnestly declined your offer, stating that you had done all in your power, and that it would be a useless waste of life to bring the troops into the city. He also urged you, by all means, to retire from the city for your own safety, and subsequently asked me to persuade you to leave as soon as possible, as he would be hung if the United States authorities found you were at his house.

Very respectfully, your obedient servant,

L. L. JAMES,

Volunteer Aid-de-Camp.

HEADQUARTERS DEPARTMENT No. 1, NEW ORLEANS:

Hon. JOHN T. MONROE,

Mayor of New Orleans :

SIR: When the enemy, having succeeded in passing our defences on the river with his fleet, anchored abreast the city, it was apparent that the infantry troops under my command could offer no effectual resistance, and their presence would only serve as a pretext and justification for them to open their guns upon a city crowded with women and children, whom it was impossible to remove. Under these circumstances I determined at once to withdraw my troops, and leave it to the citizens themselves to agree upon the course of action to be pursued in relation to the welfare of their families and property. I now beg leave to say that, if it is the determination of the people of the city to hold it at any and all hazards, I will return with my troops and share the danger with them. That my return will be followed

by bombardment is, in my opinion, certain; but, if that is the conclusion come to, I will afford all the protection in my power.

Very respectfully,

M. LOVELL,
Major General commanding.

[D.]

CAMP MOORE, April 30, 1862.

To General M. LOVELL,

Commanding Department No. 1 :

GENERAL: At your request, upon my return from Forts Jackson and St. Philip, I accompanied you to call upon Commodore Whittle, of the navy, at his headquarters in New Orleans, for the purpose of getting that officer, if possible, to place the iron-clad gun-boat "Louisiana," in a position below Forts Jackson and St. Philip, from which she could enfilade the position of the enemy's mortar fleet and drive them from it, thereby relieving the forts, for a time at least, from the heavy bombardment then going on, which would allow Brigadier General Duncan to make such repairs as were necessary, and what was equally necessary, give the garrisons some rest. The position designated for the vessel to be placed in, was in an eddy upon the Fort St. Philip side of the river, and under the protection of the guns of both forts, and entirely out of line of the bombardment; and it would require a change of position of the mortar fleet to enable them to strike the vessel with shell, if she could have been struck at all. All these facts were fully explained by yourself to Commodore Whittle, and he was requested, by you, by all means, to place the vessel in said position, even if she was lost, as the maintaining the position then held by your troops in the forts, without this assistance, was merely a question of time. To this earnest appeal, upon your part, Commodore Whittle telegraphed to Commander Mitchell, of the fleet stationed just above the forts, "to strain a point, if in his judgment it was necessary, to comply with your request and place the Louisiana in the position before spoken of." As the result shows, the request of Commodore Whittle to Commander Mitchell was not complied with.

I make this statement *voluntarily*, in order that, if ever the question of the defences of New Orleans should arise, you can have every evidence to show that it was not certainly the want of proper exertions on the part of the land forces which caused the fall of New Orleans.

Very respectfully, your obedient servant,

L. L. JAMES,
Volunteer Aid-de-Camp.

REPORT OF BRIGADIER GENERAL J. K. DUNCAN, COM-
MANDING COAST DEFENCES.

NEW ORLEANS, LOUISIANA, }
April 30, 1862. }

Major J. G. PICKETT,

Ass't Adj't General, Department No. 1, Camp Moore, La. :

I have the honor to submit the following report of the bombardment of Forts Jackson and St. Philip, Louisiana, from the 16th to the 24th of April, 1862.

About the 27th of March I was informed by Lieutenant Colonel E. Higgins, commanding Forts Jackson and St. Philip, composing a part of the coast defences under my command, that the enemy's fleet was crossing the bars and entering the Mississippi river in force. In consequence I repaired at once to that post to assume the general command of the threatened attack upon New Orleans, which I had always anticipated would be made from that quarter. Upon my arrival I found that Fort Jackson was suffering severely from transpiration and backwater, occasioned by the excessive rise in the river and the continued prevalence of strong easterly winds. Notwithstanding every effort which could be made, the water kept daily increasing upon us, partly owing to the sinking of the entire site, and to the natural lowness of the country around it, until the parade-plain and casemates were very generally submerged to the depth of from three to eighteen inches. It was with the utmost difficulty, and only then by isolating the magazines and by pumping day and night, that the water could be kept out of them.

As the officers and men were all obliged to live in these open and submerged casemates, they were greatly exposed to discomfort and sickness, as their clothing and feet were always wet. The most of their clothing and blankets besides, were lost by the fire hereinafter mentioned. Fort St. Philip, from the same causes, was in a similar condition, but to a lesser extent.

No attention having been previously paid to the repeated requisitions for guns of heavy calibre for these forts, it became necessary, in their present condition, to bring in and mount and to build the platforms for the three ten-inch and three eight-inch columbiads, the rifled forty-two-pounder, and the five ten-inch sea-coast mortars, recently obtained from Pensacola on the evacuation of that place, together with the two rifled seven-inch guns, temporarily borrowed from the naval authorities in New Orleans. It was also found necessary to prepare the old water battery to the rear of and below Fort Jackson, which had never been completed, for the reception of a portion of these guns, as well as to construct mortar proof magazines and shell rooms within the same.

In consequence, also, of the character of the expected attack by

heavy mortars, it was deemed advisable to cover all the main magazines at both forts with sand bags to a considerable depth, to protect them against a vertical fire.

After great exertions, cheerfully made by both officers and men, and by working the garrisons by reliefs, night and day, this work was all accomplished by 13th of April. No sooner had the two rifled seven-inch navy guns been placed in position, however, than orders arrived to dismount one of them immediately, and to send the same to the city at once, to be placed on board of the iron clad steamer Louisiana. I strongly remonstrated against this removal by telegraph, but was informed in reply that the orders were imperative, and that the gun must be sent without fail. It was accordingly sent, but with great difficulty, owing to the overflow and the other causes stated. The garrisons of both forts were greatly fatigued and worn out by these labors, performed as they were under pressure, and within sight of the enemy, and owing to the many discomforts and disadvantages we were laboring under, in consequence of high water. In the meantime I had called upon the General commanding the department for two regiments, to be stationed at the quarantine buildings, six miles above the forts, to act as a reserve force and to co-operate with the forts, in case of a combined land and water attack. I also asked for Captain W. G. Mullen's company of scouts and sharpshooters, to be stationed in the woods below Fort Jackson, on the right bank of the river, for the purpose of picking off the officers and men from the enemy's vessels, when assuming their several positions of attack. Captain Mullen's company, of about one hundred and twenty-five men, was sent down as requested, and stationed in part in the point of woods below Fort Jackson, and the remainder on the Fort St. Philip side, opposite the raft obstructing the river. The Chalmette regiment, consisting of about five hundred men, Colonel Sysmauskie commanding, was sent to the quarantine. A part of it was stationed there, and company detachments were placed at the heads of the several canals, leading from the river into the bays back of the same, to guard against a land force being thrown in launches above us.

Four steamers of the river fleet, protected, and, to a certain extent, made shot proof with cotton bulk-heads, and prepared with iron prows to act as rams, viz: the Warrior, Stonewall Jackson, Defiance and Resolute, commanded by Captains Stephenson, Philips, McCoy and Hooper, respectively, were sent down to report to and co-operate with me. The steamers Governor Moore and General Quitman, prepared as those before mentioned, and commanded by Captains B. Kennon and A. Grant, were sent down in like manner to co-operate with the forts, and ram such vessels of the enemy as might succeed in passing. The naval authorities also sent down the C. S. steam ram Manassas, Captain Warly, C. S. navy, commanding. She was stationed a short distance above Fort Jackson, with her steam up constantly, to act against the enemy as the occasion might offer. Subsequently, also, Captain F. B. Renshaw, C. S. navy, arrived in command of the C. S. steamer Jackson. The raft of logs and chains which had formerly been placed across the river, having proven a failure, upon the rise in

the stream and constant velocity of the drift-bearing current, a new obstruction had been placed across the river, opposite Fort Jackson, by Lieutenant Colonel E. Higgins, prior to his assumption of the command of the forts. This consisted of a line of schooners anchored at intervals, with bows up stream, and thoroughly chained together amidships, as well as stern and stem. The rigging, ratlings and cable were left to trail astern of these schooners, as an additional impediment to tangle in the propeller wheels of the enemy. This schooner raft was seriously damaged by the wind storm on the 10th and 11th of April, which parted the chains, scattered the schooners, and materially affected its character and effectiveness as an obstruction.

In addition to the wind, the raft was also much damaged by allowing some of the fire barges to get loose and drift against it, through the carelessness of those having them in charge. A large number of these fire-barges were tied to the banks above both forts, ready at all times to be towed into the current and against the enemy, for the double purpose of firing his ships, and to light up the river by night to insure the accuracy of our fire. My instructions to the river fleet, under Captain Stephenson, (see attached Document A,) were to be in the stream above the raft, with such boats as had stern guns, in order to assist the forts with their fire, in case the enemy should attempt the passage, as well as to turn in and ram, at all hazards, all such vessels as might succeed in getting above the raft. He was also required to take entire control of the fire barges (see attached Document B) to reconnoitre the enemy above the head of the Passes, and to keep a watch boat below every night, near the point of woods, to signal the approach of the enemy. The accompanying diagram will illustrate all the points referred to in this report.

The same instructions were given to Captains Kennon and Grant, and, upon his arrival, Captain Renshaw was duly informed of the arrangements made, in which he promised heartily to co-operate. While the enemy remained at the head of the Passes, twenty-two and a half miles below the forts, and, subsequently, when he came up to the Júp or Wilder's Bayou, the boats of the river fleet took turns in running down and watching his movements. For a few nights, also, at this time, one of them was kept below as a guard boat. We had telegraphic communication besides, down to within half a mile of the Jumps, nine miles below the forts, which together with scouts operating in the bays to the east and west of the river, in skiffs and perogues, kept us duly posted, meanwhile, of the enemy's movements below as far down as the Southwest Pass. The enemy was not, meanwhile, idle in the interim. His larger vessels were worked over the Southwest bar, after failing to make an entrance at Pass a l'Outre, and the mortar fleet was brought up as far as the S. W. Pilot Station, where the mortars were scaled and afterwards tested. From seven to thirteen steam sloops of war and gunboats, were constantly kept at the head of the Passes or at the Jump, to cover his operations below and to prevent our observing his movements by way of the river. By gradual and regular approaches, he carefully closed upon the forts, day by day, and opened the attack as hereinafter detailed.

April 9th. One of our reconnoitering steamers was chased and followed up by two of the enemy's gunboats as far as the point of woods below Fort Jackson, but were soon forced to retire by a few shots from our batteries. This was his first reconnoissance, and our fire was not returned.

April 13th. Several of the hostile gunboats again came up to make observations. They would occasionally show themselves singly or in pairs above the point of woods and exchange a few shots with the forts and then retire again behind the point. Our sharpshooters obtained a few shots on this occasion, but with very partial result, owing to the lowness of the surrounding country and the extreme rise in the river. Many of the men were up to their waists in water, and, in consequence, sickness prevailed among them and unfitted them for duty.

The enemy spent the principal part of the day in firing grape and canister, and in shelling the woods to drive them out. This was repeated the following day, the enemy not coming within range or sight of the forts, but confining himself to shelling the woods below. The sharpshooters were all driven out by this second day's firing. Our telegraphic communication below was also broken up, as the wires were removed and many of the posts cut and torn down by the enemy.

There being no other point above or below where the sharpshooters could profitably act in that capacity, and as many of them were unfit for duty from exposure, I deemed it advisable to dispense with their services and send them to the city, which was accordingly done.

It being of the highest importance, however, to keep up the telegraphic communication below, Lieutenant T. J. Royster's company, sappers and miners, twenty-second regiment Louisiana volunteers, volunteered his services with fifteen men of his company, to act as sharpshooters in perogues and cover the operator in repairing the line and re-establishing the connection with the forts above as well as to annoy the enemy. This also failed, from the great difficulty of managing the perogues effectively in the dense undergrowth of the swampy woods below, and the telegraph and the sharpshooters had to be abandoned in consequence.

April 15th. The enemy brought up his whole fleet, extending the same from the head of the Passes to the point of woods below the forts. Orders were repeatedly given to Captain Stephenson, of the river fleet, to cause the fire barges to be sent down nightly upon the enemy; but every attempt seemed to prove a perfect abortion, the barges being cut adrift too soon, so that they drifted against the banks directly under the forts, firing our wharves and lighting us up, but obscuring the position of the enemy. In consequence I turned the control of them as well as the boats employed to tow them into the stream, over to Captain Renshaw, the senior naval officer present. I also directed Captains Kennon and Grant to report to him for orders, as I found great difficulty in communicating with or controlling the vessels afloat, and directed Captain Stephenson, with his four boats, to co-operate with Captain Renshaw in every possible way. These boats of the river fleet, it seemed, could not be turned over directly to the

immediate command of naval officers, owing to certain conditions imposed by the Navy Department.

April 16th. From half past seven o'clock, A. M., the enemy's gunboats came around the point repeatedly for observation, but were invariably forced to retire by our fire. In the meantime, he was locating the position of the mortar flotilla, composed of twenty-one schooners, each mounting one thirteen-inch mortar and other guns, close against the bank on the Fort Jackson side and behind the point of woods. At half past four o'clock, P. M., the enemy ran out a gunboat and fired upon the fort, under cover of which two mortar-boats were brought out into the stream. These boats opened fire upon Fort Jackson at five, P. M., which was continued for an hour and a half, the enemy, under our fire, retiring behind the point of woods.

One fire barge sent down successfully against the enemy at four o'clock, A. M., which drifted in among his vessels and was fired upon by them, creating considerable movement and perturbation. During the day, Captains Renshaw, Kennon, Seant, Stephenson and Hooper, passed in turns with their boats below the raft, now very much disconnected and scattered, and exchanged a few shots with the hostile gunboats and mortar-boats.

Two more abortive attempts were made to send down fire-barges against the enemy during the night.

April 18th. At nine o'clock, A. M., the enemy opened upon Fort Jackson, with his entire mortar fleet of twenty-one vessels and with rifled guns from his gunboats. Fifteen of them were concealed behind the point of woods, and the other six hauled out in the stream at an angle with them, (see diagram,) just at the extreme range of our heaviest guns. Our fire disabled one gunboat and one mortar boat, causing those in the stream to retire behind the cover of the woods. Generally our shots fell short, for lack of elevation, and in consequence of the inferiority of our powder compared to that of the enemy. Even our nearest gun—a ten-inch sea-coast mortar—would not reach his boats with the heaviest charges. The enemy ceased firing at seven o'clock, P. M., having fired this day 2,997 mortar shells.

The quarters in the bastions were fired and burned down early in the day, as well as the quarters immediately without the fort. The citadel was set on fire and extinguished several times during the first part of the day, but later it became impossible to put out the flames, so that when the enemy ceased firing, it was one burning mass, greatly endangering the magazines, which, at the time, were reported to be on fire. Many of the men, and most of the officers, lost their bedding and clothing by these fires, which greatly added to the discomforts of the overflow. The mortar fire was accurate and terrible, many of the shells falling everywhere within the fort and disabling some of our best guns. I endeavored to get the naval forces to carry down fire barges against the enemy, so as to disperse it, but they were all let go above the raft, and with such a lack of judgment that they only lodged under the forts and did not reach the enemy.

(See attached document C.)

None of the boats acted as a guard-boat below the raft at night, so

that, in consequence, the enemy sent up two launches to examine the character of the raft obstructing the river.

April 19th. The mortar fleet again opened at half-past six o'clock, A. M., and the fire was constantly kept up throughout the day. Gunboats constantly came above the point during the day to engage the forts, but were as constantly driven back by our fire. One of them we crippled, which was towed behind the point of woods. The enemy's fire was excellent, a large proportion of his shells falling within Fort Jackson. The terre-plein, parade-plain, parapets and platforms were very much cut up, as well as much damage done to the casemates. The magazines were considerably threatened, and one shell passed through into the casemates containing fixed ammunition. One ten-inch and one eight-inch columbiad, one thirty-two and one twenty-four-pounder, and one ten-inch siege mortar, disabled in the main work. Also, two thirty-two-pounders in the water battery.

Bombardment continued very regularly and accurately all night. Failures again made in sending down fire barges.

April 20th. Some rain in the morning. Bombardment constant throughout the day, with occasional shots from the gunboats around the point. Wind very high. No fire-barges sent down to light up the river or distract the attention of the enemy at night. In consequence, between eleven and twelve o'clock, P. M., under cover of the heaviest shelling during the bombardment thus far, one of the enemy's gunboats came up in the darkness and attempted to cut the chains of the raft and drag off the schooners. A heavy fire was opened upon her, which caused her to retire, but not until she had partially accomplished her purpose. The raft after this could not be regarded as an obstruction. The fire continued uninterruptedly all night.

April 21st. Firing continued all day and all night without interruption. Several guns disabled. Disabled guns were repaired, as far as practicable, as often as accidents happened to them or their platforms. Fort Jackson, by this time, was in need of extensive repairs almost everywhere, and it was with extreme pleasure that we learned of the arrival during the night of the iron-clad steamer Louisiana, under the cover of whose heavy guns we expected to make the necessary repairs.

April 22d. By the direction of the Major General commanding the department, everything afloat, including the tow-boats and the entire control of the fire-barges, was turned over to Captain John K. Mitchell, Confederate States navy, commanding the Confederate States naval forces, lower Mississippi river. I also gave Captain Mitchell one hundred and fifty of our best men from Forts Jackson and St. Philip, under Lieutenants Dixon and Gandy, and Captain Ryan, to serve a portion of the guns of the Louisiana, and to act as sharpshooters on the same vessel. In an interview with Captain Mitchell, on the morning of this date, I learned that the motive power of the Louisiana was not likely to be completed within any reasonable time, and that, in consequence, it was not within the range of probabilities that she could be regarded as an aggressive steamer, or that she could

be brought into the pending action in that character. As an iron-clad, invulnerable floating-battery, with sixteen guns of the heaviest calibre, however, she was then as complete as she would ever be. Fort Jackson had already undergone, and was still subjected to a terrible fire of thirteen-inch mortar shells, which it was necessary to relieve at once, to prevent the disabling of all the best guns at that fort. And although Fort St. Philip partially opened out the point of woods, concealing the enemy, and gallantly attempted to dislodge him or draw his fire, he, nevertheless, doggedly persisted in his one main object, of battering Fort Jackson. Under these circumstances I considered that the Louisiana could only be regarded as a battery, and that her best possible position would be below the raft, close in on the Fort St. Philip shore, where her fire could dislodge the mortar boats from behind the point of woods, and give sufficient respite to Fort Jackson to repair *in extenso*. This position (X on the accompanying diagram) would give us three direct and cross-fires upon the enemy's approaches, and at the same time insure the Louisiana from a direct assault, as she would be immediately under the guns of both forts. Accordingly, I earnestly and strongly urged these views upon Captain Mitchell, in a letter of this date, (copy lost,) but without avail, as will be seen by his reply, attached as document D.

Being so deeply impressed myself with the importance of this position for the Louisiana, and of the necessity of prompt action in order to insure the success of the impending struggle, I again urged this subject upon Captain Mitchell, during the latter part of the same day as absolutely indispensable and imperative to the safety of New Orleans and to the control of the lower Mississippi. My efforts were ineffectual to get him to move the boat from her original position above the forts. His reply is attached as document E, in which he is sustained by all the naval officers present having the command of vessels. I also addressed him two other notes through the day, the one in regard to sending fire-barges against the enemy, and the other relative to keeping a vigilant look out from all his vessels, and asking for co-operation should the enemy attempt to pass during the night. (See attached document F.)

Bombardment continued during the day and night, being at times very heavy. During the day our fire was principally confined to shelling the point of woods from both forts, and with apparently good results, as the mortar fire was slackened towards evening. The casemates were very much cut up by the enemy's fire, which was increased at night. There was little or no success in sending down fire-barges, as usual, owing in part to the condition of the towboats Mosher, Music and Belle Algerine, in charge of the same, explained by attached Document G. This does not excuse the neglect, however, as there were six boats of the river fleet available for this service, independent of those alluded to, and fire-barges were plentiful.

April 23rd. The day broke warm, clear and cloudless. No immediate relief being looked for from our fleet, the entire command was turned out to repair damages under a very heavy fire of the enemy.

The bombardment continued, without intermission, throughout the

day, but slackened off about twelve o'clock, M., at which hour there was every indication of an exhaustion on the part of the mortar flotilla. Hence it became evident that the tactics of the enemy would necessarily be changed into an attack with broadsides by his larger vessels. In consequence, these views were laid before Captain Mitchell, and he was again urged to place the Louisiana at the point before mentioned, below the raft and near the Fort St. Philip bank of the river, to meet the emergency. (See attached Document H.) Captain Mitchell's reply is attached in Documents E, I, J and K, wherein he positively declines again to assume the only position which offered us every possible chance of success, and Captains McIntosh, Huger and Warly, sustain Captain Mitchell in his views of the case. Just before sun-down under a very heavy mortar fire, the enemy sent up a small boat, and a series of white flags were planted on the Fort St. Philip bank of the river, commencing about three hundred and eighty yards above the lone tree upon that shore. (See diagram.) This confirmed my previous views of an early and different attack from the usual mortar bombardment, especially as I presumed that these flags indicated the positions to be taken up by the several vessels in their new line of operation. As nothing was to be expected from the Louisiana, after the correspondence during the day, I could only inform Captain Mitchell of this new movement of the enemy, (see attached Document L.) and particularly impress upon him the necessity of keeping the river well lit up with fire-barges, to act as an impediment to the enemy and assist the accuracy of our fire in a night attack. Lieutenant Shyroek, C. S. N., Captain Mitchell's aid, came on shore about nine o'clock, P. M., to inform me that the Louisiana would be ready for service by the next evening—the evening of the 24th.

I informed him that time was everything to us, and that to-morrow would, in all probability, prove too late. Lieutenant Colonel Higgins, warmly seconded my opinion and warned Lieutenant Shyroek, that the final battle was imminent within a few hours.

In regard to lighting the river, Lieutenant Shyroek, stated that fire-barges would be regularly sent down throughout the night, every two hours; and as none had been sent up to that hour, (half past nine o'clock, P. M.,) he left, informing me that this matter would be attended to as soon as he arrived on board.

To my utter surprise, not one single fire-barge was sent down the river, notwithstanding, at any hour of this night. It was impossible for us to send them down, as everything afloat had been turned over to Captain Mitchell, by order of the Major General commanding, and the fire-barges and the boats to tow them into the stream, were exclusively under his control. In consequence of this criminal neglect, the river remained in complete darkness throughout the entire night. The bombardment continued all night and grew furious towards morning.

April 24th. At half past three o'clock, A. M., the larger vessels of the enemy were observed to be in motion, and as we presumed, to take up the positions indicated by the small flags planted by them on the

previous evening. I then made my last and final appeal to Captain Mitchell, a copy of which is attached as Document M.

The Louisiana was still in her old position above Fort St. Philip, surrounded by her tenders, on board of which was the majority of her cannoners and crew—and the other boats of the fleet were generally at anchor above her, excepting the Jackson, Captain Renshaw, C. S. N., commanding, which had been sent the day before at my suggestion, to prevent the landing of forces through the canals above. The McRae lay near and above the Louisiana, and the steam-ram Manassas, with her tender, remained in her constant position above Fort Jackson, both with steam up and ready for immediate action. The enemy evidently anticipated a strong demonstration to be made against him with fire-barges. Finding, upon his approach, however, that no such demonstration was made, and that the only resistance offered to his passage, was the expected fire of the forts—the broken and scattered raft being then no obstacle—I am satisfied that he was suddenly inspired, for the first time, to run the gauntlet at all hazards, although not a part of his original design. Be this as it may, a rapid rush was made by him in columns of twos in echelon, so as not to interfere with each others broadsides. The mortar fire was furiously increased upon Fort Jackson, and, in dashing by, each of the vessels delivered broadside after broadside, of shot, shell, grape, canister, and spherical case, to drive the men from our guns.

Both the officers and men, stood up manfully under this galling and fearful hail, and the batteries of both forts were promptly opened at their longest range, with shot, shell, hot shot, and a little grape, and most gallantly and rapidly fought, until the enemy succeeded in getting above and beyond our range.

The absence of light on the river, together with the smoke of the guns, made the obscurity so dense that scarcely a vessel was visible, and, in consequence, the gunners were obliged to govern their firing entirely by the flashes of the enemy's guns. I am fully satisfied that the enemy's dash was successful, mainly owing to the cover of darkness, as a frigate and several gun-boats were forced to retire as day was breaking. Similar results had attended every previous attempt made by the enemy to pass or to reconnoitre, when we had sufficient light to fire with accuracy and effect. The passage was of short duration, having been accomplished between half past three and daylight, under a very rapid and heavy pressure of steam. Of the part taken in this action by the Louisiana, Manassas, and the other vessels composing the co-operating naval forces, I cannot speak with any degree of certainty, excepting that the Louisiana is reported to have fired but twelve shots during the engagement. But to the heroic and gallant manner in which Captain Huger handled and fought the McRae, we can all bear evidence. The Defiance, Captain McCoy, commanding, was the only vessel saved out of the river fleet.

Shortly after daylight, the Manassas was observed drifting down by the forts. She had been abandoned and fired, and was evidently in a sinking condition.

The McRae was considerably cut up in this action by shot and grape.

The Resolute was run on shore about a mile above the forts, where she hoisted a white flag, but by the prompt action of the *McRae*, she was prevented from falling into the hands of the enemy. She was subsequently wrecked and burned. The *Warrior* was run ashore and fired on the point just above Fort St. Philip.

Nothing was known by us of the movements of the *Stonewall Jackson*, the *Governor Moore* or the *General Quitman*. The steamers *Mosher*, *Music* and *Belle Algerine*, in charge of the fire-barges, were all destroyed. So was also the *Star*. The heroic courage displayed by the officers and men at both forts, was deserving of a better success, especially after the fortitude which they constantly exhibited through the long tedium of a protracted bombardment, unsurpassed for its terrible accuracy, constancy and fury.

Thirteen of the enemy's vessels, out of twenty-three, succeeded in getting by, viz: the *Hartford*, *Pensacola*, *Richmond*, *Brooklyn*, *Mississippi*, *Oncida*, *Iroquois*, *Cayuga*, *Wissahickon*, *Sciota*, *Kinco*, *Kallahdin* and *Pinola*. In addition to the foregoing, and to *Verona*, and such other vessels as were sunk, there were six gun-boats and one frigate engaged in this action, besides the mortar flotilla. Heavy chains were flaked along the sides of the most of these vessels as an iron proof protection. The extent of the damage which was done to the enemy we had no means of ascertaining. The vessels which passed, all came to an anchor at or below the quarantine, six miles above the forts, where they remained until about ten o'clock, A. M., when they all passed slowly up the river, with the exception of two gunboats, left at the quarantine as a guard.

Shortly after the fleet above got under weigh, a gunboat from below made her appearance with a flag of truce, and verbally demanded the surrender of the forts, in the name of Commander D. D. Porter, U. S. Navy, commanding the mortar flotilla, under the penalty of re-opening the bombardment, which had ceased shortly after the passage, in case of refusal. The demand was rejected and the bombardment was re-opened about twelve o'clock, M. It continued until near sundown, when it ceased altogether. The entire mortar fleet and all the other vessels, excepting six gunboats, then got under weigh and passed down the river and out of sight, under full steam and sail. A vigilant lookout was kept up above and below during the night, but all remained quiet. So long as the mortar fleet remained below, the position wherein the *Louisiana* could render the greatest assistance to the forts, was the one below Fort St. Philip hereinbefore mentioned, where the fire from her batteries could dislodge the enemy from behind the point of woods.

After the mortar fleet had left, however, and when the enemy had got in force above the forts, the question was materially changed, in consequence of the fact that all of our heavy guns at both forts had been mounted to bear upon the lower approaches, and not on those above.

The most effective position which the *Louisiana* could then take as a battery, was in the bight above Fort Jackson, where her guns could protect our rear, and sweep the long reach of river above, towards the

quarantine. This would still insure her safety, as she would be under the guns of both forts. This is evident by a reference to the point (XX) on the diagram.

In several personal interviews, and by correspondence with Captain Mitchell on this date, (see attached documents N, O, P, Q, and R,) I requested him during the morning of the 24th, while the mortar fleet was below, to place the Louisiana below the raft and dislodge it; and later in the day, when the mortar fire was nearly exhausted, to place her in the position (XX) above Fort Jackson, to assist in repelling an attack from the vessels above.

During the day she was in an unfit condition to assume either position, for the reasons given by Captain Mitchell in his letters to me. The intoxicated volunteers referred to were none of my men, nor did they get their liquor at the forts, as there was none on hand there during the bombardment, excepting the small supplies of hospital stores in the medical department.

April 25th. No attack attempted during the day by the enemy, either from above or below. The gunboats from the quarantine and from the point of woods below, occasionally showed themselves for observations, but without firing. During the day all the principal guns that would admit of it at both forts were prepared at once so as to traverse in a full circle, and bear above or below as necessity might require. Some of the twenty-four-pounder barbette guns at Fort Jackson, were also replaced by guns of a heavier calibre, to bear on the river above.

Permission was granted by the enemy to the Confederate States steamer McRae to proceed to New Orleans, under a flag of truce, with the wounded. Availing ourselves of the offer of Captain Mitchell, the seriously wounded of both forts were sent on board of her. As it was late when the wounded were all gotten on board, the McRae did not get off until the next morning. Still failed during the day in getting Captain Mitchell to place the Louisiana in the bight above Fort Jackson, where she could act against the enemy from above. One of the raft schooners was burned during the night to light the river, and all remained quiet.

April 26th. A gunboat with a white flag dropped down from the quarantine to escort the McRae on her mission. The McRae did not again return to the forts. Four of the enemy's steamers were in sight at the quarantine at dawn. A gunboat occasionally showed herself below to reconnoitre. In the direction of Bird island, and back of the salt works, a large steam frigate and an ordinary river steamer appeared in sight, the latter working her way up the bay behind Fort St. Philip, apparently towards the quarantine. During the day, Captain Mitchell communicated with the enemy above, under a flag of truce, and learned that the city had surrendered, and that the Confederate States steam-ram Mississippi had been burned by our authorities. The wreck of the floating dock or battery drifted by the forts about four o'clock, P. M.

The Louisiana was not placed in the position required of her during the day, Captain Mitchell promising to put her there the next day,

the 27th. Another raft schooner burned for light, and all quiet during the night. No shots exchanged during the day.

April 27th. At daylight, the steamer which had been observed the day before working her way up in the back bays, was in view, immediately in the rear of Fort St. Philip, and near the mouth of the Fort Bayou. A frigate and five other vessels were also in sight towards Bird Island, one of which was seen working her way up the bay. From ten to thirteen launches were visible near the boat back of Fort St. Philip, by means of which troops were being landed at the quarantine above us. About twelve o'clock, M., one of the enemy's gunboats from below, made her appearance under a flag of truce, bearing a written demand for the surrender of the forts, signed by Commander David D. Porter, U. S. N., commanding mortar flotilla. (See attached document S.) The forts refused to surrender. (See attached document T.) About four o'clock, P. M., the French man-of-war Milan, Captain Clouet commanding, passed up to the city, after asking and obtaining permission to do so. The position of the Louisiana still remained unchanged.

So far, throughout the entire bombardment and final action, the spirit of the troops was cheerful, confident and courageous. They were mostly foreign enlistments, without any great interests at stake in the ultimate success of the revolution. A reaction set in among them during the lull of the 25th, 26th and 27th, when there was no other excitement to arouse them than the fatigue duty of repairing our damages, and when the rumor was current that the city had surrendered, and was in the hands of the enemy. No reply had been received from the city to my dispatches, sent by couriers, on the 24th and 25th, by means of which I could reassure them. They were still obedient, but not buoyant and cheerful. In consequence, I endeavored to revive their courage and patriotism, by publishing an order to both garrisons, attached hereto as document U. I regret to state that it did not produce the desired effect. Everything remained quiet, however, until midnight, when the garrison at Fort Jackson revolted en masse, seized upon the guard and posterns, reversed the field pieces, commanding the gates, and commenced to spike the guns, while many of the men were leaving the fort, in the meantime, under arms. All this occurred as suddenly as it was unexpected.

The men were mostly drawn up under arms, and positively refused to fight any longer, besides endeavoring by force to bring over the St. Mary's cannoneers, and such other few men as remained true to their cause and country. The mutineers stated that the officers intended to hold out as long as possible, or while the provisions lasted, and then blow up the forts and every thing in them; that the city had surrendered, and that there was no further use in fighting; that the enemy were about to attack by land and water on three sides at once, and that a longer defence would only prove a butchery. Every endeavor was made by the officers to repress the revolt, and to bring the men to reason and order, but without avail. Officers upon the ramparts were fired upon by the mutineers in attempting to put a stop to the spiking of the guns.

I am greatly indebted to the Reverend Father Nachon for his efforts to quell the mutineers, through some of whom he learned that the revolt had been discussed among them for two days, and yet there was no one man true enough to communicate the fact to his officers. Signals also were said to have been passed between the forts during the night and while the mutiny was at its heights. Being so general among the men, the officers were helpless and powerless to act.

Under these circumstances, there was but one course left, viz., to let those men go who wished to leave the forts, in order to see the number left and to ascertain what reliance could be placed upon them. About one-half of the garrison left immediately, including men from every company, excepting the St. Mary's cannoneers, volunteers and regulars, non-commissioned officers and privates, and among them many of the very men who had stood last and best to their guns throughout the protracted bombardment and the final action when the enemy passed. It was soon evident that there was no fight in the men remaining behind, that they were completely demoralized, and that no faith or reliance could be placed in the broken detachments of companies left in the fort.

In the meantime, we were totally ignorant of the condition of affairs at Fort St. Philip, and as all of our small boats had been carried away by the mutineers, we could not communicate with that fort till the next morning. As the next attack upon the forts was likely to be a combined operation by land and water, and as Fort St. Philip was the point most threatened, from the nature of the country around it and from the character of the work itself, with narrow and shallow ditches and but little relief to the main work, it was self-evident that no reduction could be made in its garrison to strengthen that of Fort Jackson, even if all the men there remained true. In fact, two additional regiments had been asked for at Quarantine, in anticipation of such an attack, to act as a reserve to strengthen the garrisons of both forts. With the enemy above and below us, it will be apparent at once to any one at all familiar with the surrounding country, that there was no chance of destroying the public property, blowing up the forts and escaping with the remaining troops. Under all these humiliating circumstances, there seemed to be but one course open to us, viz., to await the approach of daylight, communicate then with the gunboats of the mortar flotilla below, under a flag of truce, and negotiate for a surrender under the terms offered us by Commander Porter, on the 26th instant, and which had previously been declined.

April 28th.—A small boat was procured, and Lieutenant Morse, Post Adjutant, sent over to convey the condition of affairs to Fort St. Philip, as well as to Captain Mitchell, on the Louisiana. Captain Mitchell and Lieutenant Slyrock, U. S. N., came on shore and discussed the whole question; after which they left, remarking that they would go on board and endeavor to attack the enemy above at the Quarantine, notwithstanding that reason had been given, from time to time, for not moving this vessel into her proper position, only a few hundred yards distant. Captains Squires and Bond, Louisiana artillery, and Lieutenant Dixon, commanding the company of Confederate

States regular recruits, came on shore shortly afterwards from Fort St. Philip, and concurred with us, that, under the circumstances, we could do nothing else than surrender, as they were not at all confident of the garrison there, after the unlooked for revolt at Fort Jackson, although none of their men had left or openly revolted.

For these reasons, a flag of truce was sent down to communicate with the enemy below, and to carry a written offer of surrender under the terms offered on the 26th instant. (See attached Document V.) This communication brought up the Harriet Lane and three other gunboats opposite the fort, with white flags at the fore, white flags being displayed from the yards of the flag-masts at both forts, while the Confederate flags waved at the mast-heads. While negotiations were pending on the Harriet Lane, it was reported that the steamer Louisiana, with her guns, protruding, and on fire, was drifting down the river towards the fleet. As the wreck, in descending, kept close into the Fort St. Philip shore, the chances were taken by the enemy without changing the position of his boats.

The guns of the Louisiana were discharged at random as she floated down, and the boat finally blew up near Fort St. Philip, scattering its fragments everywhere within and around the fort, killing one of our men and wounding three or four others.

Captain McIntosh, U. S. N., who had been severely wounded in the discharge of his duty on the night of the enemy's passage, and who was then lying in a tent at that fort, was nearly killed also. As far as I could learn, however, the Louisiana was fired prior to the time that the enemy's boats, with white flags, came to an anchor abreast of the forts to negotiate. She was fired in her first and original position, without any change of any kind since her arrival at the forts.

The terms of the capitulation are attached hereto as Document W, in addition to which Commander Porter verbally agreed not to haul down the Confederate flag or hoist the Federal, until the officers should get away from the forts.

The officers of Fort Jackson and the St. Mary's cannoncers, left about four o'clock, P. M., for the city, on board of the U. S. gunboat Kennebec, and arrived on the morning of the 29th in New Orleans. The officers of Fort St. Philip, were sent up the next day, and all the men subsequently within a few days, as transportation could be furnished, excepting the men who revolted on the night of the 27th, many of whom enlisted with the enemy. Upon my arrival in the city, I found that the enemy's vessels were lying off the town, and that no flag, excepting that of the State of Louisiana, on the City Hall, was visible upon the shore. I also learned that Flag Officer Farragut had directed it to be hauled down and the United States flag hoisted in its stead, upon the penalty of shelling the city within forty-eight hours, if the demand was not complied with, and that he had warned the city authorities to remove the women and children within the time specified.

I therefore deemed it my duty to call at once upon the Mayor at the City Hall, and inform him of the fate of the forts below; which I did accordingly. Learning there, from one of his aids, that the Major

General, commanding the department, was still in the city, I called upon him in person, and verbally reported the main incidents of the bombardment, the passage of the enemy and the capitulation of the forts.

I have the honor to enclose herewith, the report of Lieutenant Colonel E. Higgins, twenty-second regiment Louisiana volunteers, commanding Forts Jackson and St. Philip, and those of the different company and battery commanders, together with the Surgeon's reports of the killed and wounded. The report of Colonel Sysmauski, commanding the Chalmette regiment at Quarantine, has not been received by me, so that I am unable to report upon his operations.

I fully endorse the just praise bestowed in the enclosed reports, upon all the officers at both forts, and warmly return them my thanks. They all distinguished themselves by cool courage, skill and patriotism throughout the entire bombardment, and by the patient fortitude with which they bore the several trying ordeals of water, fire, and the energetic fury of the enemy's protracted and continuous fire.

I must also bear testimony to the cheerful courage and prompt and willing obedience with which the men performed their duties throughout the bombardment, and up to the sad night when they took the rash and disgraceful step of rising against their officers, breaking through all discipline, and leading to such disastrous and fatal consequences. I can charitably account for it only on the grounds of great reaction, after the intense physical strain of many weary days and nights of terrible fire, during which they were necessarily subjected to every privation from circumstances beyond our control, but which they had not the moral courage to share and sustain with their officers, all of whom were subjected to the same hardships in every particular.

To Lieutenant Colonel Higgins, commanding the forts, my thanks are especially due for his indefatigable labors in preparing his heavy batteries, preparatory to the attack, almost in the face of the enemy and for the quiet, skillful and judicious manner in which he caused them to be fought. He was present everywhere, and did his whole duty well and thoroughly. Captain M. T. Squires, Louisiana regiment of artillery, as senior officer in charge of Fort St. Philip, under orders of Lieutenant Colonel Higgins, commanding, fully sustained every anticipation entertained of his gallantry, skill and efficiency.

During the first day's bombardment, when Captain Anderson was wounded, my aid-de-camp, Lieutenant Wm. M. Bridges, Louisiana artillery, volunteered to command the ten-inch columbiads on the main work, and I return him my thanks for the gallant and efficient manner in which he fought them during the rest of the action.

I take great pleasure in making personal mention of my volunteer aids, Captain William Y. Seymour and Captain Y. R. Smith, for the valuable assistance which they rendered me at all times. My thanks are also due to Drs. Bradbury and Foster, who volunteered their services to assist Assistant Surgeons L. Burke and C. D. Lewis, at Forts Jackson and St. Philip respectively, and most efficiently did they aid in this department. Dr. Bradbury remained at Fort Jack-

son until its fall, and was paroled. Dr. Foster, at my request, accompanied the wounded soldiers to the city on the Confederate States steamer *McRae*.

Messrs. Fulda, Stickney and Sergeant Y. B. Poindexter, fourth Mississippi volunteers, telegraphic operators, rendered the most valuable services in keeping open our communication above and below, under the most dangerous and difficult circumstances. Although we have failed in our mission of keeping the enemy's fleet from passing the forts, and have been subjected to the deep humiliation of surrendering the charge entrusted to our keeping to the enemies of our country, I must nevertheless state, in common justice to myself and those under my command, that to the very best of our ability, with the means at our disposal, our whole duty was performed faithfully, honestly and fearlessly. If all had to be gone through with again, under similar events and circumstances, I know that we should be forced to the same results and consequences.

Great as the disaster is, it is but the sheer result of that lack of cheerful and hearty co-operation from the defences afloat, which we had every right to expect, and to the criminal negligence of not lighting up the river at night, when the danger was imminent, and the movements of the enemy absolutely known, almost to the hour of the final attack. Except for the cover afforded by the obscurity of the darkness, I shall always remain satisfied that the enemy would never have succeeded in passing Forts Jackson and St. Philip.

I am, very respectfully, your obedient servant,

J. K. DUNCAN,

Brigadier General, late commanding Coast Defences.

NEW ORLEANS, LA., May 13, 1862.

Major J. G. PICKETT,

A. A. G., Department No. 1,

Camp Moore, Louisiana :

MAJOR: In addition to the foregoing report, I wish to add that, upon the arrival of the paroled enlisted men from Forts Jackson and St. Philip in the city, I endeavored to the best of my ability, to see that they were properly cared for until such time as they could be sent out of town. As far as it could be done, they were paid in part for the time due, and arrangements were also made, through the City Safety Committee, to have them boarded and lodged temporarily, all with the view of preventing them from going over to the enemy through distress and starvation. In this I was very much assisted by Captain M. T. Squires and first Lieutenant L. B. Taylor, Louisiana regiment of artillery. Notwithstanding that they were thus amply provided for, scores of them have been daily going over to the enemy and enlisting since, until now there are but a very few left from either fort not in the ranks of the enemy. Although I really

did think, at the time of the surrender, that some few of the men were loyal, the facts which have since come to light have perfectly satisfied me that nearly every man in both forts was thoroughly implicated and concerned in the revolt on the night of the 27th of April, with the exception of the company of St. Mary's cannoneers, composed mostly of planters.

Very respectfully, your obedient servant,

J. K. DUNCAN,

Brigadier General, late commanding Coast Defences.

[Document A.]

FORTS JACKSON AND ST. PHILIP, LOUISIANA, }
April 6, 1862. }

To Captain STEVENSON,

Commanding River Fleet, Present :

CAPTAIN : Keep your boats in constant readiness at all times for the enemy's approach. Should he attack, all of your fleet must be kept above the raft; and such of your boats as have stern guns should lay in the middle of the stream, above the raft, and without the field of our fire, and use these guns against the enemy.

Should any boat of the enemy by any means get above the raft you must instantly ram it with determination and vigor, at all risks and at every sacrifice. All signal mast-head lights should be kept extinguished at night, or never hoisted. Trusting to your known energy and to the great expectations anticipated of the river fleet by your friends, I have every confidence that your whole duty will be thoroughly performed.

Very respectfully, your obedient servant,

J. K. DUNCAN,

Brigadier General.

[Document B.]

HEADQUARTERS FORTS JACKSON AND ST. PHILIP, }
April 9th, 1862. }

To Captain JOHN A. STEPHENSON,

Commanding River Fleet, Present :

CAPTAIN : Keep one of your boats constantly below, night and day, opposite the wooded point, where you can watch the movements of the enemy. Signal us his approach and the number of vessels seen coming up, and give me a copy of the signals for our government at the forts.

I wish you to take the entire control of the fire-rafts, and you will be assisted therein by the steamers *Star*, *Algerine* and such other boats as I can procure from the city, for the purpose.

Your own knowledge of the river and the currents, will enable you to set them adrift at such time as your judgment warrants.

Very respectfully, your obedient servant,

J. K. DUNCAN,

Brigadier General commanding Coast Defences.

[Document C.]

JACKSON, *April 18th.*

To Colonel HIGGINS,

DEAR SIR: Yours just received. The fire-berge was sent down, as I supposed, by your order. Captain Grant accompanied me to select a proper place to let her go. She was fired by my order, but was not aware that she was too close to the fort, but the eddy current, after firing, probably brought her into too close proximity to the fort. I regret the affair was an abortion.

Respectfully,

(Signed)

T. B. RENSHAW, *C. S. N.*

[Document C.]

C. S. STEAMER LOUISIANA, OFF FORT JACKSON, }
April 22d, 1862. }

To General J. K. DUNCAN,

Commanding Coast Defences, Fort Jackson :

GENERAL: I have the honor to acknowledge the receipt of yours, of this date, asking me to place the *Louisiana* in position below the raft, this evening, if possible.

This vessel was hurried away from New Orleans before the steam power and batteries were ready for service, without a crew, and in many respects very incomplete, and this condition of things is but partially remedied now. She is not yet prepared to offer battle to the enemy, but, should he attempt to pass the forts, we will do all we can to prevent it, and it was for this purpose *only*, that she was placed in position where necessity might force her into action, inadequately prepared as she is at this moment.

We have now at work, on board, about fifty mechanics, as well as her own crew and those from other vessels, doing work essential to the preparation of the vessel for battle. Under these circumstances,

It would, in my estimation, be hazarding too much to place her under the fire of the enemy.

Every effort is being made to prepare her for the relief of Fort Jackson—the condition of which is fully felt by me, and the very moment I can venture to face our enemy with any reasonable chance of success, be assured, General, I will do it, and trust that the result will show you that I am now pursuing the right course.

I am, very respectfully, your obedient servant,
 (Signed) JOHN K. MITCHELL,
Commanding C. S. Naval Forces, Lower Miss.

P. S.—The Jackson, with launch No. 3, will go up to the Quarantine this afternoon, to watch the enemy, as suggested in your note this morning.

(Signed) Respectfully, etc., J. K. M.

[Document E.]

C. S. LTEAMER LOUISIANA, NEAR FORT JACKSON, }
April 23, 1862. }

To General J. K. DUNCAN,
Commanding Coast Defences, Fort Jackson :

GENERAL: On the receipt, last night, of your second communication of yesterday's date, asking me to place this vessel under the fire of the enemy, I consulted the commanding officers of the C. S. Naval vessels present, on the subject, and herewith annex a copy of their opinion, sustaining my own views on the subject.

I feel the importance of affording relief to your command, as soon as possible, but, General, at the same time, I feel, and I know, the importance to the safety of Forts Jackson and St. Philip, and the city of New Orleans, of having this vessel in proper condition before seeking an encounter with the enemy. If he seeks one, or attempts the passage of the forts before this vessel is ready, I shall meet him, however unprepared I may be.

We have an additional force of mechanics from the city this morning, and I hope that, by to-morrow night, the motive power of the Louisiana will be ready, and in the meantime her battery will be in place, and other preparations will be completed, so as to enable her to act against the enemy. When ready, you will be immediately advised.

I have the honor to be,
 Very respectfully, your obedient servant,
 (Signed,) JNO. K. MITCHELL,
Commanding C. S. Naval Forces, Lower Miss.

[Document E.]

C. S. STEAMER LOUISIANA, }
Near Fort Jackson, April 22, 1862. }

Two communications having this day been received from Brigadier General Duncan, (herewith attached marked Nos. 1 and 3, and also the answer of Commander J. K. Mitchell, No. 1, marked No. 2,) requesting that the Louisiana be placed in position below the raft in the river, near Fort Jackson, a consultation was held by Commander J. K. Mitchell with Commander McIntosh and Lieutenants Commanding Huger and Warly, who fully sustained the views of Commander Mitchell, as expressed in his reply (marked No. 2,) declining to comply with the request of Brigadier General Duncan.

(Signed,) C. F. McINTOSH, *Com'd'g C. S. N.*
(Signed,) T. B. HUGER, *Lieut. Com'd'g.*
(Signed,) N. S. WARLY, *Lieut. Com'd'g.*
(Signed,) GEORGE S. SHYROCK,
Lieut. C. S. N., aid to commanding officer.

[Document F.]

C. S. STEAMER LOUISIANA, }
FORT JACKSON, April 22, 1862. }

General J. K. DUNCAN,

Commanding Coast Defences at Fort Jackson :

GENERAL: Your two notes of this date have been received. A fire has been ordered to be built below St. Philip, as you requested, except that it will be on the beach; and a raft will be kept ready to fire and turned adrift, as you requested, near Fort Jackson, in the event of the apprehended attack being made by the enemy to-night. I shall also direct a vigilant lookout to be kept by all the vessels, and to co-operate with you to prevent the passage of the forts at every hazard.

Your request respecting the report of the bad condition of the engines of the Mesher, will claim my attention as soon as possible.

I have the honor to be, very respectfully,

Your obedient servant,
(Signed,) JOHN K. MITCHELL,
Commanding C. S. Naval Forces Lower Mississippi.

[Document G.]

C. S. STEAMER LOUISIANA, }
 OFF FORT JACKSON, *April 22, 1862.* }

To Lieutenant Commanding HUGER, Assistant Engineer ———, Assistant Engineer ———, *C. S. Steamer McRae, off Fort Jackson :*

GENTLEMEN :

The steamers "Moshier" and Belle Algerine having been represented as being unfit for service, you will please to examine them carefully, without delay, and report to me in duplicate their condition. In the performance of this duty, please state the cause of any damage you may discover, with such recommendations as, in your judgment, you may deem proper.

I am, very respectfully, your obedient servant,

JOHN K. MITCHELL,

Commanding C. S. Naval Forces Lower Mississippi river.

Captain Huger will fill up the blanks with the names of the two engineers he thinks most suitable for the service, belonging to the McRae.

C. S. STEAMER LOUISIANA, *April 22, 1862.*

SAMUEL BROCK, *Senior Engineer McRae :*

SIR: In obedience to your order, we have held a survey upon the steamer Belle Algerine and the tug Moshier. The latter has, we think, loosened the after-bearing of her shaft. This we can, I think, obviate in a few hours. The Belle Algerine leaks badly in the bows from two holes knocked in her, the Captain reports, while working in the raft, and, also, while landing guns at Fort St. Philip. This we can also remedy, and are now doing so. I trust by to-night both vessels will be serviceable.

Very respectfully, your obedient servant,

(Signed,)

T. B. HUGER,

Commanding McRae.

To JOHN K. DUNCAN, *Commanding Coast Defences :*

GENERAL: Above you will see the report on the vessels reported to you as unfit for service. I send it for your information.

Respectfully, your obedient servant,

JOHN K. MITCHELL,

Commanding C. S. Naval Forces.

[Document H.]

FORT JACKSON, LA., *April 23, 1862.*

Captain J. K. MITCHELL,

Commanding Naval Forces Lower Mississippi River :

CAPTAIN : I am of the opinion that the mortar practice of the enemy against Fort Jackson must be nearly exhausted, and that there is every indication that the enemy, as the next plan of attack, is about to move his large vessels to the point of woods, and open upon us with his broadsides. One of the large vessels has already been brought up and placed in position. Should the above prove to be the case, it is imperatively and absolutely necessary that the batteries of the Louisiana should be brought into action, as well as those of Forts Jackson and St. Philip.

A proper position for the Louisiana would be on the Fort St. Philip side, a short distance below the raft and close to the shore, which will give us three direct and cross fires upon the point of attack.

Earnestly calling your attention to this subject, and, as you can see from your position the movements of the enemy, and can, consequently, know when to act,

I remain, very respectfully,

Your obedient servant,

J. K. DUNCAN,

Brigadier General commanding Coast Defences.

[Document I.]

C. S. STEAMER LOUISIANA. }

NEAR FORT JACKSON, *April 23d, 1862.* }

To Brigadier General J. K. DUNCAN,

Commanding Coast Defences, Fort Jackson :

GENERAL : I am in receipt of your letter of this date, in which you express your belief that the enemy is about to change his place of attack, and open the broadside of his larger ships on the forts, and in which you make certain suggestions as to the position to be taken by this ship.

By reference to a letter of mine to you of yesterday's date, and of (No. 1) of this date, you will be apprised of the condition of this ship. Should an attack be made as anticipated, I shall be governed by circumstances, and do all I can against the enemy.

I have the honor to be, very respectfully

Your obedient servant,

JOHN K. MITCHELL,

Commanding C. S. Naval Forces Lower Mississippi.

[Document J.]

C. S. STEAMER LOUISIANA, }
 OFF FORT JACKSON, April 23d, 1862. }

To General J. K. DUNCAN,

Commanding Coast Defences, Fort Jackson :

SIR : I enclose herewith a copy of a communication received on the 21st inst., from Captain Stevenson, from which you will perceive that, notwithstanding General Lovell's order to him, this letter so qualifies my authority as to relieve me from all responsibility as to the movements of the vessels of the river fleet under his command.

I have the honor to be, very respectfully,

Your obedient servant,

.(Signed,)

JOHN K. MITCHELL,

Commanding C. S. Naval Forces Lower Mississippi.

[Document K.]

RIVER DEFENCE, C. S. GUNBOAT WARRIOR, }
 Fort Jackson, April 21, 1862. }

Commander J. K. MITCHELL,

Confederate States Navy :

SIR : I am in receipt of an order from Major General M. Lovell, dated 20th instant, in which I am directed to place myself and my whole command at this point, under your orders. Every officer and man on the river defence expedition, joined it with the condition that it was to be independent of the navy, and that it would not be governed by the regulations of the navy, or be commanded by naval officers. In the face of the enemy I will not say more. I will cooperate with you, and do nothing without your approbation, and will endeavor to carry out your wishes to the best of my ability, but in my own way, as to the details, and the handling of my boats. But I expect the vessels under my charge to remain as a separate command. All orders for their movements addressed to me will be promptly executed if practicable, and I undertake to be responsible for their efficiency when required. I suppose this is all that is intended by the order of Major General Lovell, or that will be expected from me by you.

Respectfully yours, &c.,

JOHN A. STEVENSON,

Senior Captain commanding River Fleet at Fort Jackson.

Our signals should be made to assimilate at once. Captain Renshaw and myself could arrange this if you wish, as no doubt but you are

greatly fatigued, and still much to do and arrange. Anything I can do, rely on it being done promptly and cheerfully.

Yours, &c.,

(Signed,)

J. A. S.

[Document L.]

FORT JACKSON, LOUISIANA, }
April 23, 1862. }

Captain J. K. MITCHELL,
Commanding Naval Forces Lower Mississippi River :

CAPTAIN: The enemy has just sent up a small boat and planted a series of white flags on the Fort St. Philip side, commencing about three hundred and fifty yards above the lone tree. It is the probable position of his ships in the new line of attack, which, in my opinion, he contemplates for attacking Fort Jackson with his large vessels. As you may not have seen this operation, I furnish you with the information. Please keep the river well lit up with fire-rafts to-night, as the attack may be made at any time.

Very respectfully, your obedient servant,
(Signed,) J. K. DUNCAN,
Brigadier General commanding Coast Defences.

[Document M.]

FORT JACKSON, LOUISIANA, }
3 1-2 o'clock, A. M., April 24th, 1862. }

Captain J. K. MITCHELL,
Commanding Naval Forces Lower Mississippi River :

CAPTAIN: As I anticipated, and informed you yesterday, the enemy are taking up their position at the present moment, with their large ships on the Fort St. Philip shore to operate against Fort Jackson. They are placing themselves boldly, with their lights at their masts-heads. You are assuming a fearful responsibility, if you do not come at once to our assistance with the Louisiana and the fleet. I can say no more.

Very respectfully,
Your obedient servant,
J. K. DUNCAN,
Brigadier General.

[Document N.]

CONFEDERATE STATES GUNBOAT LOUISIANA, }
Near Fort St. Philip, April 24, 1862. }

To Brigadier General J. K. DUNCAN,

Commanding Coast Defences, Fort Jackson :

GENERAL: On returning to the Louisiana, I find that we have no tender on whose steam power we can rely, and many of the volunteer troops on board of the W. Burton are intoxicated. Under these circumstances, as well as the exhausted condition of our own crew, and excessive difficulty in handling the vessel, will prevent our taking the position, at least to-day, that I proposed, and was arranged between us this forenoon.

I will, however, as you suggested in your communication, take up a position above, to protect the approaches in that direction.

Having no adequate motive power of our own, it will be an easy matter for the enemy's vessels, that have it, to take up such a position that our guns cannot reach him for want of elevation, or be brought to bear upon him. I will, however, do all I can to keep him back from above.

The McRae has lost her nine-inch gun; of course we cannot expect much assistance from her.

I have the honor to be,

Very respectfully, your obedient servant,
J. K. MITCHELL,

Commanding C. S. Naval Forces Lower Mississippi.

[Document O.]

CONFEDERATE STATES STEAMER LOUISIANA, }
Fort St. Philip, April 24, 1862. }

To General J. K. DUNCAN,

Commanding Coast Defences, Fort Jackson :

GENERAL: Your second and third notes of this date are at hand. We are in a helpless condition for the want of tug-boats. The W. Burton is crippled, and the Landis also, and the gunboat Defense will not do anything for us. If she comes within my reach I will deprive her captain of his command, by force, if necessary.

The anchor we have down cannot purchase, and we are afraid to ship it, to move about three hundred yards higher up, where we can be better secured.

We shall probably remain where we are, and do all we can to defeat the enemy, should he attack us again.

It will be out of our power, I am afraid, to light up the bank below

St. Philip to-night, or set adrift fire-boats, as none are at hand, and they have all disappeared, apparently.

I have the honor to be,

Very respectfully, your obedient servant,
 JOHN K. MITCHELL,
Commanding C. S. Naval Forces Lower Mississippi.

[Document P.]

FORT JACKSON, LA., April 24, 1862.

To Captain J. K. MITCHELL,
Commanding C. S. Naval Forces Lower Mississippi :

CAPTAIN: From all that we can see and learn, the enemy, with the exception of one or two gunboats, has passed up the river, so that there will be no use in changing your present position to one further above. I regret to learn the condition of the volunteer troops on board the W. Burton. This, together with the exhausted condition of your crew, will prevent your taking up the position below which was agreed upon this morning, for the present. You may be able to take it up, however, when your crew recover from their fatigue, and when you are able to control the irregularities of the volunteers.

Very respectfully, your obedient servant,

J. K. DUNCAN,
Commanding Coast Defences.

[Document Q.]

FORT JACKSON, LA , April 24, 1862.

To Captain J. K. MITCHELL,
Commanding C. S. Naval Forces, Lower Mississippi :

CAPTAIN: As I have no boats of any kind, I must ask of you to light up the river with fire-barges to-night, if it possibly lies in your power. The absence of light greatly impairs the accuracy and effectiveness of our fire upon the enemy.

Very respectfully, your obedient servant,

J. K. DUNCAN,
Brigadier General, commanding Coast Defences.

[Document R.]

FORT JACKSON, April 24, 1862.

To Captain J. K. MITCHELL,
Commanding C. S. Naval Forces, Lower Mississippi :

CAPTAIN: The lower schooner will be lighted by firing her from a

row-boat from Fort St. Philip at early dusk. As this light dies away the next one above will be fired, and so on all night.

Unless you can better yourself materially, I would not advise any movement, on your part, from your present position, owing to all the adverse circumstances mentioned in your letter.

In regard to the *Defiance*, the authority over her which I formerly had, has been transferred to you; but we will freely lend you any assistance which you may require, in deposing her commander, or in exercising your authority over her.

Keep a vigilant look out for another attack to-night, when we will mutually support each other, and do all that we possibly can.

Captain Squires has been directed by Colonel Higgins to furnish you such assistance as you may require.

Very respectfully, your obedient servant,

J. K. DUNCAN,
Brigadier General commanding Coast Defence.

[Document S.]

MISSISSIPPI RIVER, April 26, 1862, }
U. S. Steamer *Harriet Lane*. }

To Colonel EDWARD HIGGINS,

Commanding Confederate Forces

In Forts Jackson and St. Phillip:

SIR: When I last demanded the surrender of Forts Jackson and St. Philip, I had no positive assurance of the success of our vessels in passing safely the batteries on the river. Since then I have received communications from Flag Officer Farragut, who is now in possession of New Orleans. Our troops are or will be in possession of the prominent points on the river, and a sufficient force has been posted outside of the bayous to cut off all communications and prevent supplies. No man could consider it dishonorable to surrender, especially under these circumstances, when no advantages can arise by longer holding out, and by yielding gracefully he can save the further effusion of blood.

You have defended the forts gallantly, and no more can be asked of you. I feel authorized to offer you terms sufficiently honorable to relieve you from any feeling of humiliation. The officers will be permitted to retire on parole, with their side arms, not to serve again until regularly exchanged. All private property will be respected. Only the arms and munitions will be surrendered to the United States Government, and the vessels lying near the forts. No damage must be done to the defences. The soldiers also will be paroled, and be permitted to return to their homes, giving up their arms.

I am aware that you can hold out some little time longer, and am also aware of the exact condition—as reported to us by a deserter—which convinces me that you will only be inflicting on yourself and

those under you unnecessary discomforts without any good result arising from so doing.

Your port has long been closed to the world, by which serious injury has been experienced by many loyal citizens. I trust that you will not lend yourself to the further injury of their interests, where it can only entail calamity and bloodshed, without any possible hope of success or relief to your forts.

Your surrender is a mere question of time, which you know is not of any extent, and I therefore urge you to meet my present proposition. By doing so, you can put an end to a state of affairs which will only inflict injury upon all those under you, who have strong claims upon your consideration.

I remain, very respectfully, your obedient servant,
 DAVID R. PORTER,
Commanding Mortar Fleet.

[Document T.]

HEADQUARTERS FORTS JACKSON AND ST. PHILIP, }
 April 27th, 1862. }

To Commodore D. R. PORTER,
U. S. Navy, commanding Mortar Fleet :

SIR: Your letter of the 26th instant, demanding the surrender of these forts, has been received.

In reply thereto, I have to state that no official information has been received by me, from our own authorities, that the city of New Orleans has been surrendered to the forces of Flag Officer Farragut, and until such information is received no proposition for a surrender can for a moment be entertained here.

Very respectfully,
 Your obedient servant,
 EDWARD HIGGINS,
Lieutenant Colonel Commanding.

[Document U.]

FORT JACKSON, LOUISIANA, }
 April 27, 1862. }

Soldiers of Forts Jackson and St. Philip :

You have nobly, gallantly and heroically sustained, with courage and fortitude, the terrible ordeals of fire, water and a hail of shot and shell, wholly unsurpassed during the present war. But more remains

to be done. The safety of New Orleans and the cause of the Southern Confederacy—our homes, families and everything dear to man—yet depend upon our exertions.

We are just as capable of repelling the enemy to-day as we were before the bombardment. Twice has the enemy demanded your surrender, and twice has he been refused.

Your officers have every confidence in your courage and patriotism, and feel every assurance that you will cheerfully and with alacrity obey all orders, and do your whole duty as men, and as becomes the well tried garrisons of Forts Jackson and St. Philip. Be vigilant, therefore, and stand by your guns, and all will yet be well.

(Signed,)

J. K. DUNCAN,

Brigadier General, commanding Coast Defences.

[Document V.]

HEADQUARTERS FORTS JACKSON AND ST. PHILIP, }
April 28, 1862. }

To Commodore DAVID R. PORTER,

United States Navy, commanding Mortar Fleet :

SIR : Upon mature deliberation, it has been decided to accept the terms of surrender of these forts, under the conditions offered by you in your letter of the 26th inst., viz., that the officers and men shall be paroled—officers retiring with their side arms. We have no control over the vessels afloat.

Very respectfully, your obedient servant,

EDWARD HIGGINS,

Lieutenant Colonel commanding.

[Document W.]

U. S. STEAMER HARRIET LANE, }
Forts Jackson and St. Philip. }
Mississippi River, April, 28, 1862. }

By articles of capitulation, entered into this the twenty-eighth day of April, one thousand eight hundred and sixty-two, between David R. Porter, Commander U. S. Navy, commanding the U. S. Mortar Flotilla, of the one part, and Brigadier General J. K. Duncan, commanding the coast defences, and Lieutenant Colonel Edward Higgins, commanding Forts Jackson and St. Philip, of the other part, it is mutually agreed :

1st. That Brigadier General Duncan and Lieutenant Colonel Higgins shall surrender to the Mortar Flotilla, Forts Jackson and St.

Philip, the arms, munitions of war, and all the appurtenances thereunto belonging, together with all public property that may be under their charge.

2d. It is agreed by Commander David D. Porter, commanding the Mortar Flotilla, that Brigadier General Duncan and Lieutenant Colonel Higgins, together with the officers under their command, shall be respected. Furthermore, that they shall give their parole of honor not to serve in arms against the Government of the United States, until they are regularly exchanged.

3d. It is further agreed by Commander David D. Porter, commanding the Mortar Flotilla, on the part of the United States Government, that the non-commissioned officers, privates and musicians shall be permitted to retire on parole, their commanding and other officers becoming responsible for them, and that they shall deliver up their arms and accoutrements in their present condition, provided that no expenses accruing from the transportation of the men, shall be defrayed by the Government of the United States.

4th. On the signing of these articles by the contracting parties, the fort shall be formally taken possession of, by the U. S. Naval forces, composing the mortar flotilla. The Confederate flag shall be lowered and the flag of the United States hoisted on the flag-staffs of Forts Jackson and St. Philip.

In agreement of the above, we, the undersigned, do hereunto set our hands and seals

DAVID D. PORTER,
Commander Mortar Flotilla.

W. B. RENSHAW,
Commander U. S. N.

W. W. WAINRIGHT,
Licut. commanding U. S. Steamer Harriet Lane.

J. K. DUNCAN,
Brigadier General commanding Coast Defences.

EDWARD HIGGINS,
Licut. Col. C. S. A., commanding Forts Jackson and St. Philip.

Witnessed by

ED. T. NICHOLS,
Licut. commanding U. S. Gunboat Winona.

C. H. RUSSELL,
Licut. commanding U. S. Gunboat Kennebec.

REPORT OF LIEUTENANT COLONEL ED. HIGGINS.

HEADQUARTERS FORTS JACKSON AND ST. PHILIP, }
April 27, 1862. }

Lieutenant WM. M. BRIDGES,

A. A. A. Gen., Second Brigade, Department No. 1, N. O. :

SIR : I have the honor to report, that on Friday, the 18th instant, the naval force of the United States, which has been for some weeks in the river, making preparation for an attack on these forts, commenced the bombardment of Fort Jackson.

Fire from their mortar fleet was opened at nine o'clock, A. M. The force employed by the enemy against us consisted of twenty-one mortar vessels and a fleet of about twenty-one steam vessels of war, carrying more than two hundred guns of the heaviest calibre. The mortar vessels, when they opened fire, were all concealed from our view save six, which took position in sight of the forts, and within our longest range. These we soon forced to retire. They joined the rest of their fleet behind the point of woods, and, concealed from view, renewed their fire.

Orders had been issued to the officers and men of my command to retire to the casemates of the forts, the moment the bombardment commenced. The order being obeyed, nothing was left for us to do, but receive the furious storm of shell which was hailed upon us. Our citadel was soon destroyed by fire. All the buildings around and in connection with the fort shared the same fate.

From Friday morning until the following Thursday, we sustained this terrible battering. Several times during the bombardment the enemy's gun-boats attempted to pass up the river, under cover of their mortar fire, and, on each occasion, our batteries were promptly manned, and the enemy's advance gallantly repelled.

At half-past three, A. M., on Thursday, it was observed that the mortar fire was increased to an intensity of fury which had not been previously reached. At the same time a movement was observed in the steam fleet below. Our batteries were instantly in readiness, and were at once engaged in a most terrific conflict with the enemy's fleet of fourteen steamships, which, dashing by the fort in the darkness of the night, pouring in their broadsides of shot, shell, grape, canister and shrapnel, succeeded in getting beyond our range and in our rear. During the forenoon a demand was made by Commodore Porter, commanding the mortar fleet, for a surrender of the forts. This proposition was promptly refused, and the bombardment was again commenced, and continued until four, P. M., when all firing ceased.

I enclose you the reports of company and battery commanders; also the surgeon's report of killed and wounded. I fully endorse the encomiums of the company commanders upon the officers under their command, and feel myself bound to record my high admiration of the coolness, courage and fortitude of all the officers of both forts.

Captain J. B. Anderson, company G, Louisiana artillery, was wounded early in the conflict, while heroically fighting his guns. Notwithstanding his severe wound, he rendered the most gallant and efficient service to the last.

Captain W. B. Robertson, who commanded a detached work called the water battery, remained with his command during the whole of the protracted ordeal, without cover of any kind, although suffering from severe physical disease, and scarcely able, at times, to walk around his battery. He was most ably and gallantly assisted by Captain R. J. Bruce, Louisiana artillery.

First Lieutenant Eugene W. Baylor, who was in command of the forty-two-pounder barbette battery, and First Lieutenant Richard Agar, of the same battery, did all that gallant officers and men could do.

The officers stationed at the heaviest batteries, on the river front, were, the greater part of the time, fatigued as they were, obliged to be constantly with their detachments at their guns to prevent surprise. Lieutenants A. N. Ogden, Bevue Kennedy and William T. Mumford, of the Louisiana artillery, particularly distinguished themselves in this service.

Although not under my immediate command, I cannot omit to mention the devoted conduct of your aid-de-camp, Lieutenant William M. Bridges, who, upon the disability of Captain Anderson, immediately volunteered his services, and took charge of the two ten-inch columbiads, and fought them night and day with ceaseless energy.

Lieutenant J. U. Gains, in command of the thirty-two-pounder battery, on the river front, assisted by Lieutenant E. D. Woodlief, Captain S. Jones, company I, Louisiana volunteers; Captain F. Peter, company I, twenty-second regiment Louisiana volunteers, fought their batteries gallantly and well. Lieutenant Thomas K. Pierson, twenty-third Louisiana volunteers, was killed in the thickest of the fight, while gallantly fighting his guns.

The St. Mary's cannoners, Captain S. O. Comay, have my warmest gratitude and admiration for their whole conduct, both in face of the enemy and in the severe and arduous fatigue duties which they discharged always, and at all times, with alacrity and energy. They are an honor to the country, and well may their friends and relations be proud of them.

The report of Captain M. T. Squires, who was the senior officer at Fort St. Philip, is enclosed, with the reports of the other officers. Captain Squires fought the batteries of Fort St. Philip most gallantly. He was in charge of that fort during the whole bombardment. The severe work at Fort Jackson required my constant presence there. I had every confidence in the coolness, courage and skill of Captain Squires and his officers, and most satisfactorily did they discharge their duties. I refer you to his report for the mention of the individual conduct of his officers.

The floating battery Louisiana, the steam ram Manassas, and the Confederate steamer McRae, together with a number of vessels which had been fitted up by the Confederate and State Governments, were in the river above the forts at the time the enemy dashed by. I am

unable to state what assistance, if any, was rendered by the greater portion of these. At daylight I observed the *McRae*, gallantly fighting, at terrible odds, contending, at close quarters, with two of the enemy's powerful ships. Her gallant commander, Lieutenant Thomas B. Huger, fell, during the conflict, severely, but, I trust, not mortally wounded.

The *Manassas* I observed under weigh, apparently in pursuit of one of the vessels of the enemy, but I soon lost sight of her.

I would here observe that I think an investigation should be demanded into the conduct of the authorities afloat, whose neglect of our urgent entreaties to light up the river during this sad night, contributed so much to the success of our enemies.

My adjutant, Lieutenant C. N. Morse, was indefatigable in the discharge of his important duties, which required his constant presence near my person, and has my sincere thanks.

Surgeon Sommerville Burke, C. S. A., and Dr. Bradbury, (who kindly volunteered his services when he became aware of the attack on the forts,) were unremitting in their attention to the wounded, fearlessly exposing themselves, at all times, in the discharge of their duties.

Lieutenant Charles Warmes, ordnance officer, distinguished himself by the self-sacrificing attention to arduous and important duties. Day and night he was at his post, and by his great exertions our magazine was saved from being flooded, the water having risen considerably above the floor.

Lieutenants Mann and Royster, of Captain Ryan's company, rendered fearless and efficient service.

Captain Ryan was, with a detachment of his company, on board the *Louisiana* during a portion of the bombardment, and in the fight of Thursday morning. At all times his services were most promptly rendered.

Mr. James Ward rendered me the most important services during the bombardment. In charge of the firemen, he made almost superhuman exertions during the burning of the citadel. He has my warmest gratitude.

I have the honor to remain,

Very respectfully, your obedient servant,

ED. HIGGINS,

Lieut. Colonel C. S. A., commanding Forts Jackson and St. Philip.

SUPPLEMENTAL REPORT OF LIEUTENANT COLONEL
HIGGINS.

NEW ORLEANS. April 30th, 1862.

To Lieut. WM. M. BRIDGES,
Aid-de-Camp and A. A. A. General, 2d Brigade :

SIR: I have the honor to report, that on the morning of the 27th April, 1862, a formal demand for a surrender of Forts Jackson and St. Philip was made by Commodore David D. Porter, commanding United States mortar fleet.

The terms which were offered were of the most liberal nature; but so strong was I in the belief that we could resist, successfully, any attack which could be made upon us, either by land or water, that the terms were at once refused. Our fort was still strong. Our damage had been, to some extent, repaired. Our men had behaved well, and all was hope and confidence with the officers, when suddenly, at midnight, I was aroused by the report that the garrison had revolted, had seized the guard and were spiking the guns. Word was sent us through the sergeants of companies, that the men would fight no longer. The company officers were immediately despatched to their commands, but were driven back. Officers were fired upon when they appeared in sight upon the parapet. Signals were exchanged by the mutineers with Fort St. Philip. The mutiny was complete, and a general massacre of the officers, and a disgraceful surrender of the fort appeared inevitable.

By great exertion, we succeeded, with your influence, in preventing this disgraceful blot upon our country, and were fortunate in keeping the passion of the men in check, until we could effect an honorable surrender of the forts, which was done by us, jointly, on the morning of the 28th instant.

As the facts and documents relating to this matter are in your possession, it is unnecessary for me to dwell longer on this humiliating and unhappy affair. I wish to place on record here, the noble conduct of Captain Comay's company, the St. Mary's cannoncers, who alone stood true as steel, when every other company in Fort Jackson basely dishonored their country.

I have the honor to remain,

Very respectfully, your obedient servant,

ED. HIGGINS, *Lieut Col. C. S. A.*

Late commander Forts Jackson and St. Philip.

REPORT OF CAPTAIN M. T. SQUIRES.

FORT ST. PHILIP, April 27th, 1862.

Lieutenant CHARLES N. MORSE,

Post Adjutant, Fort Jackson, Louisiana :

SIR : I have the honor respectfully to submit the following report :

Early on the morning of Friday, the 18th instant, perceiving by the movements of the enemy that they were about taking up their position, the heavy guns were ordered to open upon them to annoy them in the execution of their purpose as much as possible, but the distance being great, and the range extreme, with but very little success, the enemy taking little or no notice of our fire, only answering by a few rifle shells, at long intervals. The thirteen-inch mortar after the thirteenth round became useless, the bed giving way under it, breaking in two, and the mortar coming upon the ground. The enemy retired from our sight at eight o'clock, P. M., and nothing more was heard of him that night.

At an early hour of the morning of the 19th instant, the enemy again took up a position identical with that of the day previous, excepting that no mortar boats were on this shore, all keeping close behind the point of woods, and opened fire upon Fort Jackson, which was allowed to continue without interruption from this side. Fearing the effect, and having ascertained the exact range and distances, I determined to open upon them and draw off some of the fire to this side if possible. It was immediately done, and with partial success, three of the mortar boats opening upon us with but little effect.

On the 20th, 21st and 22d, the fire of the enemy still continued from their mortar boats, with an occasional shot from the gunboats. The only damage done during these days, was the damaging the platform of the 24-pounder gun in salient near the main magazine, the shell passing under and throwing it up, but not rendering it useless. Our fire was slow and deliberate, with no visible results more than the driving back of two of the mortar boats, which were partially exposed around the wooded point. The fire of the enemy, although warm, well directed and sustained, was, for the most part, either short or very much over. Up to this time the only guns used were the columbiad battery in the main work, and the 13-inch mortar, disabled on the first day. In the lower water battery, one eight-inch columbiad and one seven-inch rifle gun, worked by Captain R. C. Bond's company; four ten-inch sea-coast mortars by Captain J. H. Lamon's company. On the 23d, the enemy still kept up a regular fire, to which we did not reply all day. At 3 1-2 o'clock of the morning of the 24th, the men were ready and standing at their guns, having received information that there was a movement by the enemy. No vessels were to be seen, and the first notice of an enemy nearing us was the reply to the shots from Fort Jackson, and the gunners were ordered to fire by the flashes of the enemy's guns, which was done, but the fire was entirely too high

and passed over them. Immediately after this a vessel came in sight, and they followed each other in rapid succession, seemingly in pairs, one of the two keeping back far enough to enable her to deliver her fire from her broadsides. The fire from our guns was rapid, and from the little that could be seen and heard, was accurate, but after the first discharge the smoke almost hid them from sight, and we were again compelled to judge by the flashes of their guns. As to the effect of the fire, it is impossible to state what it was, as the darkness, aided by the smoke, rendered seeing out of the question. A three masted pro- peller ran ashore during the engagement above the upper water battery, and remaining there several minutes with a fire barge alongside, her rigging had caught fire but was immediately extinguished. We were not able to open upon her as one of the columbiads had been previously dismantled, and the other could not be brought to bear, besides their hands were full with other vessels coming up, and the 24-pounder in the salient of the upper water battery, bearing directly upon her, had been broken in two near the trunnions. The vessels passed close under our guns, taking advantage of the eddy, which runs up with considerable force, and it was found impossible to get more than one or two shots at any one vessel, they passed with such rapidity.

All our guns were worked with courage, energy and skill, excepting the upper water battery, where some confusion arose, caused by the men not being so thoroughly drilled as they should have been. Company C, of the Confederate Recruits, Lieutenant J. K. Dixon, were fully prepared to work the guns of this battery, and would have done so with effect, but were two days before ordered on board the floating battery Louisiana, and their place was supplied by Captain Assan- heimer's company B, 24th regiment Louisiana volunteers, who had only been drilled a few times, and Captain Massicott's company D, Chalmette regiment, who were raw, undrilled, perfectly ignorant even of the use of the shot guns, with which they were armed, and had never been drilled at artillery. As soon as it was seen that the guns did not open, Lieutenant A. J. Quigly, with such men as could be gathered, was sent to attend to them, which was done, so far as they were concerned, to the satisfaction of that officer. The company of Confederate Recruits, under Lieutenants Dixon and Blow, were detailed to report to Captain Mitchell, C. S. Navy, for duty on board the Louisiana, as per instructions dated headquarters Forts Jackson and St Philip, April 31st, 1862, where they remained until the evening of the 24th instant. Captain Lartigue's company did good service as scouts and sharpshooters, many of them being out at all times. On the night of the 23d, seven of them were sent to ascertain the movements of the enemy, and all returned without accomplishing anything. Two other scouts, one from company K, and the other of company F, were out on the same mission, and had it not been from the failure of the rockets, which by an accident became wet, would have signalled their approach much sooner. As it was, the only intima- tion I received, was the firing of one of their muskets. The following is the number of projectiles used, etc.: six hundred and seventy-five (675) 8-inch solid shot, one hundred and seventy-one (171) 8-inch shells,

thirteen 13-inch from columbiad battery, etc., in main work; one hundred and forty-two 10-inch mortar shells from lower mortar battery; four hundred and seventy shot, shell and grape, lower water battery; one hundred and twenty shot, grape and canister from upper water battery. Captain R. C. Bond, assisted by 1st Lieutenants Carleton Hunt and Wm. E. Ellis, and his company K, Captain J. H. Lamon, with the assistance of 1st Lieutenant H. W. Fowler, with his company C, in the lower battery, manning the 42 and 32-pounders, respectively; Lieutenants Lewis B. Taylor and W. B. Jones, with company F, at the columbiad battery, and Lieutenant A. J. Quigly, with supernumeraries of company F, taken from main work to man guns of upper water battery, behaved with gallantry, energy, coolness and bravery, worthy of imitation, and all, both officers and men, deserve the highest praise that could be given to any one for the honorable part they performed during the whole time since the commencement of this trying conflict. Captain Charles Assanheimer's company B, did their best, both his officers and men. Individual acts of heroism are numerous, but where all did so well, it would appear invidious to mention names. Suffice it to say, that were every thing to be done again, or anything else required to be performed, one could ask no other privilege than to have the same men to do it—feeling satisfied it would be as well carried out as possible. The injury to the fort was slight. Of the guns, one banded 7-inch rifle was bursted by the explosion of a shell in its bore near the muzzle, and one twenty-four pounder gun was broken in two about 14 inches in front of the trunnions, by being struck by a solid shot. An 8-inch columbiad was dismounted, but only temporarily useless, the gun being uninjured and soon remounted. The platform of one twenty-four pounder gun was undermined by a shell, but not rendered entirely useless. One of the uprights of a 42-pounder gun carriage was partially shot away, but can still be of service.

With many thanks to all officers and men for their assistance and efficient aid, and humbly bowing before the will of Almighty God,

I am, very respectfully,

Your obedient servant,

M. T. SQUIRES,
Captain Louisiana Artillery.

LIST OF KILLED AND WOUNDED DURING THE EIGHT
DAYS BOMBARDMENT OF FORT JACKSON.

To Lieut. Col. ED. HIGGINS,

Commanding Forts Jackson and St. Philip :

- April 18. Private Helzel, company D, 1st artillery, contusion, leg.
 " " Fogorty, " " " " "
 " Capt. J. B. Anderson, co. B, " wounded in hand.
 " Private Tymon, co. E, " in back.
 " " Friedman, " " in hand.
 " " Shields, " " killed.
 " " O'Brien, St. M. 22d La., wounded in ankle, slightly.
 Wounded 6.....Killed 1.
- April 19. Private Clark, company B, 1st artillery, killed.
 " " Thos. McCarty, E, " wounded in arm.
 " " Reims, co. St. M. C., wounded in hand and arm.
 " " F. F. Heyle, " " killed.
 Wounded 2.....Killed 2.
- April 20. Corp. Morris, company B, 1st artillery, killed.
 " Private Ashton, " D, " w'd in breast and arm.
 " " Sunkel, " E, " " on toe.
 Wounded 2.....Killed 1.
- April 21. Private Reed, company H, 1st artillery, wounded on foot.
 Wounded 1.
- April 22. Private Londenstein, co. Yagers, 22d La. vols., wounded
 on shoulder.
 " " Kelley, St. M. C., 22d La. vols., wounded on foot.
 Wounded 2.
- April 23 Private Kergan, co. A, 22d La. vols., wounded in back.
 Wounded 1.
- April 24. Private Robert Collier, co. D, 1st art., w'd in face.
 " " Stephen Welsh, " B, " killed.
 " " Michael Burke, " " " "
 " " Williams, " D, " w'd in knee.
 " " Albion Gooch, " " " killed.
 " Sergeant Williams, " E " wounded in eye.
 " " Lynch, " " " " in stomach.
 " Private Johnson, " " " " in arm.
 " Sergeant Jackson, " H, " " "
 " Corporal Smith, " " " killed.

April 24. Private M. Sullivan, co. H, 1st art., w'd in arm and leg.
 " Sergeant Gusman, co A. G. 22d La. vols., " "
 " Lieutenant Pierson, " " " " killed.
 " Private Shultz, " " " " w'd in hip, dead.
 " " J. Benson, " " " " killed.
 " " T. Kroupe, St. M. 23d vols., thigh amputated.
 " " Wagner, " " wounded in arm.
 " " Alberts, " " " in hand.
 " " Z. Drozer, Yagers, 22d La. vols., w'd hand and face.
 " " F. Bradieaux, St. M. C., wounded on nose.
 " " A. Haydel, " " " in both legs.
 " " A. Whaley, " " arm amputated, dead.
 " " E. Hoydel, " " killed.
 " Lieutenant Gordeaux, " " wounded in hand.
 " Private J. Duffy, co. D, 1st art., fractured upper maxillary.
 " " F. Kroupe, St. M. 23d La., vols., wounded on head.
 " Corporal H. Weigand, Yagers, 22d La. vols., on head.
 " Private John Shin, A. G., 22d La. vols., bruised.
 " " James O'Neil, co. H, 1st art., wounded in hand.
 " Corporal J. Harmon, St. M., 23d La. vols., w'd in breast.
 Wounded 21.....Killed 9.

Total wounded 35.....Total killed 9.

SOMMERVILLE BURKE.

Assistant Surgeon C. S. A.

LIST OF KILLED AND WOUNDED IN FORT ST. PHILIP.

FORT ST. PHILIP, April 26, 1862.

To Lieut. CHARLES W. MORSE,
Post Adjutant, Fort Jackson :

SIR : I have to report two killed and four wounded at Fort St. Philip, viz :

Company D, Chalmette regiment,	1 killed.
“ “ “ “	2 wounded.
“ F, 1st La. artillery,	1 killed.
“ K, “ “	2 wounded.

Very respectfully,

CHAS. D. LEWIS,
Assistant Surgeon, C. S. A.

REPORT OF BRIGADIER GENERAL M. L. SMITH.

CAMP MOORE, TANGIPAHOA, LA., }
May 6, 1862. }

To Major J. G. PICKETT,
Assistant Adjutant General:

MAJOR: I herewith submit a report of the operations of the troops under my command at the Chalmette and McGee lines on the approach of the enemy's vessels from Forts Jackson and St. Philip to the city of New Orleans. These interior lines of defence are constructed with special reference to an attack by land, but terminating them on the river banks, were two batteries calculated for twelve and twenty guns respectively, and at the time of the action, containing five and nine. Ten forty-two pounders, intended for this battery, were turned over to the navy for the defence of New Orleans by water. This has been considered as depending upon the forts mentioned, which are well constructed, permanent works, rather well armed, and far stronger than any other that could be hastily erected. With this view, all the available material, both of guns and ammunition, had been concentrated there prior to the bombardment, and during its continuance was being added to in such quantities daily as the means of the department admitted of, it being evident that the decisive struggle was there to be made. As soon, therefore, as it became certain that the large vessels of the enemy had succeeded in passing, there no longer existed a chance of preventing them from reaching New Orleans, and the short resistance made by the few guns mounted in the two batteries of the interior lines was made through a sense of duty, but without any expectation of success, the enemy numbering as many vessels, less one, as we had guns.

On the side of the river where I was in person during the action, were stationed three companies of Lieutenant Colonel Pinckney's battalion of sharpshooters. With the five guns on the other side, were Captain Patton's company of the twenty-second Louisiana volunteers, one company from Fort Pike, under Lieutenant Butter, one company, Beauregard battery, besides two battalions of infantry collected in camp for instruction, as well as to guard the line in case of the enemy's landing and attacking by land—all under immediate command of General Buisson.

The enemy's vessels had approached to within about the fourth of a mile, before we opened on them, the first gun being from Pinckney's battery, and immediately followed by several from the battery on the opposite side, and as promptly replied to from the enemy's vessels. The engagement lasted until every round of ammunition on hand was fired, both officers and men displaying a coolness and intrepidity that was gratifying, especially as regards the men, who then for the first time in their lives discharged a heavy gun. The firing on

our side was spirited, perhaps a little uncertain; on the enemy's heavy and rather well directed.

During the engagement, their vessels gradually lessened the distance, until near enough to open with grape and canister.

The ammunition being expended, and every sense of duty satisfied, permission was given to Colonel Pinckney to withdraw his command along the line of field works, affording shelter, which was done deliberately, officers and men retiring together. The casualties were one killed and one wounded. The battery on the Chalmette side seemed well served, and no doubt was so, judging from the character of the officers present.

The enemy steaming up between us and the city, prevented the retreat of the troops to that point. They were accordingly directed to gain the Opelousas railroad and reach Camp Moore via Lafourche, or such route as might be found best. Lieutenant Colonel Pinckney has already reported with his command, but somewhat reduced in numbers.

In concluding this report, I wish particularly to call attention to the admirable assistance rendered by Lieutenants McDonald and B. M. Harrod, on engineer duty, both before and after the action. Their conduct could not have been better. Lieutenant Frost, on special duty, was also of material assistance, but in carrying out some instructions, was accidentally absent during the engagement.

Having received no report from General Buisson concerning the operations on his side of the river, I am unable to refer to them more particularly.

Respectfully submitted,

M. L. SMITH,

Brigadier General commanding Third Brigade.

