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HISTORY

OF THE

THIRTY-EIGHTH REGIMENT INDIANA VOLUNTEER INFANTRY

ONE OF THE THREE HUNDRED FIGHTING REGIMENTS OF THE UNION ARMY

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IN THE WAR OF THE REBELLION
1861-1865

BY
HENRY FALES PERRY

PALO ALTO, CAL.
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assumes the command of the Department of the Cumberland and all the troops under General Buell's command, which will hereafter constitute the Fourteenth Army Corps.

(Names of staff officers omitted.)

W. S. Rosecrans,
Major-General.

General Rosecrans arrived in Bowling Green November 1st. At that time the Thirty-eighth was lying in camp near Glasgow. A few days later it moved to Bowling Green and in a furious snowstorm was with other troops reviewed by General Rosecrans.

The next move was to Edgefield Junction, a little station on the L. & N. Railroad, where, a short time before our arrival, Captain Atkinson, of the Fiftieth Indiana, had, with only one company, made a gallant and successful defense of the place against John Morgan and his command.

While at this place the Thirty-eighth Indiana and Second Ohio were sent on an expedition to Springfield, Tennessee, where they captured large stores of flour, bacon and whisky.

Some of the citizens of New Albany, headed by E. A. Maginness, had come to this camp to present the regiment with a new flag, and some of these visitors accompanied the boys on the expedition to Springfield. As food and drink were both abundant the trip was looked upon by all as a regular picnic.

From Edgefield Junction the Brigade, now under command of Colonel Scribner, marched nine miles to the town of Edgefield situated on the north bank of the Cumberland River opposite Nashville.

This was about the first of December. A little later the command broke camp, crossed the river and once again encamped at Camp Andy Johnson, four miles south of Nashville.

Here the army was reorganized and the Ninth Brigade

became the First Brigade, First Division Fourteenth Army Corps.

The regiment was now commanded by Lieut. Col. Griffin, who entered the service as Adjutant, had been promoted to Major, and upon the resignation of Lieut. Col. Merriwether was commissioned and mustered as Lieutenant Colonel.

Captain James B. Glover of Company D had also been promoted and mustered as Major.

The Division was commanded by General Lovell H. Rousseau, and the Corps by Major General George H. Thomas. The Right Wing of the army was commanded by General A. McD. McCook, and the Left Wing by General T. L. Crittenden.

CHAPTER III

BATTLE OF STONE'S RIVER OR MURFREESBOROUGH.

"It was a famous victory."
—*Anon*

CAMP Andy Johnson was an ideal camping place, one of the best the regiment ever occupied. Broad undulating fields and meadows stretched away to the south and east, all under a high state of cultivation, while to the west the rounded hilltops were crowned with fine forest trees. There was no underbrush, and all the landscape had a parklike appearance.

When not on duty the troops were exercised in drill. The camp grounds were carefully policed and presented a very tidy appearance. On pleasant afternoons the citizens of Nashville made a practice of driving out in their carriages from the city to witness dress parade, which, at this season of the year, usually occurred between four and five o'clock.

While at this camp an incident occurred which will always be remembered by the comrades who were present.

Several companies if not all of the Thirty-eighth were on picket duty a mile or so southwest from camp. Colonel Miholotzy of the Twenty-fourth Illinois was Officer of the Day. The night was pitchy dark and the escort of the Colonel carried a lantern. When halted at a reserve post by the sentinel, it was the duty of the officer in command of the post to turn out the guard and receive the Officer of the Day in due military form as laid down in the Army Regulations.

Colonel Miholotzy, having seen service in foreign lands, was something of a stickler for military etiquette. He found something wrong at nearly every post of the Thirty-eighth.

The sentinel on duty at the reserve of Company C was a teamster to whom all knowledge of "grand rounds" was a blank.

The Colonel, upon being halted, waited a moment and then spluttered out, *"What do you say? What do you say?"*

The teamster sentinel was nonplussed. To save his life he couldn't say, "Advance, Grand Rounds, and give the countersign," but instead simply said, *"Why, I thought it was some feller with his lantern going to feed his mules."*

To say that the Colonel was furious would be putting it mildly.

He had already arrested several company commanders, and it did not take long to add Lieut. Davis of Company C to his marching column. He made the prisoners march the "rounds" with him, then having cooled off, gave them a lecture in broken English, returned their swords, and dismissed them with orders to do their duty better.

In the meantime Bragg's army had assembled at Murfreesborough, and a good part of it had gone into winter quarters on the west side of town. With the exception of occasional raids by John Morgan, there was no great activity displayed by either army.

General Rosecrans was busy accumulating supplies and getting everything in shape for a winter campaign.

This having been accomplished, orders were issued for a general advance of the Union Army on the 26th of December.

Following General McCook's command, Rousseau's Division reached Nolinsville, December 27th, without opposition.

When the division stacked arms a cold, drizzling rain was falling. The surgeons of Scribner's Brigade were fortunate in securing a church for a temporary hospital, and here all that required medical attention were made comfortable for the night.

The next day the Thirty-eighth made quite a long march, and just as night was falling, went into bivouac on the banks of Stewart's Creek.

At this place dry cedar rails were very abundant, and the landscape was illuminated by bright fires, over which the boys were soon busy cooking their suppers. The bill of fare was "hardtack", bacon and coffee. On this part of the line Crittenden's command had the advance, and with a skirmish line was gradually pushing the rebels back toward Murfreesborough.

All the afternoon the firing of McCook's skirmishers, varied by the occasional roar of a cannon, could be heard on the right, and Crittenden's skirmishers had run against solid lines of the enemy on the left.

Rousseau's Division was held in reserve, but every man in the command seemed to realize that the next morning would usher in a battle of no mean proportions.

There was very little hilarity in our camp that night.

Before it was fairly light in the morning of December 31st, the rattle of musketry and the deep thunder of artillery away to the right announced that the battle was on.

General Rosecrans had planned to assault the rebel right. General Bragg had planned to assault our right, and his plans were fully carried out, although he says in his report of the battle that the attack was somewhat delayed by the failure of General McCown to execute an order given him the night before.

General Johnson's division of McCook's command occupied the extreme right of our line, and it seems was entirely unprepared for the early and sudden attack made upon him by Hardee's corps.

General Bragg says:

"The enemy was taken completely by surprise. General and staff officers were not mounted, artillery horses not hitched and infantry not formed. A hot and inviting breakfast of coffee and other luxuries to which our gallant and hardy men had long been strangers, was found upon the fire unserved, and was left while we pushed on to the enjoyment of a more inviting feast, that of captured artillery, fleeing battalions, and hosts of craven prisoners begging for the lives they had forfeited by their acts of brutality and atrocity."

The following extract is taken from the report of General R. W. Johnson describing this attack:

"At 6:22 on the morning of the 31st the outposts in front of my division were driven in by an overwhelming force of infantry, outnumbering my force greatly and known to contain about 35,000 men. At the same time my extreme right was attacked by the enemy's cavalry.

"The gallant Willich and Kirk soon opened a heavy fire of musketry and artillery upon the advancing columns, causing wavering in the ranks, but fresh columns would soon replace them, and it was apparent that to fall back was a 'military necessity.' Edgarton's battery, after firing three rounds, had so many of its horses killed as to render it unmanageable. He, however, remained with it, and continued to use until he fell by a severe wound, and he and his battery fell into the hands of the enemy. Before falling back, the horse of General Willich was killed, and he was wounded and taken prisoner.

"About the same time General Kirk received a severe wound, which disabled him. Seeing the pressure upon my lines, I ordered up my reserve brigade, under the gallant Baldwin. The troops of his brigade advanced promptly and delivered their fire, holding their ground for some time, but they, too, were compelled to fall back. The troops of this division for the first time were compelled to yield the field temporarily, but the heroes of Shiloh and Perryville did not abandon their ground until forced to do so by the immense masses of the enemy hurled against them, and then inch by inch. The ground over which the division passed, covered

with the enemy's dead and those of our own men, shows that the field was warmly contested. Several times the lines were reformed and resistance offered, but the columns of the enemy were too heavy for a single line, and ours would have to yield. Finally the left flank of my division reached the line of General Rousseau's, when it was reformed and fought until out of ammunition, but my efficient ordnance officer, Lieutenant Murdoch, had a supply in readiness, which was soon issued, and the divisions assisted in driving the enemy from the field in their last desperate struggle of the day. Soon the curtain of darkness fell upon the scene of blood, and all was quiet, awaiting the coming of morn to renew hostilities. Morning came, but the enemy had withdrawn."

The division of General Jeff C. Davis was next on the left of Johnson, and it, too, was swept away by Hardee's heavy masses, but not without a severe struggle. Extract from the report of General Davis:

"The night passed off quietly until about daylight, when the enemy's forces were observed by our pickets to be in motion. Their object could not, however, with certainty, be determined until near sunrise, when a vigorous attack was made upon Willich's and Kirk's brigades. These troops seemed not to have been fully prepared for the assault, and, with little or no resistance, retreated from their position, leaving their artillery in the hands of the enemy. This left my right brigade exposed to a flank movement, which the enemy was now rapidly executing, and compelled me to order Post's brigade to fall back and partially change its front. Simultaneously with this movement the enemy commenced a heavy and very determined attack on both Carlin's and Woodruff's brigades. These brigades were fully prepared for the attack, and received it with veteran courage. The conflict was fierce in the extreme on both sides. Our loss was heavy and that of the enemy no less. It was, according to my observations, the best contested point of the day, and would have been held but for the overwhelming force moving so persistently against my right. Carlin, finding his right flank being so severely pressed, and threatened with being turned, ordered his troops to retire."

The brigades of Woodruff and Post made a stubborn resistance, but soon crumbled away and drifted back toward the Nashville and Murfreesborough pike.

This movement exposed the right flank of Sheridan's division, which was next on the left of Davis.

Sheridan's troops fought with great gallantry and for a long time repulsed every assault of the enemy, driving back Cheatham's heavy masses of infantry with great slaughter.

All of Sheridan's brigade commanders were killed. General Sill was the first to fall, then Colonel Roberts and a little later Colonel Schaefer.

Having exhausted its ammunition, Sheridan's division finally fell back through the cedar thicket and formed on the right of General Palmer.

It was nine o'clock before Rousseau's division was ordered into action. In his report of the battle General Rousseau says:

"It was not long before the direction from which the firing came indicated that General McCook's command had given way and was yielding ground to the enemy. His forces seemed to swing around toward our right and rear. At this time General Thomas ordered me to advance my division quickly to the front, to the assistance of General McCook.

"On reaching the right of General Negley's line of battle, General Thomas there directed me to let my left rest on his right, and deploy my division off toward the right as far as I could, so as to resist the pressure on General McCook. We consulted and agreed as to where the line should be formed. This was in a dense cedar brake, through which my troops marched in double-quick time, to get into position before the enemy reached us. He was then but a few hundred yards to the front, sweeping up in immense numbers, driving everything before him. This ground was new and unknown to us all. The woods were almost impassable to infantry, and artillery was perfectly useless, but the line was promptly formed; the Seventeenth Brigade, Col. John Beatty, commanding, on the left; the brigade of regulars, Lieut. Col. O. L. Shepherd commanding, on the right; the Ninth Brigade, Col. B. F. Scribner, commanding, was placed perhaps 100 yards in the rear and opposite the center of the front line,

so as to support either or both of the brigades in front, as occasion might require. My recollection is that, perhaps, the Second Ohio and Thirty-third Ohio Regiments filled a gap between General Negley's right and the Seventeenth Brigade, occasioned by the effort to extend our lines far enough to the right to afford the desired aid to General McCook.

"The Twenty-eighth Brigade, Col. John C. Starkweather commanding, and Stone's battery of First Kentucky Artillery were at Jefferson Crossing, on Stone's River, about eight miles below.

"Our lines were hardly formed before a dropping fire of the enemy announced his approach. General McCook's troops, in a good deal of confusion, retired through our lines and around our right under a most terrific fire. The enemy, in pursuit, furiously assailed our front, and, greatly outflanking us, passed around to our right and rear. By General Thomas' direction I had already ordered the artillery (Loomis' and Guenther's batteries) to the open field in the rear. Seeing that my command was outflanked on the right, I sent orders to the brigade commanders to retire at once, also to this field, and, riding back myself, I posted the batteries on a ridge in the open ground, parallel with our line of battle and as my men emerged from the woods they were ordered to take position on the right and left, and in support of these batteries, which was promptly done. We had perhaps 400 or 500 yards of open ground in our front. While the batteries were unlimbering, seeing General Van Cleve close by I rode up and asked him if he would move his command to the right and aid in checking up the enemy, by forming on my right, and thus giving us a more extended line in that direction in the new position taken. In the promptest manner possible his command was put in motion, and in double quick time reached the desired point in good season. As the enemy emerged from the woods in great force, shouting and cheering, the batteries of Guenther and Loomis, double-shotted with canister, opened upon them. They moved straight ahead for awhile, but were finally driven back with immense loss.

"In a little while they rallied again, and, as it seemed with fresh troops, and assailed our position, and were again

after a fierce struggle, driven back. Four deliberate and fiercely sustained assaults were made upon our position and repulsed.

"During the last assault I was informed that our troops were advancing on the right, and saw troops, not of my division, led by General Rosecrans, moving in that direction. I informed General Thomas of the fact, and asked leave to advance my lines. He directed me to do so. We made a charge upon the enemy and drove him into the woods, my staff and orderlies capturing some 17 prisoners, including a Captain and Lieutenant, who were within 130 yards of the batteries. This ended the fighting on that day, the enemy, in immense force, hovering in the woods during the night, while we slept upon our arms on the field of battle. We occupied this position during the three following days and nights of the fight. Under General Thomas' directions, I had it intrenched by rifle-pits, and believe the enemy could not have taken it at all."

The movements of the First Brigade can best be shown by the report of its commander, Col. B. F. Scribner.

Headquarters First Brigade, First Division, Center,

Near Murfreesborough, Tenn., January 9, 1863.

I have the honor to submit the following report of the part borne by my command in the engagements before Murfreesborough on December 31, and three succeeding days:

At daylight we left our bivouac, and moved about one mile to the front, and formed the second line of your division, two regiments extending into the cedar thicket on the right, and the left extending to the Murfreesborough and Nashville pike. My line was disposed from right to left, in the following order: The Tenth Wisconsin Volunteers, Col. A. R. Chapin; Ninety-fourth Ohio, Col. J. W. Frizell; Thirty-eighth Indiana, Lieut. Col. D. F. Griffin; Thirty-third Ohio, Capt. E. J. Ellis, and Second Ohio, Lieut. Col. John Kell. Having just finished loading arms, I received your orders to proceed, in double-quick time, to the assistance of the right wing,

and to follow the Seventeenth Brigade, on the pioneer road, into the woods. When the Seventeenth Brigade halted in the woods, I was ordered by General Thomas to move to the right, and soon after formed my line of battle near the Wilkinson pike, when we were opened upon by the enemy's battery.

When near this position, the Thirty-third and Second Ohio were, by your order, detached and moved back near to the position we first occupied, to support our batteries stationed there, and nobly did they defend them; for soon after the enemy fiercely charged them, and were handsomely repulsed, the Second Ohio capturing the colors of the Thirtieth Arkansas—a victory dearly bought by the loss of the gallant Lieutenant-Colonel Kell, commanding.

From near the Wilkinson pike I was ordered to move back in great haste to near our position on the Nashville pike, which order was faithfully obeyed. My right had just emerged from the woods, when the enemy, who had just been repulsed in their efforts to take the batteries before mentiond, were seen retreating in disorder in a northwesterly direction through a narrow neck of woods, and were opened upon by the Ninety-fourth Ohio and the two right companies of the Thirty-eighth Indiana. I then threw my skirmishers forward and advanced about 600 yards into the woods, where my lines became masked by General Negley's division, which was falling back under a heavy fire from the enemy, who appeared to be advancing from a point south of the direction taken by their retreating column. I opened my line to permit that portion of General Negley's command who had expended their ammunition to pass through, which was done in good order, a portion of them forming in my rear.

Here the Ninety-fourth Ohio was ordered to the pike, leaving me but two regiments, Thirty-eighth Indiana and Tenth Wisconsin, the former now on the right. General Negley having halted his regiments some 25 paces obliquely in front of my lines, I wheeled my right under heavy fire to connect with him. Here I appeared to be nearly surrounded, a heavy column turning my left, to prevent which I ordered the Tenth Wisconsin to change front to the rear of their

first company, thereby forming a right angle with the Thirty-eighth Indiana Volunteers. This position was scarcely taken when the enemy came down on us in great fury. They appeared to be massed in several lines, and their heads seemed to be in terraces not 25 yards before us. For twenty minutes these two regiments maintained their ground, completely checking the advance of the enemy's column. Here the Thirty-eighth Indiana lost their brave Captain J. E. Fouts, besides nearly one-third their number in killed and wounded.

Lieut. Col. D. F. Griffin and Major Glover both had their horses shot under them, and their clothing perforated by balls. The Tenth Wisconsin nobly vied with their comrades on the right, and I am convinced that both regiments would have suffered extermination rather than have yielded their ground without orders. But the order came, and we fell back, and formed on the pike fronting the woods, but the enemy did not venture to follow us farther than the skirts of the timber.

Having reformed my brigade, I soon after advanced my right to the woods from which we had just emerged, deploying skirmishers from the Ninety-fourth Ohio through the neck of the timber, with my left resting on the pike. Here we remained the rest of the day under the fire of the enemy's sharpshooters and ever and anon the shot and shell from their batteries on our left fell among us. A ball from the former struck Colonel Frizell on the shoulder, so wounding him that he was borne from the field on which he had nobly performed his duty.

At four o'clock on the morning of January 1, you ordered me to take my command back to a point on the pike, near the place we occupied before the battle, in order that they might build fires, and warm themselves and get something to eat.

Upon receiving your caution to protect myself from an attack on the left, and from your allusion to a ford in that direction, I ordered Lieut. Alexander Martin, assistant inspector general on my staff, and Lieut. M. Allen, topographical engineers, to reconnoiter the position. Upon their reporting the feasibility of the crossing, I ordered Lieutenant Martin to conduct the Second Ohio, Major McCook, to the position.

Soon after, firing was heard in this direction, and a stampede occurred among the wagons and hospitals. I ordered the Tenth Wisconsin to support the Second Ohio, and placed them behind the embankment of the railroad. These dispositions had scarcely been made when your order came for me to hurry to the front again with my command. Having obeyed this order, and after some maneuvering, we were placed in position, the Thirty-third Ohio extending across the neck of woods into which my right threw out skirmishers the evening before, with a battery on the right and left, commanding the fields on either side of the woods. On the right of the Thirty-third Ohio came the Ninety-fourth Ohio and Thirty-eighth Indiana in the edge of the undergrowth on the crest of the slope from the field west of the Nashville pike. On the right of the Thirty-eighth Indiana was another battery. The Tenth Wisconsin and Second Ohio were held in reserve, in order to re-enforce any part of the line that was menaced. This position was maintained without material change during the subsequent days of the fight. Our skirmishers were kept out during the time, and employed in discovering and dislodging the sharpshooters, who, during the hours of daylight, almost continually annoyed us. I cannot too highly praise Captain Ellis, commanding the Thirty-third Ohio, for the vigilance of himself and men in their exposed position in the woods. At times the enemy from the woods below would essay to advance, when every man would be at his post, and often the batteries would open upon them. While here Captain Ellis had his horse shot under him. Breastworks of logs and rocks had been constructed to protect the line; also a few rifle-pits dug.

On the evening of the 2d, when the enemy so vigorously attacked our left, the moving of their forces in that direction could be seen from my position, which fact was promptly reported. I caused my skirmishers to advance and take precaution against demonstration upon my position. The attempt was made just before dark, the enemy forming in the edge of the woods in our front, where Captain Cox's Tenth Indiana Battery, on the right of the Thirty-third Ohio, opened fire upon them, driving them back.

I deem it improper to close this report without commending in high terms the manner in which my command bore the hardships of this terrible conflict. They suffered from cold, rain, fatigue, and hunger without a murmur. These attributes, when added to their bravery, make soldiers of which the country may be proud. I also feel it my duty to praise the courage and efficiency of my staff—Lieutenant Fitzwilliam, acting assistant adjutant-general and aide-de-camp; Lieutenant Martin, inspector, who was wounded above the knee by a shell; Lieutenant George H. Hollister, acting assistant commissary of subsistence, missing, after displaying great gallantry in his transmission of your orders to me; Lieutenant Mundy Allen, topographical engineer—all of whom have endeared themselves to me by their prompt and intelligent performance of their appropriate duties. I would, in an especial manner, mention the name of one of my orderlies, Josiah F. Mitchell, Company B, Thirty-third Ohio Volunteers, who displayed marked courage and intelligence.

I went into the fight with 1,646 officers and men, minus two companies Thirty-third Ohio, under Major Ely, and Tenth Wisconsin, who were detached to guard train.

(Loss omitted.)

Your obedient servant,

B. F. Scribner,
Colonel Thirty-eighth Indiana Vols., Comdg. First Brigade.

First Division, Department of the Cumberland.

Capt. M. C. Taylor,
Acting Assistant Adjutant-General.

For a clear understanding of the part taken in this battle by the Thirty-eighth Indiana the report of its commander, Lieutenant Colonel D. F. Griffin is given in full.

HEADQUARTERS THIRTY-EIGHTH INDIANA VOLUNTEERS.

On the Field, in front of Murfreesborough, Tenn., January 4, 1863.

Sir: I have the honor to report the following as the part taken by my command in the action of December 31, in front of Murfreesborough, and subsequent operations in the field since that date:

At daylight on the morning of December 31, the command, occupying the center of your brigade, moved to the front, on the Nashville turnpike, and about 8 a. m. moved, through a dense cedar forest, toward the right wing of the army, which was then hotly engaged by the enemy. After maneuvering for about an hour, we were ordered to retire, left in front, through the same forest, to near the position first occupied, on the right of the pike, in the timber. Here the enemy was discovered in strong force on our right and rear, charging toward the turnpike. The command was, by your order, immediately faced by the rear rank, and moved down on the flank of the enemy, who was now retiring before a column of our troops moving from the pike.

In this movement the Ninety-fourth Ohio was on our right and the Tenth Wisconsin was on our left. Company H, Captain Poindexter commanding, and Company B, First Lieutenant Lenau commanding, were deployed forward as skirmishers, moving steadily on the skirmishers of the enemy, capturing 6 of them, who were sent to the rear. Continuing our movements about 600 yards, we met the left of General Negley's command, which was now retiring before a heavy column of the enemy, and moving into position to their support. The left of this command having passed to the rear through our ranks, their center came into position on our right, and some 60 yards to the front. By your command the battalion was wheeled to the left, and moved forward with out left, now our right, joining their line. Before we were fairly in position, the enemy opened

a heavy fire, and the troops on our right fell back, leaving the left of the battalion, now the right, exposed. I then moved the line by the flank, striving to continue the connection. The enemy now opening on our line, we at once faced to the front, and kept up a continuous fire for the space of twenty minutes, checking the enemy's advance, and holding him in check until your orders to retire to the pike were received. This was done in order, forming there on the right of the Second Ohio Volunteers. The enemy now appearing in force on the front, by your orders we changed front forward on left company, and advanced into the corn-field in front of the Chicago Board of Trade Battery. Lying down in this position, we remained, from 2 p. m. until dark, exposed to the fire of the enemy from the woods in front, awaiting their expected advance. Night closing the engagement, we lay in position, with pickets advanced, until daylight, when we were relieved, and retired to the woods in our rear.

At 7:30 o'clock the engagement again opened on the front, when, by your orders, we moved forward on the double-quick, and were assigned to position on the right, to support Guenther's battery. In this position we have remained to present date, exposed to the fire of the enemy's sharpshooters and from their batteries on the front.

I cannot close without commending, for their coolness and bravery on the field, each officer and soldier of my command engaged during the five days. Though suffering at times severely from the cold, hunger, rain, and fatigue, yet not a murmur was heard nor a duty flinched from. To Maj. J. B. Glover I am indebted for every support. In command of the skirmishers, and during the hottest of the fight, he was ever at his post. His horse received two wounds, himself escaping. My adjutant, George H. Devol, was ever on the alert, and rendered much valuable assistance. Of our chaplain, Rev. L. E. Carson, too much cannot be said. In his attention and devotion to the wounded he was untiring, making this his especial duty. We have the satisfaction of knowing that all were cared for properly and efficiently.

In the death of Captain Fouts we lament the loss of a brave officer, a true patriot, and a warm friend.

Very respectfully,

D. F. Griffin,

Lieutenant-Colonel, Commdg. Thirty-eighth Regt. Indiana Vols.

George H. Devol,
Actg. Asst. Adjt. Gen., First Brig., First Div., Center.

Loss (corrected): Killed 1 officer, Captain James E. Fouts, Co. C, and 13 enlisted men. Wounded: Second Lieutenant Thomas S. W. Hawkins Co I (mortally), Second Lieutenant M. T. Davis, Co. C and 91 enlisted men. Missing: 7 enlisted men. Another officer is also reported wounded but his name is not given in the record.

Some of the missing died on the battle field while making an effort to go to the rear for surgical aid. These were buried by other commands.

There is now a national cemetery near the center of the battle field, to which the dead of both armies were removed, and many of those reported "missing" are here buried in graves marked "Unknown".

The reports of commanding officers convey but a faint idea of the sufferings and privations of the soldiers of both armies during the progress of the battle of Stone's River, which is classed by Col. Fox as number 10 in the list of the greatest battles of the war. This classification is based upon the loss sustained by the Union Army.

The battle was long-drawn out, covering a period of four days not including the heavy skirmishing of December 30th.

Col. Scribner speaks of the rapid movements of the brigade through the cedar brakes, and of opening ranks for General Negley's forces to pass through after our line had been formed. Just before this Negley's division had been firing by volley, and such heavy musketry has seldom been heard in battle. It was terrific. At the time when their

ammunition became exhausted they must have almost completely silenced the fire of the enemy. The troops retired in good order, the Thirty-seventh Indiana passing through the ranks of the Thirty-eighth and taking position about eighty yards in our rear. A short time before this, in moving to the right, we had crossed the line of retreat of the rebel brigades of McNair and Ector, which had within plain view of us made a gallant charge on three of our batteries posted on high ground to our right. These batteries were supported by the Second and Ninety-fourth Ohio of Scribner's brigade. The rebels were repulsed with heavy loss. The colors of the Thirtieth Arkansas Volunteers were captured by the Second Ohio.

The position of the Thirty-eighth in the line of battle was unfavorable from the fact that not more than forty yards from its front and running parallel with its line was a high fence made of large, new cedar rails. These rails afforded some protection to the enemy and were a disadvantage to us. Before the rebels attacked in force there was time to move these rails back to our lines for the construction of barricades.

Later in the war this would have been done, but this branch of military tactics had been neglected, and we failed to take advantage of our opportunities. The troops next on our right moved up to the fence, but did not hold their position as long as we held ours.

Both officers and men of the Thirty-eighth fought with great coolness and bravery.

The regiment was fighting "left in front." When the order came to retire it was "By the right of companies to the rear, double-quick, March"! The fire of the enemy had perceptibly slackened and the movement to the rear was made with as much precision as if on drill.

The enemy did not follow.

The Thirty-seventh Indiana had now replenished its ammunition and we passed through its ranks on our way to the Nashville and Murfreesborough pike, where we remained for a short time under the fire of the batteries posted near the Cowan house on the border of a cotton field.

From this position we could plainly see the splendid defense made by Wood's and Palmer's divisions against the fierce assaults of the forces commanded by General Polk

After Generals Chalmers and Donnelson had made two assaults upon this position and had each time been repulsed with heavy loss, two brigades of Breckinridge's division advanced to the attack.

They moved forward through the cotton field in fine style, but were met by such a murderous artillery fire of shell and cannister, and such a hailstorm of bullets, that they were soon compelled to return helter skelter to the shelter of the cedars. Wood and Palmer were determined to hold this important position, extending from the railroad east to the banks of Stone's River, and they held it until night put an end to the battle of that day.

At about 2 P. M. the First brigade was moved to the right and took position in a corn field facing nearly south, and supporting the Chicago Board of Trade Battery, which was posted on higher ground a few rods to the rear of the infantry line.

The rebel line in front could be plainly seen along the border of the cedars. From these cedars they would make occasional sorties, fire a volley and retire.

Then our battery would open upon them, sending their screaming shells over the heads of our infantry. The sensation produced by these shells passing so close to the heads of the officers and men in line was not a pleasant one. The whole line lay prone in the mud. This undignified position of the body had two good points in its favor: it lessened the danger of being killed by our own artillery, and made a small target for rebel sharpshooters who were constantly peppering away at our line.

During a lull in the firing Gen. Rousseau, accompanied by his adjutant general, Captain Millard, galloped along the front of the line to encourage the troops.

The afternoon wore away and the night closed down upon us in this position. And such a night as it was! The moon shone dimly through the mist that hovered over the battle field. It was cold and the mud soon began to freeze.

If the tired soldier slept at all he must sleep in his place in ranks with the freezing mud for a bed. Even if there had been fuel the first spark of light would attract rebel bullets, so fires were forbidden. The miseries of the night were intensified by the dismal groans and cries of the wounded and dying who lay where they fell between the lines.

Before our arrival this ground had been fiercely contested, and the dead and wounded of both armies lay scattered over the ground where they had lain for hours, the wounded awaiting succor and the dead awaiting sepulchre.

Many of the wounded were brought in and cared for, and many a man risked his own life to save the life of another. Some were captured while in the act of giving water to the wounded, and their deeds of bravery were awarded by long months of captivity in rebel prison pens.

Shortly after daylight, January 1st, 1863, the command was relieved by other troops and marched to a cedar thicket half a mile to the rear where it was thought they would have time to prepare and eat breakfast, but just as the fires were fairly started, the assembly sounded and the brigade, formed in close column by division, was soon marching in double-quick time down the pike. Emerging from the cedars the column was halted and Col. Scribner rode forward to a line of battle in front for further orders. During the absence of Col. Scribner, Gen. Rosecrans came galloping up and asked for the commanding officer. Being told that Col. Scribner had gone further to the front, he at once gave orders for the deployment of the column into line of battle faced to the west, and had nearly completed the movement when Colonel Scribner rode up, received his orders, and marched the line to a thicket a few rods to the right of the pike.

Col. Walker's brigade, in a line almost at right angles with Scribner's brigade, joined us on the right. This position we held until the morning of January 4th.

At times the command was subjected to a severe shelling by the rebel batteries, but we had taken all the dash out of Hardee's infantry and they now approached our lines with the greatest caution.

On the night of the 2d they advanced and drove in the

pickets, but Walker's brigade charged them and drove them pack pell mell to their temporary works in the cedars.

There was no more fighting on our part of the line, but the most sensational act of this great drama was played late in the afternoon of January 2d, when Breckenridge's rebel division, assisted by other troops, made an assault on our left, which was commanded by Gen. T. L. Crittenden.

Van Cleve's division, which had crossed to the east side of Stone's River, was too weak to resist the charge, and was driven back until reinforced by Negley's division of the Fourteenth Corps. Several batteries, 52 pieces in all, had been placed in position on commanding ground near the west bank of the river. When the rebel masses came in full view, all these batteries opened upon them, and the thunder of the guns seemed to shake the solid earth.

The havoc wrought by these guns, coupled with the volleys of the infantry, was more than flesh and blood could stand. The rout of Breckenridge's division was complete.

On the first day of the battle the wagons of the Thirty-eighth Indiana took part in the stampede to the rear which occurred when the right wing of the army was driven back to the Nashville pike, near which the wagons had been parked. No stop was made by the wagons until they reached Nashville, thirty miles away.

Had it not been for a gallant charge on the enemy made by the Fourth Regular Cavalry, it is probable that most of our wagon train would have been captured.

For two days the officers and men of the Thirty-eighth were practically without rations. The first issue was about a gill of flour to each man. This was made into a dough which was wound around sticks and half baked over little fires of twigs. On the evening of the 2d the issue was one ear of corn to the man. When possible this was parched, but much of it was eaten raw.

Strange to say, there was no complaining. The men who had safely passed through the fiery ordeal of battle made light of such trifling things as cold, rain, loss of sleep and hunger. Nevertheless, when the wagons came up with provisions on the 3d, there was general rejoicing in the ranks.

During the night of January 3d, Bragg's army retreated, leaving us masters of the field. Then came the sad task of burying our dead. As soon as this was accomplished, the greater part of the army moved at once to Murfreesborough.

The losses of the two armies in the battle of Stone's River, as given in the Official Records, is as follows:

Union Army—

Killed—Officers, 100; enlisted men, 1630.
Wounded—Officers 405; enlisted men, 7397.
Captured or Missing—Officers, 44; enlisted men, 3673.
Grand total, 13,249.

Confederate Army—

Killed—Officers, 123; enlisted men, 1171.
Wounded—Officers, 659; enlisted men, 7286.
Missing—Officers, 46; enlisted men, 981.
Grand total, 10,266.

The returns show that General Rosecrans had an effective force of 43,400 and the loss in killed and wounded was 20.22 per cent of the forces engaged.

General Bragg's returns show an effective force of 37,712 and his loss in killed, wounded and missing 27 per cent of the number engaged.

A singular fact in connection with this battle is that as late as February 9th, General Rosecrans greatly overestimated the forces of the enemy, as shown by his message to General Halleck of that date.

Murfreesborough, Tenn., Feb. 9, 1863.

We have now all the reports of the subordinate commanders and staff officers. Will have my report of the battle sent forward in a few days. Some facts in it are worth stating in advance. We have prisoners from one hundred and thirty-one regiments of infantry, twelve battalions of sharpshooters, twenty-three batteries of artillery, and fifty-three regiments of cavalry, giving their fighting force at what all our officers

consider a low estimate, near 46,000 infantry, 1,200 sharpshooters, 1,800 artillery, and 13,200 cavalry. Total, 62,000 men. We fought them with 42,000. We hit 165 to their 100. Their loss was 23.5, ours 21 per cent of the fighting force. These figures are significant. Yours very respectfully,

W. S. Rosecrans,
Major-General Commanding.

Maj. Gen. H. W. Halleck, General-in-Chief.

The report of General Bragg places the number of his missing at 46 officers and 981 enlisted men.

The report of Captain William M. Wiles, Provost-Marshal General, of rebel prisoners captured gives the number as follows:

Officers, 126; enlisted men, 3,071; total, 3,197.

The remarkably large per cent of killed and wounded officers of the rebel army is noticeable in the returns.

The camp ground selected for Rousseau's division was on the west side of the town and had been occupied by the rebel army before the battle of Stone's River. The face of the country was dotted with little shanties which they had constructed with much care for winter quarters. These were demolished and the material made good fuel for our soldiers.

This old camp was filthy beyond description, but after a thorough cleaning was made habitable for the Union Army.

Comfortable winter quarters being established, the army settled down to the regular routine of camp life.

As there was now no enemy nearer than 15 or 20 miles, the picket duty was not arduous, but in order to maintain proper vigilance the troops were called out every morning before daylight and stood for an hour in line by the gun-stacks. To stand thus in the cold gray of a winter morning, with no other exercise than that of stamping or dancing about on the frozen ground, was anything but pleasant. Sometimes the ground would be covered with a light snow, and that didn't add anything to the comfort of the situation.

It was not long until forage for the animals became scarce, and large bodies of troops with long lines of wagons were sent into the enemy's country to forage for corn.

It fell to the lot of the Thirty-eighth Indiana to go on several of these foraging expeditions. It may be remarked here that a more beautiful country than Middle Tennessee would be hard to find anywhere on the map of the United States. It is a limestone soil, and land which, for fifty years or more, had been tilled by slave labor; it still produced abundant crops of corn. Even to men familiar with the rich soil of the Wabash and Ohio river valleys, the long lines of corncribs, full to bursting, on these Tennessee plantations were a marvel.

On one occasion the First Brigade went with a wagon-train to Eaglesville, a little hamlet 15 miles west of Murfreesborough. We reached our destination about 3 p. m., and found it a land flowing with milk and honey. The Provost Guard, whose duty it was to protect property, did not get into action until many a chicken had squawked his last squawk and many a pig had squealed his last squeal. There was also some lively sprinting after long-legged turkeys that had strayed too far from home. When one sprinter became exhausted in the chase a fresh man would dash in and carry off the prize.

At last the Provost Guard got down to business and captured many of the laggards who were slow in getting into camp with their prizes.

At dark a heavy rain set in and continued to pour all night long. The command had no tents, but good fires were kept in all the company quarters, and around these fires stood the men, with rubber ponchos over their shoulders.

There was no comfort anywhere, but the dismal night was enlivened by songs, jokes and anecdotes.

Next morning the regiment marched in line of battle to the top of a wooded hill, where a few bushwhackers or possibly deserters from the rebel army were captured.

In the meantime the wagons were loaded with corn and headed for camp, where they arrived in due time.

Before the winter was over the regiment made three or

four trips to that section of country and always returned with a good supply of corn.

On one occasion the wagons mired down in the soft mud of a field which they were crossing to reach the pike. To release these loaded wagons, and help them to the firm road, was an all-night task for the men, and a very disagreeable task it was. On the march to camp it was found that in very many places the heavy rains had flooded the pike, and quite frequently all the command had to wade several rods in ice-cold water three feet in depth. It was near night when the weary and dispirited troops marched into camp. They had been absent thirty-six hours, during which time they had toiled incessantly without sleep. Colonel Scribner had thoughtfully ordered a ration of commissary whiskey for each man, which was issued as soon as we stacked arms, and in this case proved to be the kind of medicine needed.

On another occasion, after all the wagons had been loaded and started for the pike we were attacked by rebel cavalry.

One wagon, which was so firmly fastened to a stump or tree that it could not be extricated, had to be abandoned. Seeing this the rebels were emboldened and rode rapidly forward, hoping to capture other wagons. In this they were disappointed.

The skirmishers of Company G, which had been deployed as "flankers," gave them a warm reception, and a volley from Company H sent them scampering away with one or two empty saddles.

The column continued its march to camp by the light of the moon without further molestation.