





Jeweled Commander-in-Chief's
badge, presented to General
Black when in 1904 he retired
as head of the Grand Army of
the Republic.

Black
John
C

WG-7177

REFERENCE SERVICE SLIP

SHADED BOXES FOR NARA USE ONLY

DATE (MM/DD/YYYY)

5/13/22

TRACKING NUMBER

LAST NAME (PRINT)

Tullo

FIRST NAME (PRINT)

Vonnie

RESEARCHER CARD NUMBER

1000098

SERIES OR COLLECTION NAME

Civil War Carded Medical Records

RECORD GROUP NUMBER/ COLLECTION DESIGNATION

94

ENTRY NUMBER

534

NATIONAL ARCHIVES IDENTIFIER (OPTIONAL)

BOX/ITEM NOS. REQUESTED

STACK

7w2

ROW

12

COMPARTMENT

11

SHELF

3

NUMBER OF BOXES/ITEMS PULLED

OTHER RECORD IDENTIFICATION INFORMATION [SPECIFY FOLDER TITLE(S)/FILE NUMBER(S)]

37 ILL Inf.

Charles Black ; William Black

REQUEST REVIEWED BY

REQUEST PULLED BY

Bm

RECEIVED BY

DATE (MM/DD/YYYY)

REFILED BY

DATE (MM/DD/YYYY)

12/11/1 - 12/14/5

B | 37 | Ill.

Black

Rank Lt. Col., Co. —, 37 Reg't Ill. Inf

Appears on List of Casualties of the Regiment at the battle of

Prairie Grove Ark.

Killed , 186

Wounded Dec. 7th , 1862.

Missing , 186

Seat of injury: Fracture of Humerus of left arm.

Nature of injury: Severe

Missile :

Treatment :

Result and date :

Remarks :

Reported by L. F. Humeston Reg'tl. Surgeon

Casualty List No. on Monthly Report of Reg't, Page Dec. 1862.

Harley

Copyist.

B | 37 | Ill.

Charles Black

Rank Lt. Col. Co. —, 37 Reg't Ill. Inf 2nd Div.

Appears on List of Casualties of the Regiment

Army of the Frontier.

In action of Dec. 7th 1862.

Wounded

Seat of injury: Arm

Nature of injury: Severe

Missile :

Treatment :

Result and date :

Remarks :

Reported by Dan. Huston Col. 7th Mo. Cav. Comd'g 2nd Div.

Casualty List No. 43, Page 3

Harley

Copyist.

REQUEST FOR MILITARY RECORDS				1. DATE 5/13/22	2. PULLTIME/STAFF INITIALS ISC
3. NAME OF REQUESTER Vonnie Tullio			4. RESEARCHER CARD NO. 1000098		
ITEM NOS. 2, 5, 6, 7, 8, AND 9 FOR STAFF USE ONLY	5. STACK AREA 16E4	6. ROW 23	7. COMPARTMENT 20	8. SHELF 4	9. SEARCHER B
10. RECORD IDENTIFICATION (Check one only)					
<input type="checkbox"/> MILITARY <input checked="" type="checkbox"/> PENSION <input type="checkbox"/> BOUNTY LAND (If Military or Bounty Land checked – complete items 11, 13, 14, and 15. If Pension is checked – complete items 11, 12, 13, 14, 15, and 16.)					
11. NAME OF SOLDIER John L. Black			12. NAME OF DEPENDENT Adaline L. Black		
13. UNIT (CO., BN, or REGT.) 6 FTS 37 Ill Inf, G.I. IN IN			14. STATE SERVED FROM IL		15. WAR, OR DATE OF SERVICE Civil
16. PENSION FILE NUMBERS					
			APPLICATION		CERTIFICATE
a. INVALID				131895	91984
b. WIDOW				1064444	807509
c. MINOR					
d. MOTHER					
d. FATHER					
e. OTHER NUMBERS (XC, etc.)				XC 2.690.516	
17. RECEIVED BY		18. DATE		19. RETURNED TO	
				20. DATE	

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

NA FORM 14027 (10-12)

DO NOT REMOVE FROM RECORDS

or C pension certificate number may be necessary in order to locate this soldier's Civil War or later pension application that you re-check both the alphabetical index (T288) and the organizational index (T289). List all of the numbers which appear on the index card including any "C" or "XC" numbers on a single NA Form 14027. The XC or C pension file number should appear at the bottom of the index card. Make sure all of the numbers on the index card are on the correct lines and in the correct columns in part 18.

11. ___ There is no pre-Civil War pension application file under that name and regiment. Please recheck the indexes or refer to the military service record for alternate name spellings and correct regimental information.
12. ___ There is no bounty land application file under that name and regiment. Please refer to the military service record for alternate name spellings and correct regimental information.
13. ___ The record you requested was removed from the files some time ago and was apparently misfiled on its return. Take this NA Form 14027 to the Finding Aids Room and leave it with your name and address. We will try to locate the file. If we are successful we will contact you.
14. The pension file you requested is not in our custody in our office in Washington, DC. For additional assistance please write to our office in St. Louis.

National Archives at St. Louis

P.O. Box 38757

St. Louis, MO 63138

15. ___ The file does not appear to be in our custody. It may have been removed from the files without documentation prior to transfer to the National Archives more than 50 years ago.

OTHER: _____

Research Services – Archives 1 Washington, DC

National Archives and Records Administration

Office: 202-357-5385

Email: archives1reference@nara.gov

REFERENCE SERVICE SLIP

SHADED BOXES FOR NARA USE ONLY

DATE (MM/DD/YYYY)

5/11/22

TRACKING NUMBER

W

LAST NAME (PRINT)

Zullo

FIRST NAME (PRINT)

Vonnie

RESEARCHER CARD NUMBER

1000098

SERIES OR COLLECTION NAME

Volunteer Service Division Document File

RECORD GROUP NUMBER/ COLLECTION DESIGNATION

94

ENTRY NUMBER

496

NATIONAL ARCHIVES IDENTIFIER (OPTIONAL)

BOX/ITEM NOS. REQUESTED

Box 420

STACK

9w3

ROW

17

COMPARTMENT

5

SHELF

4

NUMBER OF BOXES/ITEMS PULLED

1 box shelf

OTHER RECORD IDENTIFICATION INFORMATION [SPECIFY FOLDER TITLE(S)/FILE NUMBER(S)]

B-2906-VS-1864

Box ~~420~~ 420

John C. Black

REQUEST REVIEWED BY

ph

REQUEST PULLED BY

BPM

RECEIVED BY

DATE (MM/DD/YYYY)

REFILED BY

DATE (MM/DD/YYYY)

104.3.

U. S. G. No.

D 2906 vs. 64.

John C. Black,
Capt., Co. 37 Reg't Ill. Vol.

Papers herein.

REMARKS.

B 1705 vs. 65	
3796 vs 77	Ret. Oct. 19. 77.
10610 vs 84	
8745 vs 85	
15090 vs 85	Ret. Mich. 12. 86.
6285 vs 86	

See also

D 1342 vs 64.

DOCUMENT FILE.

The Military Secretary's Office, War Department

U# 107. LRA 64
13#133 2 210

15,9906 (u.s.) 1864.

Proceedings of a

NOTATIONS CARDDED.

Commission

appointed to investigate
the case of

Col. Charles Black

3rd Illinois Inf

and to determine whether
or not he had sufficient
cause for overstaying his
leave of absence

Dec 0. 1842

✓ 3196. ¹¹ / Enclosure

✓ 10610. ⁵⁴

✓ 8195. ⁸⁵

✓ 18090. ¹¹

✓ 6985. ⁸⁶

375085, Loren

Submitted to Sec. of War Oct. 24/43

Recd (W.O.) 10/18/44

Proceedings of a Commission which assembled
in pursuance of the following order viz.

Head Quarters 2^d Div 7th Army Corps
Devalls Bluff Ark Oct 30th 1864

Special Orders
No 169

Extract

II A Military Commission will
convene at the Head Quarters of 1st Brigade
3rd Division 19th Army Corps, at 9 o'clock P.M.
tomorrow the 31st inst, or as soon thereafter as
practicable to determine whether or not there
was sufficient cause for Colonel Charles Black
37th Illinois Inf Vol overstaying his leave of
absence.

Detail for the Commission

Colonel William M. C. Dye 20th Iowa Inf Vol
" Samuel L. Glasgow 23rd " " "
Lieut Col Chas A Smith 35th Wis " "

By order of

Brij Genl C. C. Andrews

Signed Charles C. Howd

Capt 12th Mich Inf Vol

A. A. G.

Head Quarters 1st Brig 3rd Div 19th A. C.
9 A. M. Oct 31st 1864

The Commission met pursuant to the above order
present, all the members - The Commission having
been duly sworn, proceeded to investigate the case of
Col Charles Black, who submitted in explanation of his

absence the papers marked ^{A. B & C.} and hereto appended.

The Commission after a careful consideration of the case find that Col Black left his Regiment on the 31st day of August 1864 and returned to it on the 29th day of October 1864: that by appended special Order No 188 & Co's Order 14th Army Corps he was absent by Authority to October 1st 1864: that from October 1st to October 25th he was absent by Authority of appended Surgeon's Certificate: that from 26th to 29th of October he was unavoidably detained as his explanation marked "C" sets forth; and that in consequence thereof he was "absent with proper cause."

Chas A Smith
Lt Col 35th Wis Vol

Comdr, Det
Col 20th Iowa } Members
S & Gearing
Col 23rd Iowa }

The Commission having no further business before it adjourned "sin die."

Chas A Smith
Lt Col 35th Wis Inf Vol

Comdr, Det
Col 20th Iowa } Members

Headquarters, 19th Army Corps,

New Orleans La Aug 31st 1864.

Special Orders

No. 188.

[EXTRACT.]

I. By instructions from Headquarters Military Division of West Mississippi, Col Charles Black 3^d Ills Rols, will

will proceed, without delay, to the State of Illinois for the purpose of obtaining recruits for his Regiment.

He will rejoin his Regiment on or before October first (1st) 1864.

The Quarter Master Department will furnish necessary transportation

By command of Major General J. J. Reynolds

S. C. Harrington
Capt & Adjutant General

Col. Black
the En. La. 3

Wm Stewart Jr.

Post of Cairo, Sept. 10th 1864
Transportation furnished
for one team of mules and 3 men
to Springfield, Ill.
By order
of Brig. Gen. Sherman

Illinois
paid Aug 31st 1864
Capt. Harrington

OFFICE OF THE CLERK OF THE COURT
CLERK OF THE COURT
COMMISSIONER OF THE PUBLIC LANDS
OFFICE OF THE CLERK OF THE COURT
OFFICE OF THE CLERK OF THE COURT
OFFICE OF THE CLERK OF THE COURT

Headquarters, 19th Army Corps.

New Orleans La Aug 31st 1864.

Special Orders

No. 188.

[EXTRACT.]

I. By instructions from Headquarters Military Division of West Mississippi,

Col Charles Black 34th Ills vols, will

will proceed, without delay, to the State

of Illinois for the purpose of ob-

taining recruits for his Regiment.

He will rejoin his Regiment on

or before October first (1st) 1864.

The Quarter Master Department

*Part of train, Sept. 10th 1864
transportation furnished
for one team of. and 3 men
to Springfield, Ill.
By order
of
Brig. Gen. Sherman
C. M. Smith
paid Aug 31st 1864
C. M. Smith*

CERTIFICATE OF MAGISTRACY - Plaindealer Print, Danville, Illinois.

State of Illinois, } ss.
Vermilion County Clerk's Office. }

JOHN C. SHORT, Clerk of the County Court of said County,
do hereby certify that Wm J. Sterratt Esquire, whose genuine

signature appears to the attached Instrument was, on
the day of the date thereof, viz: 26 September A. D. 1864 an acting

JUSTICE OF THE PEACE, within and for said County
duly commissioned and sworn; and that, as such, full faith
and credit are due to his official acts.

IN TESTIMONY WHEREOF, I have hereunto subscribed
my name and affixed the seal of said Court, at Danville, on
the 26 day of September A. D. 1864.

J. C. Short Clerk.
Gen O. F. Trahan Deputy



I hereby certify that I have carefully examined the situation of Col. Charles Black 37th Regt. Inf. Mt. Vol. Lightly, who is now here on detached service (Duty) in compliance with Special order No 188 issued at Hd. Quarters 19th Army Corps and dated Aug 31st 1864 and that I find him laboring under chronic Diarrhoea and is unfit for duty and unable to report in person in compliance with said order No 188. I would therefore recommend an extension of leave of absence of (35) twenty-five days

W. H. Stewart M.D.

State of Illinois }
 County of Winnebago } S.S.

Personally appeared before me the undersigned an acting Justice of the Peace in and for said county W. H. Stewart M.D. and made oath to the truth of the above certificate

I certify that I am well acquainted with said W. H. Stewart M.D. and that he is a reputable practitioner of medicine in the above named county and State

Given under my hand & seal this 36th Day of Sep. A.D. 1864.
 Wm. J. Stewart J.P.

THE OFFICE OF THE REVEREND...
 CLERK OF THE COURT...
 COMMISSIONER OF THE LAND OFFICE...
 DEPARTMENT OF THE INTERIOR...
 WASHINGTON

13
Dwight Bluff Ark Oct 31st 1864

I have the honor to submit to the Commission the following report.

I was absent from my command from Sep 30 to Oct 29th 1864

From Sep 30 to Oct 1st by virtue of S.O. No 188 Dated Hd. Quarters 19th A.C. N.O. La Aug 31st 1864 (Order appended to report and marked "A")

From that time Oct 1st until Oct 25th by virtue of Surgeon's Certificate of Disability (Appended to report and marked "B")

On the 13th Oct to insure myself plenty of time I started from my home Danville Ill. there being all rail and river communication with the point where I knew my regt. to have been serving on the 3rd Inst. viz at the mouth of White river. Without the loss of an hour that I could possibly avoid. I was until the 29th Inst in reaching this post I embarked on the 17th at St Louis and was until the 22nd in reaching Memphis on the 23rd I took boat for this point and did not as before stated arrive

Friday the morning of the 29th inst

I have the honor to be
Very Respy
Charles Black
Atty. Gen. Iowa

To

Wm McE Dye
Atty. Gen. Iowa
& Trust Commr -

Oct 19, 1877

Com of Pensions

Charles Black was mustered in as
Major 37 Ills. ⁶⁶Sept. 18 1861

Rolls of Ills from mustered in to June 30, 1862
report him Major "Present". Regt return for April
1862. first on file reports him "Present" so reported
on regt returns to June 30, 1862

Casualty list reports him "Wounded in battle of
Pea Ridge, Ark, March 7, 1862"

He was mustered in as Lt Col. John Charles
Black, to date July 17, 1862, and as Col to date
Feb 1, 1863 and

~~He was~~ discharged upon tender of resignation
as Charles Black. ~~##~~ Aug 15, 1865

Oct 15 1877

A. A. G.

Charles Black. Major. 37. Ill. Vols.

Enrolled Aug. 15. '61. - mustered in with F. - Staff
Sept. 18. '61. to serve 3 years.

Rolls from must. in to June 30. 1862 report him Major Present.

He was mustered in as Lt. Coln. John Charles Black
May 29. '63. to date from July 17. '62.

Rolls from June 30. '62. to Oct. 31. '62 report him Lt. Coln. Present.

Roll for Nov. - Dec. '62 Lt. Coln. Absent at Fayetteville Ark on account
of wounds recd at Prairie Grove Dec. 7. '62.

He was mustered in as Colonel May 29. '63. to date from Feb. 1. '63.

Roll for Jan. + Feby. '63. Colonel. Absent in Ills. on account of wound
recd at battle of Prairie Grove Ark Dec. 7. '62.

" " March - April. " " Present, Returned to Regt. April 1.

" " May - June " " "

" " July - Augt. " " "

" " Sept. - Oct. " " "

" " Nov. - Dec. " " Commanding Brigade.

" " Jan. + Feby. 1864. " Present.

" " March - April " " "

" " May + June " " "

" " July - Augt. " " Absent on detached service S.O. 188. 19. A.G.
Augt. 31. '64.

" " Sept. - Oct. " " Present.

" " Nov. - Dec. " " Commanding 4 Brigade Rear Corps.

" " Jan. Feby. 1865. " " " " " "

" " March - April " " Present.

" " May + June " " On det. service Genl. Staff

" " July - Augt. " " " " " " " "

" " Sept. - Oct. " " Resigned + Resignation accepted by

Genl. P.H. Sheridan Augt. 15. '65.

Officers Cas. Shut Resigned Augt. 15. '65.

order 25. M.D. Guley.

Lt. Coln. Casnally - list on file report - Maj. C.
Black wounded in battle of Sea Ridge Ark. March
7th 1862.

Returns Black.

3796 (07) 77.

Return to April 30. 62. not on file.

May 62. Maj. Pursut.

June " " " "

July " Lt. Col. Commanding Post Springfield Mo.

Augt " " " Pursut.

Sept. " " " " "

Oct. " " " " "

Nov. " " " Absent with leave.

Dec. " " " Absent at Fayetteville Ark. of wounds recd at battle P. Grove Dec. 7. 62.

Jan'y 63. Coln. " " " " " " " " " "

Feb'y. " " " " in Ill. on acct. " " " " " "

March. " " Pursut sick Rejoin Regt. March 31. 63.

April " " " "

May " " " "

June " " " "

July " " " "

Augt. " " " "

Sept. " " " "

Oct. " " " "

Nov. " " " "

Dec. " " " On special duty Comd'g Brigade.

Jan'y 1864. " Commanding 1st Brig. U.S. Forces on the Rio Grande.

Feb'y. " " Pursut.

March. " " " "

April " " " "

May " " " "

June " " " "

July " " " "

Augt. " " Absent with leave.

Sept. " " " on detached service.

Oct. " " Pursut sick.

Nov. " " " "

Dec. " " Commanding Brigade.

Jan'y 1865. " Special duty.

Feb'y. " " Commanding 4th Brig. Reserve corps.

March " " Pursut.

April " " " "

May " " On S. & G. Gen. Steels Staff

June " " " " " " " " " "

July " " " " " " " " " "

Augt. " " " " " " " " " "

Sept. " " Resigned Augt. 15. 1865.

10610.84
 3796.77
 B.1705.65-
 " 2906.64
 O. 1342.11
 B. 345.69
 " 322.68
 " 261.64
 " 101.63

13.288.65-
 " 1570.64
 " 1505.64
 " 475.77

B. 1705.65-
 " 2906.64
 O. 1342.11

The order requested
 is herewith furnished
 Requested by
 Mr. Hooper
 10-17-77
 Mr. Hooper
 The order requested
 is herewith furnished
 Requested by
 Mr. Hooper
 10-17-77

Mr. O. O. Hooper
 1865
 Mr. Hooper
 The order requested
 is herewith furnished
 Requested by
 Mr. Hooper
 10-17-77

B. 1705.65-
 " 2906.64
 O. 1342.11
 B. 345.69
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 B. 345.69
 " 322.68
 " 261.64
 " 101.63

All Official Letters to this Office must be addressed to the "Second Auditor of the Treasury," and in replying to Letters from this Office the initials on the upper left-hand corner should be referred to. The name, company, and regiment of the soldier must also be given.

M.S. 16,

Treasury Department,

SECOND AUDITOR'S OFFICE,

Washington, D. C., Aug. 15, 1884.

Sir:

Action upon the claim filed by you in this Office for pay under "An Act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June 3, 1884, in the case of J. C. Black - Co. 3rd Ill. Volts.

is deferred until the muster into the service of said officer shall have been amended under the provisions of said act to show that he is entitled to be recognized in the grade as claimed.

All applications for such amendment of muster, and all correspondence relating thereto, must be addressed to the Adjutant-General, U. S. Army, Washington, D. C.

Respectfully,

O. Ferriss
Auditor.

McMill & Birch
Washington
D. C.

By

[Signature]

10610.03.1884.

1001

Sept-1-84

Ms Still + St

Atty
Wm D. [unclear]

Refer evidence in
of J. E. Black for
resection of matter
Col. 37 [unclear] [unclear]

13 Encls.

Wm D. [unclear]

Rec'd. g. 10 (M. J.) Dec 19. 1884

Very Respectfully
Wm D. [unclear]

Respectfully referred to
Adjutant General U.S.A.
with necessary Official papers

Geo. C. Black,

Claims recog. as Colonel by "Dls. Vols. from
Nov. 20/62, to Feby. 1/63.

Commission as Colonel issued Dec. 31/62, to
rank Nov. 20/62, vice Myron S. Barnes, (dismissed.)
(Com. herewith.)

Vacancy as Colonel occurred Nov. 20/62, vice
M. S. Barnes, dismissed per G. O. No. 19, par. 1, Sept.
mo. that date, (copy herewith) + was continuous.

Records show him must'd in as Colonel to
date Feby. 1/63, - M. Roll of F. & S. for Nov. + Dec. '62,
reports him, Lieut. Col., "absent at Fayetteville, Ark
" on acct. of wounds rec'd, at Prairie Grove, Ark, Dec.
" 7/62, - Jan. + Feby, '63, - Col. (prom. from Lieut. Col. vice
Barnes, dismissed Nov. 20/62.) "absent in Dls. on acct.
" of wounds rec'd, at Prairie Grove, Ark, Dec. 7/62."

Conditions complete for his recognition as
Colonel from Dec. 31/62, (date of Com.) to Feby,
1/63, (date of mustering.)

Recommended accordingly.

Approved
J. H. [unclear]
adv.

K. S.

Geo. C. Black



Geo. C. Black

Rank recog. as Lieut. Col. 37th Me. Inf. from June 9th '62,
to July 17th '62.

Commission as Lieut. Col. issued July 12th '62, to rank
June 9th '62, vice Myron S. Barnes, prom. (Com.
herewith.)

Vacancy for Lieut. Col. occurred June 9th '62, vice
M. S. Barnes, prom. & mustered in as Colonel that
date, & was continuous.

Records show him mustered in as Lieut. Col. to date
July 17th '62, - must. roll of 4th & 6th for May & June '62,
reports him, Major, present, - July & Aug. '62, Lt. Col.
present, -

Conditions complete for his recognition as
Lieut. Col. from July 12th '62, (date of Com.) to
July 17th '62, (date of muster in.)
Recommended accordingly.

Approved
J. W. [unclear]

H. S.
J. W.
D. J.

John Charles Black

Rank's recog. as Major by "M. S. Tols." From Aug. 15/61,
to Septem. 18/61.

Commission as Major issued Oct. 23/61 to rank
Aug. 15/61. (Com. herewith)

Vacancy for Major - original. —
He was paid as Major from Septem. 5/61.

Records show him enrolled Aug. 15/61, & mustered
as Major with F. & S. Sept. 18/61. — The earliest date
six companies of 80 men each were enrolled, was
Aug. 19/61. —

Reject — His muster in as Major to date Sept. 18/61,
recognized him as such prior to issue of Com. &
he was paid from a still prior date. (Sept. 5/61.)

R. P. Can be recognized as Major by "Office
muster" to date Sept. 18/61 date
from which he is paid as such, he having
been in the performance of duty with a proper
command prior to that date —

J. M.
M. S.

18090 (v. s.) 1885

State of Illinois,

Adjutant-General's Office,

Springfield, April 9 1886

Assistant Adjutant-General, U. S. Army,

Washington, D. C.

Sir:

In reply to your request of 5th inst, that you be informed of the date upon which a commission as Captain, Co., 37th Regiment Illinois Infy Volunteers, was issued for Charles (or John Charles) Black, and of the respective dates upon which the same was forwarded to and accepted by him, I have the honor to inform you that said commission was issued, 18; forwarded, 18 and its acceptance bears date 18, it does not appear from the records of this office that such Commission was issued.

Very respectfully,

Your obedient servant,

Theodore M. East,
Adjutant General, Illinois.

1985

V. S. DIV. -- A. G. O.

Rec'd APR 19

1886

Springfield, Ill.
April 9th 1886.

Illinois. A.G. of

With D. 9906⁶⁴

Reports date of Commission
issued for Charles (or Geo. Charles)
Black as Capt. 37th Ill. Vol.

B 2986 or

March 12 '86.

Second Auditor.

— Charles Black, was
mustered in at Chicago Ills, as Major
with Rank S 37. Ills Vols, to date
Sept 5. 1861. as Lieut Col, same Regt,
^{as John Charles Black}
~~to date July 14. 1862, and as Colonel,~~
same Regt, to date Feb 1. 1863.

Rolls ~~for~~ ^{to} ~~March & April '62,~~ ^{Oct. 31/62,} report
him, present, ~~also borne to Sept & Oct~~
~~62, in~~ Nov & Dec '62, absent at Fayette-
ville, Ark, on account of wounds recd.
at Prairie Grove Ark Dec 7. '62, ~~present~~
Feb '63, absent in Ills, on account of
wounds recd. at Battle Prairie Grove
Ark, Dec 7. 1862. ~~present~~ March & April '63, present,
also reported to Sept & Oct '63, in Nov &
Dec. '63, Comdg Brigade. Jan & Feb '64,
present & also borne to June 30. 1864.
July & Aug '64, on detached service, Sept
& Oct '64, present. Nov & Dec '64, Com-
manding 4. Brigade Reserve Corps. Jan &
Feb '65, same. March & April '65, present,
May & June '65, on detached service, Gen.
Steell's Staff. July & Aug '65, same.

His immediate & unconditional
resignation, no reason assigned,
was tendered from New Orleans,
La, Aug 14. 1865, and he honorably
discharged in orders, of which the

(over)

following is a copy:-

(S.O. No. 26. par. 7 Aug 15. 65. Dir. of the Army.)

The records fail to show date he received his copy of above order.

Under the provisions of the Act approved June 3. 1884, his record has been amended to show him mustered in as Lieut. Colonel, 37th Illinois Vol's, to date July 12. 1862, and as Colonel, same Regt, to date Dec 31. 1862.

18090 vs. 1885.

A. J. G.

18090 (vs) 1885

May 8, 1886.

Respectfully returned to the Second Auditor of the Treasury.

Charles Black is not recognized, as Capt., 37th Ill. Vols., for the reason that no commission or appointment was ever issued for him, and he rendered no service as such. He enrolled 46 men for Co. "K," 37th Ill. Vols., from Aug. 15 to Sept. 5, 1861.

The records fail to furnish further or more specific information in reply to your inquiry.

180911. v. 5. 1885.

W. G.

10610. [V. S.] 1884



War Department,

ADJUTANT GENERAL'S OFFICE,

Washington, May 19, 1885.

Paymaster General, U. S. A.

Sir: I have the honor to request that this Office be informed as to the date June 1 Black was first paid as Major 37th Illinois.

and that a copy of the authority or voucher upon which such payment was made be furnished.

I am, sir, very respectfully,

Your obedient servant,

Amos Shaw
Assistant Adjutant General.

"Please make special."

J. C.

War Department,

PAYMASTER GENERAL'S OFFICE,

Washington, May 21, 1885.

Respectfully referred to the Second Auditor U. S. Treasury Department, with the request that a copy of the authority upon which this officer was paid be sent to the Adjutant General with this paper.

The records of this Office show that J. C. Black was first paid as Major, Co. 37, Regiment Illinois Volunteers, from 26 Aug, 1861, to 30 Sept, 1861, \$ 174, by Major Ganna, account Oct, on the 17 day of Oct, 1861.

A. D. Carey
Paymaster General.
By J. C.

Adjutant General's Office,

June 4th, 1885.

Accept the
Make an office muster-in roll to muster
into the service of the U. S. John Black as a Major
in Co. 37th Regiment of Illinois Volunteers, to date
from the 5th day of September,
1861. His commission or appointment was
issued on the 23rd day of October,
1861, to rank from the 15th day of
August, 1861. He was present at
his place of duty, and appears to have been
physically qualified for duty.

There was ^{an original} a vacancy in this organization
caused by the completion of
his command on the
19th day of August, 1861.
There was also an appropriate command con-
sisting of six (6) companies

This officer was paid in this grade from the
5th day of September, 1861, to
the _____ day of _____, 1861.

Thomas Reed
Assistant Adjutant General

Endorsement complete with. Jun 5. 85.

J. H. [Signature]

W. A. F. (FORM 100.)
No. 87950. 1885.
Treasury Department,

SECOND AUDITOR'S OFFICE,
Washington, D. C., May 25, 1885

Respectfully returned
to the
Assistant Adjutant General
— Charles Black was
first paid as Major, 37
Illinois Vols. from Sept.
5, 1861, on form 3.

Remark "I was Captain
of Co. "K" 37 Reg. Ills. Vols
till Sept 5. Elected Major
on that day."

With
D. 2906-3

C. Ferriss
Auditor
By J. O. [Signature]

71- 8323⁰⁵
13 2906 64

Rec'd also. (V.S.) May 27/85

10610 [V. S.] / 1884

L.B. 42/29

Copy

War Department,

B 2906 ⁴⁴

ADJUTANT GENERAL'S OFFICE,

Washington, June 10th, 1885.

Genl.
Col. John C. Black
~~late 37th Ills Inf~~
^{Major} John McNeill + Birch Stokes
Wash. D. C.

Sir:

Referring to your claim for recognition as Major, Lt. Col
and Col., 37th Regiment Illinois Inf
Volunteers, from Aug. 10/61, June 9/62 and
Novr 20/62, resp

I have the honor to inform you that, under the provisions of the
act approved June 3, 1884, your record has been completed to show
you mustered into service as Lt. Col & Co Company,
37th Regiment Illinois Inf Volunteers, to take
effect from July 12/62 and Decbr 31/62, resp.
dates of actual issue of your commissions
as of those grades.

For any pay that may be due you under your amended record
application should be made to the Second Auditor of the Treasury.
Your ~~claim for recogn.~~ ^{claim for recogn.} as
~~your muster into service as~~ ^{Major same Regt, Sept 7/61, cannot}
under the terms of the Law, be favorably entertained for the reason,
that your muster into service as such, Sept 7/61, recog'd you
as of that grade prior to the date of your comin, which was
^{actually} not issued by the Gov. until Oct 23/61.

Very respectfully, Pps submitted, inldg comins as Major,
Your obedient servant, Lt Col and Col, are herewith
ret'd.

T. W.
Assistant Adjutant General.

(12 encl.)

J. M.

Head Quarters 2d Div. 7th A.C.
Perrell's Bluff, Arkansas
November 1. 1864

Brig. Genl. L. Thomas
Adjutant General U.S.A.
General:-

I have the honor to transmit, for
the action of the Secretary of War, the
proceedings of a Commission, appointed
to investigate the case of Col. Charles
Black, 3rd Illinois Inf. and to deter-
-mine whether or not he had proper
cause for overstaying his leave of
absence.

Respectfully

Your obedient servant
A. ANDREWS.

Brig Genl. U.S.A.
Commanding

Thrs
Head Quarters
Dist Little Rock

W.I. 107. L.R.D. 64

Head Quarters 2d Div. 7th Ill
Derails Bluff, Ark
November 1. 1864

Andrews

Brig Genl C.C.

B. 2906 a/4 (rs) 1864

Transmits, for the action of
the Secy of War, proceedings
of a Commission appointed
to investigate the case of
Col. Charles Black, 37th
Illinois Inf & to determine
whether or not he had proper
cause for overstaying his
leave of absence

(one inc)



Head Quarters Dept of Arke
Little Rock Nov. 1st 1864

Proceedings of
Commission approved
and respectfully
forwarded

(840) J. State

Major Genl Comdg
by J. W. Brown
Sr. Col. Cavalry
(Annual Abstract)

War Department,

J. C. Black

Adjutant General's Office,

B9906

June 4th, 1885

Under the provisions of the act approved June 3, 1884, accept the musters into service of John C. Black as Lt Col & Cal. of the Illinois Vols to date from July 12th '62 and December 31st '62 respectively (via M.S. Barnes promoted & same dismissed)

His commissions as Lt Col & Cal were issued July 12 & Dec 31, 1862 respectively, and with a paper commencing he was present for duty, & absent on account of wounds, respectively.

Thomas A. ...

Ass't. Adjutant General

Some of this notation is in red ink
 See P. 11/4/82
 with
 5-85

State of Illinois
County of Hamilton

John C. Block being duly
sworn on oath says

To the best of his knowledge information and
belief every commissioned medical officer of
The 37 Regt Illinois Infantry is long
since dead.

I depose & say that at the date of my
commission as Major of said regiment & until
the 7th day of March 1862 I was present
with said regiment & physically able to dis-
charge the duties of said office of Major.
That on the 7th day of March 1862 I was
wounded in action at Pea Ridge while in
the command of said regiment & was by said
wound disabled for duty for about the
period of three weeks, more or less, after which
I returned to said regiment & remained with it
until Dec 7th of 1862 physically able to
perform the duties of the office of Major &
Lieutenant Colonel thereof: as was follows
I had leave of absence granted for a period
of two weeks or thereabout in June of 1862, more
which I visited St Louis: for a part of say
July & Aug 1862 I was on detached service
as post Commander at Springfield Missouri
& was then physically able for the discharge
of the duties of said office: On Dec 7th 1862
I was wounded at the Battle of Prairie
Grove Ark & was thereby disabled from
the performance of any duty until in
Feb or March of 1863. During which

time & period I was in private Hospital
quarters at Fayetteville Ark & elsewhere
but never in a recognized Hospital; from
the time I rejoined my regiment until
July 1863 I was physically able for
the performance of the duties of Colonel thereof.

I refer to the various claims of absent
& sick leave without pay made in
this cause:

My claim files herein & setting forth
the dates of the various services per-
formed by me as Major, Lt Col & Colonel
is true & just in substance & in
fact.

I never was a prisoner of war
My narrative of my military services
is detailed as fully as I can & do,
in the claim which I hereby adopt
& incorporate into this affidavit. & as fully
as I can at this moment possibly make it.

Wm C Black

Subscribed and sworn to by J. C. Mack
before me this 30th day of August 1881

H. P. Blackburn
Notary Public

State of Illinois ss.
Cook County ss.

William C. Black, being
duly sworn, on oath says, that he was a
captain of Co. K., 37th Illinois Infantry, volunteer,

1 from its muster-in, September 18th 1861,
2 until his discharge from service, on or
3 about September 30th 1864. That John C. Black
4 who subscribed the within and foregoing af-
5 fidavit, was in the same command, and
6 is a brother of affiant. That affiant had
7 personal knowledge of the services and
8 physical condition and fitness for duty
9 of said John C. Black during the period
10 of affiant's service aforesaid. That affiant
11 has read over the affidavit within of said
12 John C. Black, and knows the contents
13 thereof, and that the statements therein as
14 to said John C. Black's physical ability
15 for service at time of muster-in, and as
16 to his wounds and absence from com-
17 mand on account thereof, are true in
18 substance and in fact.

19 William T. Black

20 Subscribed and sworn to before me
21 this 9th day of September A.D. 1864,
22 Rollin P. Blanchard, Notary Public.
23

24
25
26
27
28
29
30
31
32
33
78. 52. 01901

1061-025-1884

Adjutant General's Office,

Washington, D. C.,

June 13th, 1865.

Sir:

I have the honor to acknowledge the receipt of your letter of the _____ day of _____, 186____, requesting a "Statement of Service" of _____ The following information has been obtained from the files of this Office, and is respectfully furnished in reply to your inquiry:

It appears from the Rolls on file in this Office, that J. A. Charles, a Black was enrolled on the 1st day of July, 1863, at Pilot Knob Mo, in Co. G, 37th Regiment of Illinois Volunteers, to serve 3 years, or during the war, and mustered into service as a Colonel from the 1st day of July, 1863, at Pilot Knob Mo, in Co. G, 37th Regiment of Illinois Volunteers, to serve 3 years, or during the war. On the Muster Roll of Co. G, 37th Regiment for the months of March & April, 1865, he is reported "Present."

I am, sir, very respectfully,

Your obedient servant,

To Paymaster General, &c.

Mrs. Genl. G. M. Vincent
asst adjt Genl

Assistant Adjutant General.

(6)

Hd. Qu. Maj. E. State's Command
Mobile June 1st 1865

Sir:-

I have the honor to report, that
I am at this date upon special
duty (attached to the staff of Maj. Gen.
F. State) by authority from
Maj. Gen. Canby Camp. M. I. W. M.

I have the honor to be
Very Respectfully

Charles P. Black

Oct. 37 Dec. 1865

40
G. Thomas
B. G. & A. S. Ash.

B170595 N 865

Mobile, Ala.,
June 1, 1865.

Charles Black,
Col., 37th Ills. Inf.

Reports.

Report

Noted June 15th 1865.
J.S.

Wm D 2906 v. S. G.

Recd. A.G.O., June 13, '65.

1000 Mark.

B. 2906 (vs) 64
2 of 3.

John C Black
37th Reg't Ill's Vol's

Papers herein.	REMARKS.
3796 (vs) '77,	
10610 " '84.	
8795 " '85.	
18090 " " '85.	2 ^d Aus. Ret'd by ind.
6985 " '86.	
3750 85.	Sub to July of war, 1864.
4745 88	
5228 48.	Ret'd by ind + June 23/98
10640 90	See jacket 3.
2490 85	
15710 89	Ret. Sept. 28. 09 -
"	Rec'd back Nov. 21. 09
"	Ret'd Nov 27 - 09.

See also O. 1342 (vs) 64.

DOCUMENT FILE.

Record and Pension Office, War Department.

Mr Wetzel

Charles Black cannot be

recogn'd as Capt. in the
37th Ills Regt for the
reason, that no comisin or
appoint was ever issued
for him and he rendered no
service as such.

By
Charles

4/5.86

Rep with
M. J.

MUSTERS.

Name Charles Black Rank Major - 37 Regiment Ill. Vols.

REPORTS.

18
January and February,
March and April,
May and June,
July and August,
September and October,
November and December,
18

Enrolled August 15. 1861 at Danville Ill. Mustered
in with Ft. Staff Sept. 18. 1861. at Chicago Ill. to serve
year. from Sept. 18. 61. accepted to date Sept 5. 61. = 8795 80
Co. C. had 80. enrolled Aug. 1. 61.
" A. " 80 " " 14 "
" D. " 80. " " 15. "
" G. " 80 " " 15. "
" B. " 80 " " 19. "
" H. " 80 " " 19. "
" E. " 80. " " 20 "
" I. " 80. " " Sept. 9. "
" K. " 80. " " " 12. "
" L. " 80 " " " 17. "
Musta in Sept. 18. 61.

March and April,
May and June,
July and August,
September and October,
November and December,
18

He was mustered in as Lt. Coln. John Charles Black
May 29. 63. to date from July 17. 62. Commission bearing date
July 11. 62. Vice Barnes promoted. as Colonel May
29. 1863 to date from Feb. 1. 1863. Vice Barnes dismissed.
Commission dated Dec. 31. 1862.
St. Coln. M. S. Barnes Mustered in as Colonel to date
from June 9. 62. Vice. 1866. (V.S.) 1880. leaving vacancy
for Black as St. Coln.
Coln. Barnes Dismissed Nov. 20. 62. C. M. G. O.
19. Dept. Mo. leaving vacancy for Black as Colonel.

1862
March and April,
May and June,
July and August,
September and October,
November and December,
18 63

Major Present.
" "
St. Coln. "
" "
" "
" "
" Absent at Fayetteville ark on account of wounds received at
Francis Brown ark. Dec. 7. 62.
Coln. Promoted from Lt. Coln. Vice Barnes dismissed Nov. 25. 62. absent in
Ill. on account of wounds. recd at battle Francis Brown ark Dec. 7. 62.
Present. Return to Regt. April 1. assumed Command of Regt April
10. 63.
" "
" "
" "
" "
" Commanding Brigade

Address to
Danville Ill.

18 64
January and February,
July & Aug.
Sept. & Oct.
Nov - Dec
Jan and Feb 65
March & April
May & June
September and October
July & Aug.
Sept. and Oct.

Present. so born to form 30. 64.
" on det. service.
" Present.
" Commanding Lt. Brigad Reserve Corps.
" "
" Present.
" on det. service. Genl. Stiles Staff
" "
" "
" "
" "
" Recd and resignation accepted by Genl. D. H. Sheridan.
Aug. 15. 65.

May 12. 85. }
S.M.

Office Cas shut Resigned Aug. 15. 65. order 26.
M. D. Gulf.

Mr Pratt.

When was
order of discharge
recd. at Regt. & the
officer relieved
from duty station
that date was
he present with
his command?

Respy Metzger

July, 18
August, 14
September, 14
October, 14
November, 14
December, 18
January, 18
February, 18

Copy morning reports covering
time and order in question
not on file.

Regt. Orders and Orders covering
time are not signed by him.
Station of Regt Aug 15-65
Beaumont Texas.

No information regarding
questions asked (except station)

July, 18
August, 18
September, 18
October, 18
November, 12, 18
December, 18
January, 18
February, 18

Mr. Satter.

In your records
show date he was
relieved from duty
on discharge.

Respy Metzger
12/21/85

RECORDS OF DISCONTINUED COMMISSIONED OFFICERS

S.O. 52. 1st. Inf. Army of
the Rio Grande, Aug
3/65, relieved lead Co
Black 37 Ills V. as
Major Genl. of the Rio
Grande, and will report
his ^{regt.} at his own request

2/17/86
Respy Metzger

Mr Douglas.
For service
was an enlisted
man, in 11th Ind
Regt. Respy Metzger
1886.

See report within
Est.

Has the soldier deserted during his period of service?

If so, how did he get back?

Was he honorably discharged?

When was he discharged?

Why?

When?

Mr Douglas

Chas. Black was paid
as Capt. 37th Ills. Vols from
Aug. 26/61.

Was there a vacancy in
any Co from A to G (incl)
from that date to Sept.
5/61 (incl as Major)?

29/4.86 By
Miller

No vacancy for him as Capt.
in any co. of Regt.
He enrolled 46 enlisted
men in Co "K" said Regt. to Sept.
5th 1861,
Apr 30. 86 }
Lm. }

Mr. Douglas:
Between what dates
did he recruit the men
for Co. "K"?

5/4/61 Recd

From Aug. 15. 1861.
to Sept. 5. 1861.
He enrolled 22. Augt.
15. 61.
May 5. 86. }
Lm. }

July 29 1889
Mr Poats. Please report
from Returns Nov 62. on
Black, and connect all
records as to date he went
on leave, and date he
returned. Miller W.B.
com. mtr. report.
(Lt. Col. Black.) Nov. 20.
62. sign by Black as Comd'g.
Regt.
Nov. 20. 62. 2. Field Office
Present in amt.
Nov. 22. 62. sign by
Black. 2. Field Office Present
for duty.
Lm.

Black
John C. Black,
United States Attorney,
Northern District of Illinois.

March 29, 1897

Hon. Russell A. Alger,
Secretary of War,
Washington, D.C.

Dear Mr. Secretary:

I am one of the persons fortunate enough to be the wearer of a Congressional medal.

Under joint resolution of May 2, 1896, you were authorized to send to the wearers of such medals rosette and ribbon to be designated by the authority mentioned in the act.

I understand that such designation has been made. I therefore apply to you to send me such rosette and ribbon.

Very respectfully yours,

John C. Black

RECORD & PENSION OFFICE

MAR 31

474588

1897

WAR DEPARTMENT

Chicago, Ill

March 29, 1897.

John C. Black

Applies for bow-knot
and ribbon for medal of honor.

Answered by letter (585)
March 31, 1897.

B. 2906, V.S. 1864

With B 2906 r. S. 64

John C. Black,
United States Attorney,
Northern District of Illinois.

April 3, 1897

Col. F. C. Ainsworth,

War Department,

Washington, D.C.

Dear sir:

I have the honor to acknowledge
your favor of March 31st, (474588) and to
advise you that I have received the ribbon
and the knot *mentioned therein*

Very respectfully yours,

John C. Black

474588 R.H.O. April 5. 1897

B. 2906. vs. 64

RECORD AND PENSION OFFICE
WAR DEPT.
RECEIVED
APR 5 1897

474588

Practices in the various
State and Federal Courts; in the
Supreme Court of the United States, and in
the Departments (except Pensions)
at Washington.
Patents, Land and Government Claims,
attended to.

JOHN C. BLACK,

LAWYER,

CHICAGO, ILLINOIS.

108 DEARBORN ST.
ROOMS 18 & 20.

Aug. 26th, 1890. Telephone 2194.

Adjutant General U. S. Army,
Washington, D. C.

Dear Sir:--

On the suggestion of the Adjutant General of
the State of Indiana I write to request that you send
me a transcript from the Muster-in-Roll, Co. I, 11th
Indiana, three months' service of Charles Black, subse-
quently promoted to be Sergeant-Major of that Regiment.

What I want is a statement showing the date of my
original entry into the service as a private soldier of
Company I. I know that it was about the 14th of April
1861, but if the records of your office show the fact,
I shall be obliged for the transcript aforesaid.

Very Truly Yours,

John Charles Black

AUG 29 249085

1890 0661

108 Dearborn St.
Chicago, Ill

Aug. 26. 90

Charles Black
(or Jno. Chas. Black)

Co. I, 11th Ind. Vol.

Jno. Chas. Black

requests date of original
entry into service

With B 290678. 64

Letter to Genl Black.

Transmitted statement
Sept 3/90

Address "The Officer in charge of the Record and Pension Division,
War Department, Washington, D. C."

War Department,

Record and Pension Division,

Washington, Aug. 29, 1890

Respectfully returned to

John Chas. Black,
108 Dearborn St.,
Chicago, Ill.

with request that the purpose for which the informa-
tion is desired be stated.

BY AUTHORITY OF THE SECRETARY OF WAR:

A. B. Smith
Captain and Ass't Surgeon, U. S. Army

Per *[Signature]*
Rec'd back repts encls. Sept 3/90

REC'D BACK
WAR DEPT.
SEP 3 1890
249085
R. & P. DIV.

(11)
Practices in the various
State and Federal Courts; in the
Supreme Court of the United States, and in
the Departments (except Pensions)
at Washington.
Patents, Land and Government Claims
attended to.

JOHN C. BLACK,

LAWYER,

CHICAGO, ILLINOIS.

108 DEARBORN ST.
ROOMS 18 & 20.

Sept. 1st, 1890. Telephone 2194.

PERSONAL

Capt. F. C. Ainsworth,

Care War Department, Record and Pension Dept.
Washington, D. C.

Dear Capt.:—

I return this enclosed paper to you PERSONALLY .

I want the record to complete my personal files of service. I have all of my commissions and the certified record of muster and service as Sergeant-Major. This service was proceeded by service as a private soldier. For my own special benefit and pleasure, and for no other purpose, I desire this record that I may complete the files of my own military history.

Very Truly Yours,

John C. Black.
I notice the high words of praise
bestowed on you from time to time
& am glad of them
JB

Rept to 1st end in 249085

Dear Genl.:

Washington, D. C.

State War Department; Record and Pension Dept.

Genl. R. C. Aldenworth,

PERSONAL

2600. 1st. 1880.

Genl. Aldenworth

LAWYER

JOHN Q. BLIVEN

THE DEPARTMENT

Subject: Statement of service.

249085

War Department,
Washington City,

1 Encl.


September 3, 1890.

My dear General:

I have your letter of the 1st instant, and in reply hasten to enclose you the desired statement of service. I need not say to you that if your former letter had been brought to my attention the information desired would have been promptly furnished you. If I can serve you in future in any way I hope you will command me freely.

Please accept my thanks for the kind words with which your letter concludes, and believe me to be,

Sincerely your friend,



Capt. & Assistant Surgeon, U. S. Army.

Gen'l John C. Black,

108 Dearborn street,

Chicago, Ill.

F 101 '63 Cassville Mo
F 87 17" / 63

Feister Lt Col 4th
37" Mo Ins

States that Col John
C Black, of that Regt
has been absent sick
over seventy days on
account of wounds,

Retd Feby 27" '63
to be forwarded through
proper channel,

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at

RETURN TO:

Stamp here name of Post Office

and date of delivery.

Name of Sender Record & Pension Office,

War Department.

Street and Number, }
or Post Office Box. }

Post Office at WASHINGTON,

County of Washington, District of Columbia.

474588
322908-1863

B. 261. 64 Brownville
Texas Jan 4/64

Black Coc Chalks
3 1/4" Ills Vals

For alteration in
date of transfer

Feb 9 - Ret'd to Genl Bank

E-13-87-Vol 6.

Rec'd back & out
to Capt Sturgis Me 14
E-13-4776 - Vol. 6.

REGISTRY RETURN RECEIPT sent....., 189 .

JAN 31 1897

Reg. No. 39369 From Post Office at WASHINGTON, D. C.

Reg. Letter } Addressed to Gen John C Black us atty
Reg. Parcel } Post Office at Chicago Ill

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED LETTER, PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

John C Black

137 Rm

* Erase letter or parcel according to which is sent.

B. 345-⁶⁹ April 10, ⁶⁹

Black John C.
late Lt Col 31st Ills Regt

The Lt Col requests
date of muster in and
date and cause of discharge
of

April 27th/69 at D E-13-
1429 - Vol 15;

B. 322-⁶⁸ April 3rd ⁶⁸

Black John C.
late Lt Col 31st Ills Regt

The Comdr of Veterans
requests statement of
services of

April 7th/68 Ret'd

E-13-120 - Vol 13,

HEAD QUARTERS, DEPARTMENT OF THE MISSOURI,
St. Louis, Mo., November 20th, 1862.

GENERAL ORDERS, }
No. 19. }

I.....At a General Court Martial which convened at Springfield, Missouri, pursuant to Special Orders, No. 614, dated Head Quarters South Western Division Missouri, Springfield, Missouri, August 31st, 1862, and of which Colonel JOHN F. PHILLIPS, 7th Cavalry Missouri State Militia, was President, was arraigned and tried :

Colonel M. S. Barnes, 37th Illinois Volunteers.

CHARGE 1ST :

"Disobedience of Orders."

SPECIFICATION 1ST: "In this, that Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, after having been duly and lawfully notified of the arrest of Captain Peck and Lieut. Frederick J. Abbey, officers of the 37th Regiment Illinois Volunteers, by Lieut. Col. John Pound, 14th Regiment Missouri State Militia, commanding Post of Springfield, Missouri, did release the same."

SPECIFICATION 2D: "In this, that Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, did release Captain Peck and Lieut. Frederick J. Abbey, 37th Regiment Illinois Volunteers, after they had been placed under arrest by Lieut. Col. John Pound, 14th Regiment Missouri State Militia, commanding Post of Springfield, Missouri, and when asked by what authority he did so, answered: 'By virtue of his commission by God.' All this at Springfield, Missouri, on or about the 24th day of August, 1862."

CHARGE 2D :

"Disrespect to superior Officers."

SPECIFICATION: "In this, that Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, did behave himself with contempt or disrespect towards his superior officer Brig. Genl E. B. Brown, commanding officer of the South-Western District, by using the following: 'Who was General Brown? He is nothing but a Militia General. I don't care a damn for him,' or words to that effect. All this at Springfield, Missouri, on or about the 24th day of August, 1862."

CHARGE 3^d :

"Conduct prejudicial to good order and military discipline."

SPECIFICATION: "In this, that Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, did use abusive and insulting language toward Lieut. Col. John Pound of the 14th Regiment Missouri State Militia, commanding Post of Springfield, Missouri, saying, 'he did not care a God damn for him or his authority, that he wanted his rights and would have them, and would bring his regiment up and fight it out on the public square;' afterwards got on his horse, rode up to the Guard and used abusive language to the officer of the guard and the guards, saying, 'why in hell don't you turn out;' the guards not turning out, he rode up to the Head Quarters, Post of Springfield, Missouri, stopped his horse in the street, and called out in a loud voice, (thereby attracting a crowd of soldiers and citizens,) for Colonel Pound. Colonel Pound making his appearance, Colonel M. S. Barnes did then and there, in the hearing of the citizens and soldiers, (assembled by his violent actions,) order Lieut. Col. John Pound to consider himself under arrest and send his sword to his quarters and then went toward his camp, saying, 'he would bring up his regiment to clean out the militia, (or words to that effect,) and relieve the guard which was on duty.' All this at Springfield, Missouri, on or about the 24th day of August, 1862."

CHARGE 4th :

"Beginning exciting, causing and joining in a mutiny or sedition."

SPECIFICATION: "In this, that the said Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, did order companies "A" and "B," of the 37th Regiment Illinois Volunteers, 'to turn out to clean out the God damned State Militia,' (or words to that effect;) and that in pursuance of his commands Company "A" or part of it, did turn out under arms for the purpose of obeying said commands, but was prevented from engaging in armed mutiny by the interference of other officers of the 37th Regiment Illinois Volunteers. All this at or near Springfield, Missouri, on or about Sunday, the 24th day of August, 1862."

CHARGE 5th :

"Conduct unbecoming an officer and a gentleman."

SPECIFICATION: "In this, that the said Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, did violently kick twice or three times Major Henry N. Frisbie of the same Regiment, while or after said Henry N. Frisbie was endeavoring to dissuade him from turning out a part or all of said 37th Regiment Illinois Volunteers Infantry, to engage in open and armed mutiny. All this at or near Springfield, Missouri, on or about the 24th day of August, 1862."

To which charges and specifications the accused pleaded, "Not guilty."

FINDING AND SENTENCE OF THE COURT :

The Court after mature deliberation finds the accused Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, as follows :

Of the 1st specification 1st charge, "Guilty."

Of the 2d specification 1st charge, "Guilty."

Of the 1st charge, "Guilty."

Of the specification 2d charge, "Guilty."

Of the 2d charge, "Guilty."

Of the specification 3rd charge, "Guilty," except the words "and used abusive language to the officer of the guard and the guards," and also the word "hell."

Of the 3d charge, "Guilty."

Of the specification 4th charge, "Not guilty."

Of the 4th charge, "Not guilty."

Of the specification 5th charge, "Not guilty."

Of the 5th charge, "Not guilty."

And does therefore sentence him, "To be dismissed from the service of the United States."

Finding and sentence approved.

JAS. TOTTEN,

Brig. General.

CONFIRMED.

H. W. HALLECK,

Major General Commanding.

The 37th Regiment Illinois Volunteers, now belonging to this command, the proceedings in this case are published from these Head Quarters. Colonel M. S. Barnes, 37th Regiment Illinois Volunteers, ceases to be an officer from this date.

II.....At a General Court Martial, which convened at St. Louis, Missouri, pursuant to Special Orders, No. 19, dated Head Quarters District of Missouri, St. Louis, June 21st, 1862, and of which Colonel A. R. EASTON, Inspector General of Missouri, was President, was arraigned and tried :

Captain James Breckenridge, Co. "B," 7th Cavalry, Missouri Volunteers.

CHARGE :

"Cowardice before the enemy."

SPECIFICATION 1st : "In this, that he, the said Captain James Breckenridge, did at Independence, Missouri, on or about the 11th day of August, 1862, when attacked by the enemy, behave himself in a cowardly manner, raising a white flag as a token of surrender, several times, against the expressed wishes of the officers and men of his command."

SPECIFICATION 2D: "In this, that he, the said Captain Breckenridge, did at Independence, Missouri, on or about the 11th day of August, 1862, when attacked by the enemy, protect himself by hiding behind a stone fence, while his men were exposed, when it was his duty to encourage by his example, thus leading to a surrender of the United States forces."

To which charge and specifications the accused pleaded, "*Not guilty.*"

FINDING AND SENTENCE OF THE COURT:

The Court after mature deliberation finds the accused as follows:

Of the 1st specification "*Guilty.*"

Of the 2d specification, "*Not guilty.*"

Of the charge, "*Guilty.*"

And does therefore sentence him, Captain James Breckenridge, of Co. "B," 7th Regiment Cavalry, Missouri Volunteers, "*To be cashiered and forfeit all pay due him, and this sentence to be published in the Newspapers.*"

Finding and sentence approved.

J. M. SCHOFIELD,

Brigadier General.

CONFIRMED.

H. W. HALLECK,

Major General Commanding.

The 7th Cavalry, Missouri Volunteers now belonging to this command, the proceedings in this case are published from these Head Quarters. Captain James Breckenridge, Co. "B," 7th Cavalry Missouri Volunteers, ceases to be an officer from this date and forfeits all pay due him from the Government.

BY COMMAND OF MAJOR GENERAL CURTIS.

N. P. CHIPMAN,

Col. and Chief of Staff.

Headquarters,

Military Division of the Gulf

August 15, 1865.

Special Orders }
No. 26. } Extract.

x
7. Colonel Charles Black, 37th Illinois Veteran
Infantry, having tendered his resignation, is
hereby honorably discharged the service of the
United States, with condition that he shall
receive no further payment until he has
satisfied the Pay Department that he is
not indebted to the Government.

x
By Command of
Major General P. H. Sheridan
(Signed) George Lee
Official Assistant Adjutant General
(Signed) Robt. Adams Jr.
Assistant Adjutant General.

208
1871/72

McClintock Special

Have you the papers upon which this order was based

Do your records show the name or location of wound received at Pea Ridge
Mch 7. 1862

Reapkeeper

10-18-77

Resignation Papers Lewin -
Regtl Records furnish no
evidence of wound -

D. S. C. - 10/18/77. E
B. B. K. E
H. C.

W. D. A. G. O.

Copy

Novr 27/85

Messrs McNeill & Birch, Attys
Wash. D. C.

Genls

In reply to your communication ^{of the 24th Inst} relative
to the claim of Genl J. C. Black for amendment
of his military record as of the 37th Ills Vols under
the provisions of the Act appod June 3/84 I have
the honor to inform you that the favorable decision
of the Dept on the claim of Genl Black was com-
municated to him ^{in your care} ~~through you~~ by letter from
this office dated June 10/85.

~~I am Sept~~
J. W. A. A. G.

[Red scribble]

3 of 3.

M. S. O. No.

D 2906 v. S. 64.

Opinion of Attorney Genl. that
~~of course~~ old medal of honor must be sus-
rendered in order to obtain new one
Case of John C. Black,

Col, Co. , 37 Reg't Ill. Vols.

Papers herein.

REMARKS.

1064090

See also

DOCUMENT FILE.

The Military Secretary's Office, War Department.

Medal of Honor Legion
of the
United States of America



LLEWELLYN G. ESTES, Commander
Washington, D. C.

CHAPLAIN, JAMES MILLER
Philadelphia, Pa.

EXECUTIVE COMMITTEE

JOHN C. BLACK, Chairman, Washington, D. C.

L. M. KELLEY, Washington, D. C.

WILLIAM L. HILL, U. S. N.

EDWIN M. TRUELL, Washington, D. C.

JUNIOR VICE COMMANDER, JAMES M. SCHOONMAKER
Pittsburg, Pa.

SURGEON, GABRIEL GRANT, M. D.
New York

INSPECTOR, PETER F. RAFFERTY
New York

HISTORIAN, ST. CLAIR A. MULHOLLAND
Philadelphia, Pa.

SENIOR VICE COMMANDER, J. C. JULIUS LANGBEIN,
New York City

ADJUTANT, ALEXANDER SCOTT
1201 Kenyon Street, N. W., Washington, D. C.

QUARTERMASTER, N. D. PRESTON
2312 Poplar Street, Philadelphia, Pa.

JUDGE ADVOCATE, MOSES VEALE
Philadelphia, Pa.

OFFICE OF THE CHAIRMAN OF EXECUTIVE COMMITTEE

Washington, D.C., July 18, 1905.



The Honorable

The Secretary of War,

Washington, D.C.

Sir:

Referring to a conversation previously had with you in reference to the question of "replacing" the old medals of honor with new ones, I have the honor to state that I am the holder of a Congressional medal of honor, the record and number of which is with the Department and to which I respectfully refer.

I respectfully request that you issue to me a medal of honor of the new series, under the acts of Congress authorizing such issuance, and that you make this issue without requiring me to surrender the old medal of honor, which for many personal reasons is precious to me.

Permit me to suggest that the only word in the law upon which the contention is based that the old medal should be surrendered

is the use of the word "replace."

This use of the word is so unnecessarily limited that I can not believe it to be obligatory upon the Department to compel the surrender of the old medal before a new one is issued in its place.

In an interview with yourself, General Gillespie and the Judge Advocate General this matter was discussed at all necessary length, and I shall be content with your decision upon my application without repeating the various arguments then employed.

I have the honor to be,

Very respectfully yours,

John L. Mack

File with B-2906-2864

MILITARY SECRETARY'S OFFICE

OCT 21 1905
1064090

WAR DEPARTMENT

Washington, D.C.,
July 18, 1905.

General John C. Black,
Chairman, Executive Committee,
Medal of Honor Legion of the U.S.A.

Letter to Secretary of War.

Requests that a Medal of Honor
of the new design be issued to him
without requiring him to surrender
the old Medal of Honor, which for
many personal reasons is precious to
him.

MAR DW
File

10.21.1905 *Current*

Letter to Hon J.C. Black
Nov. 8, 1905.

4 Inclosures. m.S.
Received, M.S.O, OCT 20 1905

1st Indorsement.

War Department,
July 18, 1905.

Respectfully referred to
the Judge Advocate General,
requesting an interpretation of
the law as presented herein.

Robert Shaw

Acting Secretary of War.

16913

WAR DEPARTMENT
JUDGE-ADVOCATE GENERAL'S OFFICE
WASHINGTON, D.C. *July 20, 1905.*

*Respectfully referred with
the accompanying view to the
Judge-Advocate General.*

WAR DEPARTMENT,
WASHINGTON,

July 28, 1905.

My Dear General:

I beg to acknowledge the receipt of your request of the 18th instant to be furnished with one of the Medals of Honor of the new design, without surrendering the medal of the old pattern which was awarded to you many years ago, and is now in your possession. I have asked the Judge-Advocate-General for an expression of opinion as to the application of the statute to such a case; his opinion has reached me and is adverse to the view that such surrender should be insisted upon as a condition precedent to the award of a new medal.

While I concur in the view thus expressed, I am confronted by the requirements of a departmental circular, issued in August, 1904, prescribing the method in which the medal of the new design can be obtained; and it is one of the requirements of that circular that the old medal shall be surrendered. The records do not show whether, when the circular was adopted by the Secretary of War, it was regarded as a decision as to the validity of that particular requirement, or was intended as a mere departmental instruction governing the procedure to be resorted to with a view to obtain the benefit

of the statute.

To enable the question to be determined by the Secretary of War, and with a view to place him in possession of the law and facts in the case, I will submit the whole matter to him immediately upon his return from the Philippine Islands. As the instructions which are embodied in the circular are approved by him, it seems proper that he should have an opportunity to reconsider them in connection with your application; and I remain, my dear General,

Faithfully yours,

Robert Shaw

Acting Secretary of War.

TO---

General John C. Black,
U. S. Civil Service Commission,
Washington, D. C.

(16913)

WAR DEPARTMENT,
WASHINGTON,

GBD.

October 20, 1905.

To the Honorable,
The Attorney General.

Sir:

A case has arisen in the administration of this Department as to which an expression of opinion is desired. The act of appropriation for the support of the Army for the fiscal year ending June 30, 1905, contained the following requirement:

"For three thousand medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal x x x x x :

"Provided, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this Act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July twelfth, eighteen hundred and sixty-two, and section six of the Act of Congress approved March third, eighteen hundred and sixty-three." Act of April 23, 1904 (33 Stat. L., 274).

Under the authority conferred by the statute above cited medals of a new design have been prepared and are now in course of distribution in conformity to the requirements of the following departmental circular:

"WAR DEPARTMENT,
Washington, August 22, 1904.

"Circular,)
No. 36.)

"The Act of Congress approved April 23, 1904 (Army appropriation act) having authorized the issue of medals of honor of a new design, together with appropriate rosettes to be worn in lieu of the medals, all persons to whom such medals have been issued under the provisions

of the joint resolution of Congress approved July 12, 1862, and section 6 of the Act of Congress approved March 3, 1863, should forward the medals and the bowknots authorized to be worn in lieu thereof by registered mail to The Military Secretary of the Army, with a view to their being replaced by medals and rosettes of the new design.

"All medals of honor that may hereafter be awarded, as well as those that may be issued to replace medals heretofore awarded, will be issued by The Military Secretary's Office, upon due proof of the identity of the persons in whose behalf the medals are applied for, and the fact of such issue will be recorded in that office in each case.

"Medals and bowknots of the old design will be destroyed as soon as medals and rosettes of the new design shall have been issued to replace them.

By order of the Secretary of War:

George L. Gillespie,

Major General, Acting Chief of Staff."

(Circular No. 36, of 1904).

On July 18, 1905, General John C. Black, who served with distinction as an officer of the volunteer armies during the War of the Rebellion, and who was granted a medal for gallantry in action, applied to be furnished with a medal of honor of the new design, without surrendering the medal of the old pattern which had been issued to him a number of years ago.

The question as to which your opinion is desired is- "Is it within the authority of the Secretary of War, in replacing the medals of the old design, with those of the new pattern to allow a particular grantee who is entitled to a new medal in the operation of the Act of April 23, 1904, to receive it and, at the same time, to retain the old medal in

-3-

his possession?"

Very respectfully,

Secretary of War.

WAR DEPARTMENT,
Office of the Secretary.



Memorandum *for the* Judge-Advocate General:

Correspondence in re request of General John C. Black for a new medal of honor.

The Secretary of War desires you to prepare the memorandum in question for submission to the Attorney-General. The Secretary says his impression is contrary to the memorandum of the Judge-Advocate.

John W. Carpenter

October 19, 1905.

Private Secretary.

WAR DEPARTMENT,
Office of the Secretary.

Memorandum *for the* White House Envelope:

Law:

"For three thousand medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal * * * *

Provided, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this Act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July twelfth, eighteen hundred and sixty-two, and section six of the Act of Congress approved March third, eighteen hundred and sixty-three." (Act of April 23, 1904, 33 Stat.L., 274).

QUERY: Whether this empowers the executive to give other medals without insisting on a return of the first.

Handwritten notes:
Hark
Judge
Advocate
prepare
question
for A. G.
My in-
formation
concerning
to that of
Judge
Advocate
10/19/05

October 12, 1905.

Enclosure 4, M.S.

MILITARY SECRETARY'S OFFICE
12 130
1064090
5061
WAR DEPARTMENT

Enclosure 2, M.S.

MILITARY SECRETARY'S OFFICE
12 130
1064090
5061
WAR DEPARTMENT

War Department,
Office of the Judge-Advocate General,
Washington,

July 26, 1905.

To the

Acting Secretary of War.

Sir:

I beg leave to submit an expression of opinion upon the question stated in your endorsement of the 15th instant, which is raised by the enclosed application of General John C. Black to be furnished with a new medal of honor. The applicant desires that the new medal shall be issued without requiring him to surrender the medal of the old pattern which was awarded him for gallantry in action and which is now in his possession.

The following is believed to be the law applicable to the case:

"For three thousand medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal * * * *

"Provided, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this Act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July twelfth, eighteen hundred and sixty-two, and section six of the Act of Congress approved March third, eighteen hundred and sixty-three."
Act of April 23, 1904 (33 Stat. L., 274).

The enactment above cited charges the Secretary of War with the duty of procuring three thousand new medals of honor "upon the design of the medal of honor heretofore issued, or upon an improved design", and a sufficient number of the medals so designed and procured are to be used to "replace" the medals already issued. It will be conceded, I think, that

the title to, and ownership of, the medals of the old design are now in the persons to whom they were originally granted by the President, and the answer to your inquiry depends upon the meaning which shall be assigned to the word "replace" as used in the act of legislation above cited.

It would seem that this word is one which has never been made the subject of judicial determination, as I have been unable to find a meaning assigned to it in any of the standard law dictionaries, nor is it to be found in any of the legal lexicons or collections of adjudged words and phrases to which I have access: so that it will be necessary to resort to the dictionaries in order to determine its colloquial or ordinary meaning. The word "replace" is defined in the International Dictionary as follows:

- Replace: 1. To put back in place, as to replace a book on the shelf.
2. To take, or fill the place of; become the substitute of; supersede.
3. To put a substitute in place of; cause to supply the place of in any measure; as, to replace butter with oleomargarine.
4. To give an equivalent in place of; repay; refund; restore; as, to replace borrowed or stolen money.
5. To put in a new or another place.

Stormouth gives the following definition:

- Replace: To put again in a former position; to put in a new place; to refund; to put another in the place of one removed; to succeed.

The Century Dictionary gives the following definition:

- Replace: 1. To put again in the former or the proper place.
2. To restore (what has been taken away or borrowed).
3. To substitute something competent in the place of; as of something which has been displaced, or lost, or destroyed.
4. To fill, or take the place of; supersede; as a substitute for; fulfil the end or office of.

Webster defines the word as follows:

- Replace: 1. To place again; to restore to a former place, position, condition, or the like.
2. To restore to a place that was vacated; to refund; to repay; as, to replace a sum of money borrowed.
3. To supply or substitute an equivalent for; as, to replace a lost document.
4. To take the place of, to supply the want of; to fulfil the end or office of.
5. To put in a new or different place.

It will be noted that there is no substantial difference of meaning in the foregoing definitions, and if any of ^{the} several meanings be substituted for the word "replace" in the clause of legislation in which that word occurs, it will contribute to an understanding of the legislative intent in the employment of the term in the Act of April 23, 1904.

The absence of the word from the law dictionaries, and from the collections of words and phrases which have received judicial definition, is significant, as showing that the word has never come into general use as descriptive of a legal transaction, or as describing the relative rights of the parties to the replacement of a particular chattel. Some of the meanings above cited suggest the well known transaction of an exchange of personal property: but it will be observed that the word "exchange" is not used in any of the definitions given above, either in an illustrative sense, or as a synonym: and it may reasonably be assumed that, in the duty with which the Secretary of War is charged in the statute above cited, a replacement, rather than an exchange, was contemplated by Congress.

The term "exchange" was made the subject of judicial definition by the Supreme Court of the United States in the case of Preston v. Keene, in which it was said:

"An exchange is an executed contract operating per se as a reciprocal conveyance of the thing given and the thing received in exchange. It enters into the very idea of an exchange that the thing given or taken in exchange shall be specified, and so distinguishable from other things of the like kind as to be clearly known and identified."

Preston v. Keene (14 Peters, 133, 137) ----
Buffum v. Merry (4 Fed. Cases, 604, 605); Elwell v. Chamberlin (31 New York, 611, 624); Cooper v. the State (37 Ark., 412, 418); Commonwealth v. Clark (80 Mass., 367); Howard v. Harris (90 Ibid., 297).

I must therefore conclude that if Congress, in the legislation hereinbefore cited, had intended to authorize the "exchange" of old medals for new, language calculated to describe the proposed transaction with accuracy would have been used, and the Secretary of War would have been authorized to "exchange" medals, rather than to "replace" them. In other words, if it had been the legislative intent that the issue of the new medal was to be conditioned upon the surrender of the old one, then the transaction which it was intended to authorize would have been properly described as an exchange, and the Secretary of War would have been authorized to exchange the medals rather than to replace them. Exchange of property implies the existence of a donor and a donee as necessary parties to the transaction, and contemplates a giving of one thing and a receiving of another thing by each of the parties to the undertaking, which is complete when there has been a mutual transfer of ownership and possession of the chattels which have been made the subject of the exchange.

From what has been said it will, I think, be obvious that a less extensive transaction than an "exchange" is contemplated by the use of the word "replace" in the legislation of 1904. That is, the new medal is to take the place of,

or is to be substituted for the old one; and, while the language used clearly authorizes the Secretary of War to issue a new medal, it confers no authority, either expressly or by reasonable implication, to demand the return of the medal already in the lawful possession of the beneficiary, or to condition the grant of the medal of the new design upon the delivery or surrender of the old one by the grantee under the legislation of 1862 and 1863.

It may be conceded that, as a matter of public policy, it is desirable that but one medal should be in possession of a grantee at the same time: if for no other reason than to prevent two medals from being worn by the same beneficiary. For that reason it would be well to obtain a voluntary surrender of the old medal when the medal of new design is issued; but, in the absence of authority to that end, it may be seriously doubted, in view of what has been said, whether the Department would be authorized to impose such a surrender as a condition precedent to the issue of the new medal.

Very respectfully,

G. B. Davis

Judge-Advocate General.

Additional. *A* NOV 8 1905

MS. 1064090
File with ^B 2906 (vs) '64.

Washington, D.C.,-----

Nov. 3, 1905, 190 .

William H. Moody,-----

Attorney General,

Co.-----, Reg't-----

Decision of the Attorney General
upon the question of retention of
old medals of honor by the holders
thereof upon the issue of the new
medal.

WRAPPER.

One inclosure

1064090

WAR DEPARTMENT,
THE MILITARY SECRETARY'S OFFICE,
WASHINGTON.


November 8, 1905.

Hon. John C. Black,
Civil Service Commission,
Washington, D. C.

Sir:

In response to your letter of July 18, 1905, in which you request that a medal of honor of the new design may be issued to you without your surrendering the old medal now in your possession, I am directed by the Acting Secretary of War to transmit herewith, for your information, a copy of an opinion of the Attorney General and of a decision by the Acting Secretary of War relative to the subject of your communication.

Very respectfully,



The Military Secretary.

WAR DEPARTMENT,
Office of the Judge-Advocate General.

Memorandum for the Secretary of War:

Respectfully submitted to the Secretary of War with the draft of a letter transmitting the questions raised in General Black's case to the Attorney General for opinion.

G. B. Davis

Judge-Advocate General.

October 20, 1905.

MILITARY SECRETARY'S OFFICE

OCT 21

1064090

1905

WAR DEPARTMENT

Inlosure 3. mS.



DEPARTMENT OF JUSTICE,

WASHINGTON, D. C. November 3, 1905.

66535

*In correspondence on this subject quote
the above initials and file number.*

The Secretary of War.

Sir:

Your letter of the 20th ultimo, requests my opinion upon a question arising as follows:

The army appropriation act of April 23, 1904, chap. 1485 (33 Stat. 274), provides:

For three thousand medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal, and to be presented by direction of the President, and in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves by their gallantry in action, twelve thousand dollars: Provided, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this Act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July twelfth, eighteen hundred and sixty-two, and section six of the Act of Congress approved March third, eighteen hundred and sixty-three: x x x x x

It appears that under the authority conferred by this statute medals of a new design have been prepared and are now being distributed as indicated in the following circular of your Department, dated August 22, 1904:

The act of Congress approved April 23, 1904 (Army Appropriation Act) having authorized the issue of medals of honor of a new design, together with appropriate rosettes to be worn in lieu of the medals, all persons to whom such medals have been issued under the provision of the joint resolution of Congress approved July 12, 1862, and section 6 of the act of Congress approved March 3, 1863, should

forward the medals and the bowknots authorized to be worn in lieu thereof by registered mail to the Military Secretary of the Army, with a view to their being replaced by medals and rosettes of the new design.

All medals of honor that may hereafter be awarded, as well as those that may be issued to replace medals heretofore awarded, will be issued by the Military Secretary's office, upon due proof of the identity of the persons in whose behalf the medals are applied for, and the fact of such issue will be recorded in that office in each case.

Medals and bow-knots of the old design will be destroyed as soon as medals and rosettes of the new design shall have been issued to replace them.

You state, however, that an officer of the civil war, who had been granted a medal under the prior legislation, has applied for a medal of the new design without surrendering the old one; and you submit the question whether it is "within the authority of the Secretary of War, in replacing the medals of the old design with those of the new pattern, to allow a particular grantee, who is entitled to a new medal, in the operation of the act of April 23, 1904, to receive it and at the same time to retain the old medal in his possession."

I am also advised that while several thousand medals were prepared under the legislation of 1862 and 1863, only about two thousand were actually bestowed, so that it would be possible to replace all such medals, if desired by the grantees, with the new medals authorized by the act of April 23, 1904.

In my opinion, the word "replace", as used in the act of 1904, implies the loss, destruction or surrender of the old medal. To replace presupposes a vacancy, and a vacancy cannot exist so long as the original remains in its place. To bestow the new medal without the old medal having been in some manner displaced, would not be to replace the old medal but to give the new medal outright, and that you are not authorized to do.

That would be "placing" not "replacing". It is true nothing is expressly said as to the disposition of the old medal, but, as stated, the direction, to use so many of the new medals as may be necessary to replace the old necessarily implies the loss, destruction, or surrender of the old medals. You are the person authorized to replace and hence the one to ascertain, in each case, whether the old medal has been lost or destroyed, and if not to require its surrender.

This view is in harmony with the policy of Congress in bestowing these medals. They are granted for gallant and distinguished services. No individual is entitled to two for the same service, which would be the result of allowing him to retain the old upon receiving the new. The number of medals would thus be unwarrantably increased, with the consequent danger of their falling into unworthy hands, and their value as emblems of distinction in so far impaired.

It is of course optional with the holder whether he shall surrender his old medal for the new. The old medal may for many reasons be very dear to him and possess a value by reason of its age and the associations connected with it that the new one would lack. Under such circumstances he would probably not be willing to part with it, and it was not the intention of Congress to compel him to do so, even if it had the power.

But where, for any cause, the holder of an old medal prefers the new, no such reasons justify his retention of the old. If he is dissatisfied with the old medal, he should be willing to relinquish it for one that will please him better. There is no reason why he, more than any other individual, should

The Secretary of War

4.

have two medals representing the same service. At any rate, that is not the purpose of the present statute. Your order requiring the surrender of the old medal by applicants for the new is therefore in complete accordance with its spirit. Of course, if in any case the old medal has been lost or destroyed, and its surrender therefore impossible, you would be authorized, upon satisfactory proof of the fact, to replace it.

Respectfully,

M. H. Wood
Attorney General.

WAR DEPARTMENT,

Washington,

November 8, 1905.

The views set forth by the Attorney General in the foregoing opinion are concurred in and will govern the practice of the War Department in future.

Robert Shaw Olson
Acting Secretary of War.

File with B 2906 of 64



Military Order
of the
Loyal Legion of the United States

In Memoriam

Companion

John Charles Black

Colonel Thirty-seventh Illinois Infantry, and Bvt. Brig.
Gen. U. S. V.

Died at Chicago, Illinois

August 17, 1915

Circular No. 11.

Series of 1917.

Whole No. 824.

320 Ashland Block.

CHICAGO, April 27, 1917.

JOHN CHARLES BLACK,

Colonel and Bvt. Brig. Gen. U. S. V.

Service in Army of the Tennessee.

Born at Lexington, Miss., January 27, 1839.

Died at Chicago, Ill., August 17, 1915.

By order of

Lieut. EDWARD R. BLAKE, U. S. V.,
Commander.

GEORGE V. LAUMAN, Lt.-Col., U. S. V.,
Recorder.

JOHN CHARLES BLACK

General John Charles Black was born January 27, 1839, at Lexington, Holmes County, Mississippi.

He died suddenly in Chicago, August 17, 1915, having been in his usual health up to the hour of his departure.

He became a member of the Military Order of the Loyal Legion of the United States, and Commander of the Commandery of Illinois in 1896. The number of his insignia is 3696.

His father was a minister of the Presbyterian Church. His family on both sides was of the best and he was born with the physical, mental and moral endowments which gave rich promise of the success which crowned his life.

When Fort Sumter was fired upon April 13, 1861, two brothers, John C. and William P. Black, were college boys attending Wabash College at Crawfordsville, Indiana. The next morning, on the 14th day of April, 1861, both enlisted as private soldiers in the 11th Indiana Volunteers, the Colonel of which was he who became afterwards a Major-General in the Army of the United States, and one of the great literary characters of the world, General Lew Wallace. John C. Black was made Sergeant-Major of this regiment and with it he took part in the battle at Romney, West Virginia on the 11th day of June, 1861, one of the very first engagements of the war and received high commendation for his bravery and efficiency.

On the expiration of their three months' period of enlistment these brothers returned to their home in Danville, Illinois and together recruited Company "K" of the 37th Illinois Volunteer Infantry. John C. Black was elected Captain, and William P. Black First Lieutenant of this Company, but on the organization of the regiment John C. was elected Major, and William P. was commissioned Captain of Company "K." Major Black was thereafter promoted successively for distinguished bravery on the battle field, Lieutenant-Colonel and Colonel, and, at the close of his military service, he was brevetted Brigadier-General of the United States Volunteers.

During the years of his army experience he served in all the states of the South except the two Carolinas and Georgia. His regiment was at one time in the Army of the Potomac, but his principal service was in the Army of the Tennessee; however, for short periods he also served in the Army of the Southwest, and, at the close of the war, in the Army of the Frontier, and the Army of Observation on the Mexican Border under the command of General Philip H. Sheridan. He took conspicuous part in many skirmishes, sieges, marches and battles, including Pea Ridge, Prairie Grove, Vicksburg, Mobile, and in Blakely's Batteries, the last battle of the War. He was severely wounded at the battle of Pea Ridge, March 7, 1862, and again at the Battle of Prairie Grove, December 7, 1862, as a result of which he became permanently disabled in both arms.

At the close of the great struggle he took an honorable part in solving the many problems which called for solution at the hands of patriotic men. Possessed of an always pleasing personality and an eloquence which charmed everyone who listened to his magnetic utterances, his influence was almost unlimited over his fellow citizens. He was selected for various high, important positions by different Presidents without regard to political affiliations, though he himself always was known as a Democrat. He served for years as United States Commissioner of Pensions, and as United States District Attorney at Chicago.

He was elected a member of Congress-at-large from the State of Illinois. For nine years he held the important office of President of the United States Civil Service Commission.

The honors gladly conferred upon him by those who had been his comrades in the Army were almost without limitation. He was a member almost from its organization up to the time of his death of George H. Thomas Post No. 5, Grand Army of the Republic; was Department Commander of the Grand Army of the Republic, Department of Illinois; was Commander-in-Chief of the Grand Army of the Republic, and was an original member of the Grand Army Hall and Memorial Association of Illinois. Wabash College, where his collegiate education was obtained, made him a Trustee and conferred upon him the degrees of A. B. and A. M. Knox College, of Galesburg, Illinois, honored itself by conferring upon him the degree of LL. D. He held many other honorary positions which were conferred by the people and public bodies, such as member of the Board of Trus-

tees of the Illinois Soldiers' and Sailors' Orphan Home; member of the Board of Managers of the National Home for Disabled Volunteer Soldiers and Sailors.

He was highly distinguished as a soldier. He took a leading and puissant part in preserving the life of the greatest Republic the world has ever known.

For more than half a century after the close of the Great War he was known and honored from ocean to ocean as one who, in these various important official positions in civil life, rendered an invaluable service to the Government and people of the land he loved.

He was one of the finest types of the American soldier. His heart throbbed with patriotic fervor from his earliest youth and, as was said, when he heard the call of President Lincoln in '61 for loyal men to defend the Constitution and the flag of his country, he was among the first to respond.

No young man in the land had finer prospects of success in the profession to which he aspired and in the amassing of wealth and gaining of honors in civil life than he, for he had a natural ability of the highest order and an education which fitted him to fill any position in the gift of the people. He had a character on which no spot or stain was ever found. His was a genial disposition which attracted all who came within its influence or into his presence, yet he laid all ambitions and hopes for the future on the altar of liberty and enlisted as a private soldier to fight the battles of his country.

The experience of the untrained boys, who saw service in the three months' regiments, served as an education which qualified them for a soldier's work, and from their ranks came thousands of those who afterwards led the companies, regiments, brigades and divisions which made up the victorious armies of the Union.

General Black's military life is written upon many pages of our history, has been often read, but cannot be too frequently referred to. Its perusal cannot but inspire all who read it with the spirit of patriotism and tend to make others anxious to emulate his glorious example.

It is the high purpose of those who, in the Grand Army of the Republic, in the Military Order of the Loyal Legion, in the Society of the Army of the Tennessee, of the Potomac, and in the Grand Army Hall and Memorial Association of Illinois,

to seek to keep alive the fire of patriotism in the bosoms of those who shall follow. The history of the struggle in which we too had an honorable part, when our comrades pass from our midst, makes it a pleasant and a sacred duty to recall those memories and to preserve the record of them in every place and at every time when opportunity offers. What record can be more inspiring than this of our comrade General Black? To attempt to tell of his valor, of his unhesitating bravery, to give instances of his heroic actions leading his men on the battle field, or tenderly caring for them when sick or wounded, and in caring for and aiding the widows and children of those who fell, a volume would be inadequate and cannot here be entered upon in a tribute such as this. In all the ranks of those who were the companions in arms of General Black or who were at any time associated with him, I doubt if there can be found any who had a greater love than was his for his friends and comrades. The welfare and happiness of such was ever the first thought with him. He loved them one and all and they loved him and loved to honor him. The encampments, Departmental, State and National were never complete without hearing his stirring eloquence; his tender reference to all who had served in what he always spoke of as "The Great War" and his deeply pathetic allusion to incidents coming within his own personal experience in camp, on the march, and on the bloodstained battle field. The writer has often heard him say that one of the chief pleasures of his life in official position was when, as Commissioner of Pensions, he was able to help out a comrade, or his widow or children, by giving to such the benefit of the doubt, if doubt there was, when their claim was meritorious, though the strict and technical evidence might not be as complete as he wished it was. Every such one knew that the judge who was to pass upon the case would, as judges always ought to, construe doubts in favor of the men who had in the hour of peril to their country performed a faithful service.

General Black left surviving him the loved wife of his early manhood, an invalid whose ill health was to him a lasting sorrow, a son, John D. Black, also a member of this Commandery, a leading lawyer of Chicago, whose character and gift of eloquence make him worthy of such a father, a daughter happily married to Captain Stephen Abbott, United States Army, retired, and a grandson, John Black Vrooman, the son of his daughter Grace, deceased.

His memory cannot be taken from us. His hearty hand grasp, his genial smile and pleasant greeting is a treasure the memory of which shall not end, but be renewed, we fondly hope, when we shall join him and so many loved ones, who were our comrades in the days that tried men's souls, on the other shore.

"We shall meet and greet in closing ranks
In time's declining sun,
When the bugles of God shall sound recall
And the battle of life be done."

We tender to the wife and family of our comrade our sincere sympathy in this hour of their grief.

RICHARD S. TUTHILL,
EDWARD D. REDINGTON,
JARED W. YOUNG,

Committee.

1169

R.P.

A. G. O. No. 375085

Papers relative to
Award of Medal of Honor
in case of

John C. Black

Col, Co. , 37 Reg't Ill. vols.

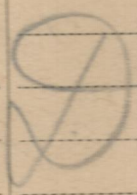
3 Papers herein.

REMARKS.

Papers loaned to
Med of Honor Bd.

With

B 2906 v.s. 64



DECEASED

1169

CONSIDERED DEC 28 1916

See also RETURNED DEC 28 1916

DOCUMENT FILE.

The Adjutant General's Office, War Department.

R and P. 375,085.

Case of

JOHN C. BLACK,

Late Colonel, 37th Illinois Volunteers, and Brevet Brigadier

General of Volunteers.

-----:o:-----
Application for a Medal of Honor.
-----:o:-----

Captain Thomas H. L. Payne, formerly of the 37th Illinois Volunteers, applies for the award of a medal of honor to General John C. Black.

Following is an extract of so much of Captain Payne's application as relates to the gallantry and distinguished service of General Black:

"I respectfully submit the following facts in behalf of a brave soldier who after being badly wounded twice, re-enlisted and served creditably and faithfully until honorably mustered out at the close of the war, and I hope it will be your judgment, (as it is mine and many others) that a medal of honor for bravery and heroic conduct on the field of battle should be presented to that worthy battle-scarred veteran General John C. Black of Illinois, formerly Colonel of the 37th Illinois Veteran Volunteer Infantry. General Black was severely wounded while rallying his men at the battle of Pea Ridge, Arkansas, March 7, 1862. At that battle over two hundred of his regiment fell at the first fire from the enemy and (being opposed to a full brigade of Confederates and Indians under command of Genl. Ben McCullough) the regiment would have been driven off the ground had not Black got right into the ranks and by his commands and brave example persuaded his men to remain, keep on firing and thus check the enemy on that part of the field. The Confederate commander, Ben McCullough, was killed by the fire of the 37th Illinois, on that, the first day of the battle. General Black was obliged to absent him-

self from his regiment for a short time by reason of his wound but reported back for duty before it had healed and was not that a brave heart? At the battle of Prairie Grove, Arkansas, fought the same year, 1862, General Black saw two regiments driven down a certain hill, one after the other, but that did not deter him from making an attempt to capture the position, and with his regiment charged and gained the top, capturing a battery. Unfortunately, at that moment he was again shot and severely wounded; whereupon the regiment lost the ground they had gained and the rebels recaptured the guns. We took many prisoners, and some of the officers of the Confederate forces, when taking breakfast with us next morning, told us they discovered through their glasses what regiment ours was when we first started forward, before we charged the position, and had massed a whole brigade in our front.

"Again General Black was obliged to leave the command for hospital treatment, and again reported back for duty before his wounds had healed. At the battle of St. Francis River, Missouri, 1862, when General O'Neill, commanding the U. S. troops, ordered his bugler to sound the retreat and we were ordered to fall back, to give our artillery an opportunity to shell the enemy's position, I saw General Black walk slowly backwards, trying to keep his men well in line, and when within but a few feet away General O'Neill's horse was shot from under him, I saw O'Neill scamper off and get behind a big tree and try to call his horse to come to him. Black stood there wholly exposed, and never sought the friendly shelter of the trees, though we repeatedly called to him to hurry from the unhealthy vicinity. That is the way he imparted some of his own spirit and courage to the men of his command. Again when night after night, during the long and bloody siege of Vicksburg, Mississippi, the pickets would locate an alarm, Black, at the head of his regiment, would be one of the first commands groping their way through the darkness towards our picket lines.

"When General Black's regiment was in the rifle pits in front of the forts at Blakely's Batteries, Rear of Mobile, for several days, it was finally determined by General Steel to charge, and if possible, capture the forts by storm and on the day selected for the assault, at about 4 P. M., when all was in readiness

and we were anxiously awaiting the signal to rush forward, the adjutant of the regiment silently notified each company commander to appear at headquarters forthwith, the colors, as General Black wished to see them. When gathered about him in the rifle pit he addressed them, and never shall I forget his impressive remarks. Among other things, he said, 'Gentlemen, we are about to charge upon the enemy's works and I hope you will all remember that the eyes of the world are upon us, and your contry will expect, as in the past, that the sons of Illinois will do their duty. I will hold you personally responsible for the good conduct of your men. Permit no man to falter, stop, or skulk in the rear until the man in front stops, and should that man fall, press on to victory or a glorious death.'

That man in front during the whole charge was John C. Black, notwithstanding he was then suffering from two bad wounds, and the colors of his regiment, our old flag, riddled with shot and shell, was the first that was planted upon the fort which we captured in that charge. In less than thirty minutes we captured many prisoners and many siege guns, upon which we chalked the name and number of our regiment. The regiment was immediately marched back to our old camp singing a refrain composed by one of the command as follows: 'We're western boys from Illinois, and proved right well we fear no noise, though far away from home.'

"Now, Sir, I respectfully submit that among the articles of war, somewhere in the Blue Book, Army Regulations, the position of each officer during a drill and during an engagement is well defined, for instance, first, that of a corporal. His place is in the ranks. That of a sergeant, a couple of paces in rear of the company. That of a lieutenant, a few more paces in rear; and the colonel of a regiment is placed at a pretty safe distance in the rear.

"Now, Sir, please remember this charge was made in the face of a continuous sheet of flame, belching forth from the heavy siege guns of the enemy and nearly blinding our troops. The roar of the artillery and small arms was deafening and enough to appal the stoutest heart. This added to the fact that our men was aware that the ground over which they charged was literally planted with secreted torpedoes attached to wires, and that to explode one meant death and destruction to a score of men, made the charge an extra hazardous one, and something akin to a forlorn hope. Notwithstanding all this however, General Black took the lead

instead of his proper position in rear of the troops, and such an exhibition of bravery on his part could not but inspire the men to follow him, which they nobly did do, to success and victory; and I will frankly admit that as things were, had he not acted thus bravely, our victory would have turned into a defeat with heavy loss, in view of the fact that the Confederate troops in the forts were flushed with victory, having twice repulsed the charges of our negro troops. The Confederate gunners fought desperately, and had to be actually clubbed away from their pieces before they realized or acknowledged defeat."

The records show that Charles Black (also borne as John Charles Black) was mustered into service as major with the field and staff of the 37th Illinois Infantry Volunteers, September 18, 1861, to serve three years; and that he was mustered in as lieutenant-colonel, same regiment, to date from July 17, 1862, and as colonel to date from February 1, 1863. He has been recognized by this Department as having been commissioned to the grade of major, 37th Illinois Volunteers, to take effect from September 5, 1861; to the grade of lieutenant-colonel, same regiment, to take effect from July 12, 1862, and to the grade of colonel, same regiment, to take effect from December 31, 1862. He was severely wounded ("gun-shot wound arm") at the battle of Pea Ridge, Arkansas, March 6 - 8, 1862, and was "wounded severely, fracture of humerus of left arm" at the battle of Prairie Grove, Arkansas, December 7, 1862.

He was in command of the 1st Brigade, 2d Division, 13th Army Corps, from December 22, 1863, to February, 1864; of 4th Brigade, Reserve Corps, from December, 1864, to January, 1865; and of 3d Brigade, 2d Division, 13th Army Corps, from February 25, to March 5, 1865. He was brevetted Brigadier General of Volunteers to date April 9, 1865, "For gallant services in the assault on Fort Blakely, Alabama," and was honorably discharged the service, on tender of resignation, August 15, 1865.

Following are extracts from battle reports in which General Black is mentioned for gallantry or distinguished service in action:

(1) Extract from report of Colonel Julius White, 37th Illinois Infantry, commanding 2d Brigade, 3d Division, Army of the South-west, dated March 11, 1862, relative to the battle of Pea Ridge, Arkansas, March 7, 1862:

"Both Major John Charles Black of the Thirty-seventh, and Major P. Sidney Post, of the Fifty-ninth, were wounded early in the engagement, each severely in the sword arm. The former continued on the field until peremptorily ordered by myself to leave it for the purpose of having his wound dressed."

(2) Extract from report of Brigadier General F. J. Herron, commanding the 2d and 3d Divisions, Army of the Frontier, dated December 19, 1862, of the battle of Prairie Grove, Arkansas, December 7, 1862:

"There were many instances of individual courage and bravery that I should like to mention, but will have to refer you to the reports of brigade commanders. Of Lieutenant-Colonel Black, Thirty-seventh Illinois Infantry, I must say that a braver man never went upon the battle-field, and he has on this occasion added to the laurels won at Pea Ridge."

(3) Extract from report of Colonel Daniel Huston, Jr., 7th Missouri Cavalry, commanding 2d Division, Army of the Frontier, dated December 9, 1862, of the battle of Prairie Grove, Arkansas, December 7, 1862:

"Among those whose conduct fell under my special observation, and whom I would bring to the favorable notice of the commanding general, are Colonel (J. G.) Clark of the Twenty-sixth Indiana Volunteers; Lieutenant-Colonel (J. C.) Black, of the Thirty-seventh Illinois Volunteers, and Adjutant Dela Hunt, of the Twenty-sixth Indiana, the two latter of whom were severely wounded."

(4) Extract from report of Colonel William McE. Dye, 20th Iowa Infantry, commanding 2d Brigade, 2d Division, Army of the Frontier, dated December 10, 1862, of the battle of Prairie Grove, Arkansas, December 7, 1862:

"Lieutenant-Colonel (John) Charles Black, Thirty-seventh Illinois, with the ardor of youth and the discretion of riper years, gallantly moved his regiment under heavy fire with perfect order, and continued in command after being severely wounded, until, exhausted by suffering, he was obliged to turn the regiment over to Major H. N. Frisbie."

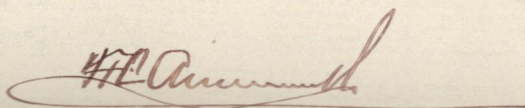
(5) Extracts from report of Brigadier General William Vandever, dated May 2, 1863, relative to an action on that date, with the enemy's forces under General Marmaduke, driving them from Missouri:

"One hour ago I received your dispatch of the 30th ultimo, per hands of Captain (R. H.) Brown, Twenty-third Missouri Volunteers. I was at the moment actively shelling the enemy across the river. I had hoped to intercept him and capture his guns before crossing the Saint Francis, but his retreat was too precipitate. I have punished the enemy severely. A large number of dead and wounded strew the road. His rear guard fought us stubbornly all along the road from Jackson to this point, destroying bridges in their rear and adopting every means to retard our progress. * * Colonel (John C.) Black, Thirty-seventh Illinois Volunteers, brought a portion of his brigade gallantly into action this morning, and deserves special mention for his services. * * The officers and men of my command deserve the highest praise for courage and endurance displayed on the most arduous pursuit of an enemy which has characterized this war."

Brevet Major General C. C. Andrews, formerly commanding the 2d Division, 13th Army Corps, in a letter dated June 16, 1866, recommends Colonel Black for ap-

pointment as Brevet Brigadier General of Volunteers, "for gallant services in the assault on Fort Blakely, April 9, 1865" and adds: "Colonel Black's conduct during the entire campaign of Mobile was eminently meritorious and gallant. His conduct, and that of his regiment in the victorious assault in my opinion entitles him to specific consideration."

The records show that Captain Thomas H. L. Payne, who makes application for the medal for General Black, was a member of the 37th Illinois Volunteers, having been enrolled therein as a corporal in Company E, August 20, 1861; that he served continuously with that regiment until May 15, 1866, when mustered out as captain with Company C; and that he was present with his command during the periods in which the battles referred to took place.



Colonel, U. S. Army,

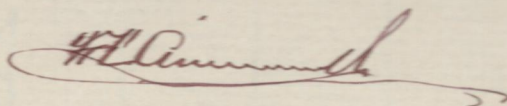
Chief of Office.

Record and Pension Office,

War Department,

October 23, 1893.

The Secretary of War, having personally considered this case, directs the award of a medal to Gen. Black for distinguished gallantry at ~~the~~ in action at Prairie Grove, Ark., Dec. 7, 1862.



Oct. 25, 1893.

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ND PENSI

#2134 Pierce Str.
Phila. Pa. Oct. 12/93

John C. Black
Col, 37th Ill. Inf.

Thomas H. L. Payne

Recommends the award
of a medal of honor to
above named for gallant
ry in several engagements
during the late war of the
rebellion, and asks to be
informed in just about
what shape to draw up
an affidavit in relation
thereto.

Letter to Capt. Thomas H. L. Payne

Oct 25/93
Mem. to Regt's Adjt. Dir Oct 25/93

for engraving of medals

Letter to Hon. Sec. War Dept. transmitting
medal of honor Oct. 31. 93.

JO

Recorded in Register of Medal of Honor of War of 1861-1865, Vol. 2, p. 73.

To The Hon^d Daniel Lamont
Secretary of War, Washington, D. C.

My Dear Sir

I am not certain that this is the proper course to pursue in order to effect a favorable decision in this matter which is to obtain if possible, for a very modest unassuming though Brave Intelligent Ex^o officer of volunteers that Recognition of his Bravery while in the field which his meritoribus services and Gallant Conduct justly Entitles him too. But I am certain that knowing you well by reputation, I can depend upon you (if I am wrong) to instruct and direct me how to proceed if not inconsistent with your Public duties. During the last (we hope) Republican Administration Colonel Mathew S. Quay its successful but tricky Pilot, was awarded a medal of honor for Bravery during the war now with all due respect to the many brave Republicans who received such a medal I cannot quite agree with them when they contend that it was Republicans who done all the fighting and that they only should be Recognised or rewarded with medals for bravery on the field. Now Sir the special Instance of Bravery for which Col^l Quay received a medal was (if I understand it correctly) because he remained on the field and took part in an engagement a day or two after his term of service had expired, if that should Entitle him to such a distinguished honor I believe (as do many others) that every officer or soldier who Re-Enlisted after a three years service should be equally so Entitled, because whereas Col^l Quay had really seen but little service and knew if he survived that Battle he would see no more while on the other hand those truly brave men who had risked their lives in many engagements for three years and many of whom had been dangerously wounded Re-Enlisted with the full knowledge that by so doing they again voluntarily Impromised their lives for perhaps three more long years or during the war. Those are the men most Entitled to medals of honor whether Democrat or Republican Generals or soldiers in the Ranks. Now Sir I respectfully submit the following facts in behalf of a Brave Soldier who after being badly wounded twice Re-Enlisted and served creditably and faithfully untill Honorably mustered out at the close of the war and I hope it will be your judgement (as it is mine and many others) that a medal of honor for Bravery and heroic conduct on the field of Battle should be presented to that worthy Battle Scared Veteran Gen John C. Black of Illinois formerly Colonel of the 37th Illinois Vet Vol Infy. General Black was severely wounded while Rallying his men at the Battle of Pea Ridge Arkansas March 7th 1862 at that Battle over two hundred of his Regiment fell at the first fire from the enemy and being opposed to a full Brigade of Confederate and Indians under command of Gen Ben McCullough; the Regiment would have been driven off the ground had not Black got right in to the Ranks and by his commands and Brave Example persuaded his men to remain keep on firing and thus check the enemy on that part of the field. the Confederate commander Ben McCullough was killed by the fire of the 37th Illinois on that the first day of the Battle. Gen Black was obliged absent himself from

2) his regiment for a short time by reason of his wound but reported back for duty before it had healed, was not that a brave heart, at the Battle of Prairie Grove Arkansas fought the same year 1862, Gen Black saw two Regiments "driven down a certain hill one after the other" but that did not deter him from making an attempt to capture the position and with his Regiment charged and gained the top capturing a Battery unfortunately at that moment he was again shot and severely wounded whereupon the Regiment lost the ground they had gained and the Rebels recaptured the Guns we took many Prisoners and some of the officers of the Confederate forces when taking breakfast with us next morning told us they discovered through their Glasses what regiment ours was when we first started forward before we charged the position and had Massed a whole Brigade in our front, again Gen Black was obliged to leave the Command for hospital treatment and again reported back for duty before his wounds had healed.

At the Battle of St Francis River Missouri 1862 when Gen O'Neill commanding the U.S. troops ordered his Bugler to sound the retreat and we were ordered to fall back to give our artillery an opportunity to shell the Enemy's position, I saw Gen Black walk slowly backwards trying to keep his men well in line and when within but a few feet away Gen O'Neill's horse was shot from under him I saw O'Neill scamp off and get behind a big tree and try to call his horse to come to him, Black stood there wholly exposed and never sought the friendly shelter of the trees though we repeatedly called to him to hurry from the unwholesome vicinity, that is the way he imparted some of his own spirit and courage to the men of his command, again when night after night during the long and bloody siege of Vicksburg Miss the Pickets would create an alarm Black at the head of his regiment would be one of the first commands groping their way through the darkness towards our Pickett lines.

When Gen Black's Regiment was in the Rifle Pits in front of the Forts at Blakely's Batteries Rear of Mobile for several days it was finally determined by Gen Steel to charge and if possible capture the forts by storm and on the day selected for the assault at about 4 o'clock when all was in readiness and we were anxiously awaiting the signal to rush forward the Adjutant of the regiment silently notified each company commander to appear at head quarters forthwith the Colors, as Gen Black wished to see them when gathered about him in the Rifle Pit he addressed them and never shall I forget his impressive remarks among other things he said Gentlemen we are about to charge upon the Enemy's works and I hope you will all remember that the eyes of the world are upon us and your country will expect as in the Past that the sons of Illinois will do their duty, I will hold you personally responsible for the good conduct of your men permit no man to falter stop or skulk in the rear until the man in front stops and should that man fall press on to victory or a glorious death that man in front during the whole charge was John C. Black notwithstanding he was then suffering from two bad wounds and the colors of his regiment our old flag, riddled with shot and shell was the first that was planted upon the Fort which we captured in that charge in less than thirty minutes we captured many Prisoners and many Siege Guns upon which we chalked the name and number of our Regt. the Regiment was immediately marched back to our old camp singing a refrain composed by one of the command as follows we're western Boys from Illinois and proved right well we fear no noise though far away from home Now Sir respectfully submit that among the articles of war somewhere in the Blue Book (Army Regulations) the position of each officer during a Drill and during an Engagement is well defined, for instance first that of a Corporal his place is in the Ranks that of a Sergeant a couple of Paces in Rear of the Company that of Lieut a few more paces in rear and the Colonel of a Regiment is placed a short safe distance in the rear.

3
Now Sir please remember this charge was made "in the face
of a continuous sheet of Flame belching forth from the heavy siege
Guns of the Enemy" and nearly blinding our troops "the roar of the
artillery" and small arms was deafening" and enough to appall
the stoutest heart" this added to the fact that our men was
aware that the ground over which they charged was literally
planted with secreted Torpedoes attached to wires and that they
Explode one meant death and destruction to a score of men,
made the charge an Extra hazardous one" and something akin
to a forlorn hope, notwithstanding all this however Gen Black
took the Lead "Instead of his proper position in rear of the troops"
and such an Exhibition of Bravery on his part could not but
inspire the men to follow him "which they nobly did do" to
Success and victory, and I will frankly admit that as things ever
had He not acted thus bravely" our victory would have turned
into a defeat with heavy loss" in view of the fact that the
Confederate troops in the front were flushed with ^{victory} having
twice repulsed the charges of our negro Troops" the Confederate
Summers fought desperately and had to be actually clubbed away
from their piece" before they realized or acknowledged defeat."
It has always been said "That the colored troops fought nobly"
for a Gods truth that is not so" they fly like sheep before a deter-
mined resistance.

I can make an affidavit to any or all of the foregoing
facts if required, and also others can, please inform me
in just about what shape to draw one up" and I will
gladly and cheerfully see that it is forwarded without delay.
I have not seen Gen Black for fifteen years" or written to him
upon any subject whatever for some years, but I believe
I'm doing justice and honor" to whom honor is due;
Hon Josiah Quincy" late Chairman Com on Campaign documents
knows though that I forwarded to him a communication for
publication in the Chicago Papers in the interest of Gen Black
previous to the Election which He (Mr Quincy), subsequently wrote
me had been so forwarded and published, Mr Lamont we are
all getting old" and feeble now" and cannot see to write very
well" but I pray you will try to decipher this" and grant
my request, I have the honor to be Sir

Your very humble servant
Thomas H. L. Payne
late Captain Co. C. 37th Regt Ill. v. Mts.
2134 Pierce st.
Philadelphia Pa.

10/
12/
23.
(Please send me one line by return mail —
acknowledging receipt of this communication.)
and oblige yours
T. H. L. P.

Record and Pension Office,

WAR DEPARTMENT,

Nov. 1, 1893.

MEMORANDUM.

Mr. Stafford.

Please mail
and return.

Recd
Keese
R
Keese

Noted.

Respy.

J. N. Stafford.

Medal of Honor.

2306

October 13, 1893.

Sir:-

I have the honor to acknowledge the receipt of your letter of the 12th instant, recommending the award of a medal of honor to Gen. John B. Black for gallantry in several engagements during the late War of the Rebellion, and to say that the matter will receive attention.

Very respectfully,
Daniel Farnsworth
Secretary of War.

Capt. Mos. L. L. Payne,
2134 Pierce Street,
Philadelphia,
Pa.

B.

Subject: Medal of honor.

375,085.

Record and Pension Office,

War Department,

Washington City,

October 25th, 1893.

MEMORANDUM .

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The Secretary of War has directed the issue of a medal of honor to Brevet Brigadier General John C. Black, U. S. Volunteers, the medal to be engraved as follows:

"The Congress

to

Brevet Brigadier General John C. Black,

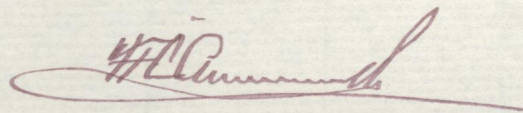
U. S. Volunteers,

for

Distinguished gallantry in

action at Prairie Grove, Arks.,

December 7, 1862.



Colonel, U. S. Army,

Chief, Record and Pension Office.

B.
subject: Medal of honor.

Address: Chief of the Record and Pension Office, War Department, Washington, D. C.

375,081.

Record and Pension Office,

(1, Incl.)

War Department,

Washington City,

October 31st, 1893.


Hon. John C. Black,
House of Representatives.

Sir.

I am directed by the Secretary of War to transmit herewith a medal of honor awarded you for distinguished gallantry in action at Prairie Grove, Arkansas, December 7, 1862, in accordance with the act of Congress approved March 3, 1863, providing for the presentation of medals of honor to such officers, non-commissioned officers and privates as have most distinguished themselves in action.

Please acknowledge receipt of medal.

Very respectfully,


Colonel, U. S. Army,

Chief, Record and Pension Office.

WAR DEPARTMENT,

Oct. 25, 1893.

MEMORANDUM.

The Secretary of War has directed the issue of a medal of honor to Brevet Brigadier General John C. Black, U. S. Volunteers, the medal to be engraved as follows

"The Congress
to

Brevet Brigadier General
John C. Black,
U. S. Volunteers,

for

Distinguished gallantry
in action at Prairie
Grove, Arks., December
7, 1862.

Done Oct 25: 93 E. D. B.

War Department
Washington, D.C.

October 25, 1893.

Hon. John C. Black,
House of Representatives.

Dear Sir:

It gives me pleasure to advise you that, in accordance with the act of Congress approved March 3, 1863, providing for the presentation of medals of honor to such officers, non-commissioned officers and privates as have most distinguished themselves in action, I have this day awarded to you a medal of honor for distinguished gallantry in action at Prairie Grove, Arkansas, December 7, 1862, this being one of the many occasions on which, as is shown by the official records of the late war, you fairly earned this badge of distinction by conspicuously gallant conduct in battle.

Very respectfully,

Daniel A. Lamont
Secretary of War.

B.
Subject: Medal of honor.

Address: Chief of the Record and Pension Office, War Department, Washington, D. C.

375,085.

Record and Pension Office,

War Department,

Washington City,

October 25th, 1893.

MEMORANDUM.

-----++++-----

The Secretary of War has directed the issue of a medal of honor to Brevet Brigadier General John C. Black, U. S. Volunteers, the medal to be engraved as follows:

"The Congress"

to

Brevet Brigadier General John C. Black,

U. S. Volunteers,

for

Distinguished gallantry in
action at Prairie Grove, Arks.,

December 7, 1862.



Colonel, U. S. Army,

Chief, Record and Pension Office.

E.L.

Address: Chief of the Record and Pension Office, War Department, Washington, D.C.

Subject: Medal of honor.

No. 375,085.

Record and Pension Office,

War Department,

Washington City.

OCTOBER 25, 1893.

Capt. Thos. H. L. Payne,
No. 2134 Pierce Street,
Philadelphia, Pennsylvania.

Captain:

I am directed by the Secretary of War to inform you that a medal of honor has been awarded to Bvt. Brig. Genl. John C. Black, U.S. Volunteers, for distinguished gallantry in action at Prairie Grove, Arkansas, December 7, 1862, in accordance with the act of Congress, approved March 3, 1863, providing for the presentation of medals of honor to such officers, non-commissioned officers and privates as have most distinguished themselves in action.

The medal will be forwarded to General Black as soon as suitably engraved.

Very respectfully,



Colonel, U.S. Army,

Chief, Record and Pension Office.

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Charles Black; William Black

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DATE (MM/DD/YYYY)

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12/11/1 - 12/14/5

B.

37

III.

Black

Rank *Capt*, Co. *K*, 37 Reg't Illinois Inf.

Appears on **List of Casualties** of the Regiment
at the battle of

Leesburg,
March 7 and 8, 1862.

Wounded.

Seat of injury: *Side and Thigh.*

Nature of injury: *Slightly.*

Missile:

Treatment:

Result and date:

Remarks:

Reported by:

Casualty List No. 552, Page

Thatcher.