

7TH MICHIGAN CAVALRY
MORNING REPORT
Headquarters: Bay City, Michigan

Successful Season

Our 2008–2009 meeting season is now complete. I hope it helped you through our rather nasty winter.

I thought all our speakers did a great job and hope you did too. Although the presentations are less than an hour long, they often involve a lifetime of knowledge and significant energy to put together. We appreciate all their efforts.

I have started assembling next year's cast.

James Birney's Military Records

At the time of the campaign to raise funds to buy the James Birney sword now in the County museum, I purchased a copy of his military records. (There are no pension records as no pension was ever applied for by his wife.)

I misfiled the records but recently ran across them. They are about a half an inch thick and contain many interesting documents – unless you consider individual letters hand written and signed by George Custer, Thomas Devin, Albert (Jesse) Reno (actually named Marcus Albert Reno of Little Big Horn fame), and Major General Phillip Sheridan himself recommending Birney for promotion to be not of interest.

There is also a 5 page letter from James Birney's father (James Birney III) written on June 2, 1866 to Major General John Pope, then commander of the geographical Army Department of the Missouri, which included the states of Wisconsin, Minnesota, Iowa, Missouri, and Kansas, and the territories of Nebraska, Dakota, and Montana; all headquartered at Fort Leavenworth, Kansas.

This letter was written by a fretful father about a previously unknown episode in Captain Birney's military career and provides details of other matters not before known or confirmed.

I have deciphered Judge Birney's handwriting and printed it below. Words I am not sure of are in brackets.

-Editor-

Introduction to the Letter

"The Red Book", which was prepared by the Michigan Adjutant General after the Civil War detailing the service of Michigan regiments, relates the following about the Michigan Cavalry Brigade:

After the war ended in April of 1865 and the Michigan Brigade participated in the Grand Review in Washington, its members expected to be sent home to Michigan to be mustered out as their enlistments were to expire at the end of the war. Instead, they were sent by train to Fort Leavenworth, Kansas where the 5th Michigan and some of those in the other 3 regiments were mustered out.

The remainder were parceled into groups and sent on expeditions to control the Indians. In September of 1865, more members of each regiment were mustered out but the remaining 1,216 men and officers were consolidated into the "1st Michigan Veteran Cavalry", whether they liked it or not.

This group was eventually sent to Utah to suppress the Mormon "rebellion" that was threatening in that territory. They served there until March 10th of 1866 when they were given travel money for home and mustered out.

Calamity

Captain James Birney was part of that latter group but apparently liked the service well enough that in the summer of 1865, he went before a promotion board for advancement to major and was recommended to the higher rank.

But then, something happened. On the day before he was to leave Salt Lake City for home, he was informed he was ordered dishonorably discharged. He would be going home in disgrace.

For what, his record mysteriously does not state. When the others in the 1st Michigan were discharged on March 10, 1866, he was apparently retained due to the pending discipline.

Still in the military in early June of 1866, his father, the former lieutenant governor of Michigan and then circuit judge of Bay County, wrote General John Pope, head of the Army

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Department of Missouri, to plead on his son's behalf.

James G. Birney III



the last, had his horse shot under him, and after discharging every shot in his revolver,

James G. Birney IV



Letter from a Distressed Father:

Bay City, Mich. June 2-66

**Maj Gen John Pope
St. Louis**

Dear Sir;

Captain James G. Birney formerly of the 7th Mich. Cavalry and more recently of 1st Mich. Cavalry entered the service of the Government in 1862. Although he had the offer of a lieutenancy by the Hon. F. Kellogg who had authority to appoint to posts in the regiments raised by him in the state, he enlisted in the ranks and by his own [merit] rose rapidly to his recent rank.

At the battle of Gettysburg, Captain Birney distinguished himself by his gallant conduct. He rallied his company, resisted the enemy to

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Maj. Gen. John Pope

fought with the pike of the colors seized from the hands of his color bearer who had fallen dead by his side. He was struck over the head with a saber and left for dead on the [field].

After he rallied somewhat he was taken prisoner and escaped after three days. Upon reaching Gen. Pleasanton[’s] headquarters he was appointed an aid on his staff. He was soon after made Provost Marshall for the Corps. He gained high favor with all who had anything to do with the Mich. Brigade for his courage and [continuously exposing] himself to danger. He was regarded as the best disciplinarian of his regiment.

That I may not be suspected of partiality in what I say I enclose the copy of the recommendations of Gen. Sheridan, Custer, Merritt, Devin, Reno also Col. Briggs, Stagg, Fitzhugh & [others].

What has given me as his father great pride in knowing that he has [unfailingly] his whole [career] done his duty faithfully. I have heard nothing but commendations. His

soldiers love him and his officers commend him.

I have letters from Gen. Hardie for Lee [Staut_] and Ad. Gen. Townsend advising me that his recommendations have been placed before the military board at Washington for promotion to the regular army. His Congressman also promises appointment to West Point at the first vacancy.

The sudden order that sent him west has subjected him to great hardships and it was a most unexpected and severe trial to his parents. He has been placed in responsible positions there giving him much labor and care. As district inspector he has had much traveling to do, and during the winter at Camp Douglas near Salt Lake had command of the Regiment while other officers were allowed to go home.

On the 10th of April he wrote us in fine spirits [an] assessment of the prospect of [ever] [more] getting home, and fulfilling a deferred matrimonial engagement.

On [this his] last letter informs us that on the day before he left Salt Lake City an order was received “dishonorably” mustering out himself and nine Captains of the Regt “for neglect of duty and disobedience of orders in not furnishing certain descriptive [lists] to the prejudice of certain enlisted men of the command.” He states that it is most unreasonable and unjust, and it must have been done under your recommendation. He thinks you were misinformed. He says that he has not been directly in charge of a company or responsible for descriptive lists for a year.

The offense is alleged to have taken place in January. He has sent affidavits to the War Department to prove this fact. I will request Senator Chandler & [Howard] to call up this case before Secretary Stanton.

I write this at [length] because I do not wish my son to return home [defeated] and with his pride humbled by such a conclusion to his career.

He is the only son I had to give to the War and this treatment of him greatly [pains] me. Having recently held the offices of Lieut Govt

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and Circuit Judge in this state I am desirous that he should take an active [role] in the celebrations to be conducted by the state officers on the coming 4th of July. But he couldn't do it if dishonorably mustered out.

He has felt a [cane] ___ to do no dishonor to the reputation of his uncle – Maj. Gen. Birney & Brig. Gen. W. Birney.

I earnestly entreat you to reconsider any action you have taken in the premises, & do justice to a deserving and injured officer.

The [issue] has probably prevented his recovering any thing to defray his expenses on that long journey home.

He may call upon you at St Louis on his way home. I pray you to receive him kindly and hear his statement, and make all the amends possible. He is young & modest and will not express all he feels.

He writes us as though his feelings have been wounded to the quick by an order that he deems utterly unmerited.

I wish if possible to have him reinstated before his return home that he may not have the mortification of meeting his friends with such a stigma resting upon him.

He will probably reach St Louis in a very few days as he was at Fort Halleck* on the 16th of May.

I am
Very Respectfully
Yours,
James Birney

* Fort Halleck was in Wyoming.

Thereafter

Judge Birney's promise to contact Michigan Senator Zachariah Chandler was no idle threat as Birney had the political connections to do so.

Chandler, a powerful radical republican in Congress during and after the Civil War, was closely aligned with Edwin Stanton, the Secretary of War and Pope's ultimate boss short of the president.

Birney's letter was written on June 2, 1866 and it is not known if General Pope saw it before another communication was delivered to him.

It was a telegram dated June 5, 1866 (of which the original is also included in Captain Birney's records), which read:

“By what authority is Capt Birney, 1st Mich. Cav., retained in the military service? The Secretary of War desires to know.

**John P. Shelbourne,
A.G.”**

One day later, on June 6, 1866, the Adjutant General of the Department of War issued Special Order 267, which read in part:

“By direction of the President, so much of Special Orders No. 130, Paragraph 6, March 22, 1866, issued from this office as dishonorably mustered out Captain *James G. Birney*, 1st Michigan Veteran Cavalry, is hereby revoked, and he is honorably discharged the service of the United States, as of the date of the aforesaid order . . .”

Surmises

It appears Judge Birney had already contacted Senator Chandler and it didn't take long to get action.

The men of the Michigan Brigade who had been shanghaied to the west and their families probably had been howling for their discharge right from the beginning.

Pope needed experienced soldiers and was likely reluctant to let them go.

One strategy to keep them that he used was to say they could go home but not give them any government transportation or travel money to do so. So the men had to stay until Congress finally voted them \$325 each to pay their way home from Utah in March of 1866.

Angry at losing them, it seems Pope decided to punish as many as he could with triumphed up charges. Hopefully, the other nine charged

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captains found their way to an honorable discharge too.



Zachariah Chandler