

150 Years Ago in the Third Infantry

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December 1862

December 2, 1862

A General Court Martial convenes in the camp of the First Brigade of Sykes' division pursuant to Special Order No. 119 of the headquarters of the brigade to try Captain John Wilkins of the Third Infantry on the charge of Drunkenness on Duty. The specification alleges that Captain Wilkins appeared at the head of the regiment "in a state of intoxication" while assembling for picket duty on November 29. Major J. Hayden of the Tenth Infantry is the president of the court, which is composed of a major of the First Infantry and six captains drawn from the two Regular infantry brigades. The two witnesses for the prosecution are First Lieutenant Heyward Cutting of the Tenth Infantry, acting assistant adjutant general on General Sykes' staff, and First Lieutenant Steven Van Rensselaer of the Twelfth Infantry, acting assistant adjutant general of the First Brigade. Lieutenant Cutting testifies that, based on Captain Wilkins' "general appearance and manner", he believed that Captain Wilkins was "unmistakably drunk". Lieutenant Van Rensselaer is asked by the Judge Advocate whether Captain Wilkins was too drunk to be fit for duty. However, Captain Wilkins objects to that question, since the specification does not charge him with being too drunk to do duty, but simply of being intoxicated while on duty. The question is rephrased, and Lieutenant Rensselaer answers that Captain Wilkins was in a drunken "state of stupidity".

As the chief witness on his behalf, Captain Wilkins relies on Captain Henry Maynadier of the Tenth Infantry, who was present when Captain Wilkins was placed in arrest. Captain Maynadier testifies that he saw Captain Wilkins sitting on his horse, waiting patiently while a detachment being formed from the Sixth Infantry got out of the way of the Third Infantry. The horse was standing still, and Captain Wilkins "was sitting with his hands in his pockets, as if cold, as steady as usual". His manner of speaking "was perfectly coherent and correct". In response to Maynadier's greeting, Maynadier testified that Wilkins "recognized me, called me by name, and replied 'I don't feel very well.'" First Lieutenant Dangerfield Parker of the Third Infantry is also called as a witness for the defense, but he is noncommittal in his testimony. To a question regarding whether Captain Wilkins seemed to be in a state of intoxication when he turned over command of the regiment, Lieutenant Parker replies "I did not notice his air or bearing at the time, being occupied with my company".

Captain Wilkins also submits as evidence the note he wrote to Colonel Buchanan shortly after being placed in arrest, arguing that the penmanship and content of the note is wholly inconsistent with him being in a state of intoxication. In a written final statement to the court, Captain Wilkins points out that the opinions of the two witnesses for the prosecution are opposed by the opinion of Captain Maynadier and the facts of the case: "I on a sudden call assembled my Regiment and though suffering from illness marched at its head to the camp of the next Brigade. I recognized and spoke with acquaintances and gave all orders necessary. Even when arrested I gave up the command in an orderly and quiet manner and conducted myself with perfect propriety." These facts, not disputed by the staff officers in their testimony, are not consistent with intoxication. The court agrees and finds Captain Wilkins not guilty of both the charge and specification and does therefore acquit him. (GCM KK412)

December 4, 1862

The results of the General Court Martial acquitting Captain John Wilkins of the Third Infantry are submitted to the Headquarters of the Second Division of the Fifth Corps. In General Order No. 47, General George Sykes refuses to approve the proceedings and finding in the case. General Sykes calls the evidence for the prosecution "remarkable", referring to the opinions of the two staff officers that Captain Wilkins was "unmistakably drunk" and "drunk to stupidity". General Sykes chastises the court for deciding in favor of Captain Wilkins, writing that "if the accused were sick at the time specified, the fact should have been established by medical or other testimony". Still, General Sykes cannot ignore the results, and the order ends by releasing Captain Wilkins from arrest and returning him to duty.

Captain Wilkins doesn't mention the court martial in a letter to his wife written the same day. However, he does admit to being in "bad spirits" and says "everybody in the Regulars" feels the same way: "I get more and more disgusted with matters every day." He again signals out General Sykes for criticism: "Genl. Sykes sits up in comfortable style at his Headquarters and says that no one shall have a leave to go anywhere, and they have it so fixed that if any of the numerous hands an application has to go through disapproves, it is final." (GCM KK412; Wilkins 12/4/62)

December 13, 1862

Just as had happened at the Battle of Gaines Mill in June, First Lieutenant John B. Williams of Company G disappears from his post commanding Company G during the night, after the Third Infantry "had crossed the river to Fredericksburg, Va., and while it was posted in front of, and under fire of the enemy, in rear of the town". In addition to a charge of "Misconduct in the face of the enemy", the same charge he originally faced in his General Court Martial after Gaines Mill, Lieutenant Williams is also charged with "Disobedience of Orders". According to Captain John Wilkins, commanding the regiment, Lieutenant Williams requested permission to leave the regiment on account of illness, but Captain Wilkins refused to grant the permission and ordered him to return to the head of Company G. Instead, Lieutenant Williams eventually proceeds to Aquia Creek, and then by boat to Washington City. As witnesses to the charges Captain Wilkins brings against Lieutenant Williams, Captain Wilkins lists himself, Lieutenant August Kaiser, who is regimental adjutant, First Lieutenant Jacob Ford Kent, and Sergeant William Hessian, who, as at Gaines Mill, is first sergeant of Company G.

Lieutenant Williams apparently has no intention of rejoining the regiment anytime soon. On December 26th, Lieutenant Williams' brother-in-law arrives in the camp of the Third Infantry to collect the "personal effects" of Lieutenant Williams. From the brother-in-law, Captain Wilkins learns that Lieutenant Williams is in Washington and has a leave of absence for 20 days pursuant to Special Order 409 of War Department Adjutant General's Office on December 23rd. In a letter dated January 10, 1863, from Washington and addressed to the commander of the First Brigade of Sykes' division, Brigadier General Robert Buchanan, Lieutenant Williams attempts to justify his actions at Fredericksburg. Writing that he hopes the evidence he presents will be sufficient in the opinion of the general to "exculpate me from censure", Lieutenant Williams explains that he had been suffering from bouts of "Acute or Bloody Dysentery" "during nearly the whole campaign from March last, though never so acute in its form as now". The disease had been increasing in severity since the Monday before the battle, and Doctor Ramsey, Medical Director of the Second Division, had instructed Lieutenant Williams before the regiment crossed into Fredericksburg that "if I were no better to report to him that night in the hospital established in the town." According to Lieutenant Williams, "on the night of the

13th December after everything was quiet", he went to see Captain Wilkins and requested permission to go to the hospital. As Captain Wilkins stated, he refused to grant permission, but Lieutenant Williams claims that Captain Wilkins did give permission for Lieutenant Williams to go to General Buchanan and ask his permission. In the letter to General Buchanan, Lieutenant Williams explains that "after a fruitless attempt to find you, I determined to go to the doctor, my disease was extremely acute-the exposure necessitated by leaving camp on Thursday and Friday, sleeping in the cold and wet without adequate clothing, tended greatly to increase the violence of the disease so that I was suffering intensely and so weak as scarcely to be able to stand."

Lieutenant Williams goes to the divisional hospital in the town and receives "a dose of medicine". Lieutenant Williams asked Doctor Ramsey if he could remain in the hospital on December 14th and "he replied he supposed I could". Since the doctor was occupied with the wounded during the battle, Lieutenant Williams "received no more attention that day". Lieutenant Williams concludes he was "justified in endeavoring to get to some place where I would have shelter and receive some care and attention". On December 15th, he crosses the river in an ambulance removing some of the wounded and "knowing that at Belle Plain was Captain Bill of the Regular Army Commissary, an old friend from whom I would receive every care and kindness, an opportunity offering I took advantage of it to go to him". Doctor Joseph Cook at that post attends to Lieutenant Williams and provides a certificate of his condition, which Lieutenant Williams sends to General Buchanan along with a copy of the leave of absence and the surgeon's certificate of Doctor Parnis, who is treating him in Washington. Lieutenant Williams concludes his letter by noting he is still very ill and weak and does not know when he will be fit for field service again.

There is no record of how General Buchanan responded to the letter and evidence submitted by Lieutenant Williams, but the extenuating circumstances described by Williams fail to sway his superior officers. Lieutenant Williams is dismissed from the Army on February 11, 1863. A General Court Martial isn't even held. (E1101 RG391)

December 17, 1862

The Third Infantry returns to its former camp at Henry House in Stafford County outside Falmouth, Virginia. This camp will serve as the winter quarters of the regiment and the rest of Sykes' division during the winter of 1862/1863. The soldiers construct semi-permanent structures of wood, or at least log-sided frames with shelter-half roofs, and settle into a daily routine of formations, drill, and details. The regiment's camp is "but a stone's throw distant from" the Second division headquarters.

The fun-loving officers of the regiment form a secret society, known as the "High Cock-o-Lorum", of which Captain "Uncle John" Wilkins is President. According to Daingerfield Parker, in an unpublished memoir of his service in the regiment during the war, there "was more talent, in a social point of view, so to speak, at least, than in any other organization I ever met with". While in winter quarters, the Third Infantry becomes "a rendezvous for other officers far and near", many of whom are "initiated" in the secret society. It is probably safe to presume that neither General George Sykes nor his aide-de-camp, Second Lieutenant James Snyder of Company C, are among the initiates. Parker related the story of a meeting of the society held at a sutler's tent. The officers were singing "rather boisterously", and the "disturbance grew so great that the General sent one of his aides ('Snip' Snyder, I think) to the tent with orders to disperse the assemblage and arrest the offenders." Parker wrote that "a promiscuous stampede" began when Lieutenant Snyder appeared at the entrance of the tent, with some of the officers escaping by crawling out from under the sides of the tent. It may be because of a party such as this one that then Lieutenant Parker was listed as "sick" on the regimental return for December. In

commemoration of this incident, Regimental Adjutant J. Addison McCool coined the term "Sykesissimo" (for pianissimo) "and used it as a warning thereafter when singing parties mixed their vocalism with stimulants". (Parker memoir 12-14; Regt return)

December 26, 1862

An officer could hire an enlisted man to serve as his personal servant. Known as a "striker" by officers and a "dog robber" by jealous comrades, the servant would polish brass, care for the uniforms and leather of the officer, and perform other tasks, in some cases even handling the officer's personal finances. The servant is not exempt from military duty, although they probably had easier duty so that the officer wouldn't be long deprived of his services. In exchange, the servant received extra pay for his work, gets left-over food (hence the name dog robber), and is privy to the officers' conversations.

In his post-war memoirs, Daingerfield Parker recalled an incident involving one of the strikers, a German by the name of Kohler (probably Musician John Kohler) "who was an invaluable man in the field, always bright, cheerful, hard-working and good tempered." He was never fazed by the harassment of his fellow soldiers, "for he was too good natured to mind them or take offence". His appearance before the regiment would occasion shouts of "Hello, Kohler!", which according to Parker "would sometimes actually go through the whole brigade. One day, while the Third Infantry was serving on picket duty at United States Ford on the Rappahannock River and Confederate soldiers were in plain sight on the opposite bank, one of the enemy soldiers inquired what regiment opposed them. Upon learning that it was the Third Regular Infantry, the soldier shouts back "Hello, Kohler".

Musician John Kohler enlisted in the Army in New York City on September 1, 1860 and joined the Third Infantry that December in the detachment of recruits sent to Texas. He was a second class bandsman by February 1862, but was absent sick at the Circle Hospital in Washington between February and April 1862. He was listed as a first class bandsman in the muster roll for the band for May 1862, and would be present with the regiment through February 1865 and end the war as a third class bandsman. (Parker memoir 12-13; Muster rolls)

December 31, 1862

First Lieutenant Jacob Ford Kent of Company A ends his direct association with the Third Infantry. He rejoined the regiment in the field on September 21st after spending more than a year as a prisoner of war in the South. Since October 29th, he has commanded Company A. He has also served as acting regimental quartermaster and as acting assistant commissary of subsistence. Apparently, his administrative abilities have not gone unnoticed. Lieutenant Kent is appointed as an Assistant Inspector-General, with the staff rank of lieutenant colonel. He will serve first with the Ninth Corps until February 8, 1863, and then with the Sixth Corps through the end of the war. He will be wounded during the storming of Marye's Heights on May 3, 1863, and receive the brevet ranks of major, lieutenant colonel, and colonel. Kent will then spend more than 30 years with the Army in frontier posts and end his career as commanding officer of the First Division of the Fifth Army Corps in the attack on Fort San Juan, Santiago de Cuba on July 1, 1898. (Regt. return, USMA annual report 1919: 153; Cullum No. 1918; Powell Living Officers 327)