

The Case of James Harvey Hensley and the Affidavit

by

Wayne Fielder

Submitted to:
Kentucky Ancestors
15 AUG 2011

Genealogy is a wonderful pursuit filled with discoveries and mysteries. Sometimes the mysteries begin as oddities found while researching something else altogether. Such was the case for this author while researching the 7th Kentucky Volunteer Infantry (US). The muster record for James Harvey Hensley of Company B offered a curious document attempting to explain why he had been absent without leave for three months of his service in 1863. At first, without further research, the document, an avowed affidavit, seemed to be plausible. Genealogists generally, unfortunately for Mr. Hensley, do not take these curious documents at face value. This article is a study of James Harvey Hensley's family and affidavit dated 31 MAR 1863 complete with a discussion of the 7th Kentucky Volunteer Infantry's history up to the time Mr. Hensley became absent without leave on 21 DEC 1862.

In July of 1861, Lieutenant Commander William 'Bull' Nelson of the United States Navy arrived in Kentucky to determine the prospects of organizing a military force. On the 16th of the same month he wrote to the War Department in part:

*On Sunday, 14th, I met the principal gentlemen of Southeast Kentucky at Lancaster, Ky., and Crab Orchard, and after examining the whole question I appointed Speed S. Fry, of Danville, to be colonel of the First Regiment of Infantry in the expedition; Theophilus T. Garrard, of Clay County, colonel of the Second; Thomas E. Bramlette, of Adair, colonel of the Third, and Frank L. Wolford, of Casey County, to be lieutenant-colonel of the cavalry regiment authorized, reserving the colonelcy for W. J. Landrum, who served in a cavalry regiment during the war with Mexico.*¹

Theophilus T. Garrard was indeed one of the "principal gentlemen of Southeast Kentucky". Former State Legislator from Clay County, Veteran of the Mexican-American War, Grandson of Governor James Garrard, and owner of the Goose Creek Salt Works, he was well known and highly respected in Clay County and the region.² While Nelson assigned Garrard to the Second Regiment the bureaucracy of the service made Garrard's regiment the 3rd Kentucky Volunteer Infantry which later became the 7th Kentucky Volunteer Infantry, one of the first Union infantry regiments mustered to defend the Commonwealth.

19 AUG 1861 had to be an exciting day on the farm of William H. Crook of Clay County, Kentucky. Colonel Garrard and several other prominent men from the region, such as Elijah Treadway, future Captain of Company A, and John Lucas, future Captain of Company B, were there to enlist men into what would become the 7th Kentucky Volunteer Infantry. Among the enlistees were two sons of Harvey Henry Hensley. Harvey was born around 1802 in Virginia to George Washington and Anne Hensley also of Virginia. Henry "Harry" Hensley, father of George Washington Hensley, fought with the 14th Regiment of the Virginia Line as a Sergeant during the Revolutionary War.³ Many families of this period held their military heritage and love of country dear to their hearts and the Hensley clan of Manchester were no different. James Harvey Hensley⁴ and his older brother William Washington Hensley⁵ followed this proud tradition as they

enlisted on 19 AUG 1861 in Captain John Lucas' Company B, 7th Kentucky Volunteer Infantry.

James was married to Catherine Murray two years prior⁶ to his enlistment and now had an 8 month old daughter, Louisa, who was born 9 DEC 1859.⁷ William had married Sally Mobley a decade earlier. Her family had come to Kentucky from Tennessee around 1835. By the time of the gathering at Mr. Crook's place William and Sally had four children, seven year old Mary, five year old Henry, one year old George⁸, and two month old Gabriel.⁹

There are no clear records detailing the travels of the 7th Kentucky for the period from 19 AUG 1861 when the Hensley brothers enlisted in Clay County, Kentucky to 22 SEP 1861 when they were mustered into service at Camp Dick Robinson, a supply depot, training center, and mustering station for Union troops in Garrard County, Kentucky. The authorities in Kentucky, Indiana, and Ohio were all clamoring for an organized and armed military presence in the Commonwealth to guard the southern border from the growing Confederate forces there.

From the Official Record of the War of the Rebellion (OR) we know that Colonel Garrard and the 7th Kentucky were at Camp Wildcat on 28 SEP 1861, just six days after being mustered in.¹⁰ Soon after James and William went into camp at Wildcat and the news of the Confederate capture of Manchester swirled through the camps¹¹, James' wife Catherine endured the pain of burying her daughter who died 30 SEP 1861.¹² It is doubtful that James knew of this tragedy at the time and with the preparations for the coming attack by Confederate General Felix K. Zollicoffer¹³ there would be little time for leave and certainly not visits from family.

The muster records are silent on the disposition of James and William leading up to the battle of Wildcat Mountain on 21 OCT 1861. There is nothing to indicate that James or William was wounded, sick, or otherwise unfit for duty until after the battle of Wildcat while the regiment was at Camp Calvert near London and patrolling in the direction of Cumberland Gap. William Hensley's record dated 31 DEC 1861 includes "not stated" as does most others but it is the Remarks section of the record that provides details on the soldier's experience during a given muster period. In William's case the record simply states that he had lost a butcher knife so it may be assumed he was otherwise healthy.¹⁴ James Hensley's record reveals that he was on sick furlough for, apparently, there being no specific dates given, the entire month:

"On sick furlough from the __ day of Decr. 1861 to the __ day Decr. 1861. Furlough out and he is not able to get to camp."¹⁵

Either James was taken ill by the sickness that afflicted many of the 7th Kentucky during their stay in London or he received word of his daughter's death and begged for leave to attend to his wife. In the affidavit filed in his muster record dated 31 MAR 1863 he pleads his case against charges of desertion made against him on 21 DEC 1862. In the document he makes the claim that his wife accompanied him and the Regiment "for

something like twelve months and had always moved and traveled with the Regiment as it moved”¹⁶ until the Regiment boarded the Steamer Dic Vernon at Memphis on December 21, 1862. This claim, that Catherine was with James from December of 1861 through December of 1862, matches nicely with the sick furlough he requested in December of 1861 and is the mystery that spawned this article. When James returns to the regiment from his sick furlough the affidavit insinuates that Catherine returned with him. There is no reason to doubt this claim. In the early years of the war, regiments routinely hired civilians or impressed slaves for the purposes of cooking, washing of clothes, and other mundane, non-military functions. If an infantry regiment was in garrison all the time, then having wives in the camp for twelve months would not pose a problem. Unfortunately for Catherine, the twelve months she supposedly spent with her husband were some of the most difficult months the men in the 7th Kentucky would experience in their entire military career. Understanding what the regiment endured during the twelve months referenced in the affidavit gives reason to question whether Catherine Hensley was, in fact, with James Hensley for the entire period.

Throughout November and December 1861 all of southern Kentucky was a game of ‘Where’s Zollicoffer?’ At every turn there seemed to be a Zollicoffer sighting and a woefully undermanned General calling for more Federal troops to fend off the mythical hoard. The elements of General Carter’s brigade made several forays toward Barbourville, Flat Lick, and Cumberland Ford in efforts to find a Zollicoffer of their own but with no success. During this time general camp life at Camp Calvert was rather routine. There were the sick to attend to as well as the other mundane tasks mentioned above. While the threat of enemy attack was in the minds of everyone, especially those civilians who had endured the raid on Manchester and the occupation of London prior to the Battle of Wildcat Mountain, the large military presence of Carter’s brigade helped allay some of those fears and life in and around London was as normal as it possibly could be. Catherine could have employed herself in any number of ways around the camp.

January and February of 1862 found Carter’s brigade on the move as they looked further south toward Cumberland Ford, now called Pineville, in preparation for the Cumberland Gap campaign that would kick off in the early summer. Even on the march, the possibility of a young woman following the army is not an impossible thought. By the end of March 1862, Carter’s brigade was reorganized into the 24th Brigade of General George Morgan’s 7th Division and was all but stationary at Cumberland Ford. The 7th Kentucky did participate in the 21-23 MAR 1862 reconnaissance of Cumberland Gap but returned with no injuries of any consequence.¹⁷ While the troops suffered the snow and sleet during this expedition, Catherine would have been safe and warm at Cumberland Ford. The men of the expedition seemed not to complain about the weather.¹⁸ William must have been in particularly good spirits as he was appointed 4th Corporal on 10 MAR 1862.¹⁹ While not a promotion with vast responsibilities, the promotion indicates his leadership and the confidence his commanders and sergeants had in his ability. August Kurtz in his work, *Customs of Service*, essentially a handbook on the expectations and responsibilities of soldiers, says of Corporals:

“The appointment of Corporal is the first step to promotion in the army, and may lead to the highest distinction in the military service. The corporal is usually selected from the most intelligent privates, who have been longest in the service, and who are noted for their military appearance and attention to duty.”²⁰

William was apparently a fine soldier who had the respect and confidence of his commanders and sergeants.

The period from April through August 1862 would prove to be arduous for the men of the 7th Kentucky and the 7th Division over all. Thomas Tusser once wrote, “Sweet April showers, do spring May flowers”²¹ but the men of the 7th Division probably dreaded the size and strength of those “May flowers” if the rain of April 1862 was any indicator.

Captain Elijah Treadway of Company A, 7th Kentucky was sick and staying with a certain Mr. Pogue some four miles north of Cumberland Ford at this time. He witnessed men of the 16th Ohio Infantry as they “hussed[sic] down to the Flat Lick with empty Knapsacks for the purpose of carrying up their provisions and I assure you they could carry more than their teams could haul [in] this muddy weather.”²² At the same time, F.H. Mason, a Private in Company A of the 42nd Ohio Infantry, was en route from Camp Dick Robinson to join DeCourcy’s 26th Brigade of the 7th Division in April of 1862. In his regimental history, he wrote the following:

“The 20th was Sunday, and services were held in an old church, while the troops waited for the rain to slacken. During the next four days the Regiment with its wagon train waded through mud from six inches to two feet in depth, making from seven to ten miles per day, and encamping at night in the most favorable spots that could be selected in that drenched and sodden region. Such were the demoralizing influences of the march, that on Sunday the 27th, by which time the Regiment had reached Laurel Creek, Chaplain Jones felt impelled to deliver a special sermon on the sins of stealing and swearing.”²³

This weather was enough to test even the most seasoned of soldiers as Private Mason surely was having endured the cold and snow of the Big Sandy Valley campaign the previous winter.

With the arrival of the 16th and 42nd Ohio, both assigned to DeCourcy’s brigade, the military situation was becoming clear that the 7th Kentucky and the rest of the 7th Division would soon be moving further south and away from the relative comforts of Cumberland Ford. While James and William had no real option but to endure the weather, one has to wonder if Catherine would subject herself to these trials.

The “May flowers” that James and William may have been dreading came in the guise of troubling intelligence. General Morgan reported on 6 MAY 1862 to Major General Don Carlos Buell that Confederate Cavalry was organizing at Lexington “with the avowed purpose of joining Humphrey Marshall” and that “Kirby Smith is near Cumberland Gap with 13,000 men and threaten it”.²⁴ There are no secrets in a military organization.

There may be secrets that are not told outside of the organization but within the organization be it an infantry regiment, cavalry squadron, or artillery battery there are no secrets. This news of a growing enemy threat in their front at Cumberland Gap and cavalry in the rear at Lexington was met with excitement and anticipation by the men under arms. Catherine, if she was with the regiment as claimed by James, would be something less than excited by this news.

By June all the pieces were in place for the Division to begin operations to take Cumberland Gap. F.H. Mason writes:

*“On the evening of the 7th of June, orders were read on parade, announcing that everything was in readiness, the loyal people of East Tennessee were waiting anxiously for relief from the North, and that at four o'clock on the morrow the movement would begin.”*²⁵

It was now clear that the Division was to be moving into Harm's way. Cumberland Gap had long been a gateway from East Tennessee and Virginia into Kentucky. The widest and lowest gap in the Cumberland Mountains for miles around, both armies sought to control it from the early days of the war. At the time, Confederate forces held Cumberland Gap which meant, of course, that the Union forces had to take it.

Both James and William would have heard these orders. Would James attempt to bring Catherine along? Would civilians even be allowed to follow the division? James was faced with the uncertainty of what lay ahead. Granted, his previous reconnaissance of the Gap in March and the stream of Confederate deserters filing into Cumberland Ford since the heavy rains of April²⁶ would seem to indicate a large enemy force opposing them and a very good chance of combat in the near future. It would be unreasonable to believe that James would attempt to bring his wife along on such a journey.

As part of Carter's Brigade, the 7th Kentucky was on the march from about 8 JUN 1862 through 19 JUNE 1862. General Carter's report on the exertions of the brigade on 14 JUN 1862 gives some indication of the strenuous nature of this expedition:

*“The head of the column arrived at the foot of Pine Mountain about 9 a.m. and commenced the ascent. By the united exertion of all the troops, and the most untiring industry during the day and night, all the artillery and trains made the ascent and descent of the mountain by 9 a.m. of the 15th instant. To one who has not passed over the route it would be hard to imagine the difficulties to be overcome in transporting artillery and a heavy baggage train over it.”*²⁷

Under constant threat of Confederate attack the Brigade, crossed and recrossed the Cumberland Mountains. The troops were often employed in using block and tackle to haul artillery and wagons over the steep mountain passes, sometimes under forced marches. There is no reasonable expectation that Catherine would have stayed with James through this period. The uncertainty of the regiment returning to Cumberland Ford would have left her with no reason to stay in that place either.

On 19 JUN 1862, the 7th Division claimed their prize. The 42nd Ohio of DeCourcy's Brigade was the first to arrive at the Gap. F.H. Mason explains the event:

*“Not an enemy was there, and Decourcy's Brigade, the FortySecond leading, marched up and took possession of the citadel, Company "C" raising the Regimental flag on the main parapet of the fortifications, while Lanphere's Battery fired a triumphant salute. Cumberland Gap had been taken without the loss of a man.”*²⁸

The only shots fired toward the goal of claiming Cumberland Gap were the celebratory cannonade by Captain Lanphere's 7th Michigan Artillery.

With the Cumberland Gap safely secured, Captain Treadway took some time to write to his wife Sarah on 4 JUL 1862. His letter offers a view into camp life at Cumberland Gap:

*“All is life in this vicinity for we have a large number of men here and it would amuse you to pass through the various Regiments and se the various Groups in their many attitudes and to hear their varied conversations Some washing, some cooking, some cleaning guns some getting wood some bri[ngin]g water some Blacking Shoes & B[elts] some going to and from the Suttlers shop Some Drilling but a Great Majority lying on their Blanketts and particularly the Pickets of the previous are sound asleep”*²⁹

The question which must be asked is whether Catherine managed to secure for herself lodging at Cumberland Ford or, by some manner of stealth and cunning, actually stayed with her husband through the rigorous trials of June. If she was able to get to the Gap, then she would have been perfectly at home in this Camp. The 7th Division had settled into the routine of a Garrison.

Unfortunately, this peaceful existence soon became strained as the enemy began to encircle the Gap. By 22 AUG 1862, the 7th Division was entirely surrounded. General George Morgan writes in his report dated 12 OCT 1862 to Major N.H. McLean, Assistant Adjutant General and Chief of Staff for Major General Buell's Army of the Ohio:

“On the night of the 16th of August last the army of Stevenson, claimed by the enemy to be 20,000 strong, arrived in front of Cumberland Gap, and I immediately ordered Captain Martin, of Munday's cavalry, to proceed, by forced marches, to observe Rogers' and Big Creek Gaps. When within 18 miles of Rogers' Gap he encountered the advance guard of Maj. Gen. E. Kirby Smith's army, then invading Kentucky. Martin's company was attacked and routed by a greatly superior force of the enemy. General Smith, with 25,000 men, afterward increased to 30,000, established his headquarters at Barboursville, and sent two divisions, under Major-General McCown, to occupy Cumberland Ford. We were now closely enveloped by two armies, numbering 45,000 men, and our supplies

were entirely cut off. In consequence of bad roads and want of proper transportation our subsistence stores were short, and I immediately placed my command on half rations, with the determination of holding out to the last extremity. In order to save the artillery, cavalry, and wagon horses from starvation, and for the further purpose of sending tried troops to re-enforce the column organizing at Lexington for our aid, I ordered 400 men of the Third Kentucky, under the gallant Colonel Garrard, to be mounted, and directed him to proceed, with Munday's cavalry, to join the United States forces then en route for our relief.”³⁰

The 400 men of the 3rd Kentucky, later to become the 7th Kentucky, under “the gallant Colonel Garrard”, included both James³¹ and William.³² Colonel Garrard was chosen most likely due to his knowledge of the country and his ability to move about the valleys and avoid General Kirby Smith’s column. Eight days after they departed the Gap they stumbled into the battle at Richmond Kentucky. Richmond was a disaster for the Union forces in Kentucky. Kirby Smith broke the back of any organized resistance in Central Kentucky and doomed the defenders of the Cumberland Gap. During the battle these 400 men, later to be called Garrard’s Detachment, was scattered by a cavalry charge. Many were captured, wounded, or killed. Several of the men were able to escape to safety in Lexington. Captain Treadway of Company A, also selected for the detachment, mentions the incident in a letter home dated 1 SEP 1862 from the Fairgrounds in Lexington:

“I thank God that I am yet alive and well. We was in the most desperate Fight on day before yesterday that I ever witnessed it was Fought all around Richmond there is only seven of my men here with me that has yet come up, to wit W T. Eager John Duke Thos. J. Greer Thos. S. Slone Berry Dunagin William H. Tincher and Wiley Trewitt I cannot give you a description of the Fight at present. I fear I have lost several in Killed wounded and prisnors we were all Scattered by a Cavelery Charge two miles before Richmond on the Clays Ferry Pike we lost several hundred men on our side besides all of our Cannon...”³³

The intensity of this letter compared to others of the Treadway Letters collection reveals the concern of the Captain for his men as well as the frantic nature of the battle they had endured.

When examining the circumstances of both the campaign for the Cumberland Gap and the battle of Richmond, one cannot place much faith in James’ statement that his wife was with him for “something like twelve months”. Even if she was at the Cumberland Gap garrison, there is no way she would have been allowed to journey with the detachment to find the relief force. It is more likely that if she was actually at the Gap, she was forced to leave as the noose, provided by Confederate Generals McCown and Kirby Smith, tightened. The Division was already on half rations and preparations were already being made, if only in the minds of the commanders, of an eventual withdrawal and retreat. The presence of civilians and extra mouths to feed would have added to the plight of the command.

The claim that James had Catherine with him since December of 1861 must be seen as patently false even to the most adventurous person. Even if she had remained at Cumberland Ford in June of 1861 and joined her husband once the garrison at Cumberland Gap was established, there is no reasonable case for her to remain at Cumberland Gap when the Division is placed on half rations and certainly not into September when the threat of surrender or retreat was well at hand.

The survivors of the battle at Richmond eventually found their way to the military Department of the Ohio Headquarters at Louisville. They were refitted, augmented with elements of the 32nd Kentucky Infantry and 3rd Tennessee Infantry, and assigned to the 33rd Brigade under Brigadier General W.R. Terrill, 10th Division, 1st Corps, of Buell's Army of the Ohio.³⁴ Major General Buell would find himself in the hills surrounding Perryville Kentucky on 08 OCT 1862 where he stumbled upon General Bragg's Confederate army. As the left wing of the Union line began to collapse, the 80th Illinois and Garrard's Detachment were perhaps the only organizations on the field that "behaved well". The report of Captain William P. Anderson, Assistant Adjutant-General of the 33rd Brigade, mentions Garrard's Detachment:

"General Terrill, assisted by some of the officers, succeeded in rallying about 200 men of the One hundred and fifth Ohio Volunteers and One hundred and twenty-third Illinois Volunteers at a fence about 100 yards in the rear of our first position. Here the conduct of some of the officers, I am sorry to report, was disgraceful. The Eightieth Illinois and Colonel Garrard's detachment behaved well. When the left gave way they were obliged to fall back, which they did in good order."³⁵

Following the battle at Perryville, 12 OCT 1862 finds Garrard's Detachment back in Louisville while the rest of the 7th Division was recovering from their retreat, a two week 219 mile trek through the wilderness of eastern Kentucky from Cumberland Gap, near Portland Ohio. The muster records for neither James nor William include references to them being wounded or captured during the Richmond or Perryville battles. William's record for SEP-OCT 1862 states he was Absent without leave from 18 OCT 1862³⁶ which is long after the battle at Richmond and a full 10 days after Perryville. The record also lists his rank as Private which would be a serious demotion in rank from 4th Corporal. The question becomes was his absence due to his demotion or the demotion due to his absence? There is nothing in the record that would explicitly answer this. It is possible that he had become ill and literally missed a boat.

There was much reorganization of the Army of the Ohio during the period of October through November 1862. Just as in November of 1861 with every Union military officer in Kentucky playing "Where's Zollicoffer", October of 1862 had those same officers playing "Where's Bragg" with side bets going toward "Who will go with Sherman?". General William Tecumseh Sherman was holding station at Memphis since September of 1862, beginning to prepare for the Yazoo Expedition which was to become part of the

Vicksburg Campaign. Many troops were being sent to Memphis as part of this organizational effort including Garrard's Detachment and General George Morgan's 7th Division.³⁷ Towns all along the Ohio were gathering points for troops who were Memphis bound. It was not unusual to see 20 or 30 thousand troops in Louisville during this period while Buell's army was being refitted after Perryville and Sherman's army was being organized. Complicating matters was the means of transport between these towns. The men of Garrard's Detachment left Louisville on a steamboat to travel up river to Cincinnati before travelling back down river to Memphis.³⁸ Several hundred men onboard a steamer that may take six days travelling is a perfect incubator for disease which is likely what befell poor William. Whatever the case, the record reflects that William did end up in Memphis where he was left in the hospital when the regiment left onboard the Steamer Dic Vernon on 21 DEC 1862.

At some point while James was in Louisville, Catherine rejoined him. This assumes that she was ever with him since that late summer day in August of 1861. The beginning of this study began with the muster record of 31 DEC 1861 where the discussion of Catherine being with James for "something like twelve months" was claimed.³⁹ It is entirely plausible for Catherine to be with her husband after the battle at Wildcat Mountain. The regiment was effectively garrisoned at London through November and December of 1861. January and February of 1862 was cold and snowy as Carter's Brigade moved to Cumberland Ford. Had Catherine been employed by Colonel Garrard as a nurse, washer woman, or cook it would again be entirely plausible that she would be with her husband for this march. At this point it had been five months since the death of their daughter and Catherine could have been with her husband for about four months, excluding the time the 7th Kentucky spent at Camp Wildcat which was a wholly improper place for civilians let alone grieving wives. March and April of 1862 was rain, flooding, and mud. Cumberland Ford, now called Pineville, was always under threat of flooding and remained so until the flood wall was built "in the late 40s, and a higher floodwall was erected in the 80s following a disastrous flood in 1977 that covered the city."⁴⁰ The people of Cumberland Ford were well acquainted with the river and what it could do. Catherine would have had only to ask for assistance from the locals to stay dry and reasonably warm during the harsh weather.

The months of May and June are where the idea of Catherine remaining with James becomes difficult to believe. The threats of impending attack in May gave way to active military operations in June. The 7th Division left Cumberland Ford toward their goal of taking Cumberland Gap on 8 JUN 1862 and remained on the march, hauling wagons and artillery over the mountains by force of mule and man until 19 JUN 1862 when they claimed their prize. It is conceivable that Catherine could have remained behind at Cumberland Ford and rejoined the regiment later in July when camp life had settled down as Captain Treadway explained to his wife in his letter of 4 JUL 1862 but there is no evidence to support this assumption.⁴¹

By the middle of August the 7th Division was entirely surrounded and threatened by the prospect of surrender or retreat. On 22 AUG 1862 both James and William left the Gap with Colonel Garrard while the rest of the division continued on with half rations.⁴² If

the threat of attack in May and the grueling marches of June were not enough to send Catherine home, then the gentlemen officers of the 7th Division would have sent her home at this point.

By stretching the limits of the definition of Reasonable and Truthfulness, it may be possible to claim that Catherine was with her husband for "something like twelve months". Those twelve months would have been disjointed however.

When James attempted to take his wife with him onboard the steamboat Dic Vernon in Memphis on 21 DEC 1862 he was told she could not board with him. How James got his wife to the wharf to board the vessel is a question unto itself considering the issuance of Special Field Orders No. 2 on 29 NOV 1862:

*SPECIAL FIELD ORDERS No. 2.
HDQRS. DISTRICT OF MEMPHIS,*

Army in the Field, November 29, 1862.

All citizens whatsoever, except those who are employed in the army, are hereby ordered to leave this command.

It is further ordered that all women, including the wives of officers and men, shall also leave.

The major-general commanding will send a train to Holly Springs, to which place the above persons and all unauthorized hangers-on must accompany it, and hereafter not be found in any camp under any pretext whatsoever. Letters and documents should go to Holly Springs at the same time.

By order of Maj. Gen. W. T. Sherman:

*J. H. HAMMOND,
Assistant Adjutant-General.⁴³*

It seems that women, laundresses, and all "unauthorized hangers-on" were not allowed on board the Dic Vernon and Mrs. Hensley was escorted off the boat. She was "an utter stranger" in Memphis and Lt. Colonel Ridgell told James to "hunt boarding for wife in Memphis".⁴⁴ The good soldier, and loving husband, did just that. The following is the complete affidavit filed in James's record:

Milliken's Bend 3/31/63

This Affiant says that when his regiment (the 3rd regiment Ky Vols) left Memphis Tenn on the 21st day of December 1862 to move down the river to the mouth of the Yazoo that his wife was there. She was an utter stranger in the city. And when his regiment went on the boat (Dic verson) she went aboard with the Regiment, as she had been with the regiment for something like twelve months and had always moved and travelled with the regiment as it moved. But after the men(and his wife) were on board it was understood that it was prohibited for women,

laundresses, or other attached others to travel with the expedition and his wife was sent on shore and left for herself. After she had gone on shore and it was growing late in the evening Lieut Col J.W. Ridgell, who was then commanding the 3rd Ky infy Vols, told this affiant to go out into the city and procure a place for his wife to stay for a while. And affiant did as directed by Lieut Col JH Ridgell. It was quite late before he found a place and had made the necessary arrangements for her. This affiant made an attempt to return to the boat and regiment but the streets were filled with guards and they would not let him pass during the night and the boat with the Regt left the wharf and was gone before he could reach the place where he had left. After day light next morning and before another boat left and he could procure transportation to his regt and within a week after being left affiant was taken down in the back and remained in charge of different Army surgeons. there duty at Memphis until about the last of Feby 1863 when he was sent to his regt and he joined his regt as soon as he could at this place about the 12th day of March 1863.

*Given under my hand the place and date above mentioned.
James H Hensley⁴⁵*

There is no doubt that James and Catherine Hensley had endured the most trying year of their young lives. What started in August of 1861 as excitement and adventure for James turned to tragedy barely a month later with the death of his daughter. It has been said that no mother should have to bury her child but that was precisely the position of Catherine those first days of October 1861. No one could blame them for seeking out their spouse for consolation. Assuming that James' claim of "twelve months" was a complete fabrication, the fact that they were finally together after over a year and then having to separate again had to be heart breaking for both of them.

There was salt to be poured on this wound however. William had fallen ill and was to be left at the hospital in Memphis.⁴⁶ William had been absent without leave on the SEP-OCT 1862 muster.⁴⁷ He was a Corporal up until that point. He had the trust and confidence of his sergeants and commanders. In subsequent musters he is listed as a Private, which is a demotion as stated earlier, but that should not necessarily be held against William. A Corporal, while having no critical responsibilities when in camp or garrison, was a vital position in combat and maneuvers. If William was unavailable to fulfill his responsibilities while in combat they would be assigned to another soldier. There is no evidence to suggest that he was prosecuted or disciplined for his absence so it is likely he returned to duty as stated in the JAN-FEB 1863 muster⁴⁸, accepted his demotion as a matter of course, and continued his service. The question remains, what caused the absence? Perhaps the illness that left him at the hospital in Memphis was also responsible for his absence on 18 OCT 1862. The truth of this may never be known. The evidence available simply states he was too ill to travel with James on 21 OCT 1862.

The "necessary arrangements" James claims in his affidavit may well have consisted of finding lodging for both himself and his wife so they could tend to his brother. In a court of law, when a witness is caught in one lie the witness's credibility is called into question.

James' assertion that his wife was with his regiment "for something like twelve months" has been reasonably defeated. Why then should his claim of the "necessary arrangements" taking all night or "the streets were filled with guards" not letting him pass be believed? For a soldier, veteran of Wildcat Mountain, Cumberland Gap, Richmond, and Perryville he simply had to understand the concept of Guard Mount and what would be necessary to get past them. This was not a foreign concept to him. Every soldier, at one point or another during their service, served Guard Duty. Customs of Service, the guidebook for soldiers, speaks to the point of Guard Duty:

*"71. The various duties to which a soldier is subject are matters of regular detail, - each soldier taking his regular tour of each as it comes, - and consist, in the main, of the following: - 1st. Guards 2nd. Working Parties, or Fatigue. 3rd. Daily duty."*⁴⁹

A soldier's first duty as a matter of regular detail is that of Guard. Having served in the garrison at London\Camp Calvert, Cumberland Ford, and Cumberland Gap he must have taken a turn at Guard Mount countless times. He had to know that telling the guard he was directed by the Lieutenant Colonel of the regiment to attend to a matter would immediately result in calling for the Corporal of the Guard followed promptly by a call to the Sergeant of the Guard who would have him escorted back to the Lieutenant Colonel from which his original order to "go out into the city and procure a place for his wife to stay for a while" was issued.

It is believable that he didn't want his wife to be alone in the city. It is also believable that he didn't want to leave his sick brother. Finally, it is believable that James Harvey Hensley perjured himself in this affidavit.

James returned from being absent without leave for the Mar-Apr 1863⁵⁰ muster to write his, now believed to be fabricated, affidavit explaining his absence from 21 DEC 1862 to 13 MAR 1862. The rest of his Civil War experience was unremarkable. He saw no promotion until the last two months of his service when he found himself in Corporal stripes.⁵¹ James was a young, literate, and reasonably articulate man yet he wasn't promoted from the ranks until such time that a promotion would do little benefit or harm to the service. His exploits of December 1862 through March 1863 as explained in his affidavit, while seemingly plausible at the time, were also perfectly transparent and the officers in his company and regimental command could see through them thus doing great harm to his upward mobility.

There is no evidence that James and Catherine ever returned to Clay County. After the war they appear in Missouri in 1870 with younger brother, John M Hensley.⁵² John would meet and, eight years later, marry Mary E Hoffman of Missouri.⁵³ This couple would return to Jackson in Breathitt County, Kentucky⁵⁴ before heading west to Woodville, Jackson County, Oregon in 1910.⁵⁵ James and Catherine would continue their westward journey finding them next in Chelatchie, Clark County, Washington in 1880.⁵⁶ James filed for his pension from Washington State on 17 SEP 1890⁵⁷ and is shown as a widower in the 1910 Census where he was living in Talent, Jackson County,

Oregon.⁵⁸ Before 1907 in Washington each county was tasked with registering deaths. In 1907 the task was brought into the Department of Health. As noted on the Washington Secretary of State website, “many births and deaths went unrecorded during this period and the completeness of these pre-1907 records varies from county to county.”⁵⁹ Catherine probably died between 1900 and 1907 in Clark County, Washington. James died in Dimmick, Josephine County, Oregon on 25 APR 1921.⁶⁰

William’s illness that prevented him from boarding the Dic Vernon on 20 DEC 1862 could have resulted from complications from his ‘absent without leave’ from the SEP-OCT 1862 muster. He recovered enough to rejoin his regiment for the JAN-FEB 1863⁶¹ muster but fell ill again and was left “a short distance below Grand Gulf” Mississippi on 30 APR 1863.⁶² William was not alone in this particular illness. It is believed that the climate change from northern Kentucky to Memphis Tennessee, to northern Mississippi and Louisiana combined with being held in such close quarters with such a very diverse group of men from all over the Midwest led to many illnesses. For William it was Chronic Diarrhea that finally took his life on 19 JUN 1863 at Young’s Point, Louisiana.⁶³

William’s widow, Sally Moberly Hensley, never re-married. She stayed in the family home in Pigeon Roost, Clay County, Kentucky raising her children through 1880.⁶⁴ In 1900 she moved in with her son, George Hensley, in Hazel Patch, Laurel County, Kentucky.⁶⁵ It is believed she died on 23 JAN 1906 in George’s household but there is no record to that effect.

The descendants of George Washington Hensley, grandfather of James and William, are publicly available on Ancestry:

<http://trees.ancestry.com/tree/27366422/family/familyview>

Follow the ongoing research of the 7th Kentucky Volunteer Infantry and assorted other Union regiments of Kentucky at <http://www.waynefielder.com>.

END NOTES

¹ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume IV Chapter XII* (Washington DC: Government Printing Office, 1882), 253.

² Wikipedia, "Theophilus T. Garrard," [Http://en.wikipedia.org/](http://en.wikipedia.org/), http://en.wikipedia.org/wiki/Theophilus_T._Garrard/ (accessed 09 AUG, 2011).

³ America Hill Judith Parks et al., *A History of Henry County Virginia: with biographical sketches of its most prominent citizens and genealogical histories of half a hundred of its oldest families* (Westminster, MD: Heritage Books, 2009), 13.

⁴ Microcopy No 397 Roll 213, *Compiled Service Records of Volunteer Union Soldiers who served in organizations from the State of Kentucky – Seventh Infantry, Ge – Hi* (Washington DC: National Archives Microfilm Publications, 1962). 1976, <http://www.archive.org/stream/compiledservicer0213unix#page/n1976/mode/1up> (accessed 09 AUG 2011)

⁵ Microcopy No 397 Roll 213, *Compiled Service Records of Volunteer Union Soldiers who served in organizations from the State of Kentucky – Seventh Infantry, Ge – Hi* (Washington DC: National Archives Microfilm Publications, 1962). 2067, <http://www.archive.org/stream/compiledservicer0213unix#page/n2067/mode/1up> (accessed 09 AUG 2011)

⁶ Kentucky Department for Libraries and Archives, "Clay County Kentucky Marriages 1851-1900," *Ancestry.com*, 2007, http://search.ancestry.com/cgi-bin/sse.dll?db=kymarr&h=23868&ti=0&indiv=try&gss=pt&ssrc=pt_t27366422_p2047321120_kpidz0q3d2047321120z0q26pgz0q3d32768z0q26pgPLz0q3dpid/ (; accessed 09 AUG 2011).

⁷ Kentucky Department for Libraries and Archives, "Clay County Kentucky Birth Records 1852-1910," *Ancestry.com*, 2007, http://search.ancestry.com/iexec?htx=View&r=an&dbid=1213&iid=KYVR_994031-0047&fn=Louisa&ln=Hensley&st=r&ssrc=pt_t27366422_p2047324971_kpidz0q3d2047324971z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=245261/ (accessed 9 AUG, 2011).

⁸ National Archives and Records Administration, "1860 United States Census, Population Schedule For Manchester, Clay County, Kentucky," *Ancestry.com*, 2009, http://search.ancestry.com/iexec?htx=View&r=an&dbid=7667&iid=4230642_00141&fn=William&ln=Hinsly&st=r&ssrc=pt_t27366422_p12028978148_kpidz0q3d12028978148z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=39641789/ (accessed 9 AUG, 2011).

⁹ Kentucky Department for Libraries and Archives, "Clay County Kentucky Birth Records 1852-1910," *Ancestry.com*, 2007, http://search.ancestry.com/iexec?htx=View&r=an&dbid=1213&iid=KYVR_994031-0050&fn=Gabriel+E&ln=Hensley&st=r&ssrc=pt_t27366422_p12036426097_kpidz0q3d12036426097z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=245376/ (accessed 9 AUG, 2011).

¹⁰ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume IV Chapter XII* (Washington DC: Government Printing Office, 1880), 280.

¹¹ *Ibid.* at 282.

¹² Timothy and Valorie Taylor Spence, "Clay County Kentucky Cemeteries - Rader Cemetery," *Rootsweb.ancestry.com*, 12 NOV, 1999, <http://homepages.rootsweb.ancestry.com/~twspence/tim/clay/cemetery/rader.html>. (accessed 09 AUG, 2011).

¹³ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume IV* (Washington DC: Government Printing Office, 1882), 275.

¹⁴ *Ibid.* 5, at 2069, <http://www.archive.org/stream/compiledservicer0213unix#page/n2069/mode/1up> (accessed 09 AUG 2011)

¹⁵ *Ibid.* 4, at 1978, <http://www.archive.org/stream/compiledservicer0213unix#page/n1978/mode/1up> (accessed 09 AUG 2011)

¹⁶ *Ibid.* 5, at 2021, <http://www.archive.org/stream/compiledservicer0213unix#page/n2021/mode/1up> (accessed 09 AUG 2011) NOTE: The original microfilm has this card with James H. Hensley's record. The online compilation has misplaced the card at the end of John Hensley's record.

¹⁷ Captain Elijah Treadway, Cumberland Ford, Kentucky, to Sarah Eager Treadway, 24 MAR, 1862, Transcribed 09 DEC 1986 by Jim Currens, 7th Kentucky, Inc,

¹⁸ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume X/1* (Washington DC: Government Printing Office, 1884), 42.

¹⁹ *Ibid.* 5, at 2070,
<http://www.archive.org/stream/compiledservicer0213unix#page/n2070/mode/1up>
(accessed 09 AUG 2011)

²⁰ August V Kurtz, *Customs of Service for Non-Commissioned Officers and Soldiers* (Philadelphia, PA: J.B. Lippincott & Co, 1864), 102,
<http://books.google.com/books?id=bklKAAAAYAAJ&dq=Customs%20of%20Service&pg=PA102#v=onepage&q&f=false> (accessed 09 AUG 2011)

²¹ Thomas Tusser, *Five Hundred points of Good Husbandry* (London, England: Lackington, Allen, and Co, 1812), 135,
<http://books.google.com/books?id=epIAAAAMAAJ&dq=A%20Hundred%20Good%20Points%20of%20Husbandry&pg=PA135#v=onepage&q=April&f=false> (accessed 09 AUG 2011)

²² Captain Elijah Treadway, Residence of Mr. James Pogue four miles above Cumberland Ford, Kentucky, to Sarah Eager Treadway, 21 APR, 1862, Transcribed 15 DEC 1986 by Jim Currens, 7th Kentucky, Inc, .

²³ F. H. Mason, *The Forty-Second Ohio Infantry - A History* (Cleveland, Ohio: Cobb, Andrews, and Co, 1876), 94,
<http://books.google.com/books?id=RmMUAAAAYAAJ&dq=forty-second%20ohio%20infantry&pg=PA94#v=onepage&q&f=false> (accessed 09 AUG 2011)

²⁴ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume X Part II* (Washington DC: Government Printing Office, 1884), 168.

²⁵ *Ibid.* 23, at 99,
<http://books.google.com/books?id=RmMUAAAAYAAJ&dq=forty-second%20ohio%20infantry&pg=PA99#v=onepage&q&f=false> (accessed 09 AUG 2011)

²⁶ *Ibid.* 23

²⁷ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume X Part I* (Washington DC: Government Printing Office, 1884), 67.

²⁸ *Ibid.* 23, at 105,

<http://books.google.com/books?id=RmMUAAAAYAAJ&dq=forty-second%20ohio%20infantry&pg=PA105#v=onepage&q&f=false> (accessed 09 AUG 2011)

²⁹ Captain Elijah Treadway, Cumberland Gap, to Sarah Eager Treadway, 4 JUL, 1862, Transcribed 22 DEC 1986 by Jim Currens, 7th Kentucky, Inc, .

³⁰ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume XVI Part I* (Washington DC: Government Printing Office, 1886), 992.

³¹ *Ibid.* 4, at 1980,

<http://www.archive.org/stream/compiledservicer0213unix#page/n1980/mode/1up> (accessed 09 AUG 2011)

³² *Ibid.* 5, at 2071,

<http://www.archive.org/stream/compiledservicer0213unix#page/n2071/mode/1up> (accessed 09 AUG 2011)

³³ Captain Elijah Treadway, Fairgrounds in Lexington Kentucky, to Sarah Eager Treadway, 1 SEPT, 1862, Transcribed 24 DEC 1986 by Jim Currens, 7th Kentucky, Inc, .

³⁴ Frederick H. Dyer, *A Compendium of the War of the Rebellion* (Des Moines, Iowa: Dyer Publishing Co, 1908), 733.

³⁵ *Ibid.* 30, at 1062.

³⁶ *Ibid.* 5, at 2073,

<http://www.archive.org/stream/compiledservicer0213unix#page/n2073/mode/1up> (accessed 09 AUG 2011)

³⁷ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume XIX Part II* (Washington DC: Government Printing Office, 1887), 557.

³⁸ Captain Elijah Treadway, wharf at Memphis Tennessee, to Sarah Eager Treadway, 1 DEC, 1862, Transcribed 24 DEC 1986 by Jim Currens, 7th Kentucky, Inc, .

³⁹ *Ibid.* 16

⁴⁰ Ron Day, "Pineville History," *Bell County Public Libraries*, <http://www.bellcountypubliclibraries.org/pvlhis.html>. (accessed 09 AUG, 2011).

⁴¹ *Ibid.* 29

⁴² *Ibid.* 31 & 32

⁴³ Lieut. Col. Robert N. Scott, *The War of the Rebellion: A Compilation of the Official Records Series I -- Volume XVII Part II* (Washington DC: Government Printing Office, 1887), 368.

⁴⁴ *Ibid.* 4, at 1981,
<http://www.archive.org/stream/compiledservicer0213unix#page/n1981/mode/1up>
(accessed 09 AUG 2011)

⁴⁵ *Ibid.* 16

⁴⁶ *Ibid.* 5, at 2074,
<http://www.archive.org/stream/compiledservicer0213unix#page/n2074/mode/1up>
(accessed 09 AUG 2011)

⁴⁷ *Ibid.* 5, at 2073,
<http://www.archive.org/stream/compiledservicer0213unix#page/n2073/mode/1up>
(accessed 09 AUG 2011)

⁴⁸ *Ibid.* 5, at 2076,
<http://www.archive.org/stream/compiledservicer0213unix#page/n2076/mode/1up>
(accessed 09 AUG 2011)

⁴⁹ *Ibid.* 20, at 27,
<http://books.google.com/books?id=bkIKAAAAYAAJ&dq=Customs%20of%20Service&pg=PA102#v=onepage&q&f=false> (accessed 09 AUG 2011)

⁵⁰ *Ibid.* 4, at 1985,
<http://www.archive.org/stream/compiledservicer0213unix#page/n1985/mode/1up>
(accessed 09 AUG 2011)

⁵¹ *Ibid.* 4, at 1993
<http://www.archive.org/stream/compiledservicer0213unix#page/n1993/mode/1up>
(accessed 09 AUG 2011)

⁵² National Archives and Records Administration, "1870 United States Census, Population Schedule For Washington, Mercer County, Missouri," *Ancestry.com*, 2009, http://search.ancestry.com/iexec?htx=View&r=an&dbid=7163&iid=4273711_00436&fn=John+M&ln=Henslee&st=r&ssrc=pt_t27366422_p12028986157_kpidz0q3d12028986157z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=910443/ (accessed 09 AUG, 2011).

⁵³ Missouri State Archives, "Missouri Marriage Records 1805-2002," *Ancestry.com*, 2007, http://search.ancestry.com/iexec?htx=View&r=an&dbid=1171&iid=vrmmo1833_c2588-0396&fn=John+M&ln=Hensley&st=r&ssrc=pt_t27366422_p12028986157_kpidz0q3d12028986157z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=9450158/ (accessed 09 AUG, 2011).

⁵⁴ National Archives and Records Administration, "1880 United States Census, Population Schedule For Jackson, Breathitt County, Kentucky," *Ancestry.com*, 2010, http://search.ancestry.com/iexec?htx=View&r=an&dbid=6742&iid=4241144-00758&fn=John&ln=Hensley&st=r&ssrc=pt_t27366422_p12028986157_kpidz0q3d12028986157z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=11393969/ (accessed 09 AUG, 2011).

⁵⁵ National Archives and Records Administration, "1910 United States Census, Population Schedule For Woodville, Jackson County, Oregon," *Ancestry.com*, 2006, http://search.ancestry.com/iexec?htx=View&r=an&dbid=7884&iid=4449299_00536&fn=John+M&ln=Hensley&st=r&ssrc=pt_t27366422_p12028986157_kpidz0q3d12028986157z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=23290066/ (accessed 09 AUG, 2011).

⁵⁶ National Archives and Records Administration, "1880 United States Census, Population Schedule For Chelatchie, Clark County, Washington," *Ancestry.com*, 2010, http://search.ancestry.com/iexec?htx=View&r=an&dbid=6742&iid=4244644-00080&fn=James+H.&ln=Hensley&st=r&ssrc=pt_t27366422_p2047321120_kpidz0q3d2047321120z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=20831021/ (accessed 09 AUG, 2011).

⁵⁷ National Archives and Records Administration, "Civil War Pension Index," *Ancestry.com*, 2000, http://search.ancestry.com/iexec?htx=View&r=an&dbid=4654&iid=T288_212-0888&fn=&ln=James+H.+Hensley&st=r&ssrc=pt_t27366422_p2047321120_kpidz0q3d2047321120z0q26pgz0q3d32770z0q26pgPLz0q3dpid&pid=932455/ (accessed 09 AUG, 2011).

⁵⁸ National Archives and Records Administration, "1910 United States Census, Population Schedule For Talent, Jackson County, Oregon," *Ancestry.com*, 2006, http://search.ancestry.com/iexec?htx=View&r=an&dbid=7884&iid=4449299_01067&fn=James+H&ln=Hensley&st=r&ssrc=pt_t27366422_p2047321120_kpidz0q3d2047321120z0q26pgz0q3d32770z0q26pgPLz0q3dpid&pid=23300237/ (accessed 09 AUG, 2011).

⁵⁹ Washington Secretary of State, "Common Research Subjects - Genealogy," *Http://www.sos.wa.gov*, Undated, <http://www.sos.wa.gov/archives/research.aspx#Genealogy/> (accessed 09 AUG, 2011).

⁶⁰ Oregon State Archives and Records Center, "Oregon Death Index 1903-98," *Ancestry.com*, 2000, http://search.ancestry.com/cgi-bin/sse.dll?db=ordeath&h=132600&ti=0&indiv=try&gss=pt&ssrc=pt_t27366422_p2047321120_kpidz0q3d2047321120z0q26pgz0q3d32770z0q26pgPLz0q3dpid/ (accessed 09 AUG, 2011).

⁶¹ *Ibid.* 5, at 2075
<http://www.archive.org/stream/compiledservicer0213unix#page/n2075/mode/1up>
(accessed 09 AUG 2011)

⁶² *Ibid.* 5, at 2077
<http://www.archive.org/stream/compiledservicer0213unix#page/n2077/mode/1up>
(accessed 09 AUG 2011)

⁶³ *Ibid.* 5, at 2079
<http://www.archive.org/stream/compiledservicer0213unix#page/n2079/mode/1up>
(accessed 09 AUG 2011)

⁶⁴ National Archives and Records Administration, "1880 United States Census, Population Schedule For Pigeon Roost, Clay County, Kentucky," *Ancestry.com*, 2010, http://search.ancestry.com/iexec?htx=View&r=an&dbid=6742&iid=4241150-00215&fn=Sally&ln=Hensley&st=r&ssrc=pt_t27366422_p12035152651_kpidz0q3d12035152651z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=17304522/ (accessed 09 AUG, 2011).

⁶⁵ National Archives and Records Administration, "1900 United States Census, Population Schedule For Cross Roads, Laurel County, Kentucky," *Ancestry.com*, 2004, http://search.ancestry.com/iexec?htx=View&r=an&dbid=7602&iid=004118932_00333&fn=Sallie+M&ln=Hensley&st=r&ssrc=pt_t27366422_p12035152651_kpidz0q3d12035152651z0q26pgz0q3d32768z0q26pgPLz0q3dpid&pid=23281654/ (accessed 09 AUG, 2011).