

# THE WASHINGTON VOLUNTEER

PUGET SOUND CIVIL WAR ROUND TABLE

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**NEXT MEETING: Thursday, January 11, 2018**

**China Harbor**, 2040 Westlake Avenue North, Seattle, Washington

**Time:** Social hour at **6 p.m.**; Dinner served at **7 p.m.**; Program at **8 p.m.**

**MENU CHOICES: Mongolian Beef, Chicken, Salmon or Vegetarian**

**Dinner includes:** salad, vegetable delight, General Tso's chicken, fried rice and fresh fruit.

**Cost:** \$21 for adults; \$10 for minors and college students. See below for reservations. Payable at the door. Opting out of dinner? \$5 fee for non-members, \$1 fee for members.

To make reservations and meal choices, use one of these options (most preferred listed first):

Click on <http://www.pscwrt.org/about/dinner-reservations.php>

Email **Rod Cameron** at: [rodcam@comcast.net](mailto:rodcam@comcast.net)

Or lastly, call **Rod Cameron** at **206-524-4434**

**Reservations are MANDATORY and be in by 12 NOON on Tuesday, January 9, 2018.**

**NOTE:** Remember to turn off cell phones before the meeting so there are no distractions for the speaker. Thank you!



## JOHN MCKAY WILL DISCUSS CIVIL WAR AND CIVIL LIBERTIES-- A PAINFUL LEGACY?

Including President Abraham Lincoln's suspension of habeas corpus, the reasons for the suspension, and its later reflection in the decision to set up Guantanamo Bay. Mr. McKay served as U.S. Attorney for the Western District of Washington, 2001-07. He has served as a team chief for certain US State Department Projects, as a White House Fellow, and as President of the Legal Services Corporation. At both the state and national level he has held many leadership positions and received awards for his work furthering the cause of access to equal justice for all. He teaches at Seattle University School of Law and is Chair of Government Investigations and Crisis Management at the law firm Davis Wright Tremaine.

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Civil War Quiz Question: List the five costliest battles of the Civil War in order.  
(answers at the end of the newsletter)

## *IMPORTANT DISPATCHES*

### UPCOMING EVENT



#### **Richard Hanks: “Looking for Lincoln”**

**Monday, February 12, 2018, 6-7:30 p.m.**

**Location: Everett Public Library, 2702 Hoyt Avenue, Everett, WA 98201**

**Admission: Free**

Speaker is Historian and Author Richard Hanks. Professor Hanks' has a direct family connection to Abraham Lincoln.

It looks at Richard's personal journey with Lincoln and the stories of his involvement with his family in Illinois and Hanks' generally. Lincoln was a constant presence in his household.

As an example, his father's courtroom in Beardstown was the site of the famous Almanac Trial where Lincoln successfully defended Duff Armstrong on murder charges in 1858. Beardstown was also where Lincoln was chosen captain of the New Salem militia during the 1832 Black Hawk War.

### **January Birthdays**

Several members have birthdays in January and we'd like to acknowledge their special day. They are:

Phillip Allen  
Pat Brady  
Sally Coats  
Harley Crain  
Jon Echols  
Bob Hazen

Judy Henriksen  
Beverly Karbowski  
Greg Meldahl  
Mitch Robinson  
Jack H. Seeley  
Donald Spenard

## *FEATURED ARTICLES*

### **Recommendations for additional reading on the Speaker's Topic: Civil War and Civil Liberties?**

**By Jeff Rombauer**

*“Habeas corpus (/ˈheɪbiəs ˈkɔːrpus/; Medieval Latin meaning literally "that you have the body")<sup>[1]</sup> is a recourse in law through which a person can report an unlawful detention or imprisonment to a court and request that the court order the custodian of the person, usually a prison official, to bring the prisoner to court, to determine whether the detention is lawful”*  
*Wikipedia*

During the Civil War one of the earliest legal controversies was President Lincoln's suspension of the right to habeas corpus in April, 1861 in certain areas of the country. This suspension

allowed to military to hold individuals in detention without recourse to legal proceedings. Dating from 12<sup>th</sup> century English common law, the concept of habeas corpus was incorporated in article I of the U.S. Constitution concerning Congress, which states that “the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety.

The issue of the President’s right to suspend habeas corpus first arose in Baltimore in May 1861 when several individuals were detained by the military. The most famous case involved John Merryman, a “southern” sympathizer who was arrested by troops May 25, 1861. Roger Taney, Chief Justice of the U.S. Supreme Court, was at that time in Baltimore doing Circuit Court duty, was approached by counsel for Merryman for a writ of habeas corpus. Taney issued the writ, but it was ignored by military authorities. After additional court proceedings, also ignored by the local district commander, Taney issued his opinion in *Ex Parte Merryman*, that the President could not suspend the writ, but only Congress had that authority. Since the administration ignored Taney’s opinion, the issue remained unresolved until 1863 when Congress passed the Habeas Corpus Act of 1863 which allowed the President to suspend the writ during the current rebellion when needed.

For additional reading on this topic the following books are recommended:

Neely, Mark E. Jr. *Lincoln and the Democrats: The Politics of Opposition in the Civil War*. Cambridge: Cambridge University Press, 2017. Pp. 210

Chapter 4 covers constitutional question between the Republicans and Democrats during the civil war, including the writ of habeas corpus. Neely sees it, not as a partisan issue but as a reaction to Horace Binney’s pamphlet defending the President’s actions.

Neff, Stephen C. *Justice in Blue and Gray: A Legal History of the Civil War*. Cambridge University Press, 2010, Pp. ix, 350.

Chapter two covers the controversy over habeas corpus.

Randall, J. G. *Constitutional Problems under Lincoln*. Urbana: The University of Illinois Press, 1951. Pp. xxxi, 596.

Chapters 6 & 7 covers habeas corpus and arbitrary arrests under the Lincoln administration.

Swisher, Carl B. *The Oliver Wendell Holmes Devise History of the Supreme Court of the United States: Volume V: The Taney Period 1836-64*. New York: Macmillan Publishing Co., Inc. 1974. Pp. xvii, 1041

Chapter 33 provides an excellent overview of the background to Ex Parte Merryman and other similar cases in 1861 as well as the relationship between the Lincoln administration and the judiciary.

White, Jonathan W. *Abraham Lincoln and Treason in the Civil War: The Trials of John Merryman*. Baton Rouge: Louisiana State University Press, 2011. Pp. xiii, 191.

An excellent monograph on the Merryman case and its impact of in American legal history.

*Editor's Note: Given the snowfall we had over Christmas, this article seemed appropriate for this time. It was first published in the Confederate Veteran, Volume 26 (1918), pgs. 304-305. Perrett enlisted as a private in Company G "Chatham Boys" of the 26<sup>th</sup> North Carolina in June, 1861. He had a somewhat checkered record, alternately being promoted and demoted from private to Non-com. He was wounded twice- Gettysburg and the Wilderness, but eventually deserted in February 1865 near Petersburg, VA, taking the oath of allegiance on April 10, 1865.*

## **A Battle with Snowballs**

**By Thomas Perrett**

After the battle of Gettysburg, July 1-3, 1863, I was laid up for repairs for about four months; and after a perilous trip to Richmond and about thirty days in Camp Winder Hospital, I was granted a furlough to visit my home, in Central North Carolina. Remaining there till in the early part of November, I returned to the Army of Northern Virginia, finding the 26<sup>th</sup> North Carolina Regiment, to which I belonged, located near Orange Courthouse. I found the regiment in much better shape than I had expected after the great loss sustained at Gettysburg. Many of the wounded had returned to duty, and quite a number of new recruits had been added, which gave it much of its old-time life and morale.

We were soon on the move and bivouacked at several places during the next months, our moves usually caused by raids of the Federals. During the latter part of November, the Federals crossed the Rappahannock in considerable force, advanced up the turnpike in the direction of the Orange Courthouse, and were met by the Confederate forces at a place we afterwards called Locust Grove. No regular engagement, only skirmishes, took place, and after a few days they retreated and left us in possession of the field. During our stay, however, we were constantly on picket duty, and on one occasion I had charge of a part of the picket line in the woods about five hundred yards from the Federal line. While on duty there a flock of wild turkeys got between the Federal and Confederate lines, which excited the boys very much. As the turkeys came near our line the boys turned loose a volley at them. The turkeys then made a get-away in the direction of the Federal line. In a few minutes the Federals let loose a volley, and the turkeys again headed in our direction. This sport was kept up for some time. One of the boys finally killed one of the turkeys. This sport was positively against orders, but so many of us were in it that no one got punished.

The latter part of December our camp was moved to a large wood about four miles northeast of Orange Courthouse, and we were assured that we would have this as winter quarters. The weather was extremely cold, and we had no tents; so it was up to us to do the best we could under the circumstances. I selected three partners, and we at once went to work to build us a "shack". The ground was frozen hard, and we were too cold to sleep. The moon was shining brightly, and we began cutting poles and setting them up, and by day we had the structure ready for the roof and chimney; and by night the roof was on, a stick chimney built, and the cracks daubed to keep out the cold. We moved in and had a regular "house-warming". We remained here through the winter, but were called out occasionally to meet some threatened raid or do picket duty on the North Anna River.

A little friction had developed between the brigades of General Kirkland and General Cook, which were located near each other., the whole trouble starting by making raids on each other in fun, which had grown into a bad feeling. The boys must have something up all the time to keep them in good humor, and about everything was tried that would afford any sport. When not on drill they would play cards, drafts, make and fly kites and occasionally made a raid at night.

Early in 1864, at the first heavy snowfall, a challenge was passed for a battle royal between the brigades, snowballs to be the weapons. The challenge was duly accepted, and the rules of battle agreed upon. The brigades, under the command of their respective officers, met in a large field, facing each other on opposite sides of a ravine. At a given signal the battle began in earnest. At first the men contented themselves with using ordinary snowballs, and all was fun and frolic; but the battle had not progressed very far before we discovered that quite a number of Cook's men had brought along their haversacks and filled them with snowballs dipped in water and pressed as hard as a ball of ice. On making this discovery we captured a number of them and relieved them of their haversacks and snowballs. As the contest waxed more animated, each side struggling for victory, the passions of the combatants became aroused, and the excitement of actual battle seized them. Hard substances, frequently stones, were used with telling effect, in a number of cases doing serious damage. At one stage of the battle about twenty-five of Cook's men made a charge to capture the colors of the 26<sup>th</sup> Regiment and were met at the colors by about an equal number of our men. The fight that followed was terrific for a few minutes. We broke the flagstaff into several pieces, fought with those pieces, fists, or anything we could get, but finally routed them and carried off the colors in triumph. I happened to be one of the men engaged in the fight over the colors, but escaped without any serious damage. Colonel McRae, in command of one of the regiments, was pulled from his horse and roughly handled; and the combat ended only with the exhaustion of the men, each side agreeing that it should be considered a drawn battle.

This affair caused some bitterness between the brigades which it took time and comradeship, battles, privation and suffering to destroy. This battle was not compulsory with the men, but most of them engaged in it for the fun. On returning to camp a few slackers who had refused to take part in the fun got to guying the boys about being such fools, when they were taken down and covered up in the snow as a "leveler".

## *THE PRESIDENT'S CORNER*

### **The Center for Civil War Photography**

By Mike Movius

As you may have gathered by now, I'm very involved in visiting Civil War battlefields, historical buildings, conferences and seminars. One of the really cool conferences I attended in November was the *Images of War* seminar held in Charleston, SC and sponsored by the Center for Civil War Photography. The force behind the Center is Garry Adelman who is also the director of Education for the Civil War Trust.

This was the first time I have attended a Center event, so I really didn't know any of the attendees, the structure of the seminar or much about the Center. But, having run into Garry on several occasions, and participated in a 9-mile tour of Gettysburg he led, I really wanted to be part of that experience...and I wasn't disappointed.

The first night, we boarded a bus and were taken to a meeting place and watched in a couple presentations while eating hors d'oeuvres and having an adult beverage. The next day, we went to Fort Moultrie, Old Exchange & Dungeon, Magnolia Cemetery (burial site of all three Hunley crews) and Fort Sumter. At both of these historical locations, Garry had period photographs, many of which were in 3-D. We also had a tintype taken of attendees and learned how it was developed. We also went on a dinner cruise of Charleston harbor.

One of the really interesting things is that you meet all sorts of individuals who have become photography detectives. They will look at every detail of period photographs, note things that others will overlook, conduct research into what they have seen and report to any and all who will listen on their findings.

I highly recommend that you seriously consider becoming a member of CCWP and going to the 2018 seminar. It will be held in Washington City. For more information:

Website: <https://civilwarphotography.org/ccwp/>

Facebook: <https://www.facebook.com/civilwarphotography/>

## ***THE LAST WORD***

### **Happy New Year 2018!**

By Mark R. Terry

On behalf of the PSCWRT Board, I want to wish you a happy and prosperous New Year in 2018! It occurred to me that even though we are entering a new year, the January meeting is exactly halfway between our first meeting in September 2017 and our final meeting in May 2018. Given that fact, it is a good time to look back on what we have accomplished and look forward to the rest of the Round Table season ahead.

One of the tools the board is hoping will help bring improvements to our meetings and our organization as a whole is the **PSCWRT ATTENDANCE SURVEY**. On December 13, 2017, It was sent as an email to all of our members. If you have not completed the survey, we urge you to do so. One of the goals of the PSCWRT is to increase the number of members and participants at meetings. Since it is difficult to be able to talk to each individual, the questions of this survey should help shed light on how we can improve the Round Table and help to fulfill our goals. If you don't have email, but would like to fill out the survey, please let one of us know- we should be able to get you a paper copy.

CWT Color Bearer Project. This was initiated for several reasons, the first one being to increase our giving to the Civil War Trust in order that they can purchase, preserve and interpret important battlefield tracts of land and other important sites related to the Civil War. The

secondary objective is to list the Puget Sound Civil War Round Table as an organization in their literature and so perhaps draw local enthusiasts who might otherwise not know we exist. How many times have you talked with someone who said “I didn’t even know you guys were here!”? The third objective is to allow interested and motivated PSCWRT members to be able to participate in CWT activities only open to Color Bearer members. Several members made bids in November to be able to do this. The board is hopeful that this project will be successful and ongoing annually.

I am looking forward to the new year for myself and my family but also for the PSCWRT. Although we have dedicated members serving on the board, we are ALWAYS looking for members who want to help improve what we do. Think about it- if there is something you don’t like, then instead of complaining, do something positive to improve the situation. This is what happened with the sound system. Several years ago, it became obvious that the PSCWRT needed sound equipment of their own, as the acoustics of the room made hearing presenters difficult. Some members got together and made it happen with the help of the board, but it took the initiative of individuals to start the ball rolling. What can YOU do to make the rest of the 2017-2018 season awesome?

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Answer to the Civil War Quiz Question: “List the five costliest battles of the Civil War in order.”

They are

1. Gettysburg, Pennsylvania (July 1-3, 1863) Combined casualties 51,112
2. Chickamauga, Georgia (September 19-20, 1863) Combined casualties 34,624
3. Chancellorsville, Virginia (May 1-4, 1863) Combined casualties 30,099
4. Spotsylvania C.H., Virginia (May 8-19, 1864) Combined casualties 27,399
5. Antietam/Sharpsburg, Maryland (September 17, 1862) Combined casualties 26,134

Answers taken from the “Civil War Quiz and Fact Book” by Rod Gragg.

## **DUES & DONATIONS**

The PSCWRT season goes from September to the following May. Dues should be paid in September. Dues are payable either at the meeting or by mail: \$25 per individual or for a couple. Also, donations are gratefully accepted. These will help secure speakers for our meetings. Please note that all donations are tax deductible as the PSCWRT is a 501(c)3 organization. Mail to: Jeff Rombauer, Treasurer, 22306 255<sup>th</sup> Ave. SE, Maple Valley, WA 98038-7626. Call 425-432-1346 or email: [jeffrombauer@foxiinternet.com](mailto:jeffrombauer@foxiinternet.com).

**We welcome your article or research submissions for the newsletter, but they may be edited for space. The deadline for the February 2018 Washington Volunteer is Monday, January 22, 2018. Please have it in Mark Terry’s hands via email or snailmail by then. Thank you!**

## **2017-2018 OFFICERS**

### **Elected:\***

President: Mike Movius, [president@pscwr.org](mailto:president@pscwr.org)

Vice-President-Successor: Nick K. Adams, [carmodnick@comcast.net](mailto:carmodnick@comcast.net)

Past-President: Rick Solomon, [ricksolo@ricksolo.com](mailto:ricksolo@ricksolo.com)

Treasurer: Jeff Rombauer, [jeffrombauer@foxinternet.com](mailto:jeffrombauer@foxinternet.com)

Secretary: Douglas Galuszka

Vice-President-Programming: Pat Brady, [patsbrady@comcast.net](mailto:patsbrady@comcast.net)

Vice-President- Membership: Vacant

Vice-President- Marketing: Vacant

Vice-President- Partnerships: Steve Clayton, [cpsclayton@msn.com](mailto:cpsclayton@msn.com)

Vice President-Reservations: Rod Cameron, 206-524-4434, [rodcam@comcast.net](mailto:rodcam@comcast.net)

Vice-President-Editor: Mark Terry, [markimlor@comcast.net](mailto:markimlor@comcast.net)

Vice President-Social Media: Mike Movius, [webmaster@pscwr.org](mailto:webmaster@pscwr.org)

*\*All, except for Past President, an automatic position.*