



# Rebel Underground

Sons of Confederate Veterans  
Major John C. Hutto Camp #443  
Jasper, Alabama

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## January Meeting Notice

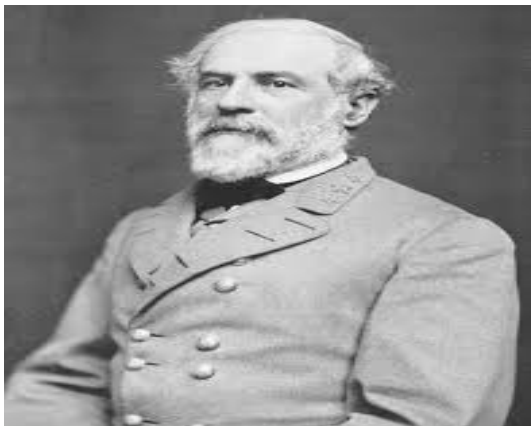
Sunday, 19 January 2:30 PM

First Methodist Church

Jasper, Alabama

Door Prizes Galore

Guest Speaker for December 2013 Hutto  
Camp Meeting Dr. Charles Baker and  
Hutto Camp Cmdr. James Blackston



Lee-Jackson Day honors Confederate leaders Robert Edward Lee (1807-1870) and Thomas “Stonewall” Jackson (1824-1863). General Lee led the military and naval forces during the War for Southern Independence. Jackson's greatest victory was when he led his troops around the Union right flank at Chancellorsville to route the 11th Corps. However, he was wounded and died eight days later on May 10, 1863.

## **Wal-mart Abandons Plans to Build Supercenter on Wilderness Battlefield**

(Richmond, Va.) - Governor Bob McDonnell announced recently that Wal-Mart has donated to the Commonwealth of Virginia more than 50 acres of land in Orange County associated with the Civil War battle of Chancellorsville and most notably with the battle of the Wilderness.

“We are delighted by this generous and voluntary gift from Wal-Mart,” said Governor McDonnell. “It’s another demonstration of Wal-Mart’s role as a good and positive corporate citizen in Virginia, whose presence here serves long range goals for our vitality.”

Henry Jordan, Senior Vice President, Eastern Seaboard Wal-Mart said, “Wal-Mart is extremely pleased that we have both found a home for our new store in Orange County while donating the property at the originally proposed site to the Commonwealth. In this way, we have been able to give back to the community and serve the needs of our customers.”

Virginia’s Department of Historic Resources, the agency that will receive and steward the donated land, has worked quietly with Wal-Mart to complete a the donation documents and its acceptance. Those documents are now final and will be record by Wal-Mart. The department holds or co-holds numerous easements on thousands

of acres of privately-owned battlefield lands throughout the commonwealth, easements that protect the lands from future development.



“This is a wonderful legacy gift from Wal-Mart that comes during the mid-point of the Sesquicentennial of the Civil War,” said Kathleen S. Kilpatrick, director of the Department of Historic Resources. “We look forward to working with community leaders to steward the property and realize its potential for public benefit. We are grateful to the Company and to Speaker Bill Howell, Chairman of the Sesquicentennial Commission, for his work to encourage the donation.”

“On behalf of the entire Sesquicentennial Commission, I want to thank Wal-Mart for this generous donation,” added Speaker Bill Howell. “The Civil War is an important part of Virginia’s history. This donation will allow for the preservation of these historic

lands for future generations.”

Wal-Mart had originally purchased the land, which was zoned for development, for construction of a Wal-Mart Supercenter store, a decision the company was willing to revisit when the site’s close affiliation with Chancellorsville and Wilderness were brought to light.

Wal-Mart has since then selected, purchased, and constructed a store at an alternative site four miles west of the original site located at the intersection of Routes 3 and 20. The company’s alternative site was supported by the National Trust for Historic Preservation, the Civil War Trust, and other groups who today applauded the donation.

“With this donation, Wal-Mart successfully fulfils the commitment made in 2011 to choose an alternate site and work to set aside the original location,” said Jim Lighthizer, president of the Civil War Trust. “The Commonwealth and Virginia’s Department of Historic Resources are ideally suited to be stewards of this resource, safeguarding its integrity for future generations of Americans to visit and study. We deeply appreciate Wal-Mart’s gift and the Commonwealth’s willingness to facilitate this important milestone in the protection of battlefield lands.”

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## **Commander Givens and other Compatriots of the SCV--**

Mrs. Pat Godwin has called and asked me to put out the following message, due to the fact that she has no computer at this time "We have a victory in Selma for the Friends of Forrest and Southern Heritage!"

The Selma City Council voted 5-3 tonight to conclude a settlement with the Friends of Forrest, after warnings by attorneys, including their own, of the danger of continued inaction. As part of the settlement, the deed to Confederate Circle will be presented to Friends of Forrest so that the renovation project can continue, and the City of Selma agrees with all the other points of the settlement, including a guarantee to enforce trespass laws in case of illegal conduct as seen in the past.

Mrs. Godwin is jubilant, and thanks all those who have supported the Friends of Forrest in this struggle for so many years now, in spite of the prolonged and difficult nature of the undertaking. When she can, she will issue a more detailed statement on this totally successful outcome.

KTK Mining, owned by Compatriot Todd Kiscaden, filed the suit against the City of Selma for no due process and violations of his First, Fifth & Fourteenth Amendment rights. The settlement is with KTK MINING. The deed to Confederate Circle will be made to the United Daughters of the Confederacy (UDC). KTK is the company

that was commissioned by the UDC and the Friends of Forrest to secure the Forrest monument and complete the enhancement project.

Respectfully,  
D Tyrone Crowley  
Communications Officer  
Prattville Dragoons Camp 1524  
Alabama Division  
Sons of Confederate Veterans

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## **New Civil War Monument Triggers Debate in Lake City**

By Trevor Sikkema on December 3, 2013



H.K. Edgerton with his Confederate flag

What started as a friendly gathering quickly turned into a protest when members and

supporters of the Sons of Confederate Veterans demanded that a new monument to honor Union veterans not be built in the Olustee Battlefield Historic State Park.

The Florida Department of Environmental Protection proposed the location of the monument and held a workshop Monday night to hear feedback. Names were drawn from people who signed up to speak on the matter.

One of those people, Jim Davis, spokesman for the Sons of Confederate Veterans, said members didn't take issue with the idea of a monument being built, but rather with the location being so close to an already existing monument.

"That's a historical and cultural resource and it should remain the way it is," Davis said. "There's another 600-plus acres that has been loaned to this state ... I welcome them to put it there."

Contrary to Davis, Lloyd Monroe, president of the Olustee Monument Commission and representative of the Sons of Union Veterans of the Civil War, said he did a thorough investigation of the park and found no Union representation.

"We inspected the State Battlefield Park and we did not find a monument within the park that honors the sacrifice of those soldiers, in fact, they're not mentioned," Monroe said.

But some think the Union has no place being

represented in southern states at all.

H.K. Edgerton, president of Southern Heritage 411, carried a giant Confederate flag with him into the workshop. When he spoke, he riled up the Confederate supporters with strong words about what he believes the new monument should represent.

"There is no place in the south land of America to memorialize Yankee soldiers," Edgerton said. "This is an army that came here raping, robbing, stealing, killing and murdering our people. The kinds of things that happened here under the sanction of Abraham Lincoln were for these men to commit total warfare against innocent men, women and children who could not defend themselves."

The workshop was never meant to cause so much resistance, and Union representatives said they didn't intend to misrepresent the hallowed grounds.

Mike Farrell, former department commander of the Sons of Union Veterans, said there's equal representation for battlegrounds all around the country — north and south —and that there need to be in Olustee as well.

"On every Civil War battlefield in the country — north or south of the Mason-Dixon Line — there are Confederate and Union monuments," Farrell said. "Whether they be in proximity, close or far away, it's really not relevant. Our country is one united country."

But the real debate seemed to be in the level of representation itself.

Davis went on to explain the current monument mentions Union soldiers and the fight they took part in. In his mind, that's enough.

"If you go read the monument and read what it says, it talks about both sides," Davis said. "If you go back and look at the pictures of the dedication of that monument, there is a huge American flag with Confederate and Union soldiers all around it."

Monroe disagreed.

The next step in the process will likely be finalizing a location so the state can instruct the park as to what measures need to be taken to build the monument. For now, both sides stand strong.

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### **Emma Sansom marker added to Gadsden's Black Creek Trail**

GADSDEN, Alabama -- A marker was dedicated along Black Creek last week remembering the crossing of Emma Sansom and Gen. Nathan Bedford Forrest at Black Creek in 1863 during the Civil War.

By William Thornton



The marker commemorates the spot where Sansom assisted Confederate Gen. Nathan Bedford Forrest. It is visible near the entrance to Black Creek Trail, not far from the headquarters of the Etowah County Rescue Squad.

2013 marks the 150th anniversary of Sansom's encounter, and there were several events earlier this year in connection with the date. On May 2, 1863, Union Col. Abel Streight and approximately 1,700 U.S. infantry crossed Black Creek, then set fire to the bridge to prevent the pursuing Confederate forces, under the command of Forrest.

Forrest, looking for a way to get across the creek, got assistance from 15-year-old Sansom, a local resident who knew the best route.

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## Gadsden tour marks 150th anniversary of Sansom's crossing

By William Thornton

GADSDEN, Alabama --- A century and a half later, they are still talking about Emma Sansom in Gadsden.

Today, about 25 people came to take part in a walking tour of town, revisiting the events of May 2, 1863, when 15-year-old Emma Sansom helped Confederate Gen. Nathan Bedford Forrest cross rain swollen Black Creek. He was pursuing Union Gen. Abel Streight, who was making his way across Alabama toward Rome, Ga.

That same day, John Wisdom began a 62-mile ride to warn the townspeople of Rome, earning the nickname "The Paul Revere of the South."



Under a cloudy sky, the tour group made stops around town, listening as guide Norman Dasinger Jr. recounted tales of Confederates outwitting the Union army and eventually spelling Streight's defeat.

One of those who took part in the tour was Sherry Clayton, who wore period costume and portrayed Laura Keeling Barret, whose home stood, across the street from the present day Gadsden City Hall, at First Street and Broad in 1863.

Barret would have heard the bells of the First Baptist Church on May 2, which tolled all night to warn townspeople of the coming of Streight's men.

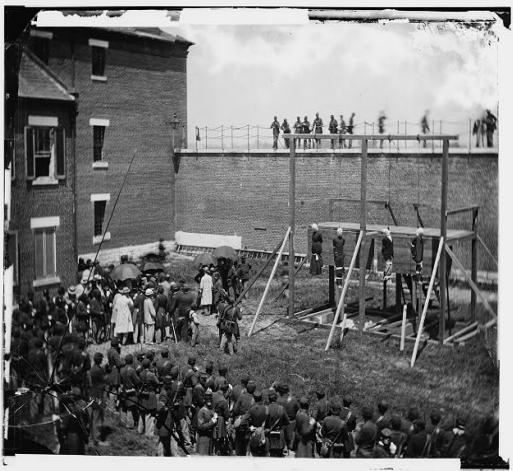
But Clayton's story dealt with Barret's life in her father's establishment, the Keeling Inn, which was used during the war as a field hospital. There, she fell in love with a wounded soldier named John T. Barret, whom she later married. The moment served as a reminder that the Civil War's enduring hold on the American imagination is largely because of the stories of individuals who were affected by it.

When Dasinger recounted how Union armies took clothing and articles from homes in nearby Blountsville, one of the group remarked, "Just like a Yankee," to the laughter of the group.

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## The Hanging of Mary Surratt

Mary Surratt, 42, the first woman to be hanged by the United States government, is the body hanging at the left. Virtually everyone expected her sentence to be commuted by President Andrew Johnson, but it was not. From the left, after Mary Surratt, hang the bodies of Lewis Powell, David Herold, and George Atzerodt. Roughly 1,000 people, viewing from windows, walls, the courtyard, and buildings, witnessed the affair. Because such a large number of people wished to view the execution, tickets had been issued to limit the actual number in the courtyard.



At approximately 1:26 P.M., July 7, 1865, the signal was given. The two soldiers underneath the gallows knocked away the supporting posts with long poles, and the trap doors snapped downward. The bodies of the four victims dropped about five to six feet and then came up with a sharp jerk at the

end of each rope. After the hanging about 25 minutes elapsed, and the bodies were cut down. Doctors then examined them as they lay on top of their coffins which were really just crude gun boxes. The bodies (with hanging-caps still on) were buried in shallow graves next to the gallows. Pieces of the gallows were soon distributed as souvenirs.

In 1867 the remains of Mary Surratt, Lewis Powell, George Atzerodt, and David Herold were removed from the shallow graves in the prison yard. They were placed in a storage building nearby. In February 1869 President Andrew Johnson issued an order allowing the bodies to be released to their respective families. Family members claimed all bodies with the lone exception of Lewis Powell. For more details, please see the September 2000 issue of the Surratt Courier.



Today Ft. Lesley McNair occupies the grounds of the Old Arsenal Penitentiary in Washington, D.C. where the hangings took place. The building in which the accused were tried still stands. It is called Grant Hall. The scaffold where the executions took place



would today stand near the back of the tennis courts.

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### **Ex parte Milligan (1866)**



Lambdin Purdy Milligan (March 24, 1812 – December 21, 1899) was a lawyer, farmer, and a leader of the Order of the American Knights during the War for Southern Independence. In 1864, he was unlawfully given a capital sentence, and later set free by the United States Supreme Court, setting a precedent later named after him

In *Ex parte Milligan* (1866), the US Supreme Court held that President Lincoln had violated the Constitution by suspending the

right of habeas corpus during the Civil War.

The Supreme Court ruled that a prisoner's ability to challenge his or her detention could only be suspended for a brief and finite period of time, and only if the situation compelled it. The Court also ruled that military tribunals generally lack jurisdiction over civilians who are not connected with or engaged in armed conflict. Assessing the rights of an Indiana citizen accused of plotting against Union forces during the Civil War, the basic rules defined in *Milligan* are quite relevant today.

On October 5, 1864, Lambdin P. Milligan was taken into custody by the U.S. government on various charges of insubordination against the Union. The government accused Milligan of joining "a secret society known as the Order of the American Knights for the purpose of overthrowing" the government, "holding communication with the enemy; conspiring to seize munitions of war stored in the arsenals; to liberate prisoners of war; [and] resisting the draft." Though he was an American citizen and resident and citizen of the state of Indiana, Milligan was tried before a "military tribunal" in Indiana and convicted on all charges. He was then sentenced to death by hanging and moved to a military prison.

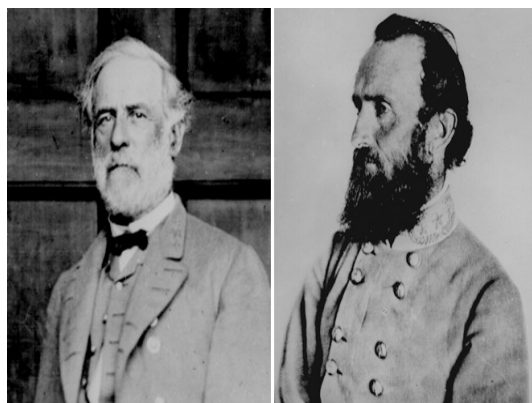
Days before his scheduled execution, Milligan petitioned for a writ of habeas corpus in a local federal court. The term "habeas corpus" is Latin for "you [should] have the body," and a "writ of habeas

corpus" is a court order to release a prisoner being held unjustly by the government. In his petition, Milligan argued that the military tribunal had no jurisdiction (power) to try him because he was an American citizen living in Indiana, and the laws thus gave him a right to a criminal trial in a civilian court. In 1866, shortly after the end of the Civil War, the Supreme Court agreed to review Milligan's petition. (In 1863, the Court had effectively ducked a similar case, *ex parte Vallandigham*, holding that since no act explicitly granted the Court jurisdiction over the military tribunals, it lacked jurisdiction to review the appeals of those convicted under their auspices.)

The Supreme Court ruled that the military tribunal lacked jurisdiction over Milligan and that he should have been tried in a federal civilian court. The Court first noted that Milligan was an American citizen who was a resident of Indiana, during the Civil War. The Court also noted that Milligan was not connected to the armed forces and had not been fighting Union forces when he was captured, and that the civil courts of Indiana were operational at the time. Accordingly, the Court also argued Milligan was denied basic constitutional rights in being subjected to a military tribunal. These included the right to trial by jury, the right to be sentenced separately from trial, and various evidentiary and procedural rights incident to civilian trials. Together, the Court concluded that the laws and Constitution demand that Milligan, as with any other civilian, not be tried by a military tribunal if, as in this case, there is a

civilian court available instead. To find otherwise, the Court opined, would mean that "republican government is a failure, and there is an end of liberty regulated by law." The Court warned that "Martial law" in such a system "destroys every guarantee of the Constitution, and effectually renders the 'military independent of and superior to the civil power.'" *Ex parte Milligan* was a stalwart affirmation of basic rights and liberties most Americans take for granted today.

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### **US Army War College considers removing prints depicting Robert E. Lee, Confederate generals**

The U.S. Army War College in Pennsylvania is considering removing prints that depict Robert E. Lee and other Confederate generals after at least one official questioned why the school honors those who fought against America.

The college is currently conducting an inventory of its paintings and photographs, which feature Confederate generals such as Lee and Thomas “Stonewall” Jackson. The school plans to re-hang the images later in specific categories to showcase the military’s history, the Washington Times reports.

“There will be change: over the years very fine artwork has been hung with care – but little rationale or overall purpose,” US Army Major General Tony Cucolo, the commandant of the college, said in a statement posted on the school’s website Wednesday afternoon.

“I will... approach our historical narrative with keen awareness and adherence to the seriousness of several things: accurate capture of US military history, good, bad and ugly; a Soldier’s life of selfless service to our Nation; and our collective solemn oath to defend the Constitution of the United States (not a person or a symbol, but a body of ideals),” he added. “Those are the things I will be looking to reinforce with any changes to the artwork.”

But college Spokeswoman Carol Kerr told the newspaper that at least one official -- who was not identified -- asked the administration why the school honors generals that were enemies of the U.S. Army.

“There will be a dialogue when we develop the idea of what do we want the hallway to represent,” she said. “[Lee] was certainly not good for the nation. This is the guy we faced

on the battlefield whose entire purpose in life was to destroy the nation as it was then conceived. ... This is all part of an informed discussion.”

The U.S. Army War College, which opened in Carlisle in 1901 to study the lessons of war, graduates more than 300 officers, foreign students and civilians each year, the Washington Times reports.

Before the college opened, Lee led the Army of Northern Virginia for the Confederate States of America during the Civil War. Lee and Jackson are both graduates of the United States Military Academy in West Point, N.Y.





Scotty Myers, James Blackston, Whit Myers and Brandon Prescott attend the Hutto Camp Christmas Party at Victoria's Restaurant in Jasper



Alabama Secession Convention Flag 1861 displayed by unreconstructed compatriots

## HUTTO CAMP OFFICERS

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Commander	James Blackston
1 <sup>st</sup> Lt. Cmd.	John Tubbs
2nd Lt. Cmd.	Brandon Prescott
Adjutant	Trent Harris
Chaplain	Barry Cook
Editor	James Blackston

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**Ask any Officer to learn more about the  
Sons of Confederate Veterans**

### Website:

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The ***Rebel Underground***, is the official monthly publication of the Major John C. Hutto Camp #443. All readers are invited to submit articles. Articles published are not necessarily the views or opinions of the Executive Board or the Editor.

The ***Rebel Underground*** is dedicated to bringing our readers the very best in coverage of important news concerning Confederate History and Southern Heritage. It has been that way for many years. We are not ashamed of our Confederate History and Southern Heritage. We dare to defend our rights.