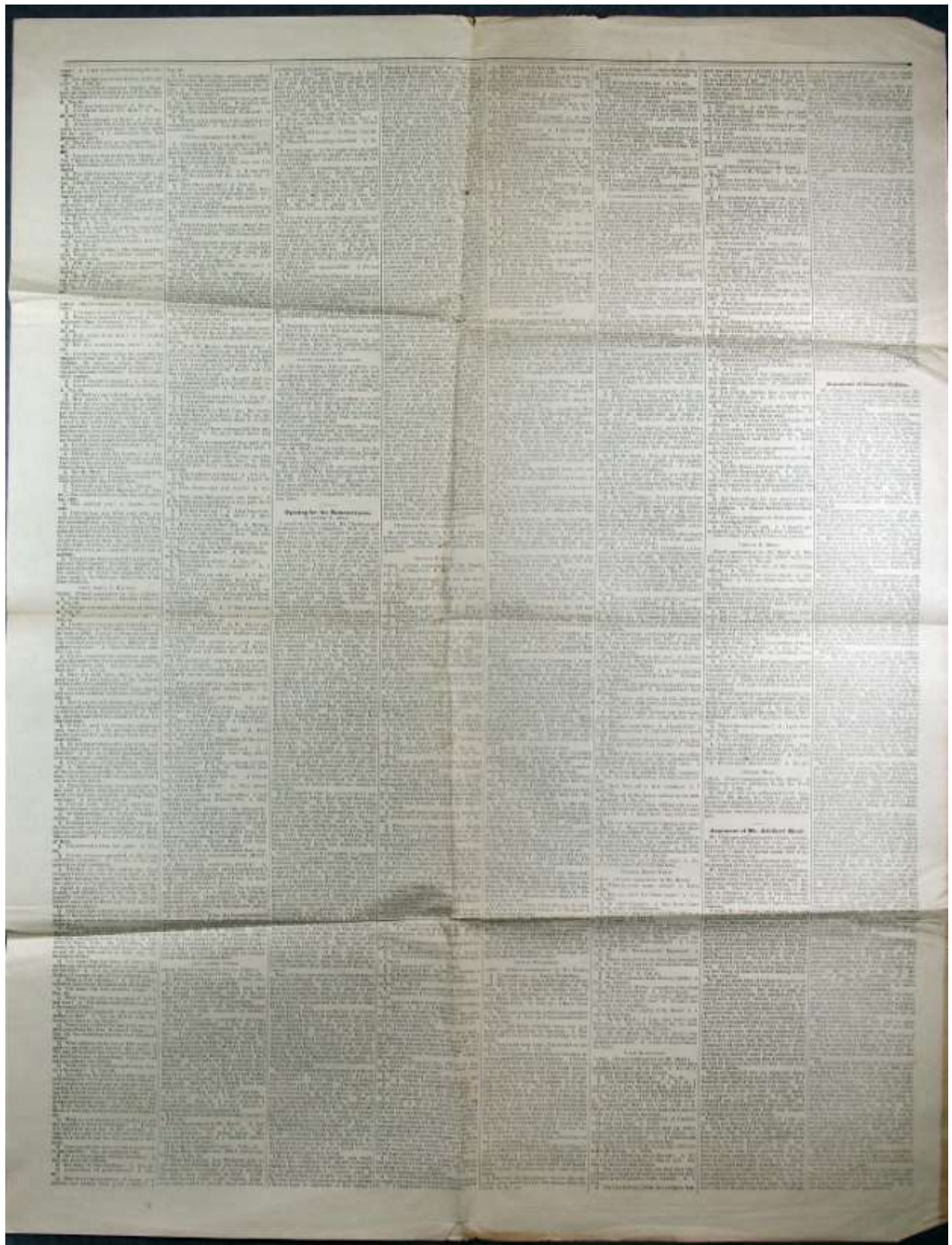


"Soldiers Bounties! Shall Acton Pay Her Re-Enlisted Men or Not? The hearing in full before the Legislative Committee on Military Affairs at Room 14, State House, Boston, January 26, 1882." *Acton Patriot Supplement* [n.d.] .

Newspaper transcript of a hearing to consider "A Petition of the Town of Acton for Authority to Pay Certain Bounties." Includes testimony of several Acton Civil War veterans on the role of town bounties in recruiting re-enlistments.

Transcription of 1 newspaper sheet, 2 sides, courtesy Brewster Conant.



Soldiers' Bounties!

Shall Acton Pay Her Re-enlisted Men or Not?

[The hearing in full before the Legislative Committee on Military Affairs at Boom 14, State House, Boston, January 26, 1882.]

STATE HOUSE, BOSTON, Jan. 26, '82.

Hearing before the Military Committee of the Massachusetts Legislature,—Haile, of Springfield, chairman.

APPEARANCES:

For Petitioners, HON. P. A. COLLINS of Boston; for Respondents, ADELBERT and OLIVER W. MEAD of Acton.

The clerk of the committee read the records of the last meeting, which were approved, and the chairman said:

GENTLEMEN OF THE COMMITTEE: We have assigned for hearing at this hour the following petition:

A PETITION OF THE TOWN OF ACTON FOR AUTHORITY TO PAY CERTAIN BOUNTIES.

To the Honorable, the Senate and the House of Representatives, in General Court assembled:

The Inhabitants of the Town of Acton, in the County of Middlesex, respectfully ask that an Act may be passed legalizing the action of said town at its last November meeting,—to pay to each of those soldiers who re-enlisted in the 26th Regiment in the late war and were credited to the town of Acton, and to the legal heirs of any such deceased soldiers so re-enlisting and credited a bounty of one hundred and twenty-five dollars.

(Signed) CAPT. AARON C. HANDLEY,

CHAS. A. HARRINGTON,

ISAIAH HUTCHINS.

This hearing, gentlemen, is before us at this time, and I understand that the petitioners are present.

Mr. Collins said: "Mr. Chairman and Gentlemen of the Committee,—I represent the petitioners as counsel. I think these gentlemen (indicating the Messrs. Mead,) represent the remonstrants."

OPENING FOR THE PETITIONERS BY GEN. COLLINS.

Mr. Collins said: "The facts in this case, Mr. Chairman and Gentlemen, which I will call your attention to, are these: At a very critical time in the late war, —sometime in the latter part of the year 1863,—as you all very well remember, the President of the United States issued another call for something like three hundred thousand men, and at that time the government offered especial inducements to the veteran soldiers to re-enlist—the soldiers who had less than one year of their term to serve before it expired. All those who would re-enlist for the second time were to receive certain advantages. This was done for the purpose of obtaining the best soldiers—soldiers who were in the field and had had valuable experience—for a longer term of service than they would otherwise be obliged to give.

The 26th Regiment Massachusetts Volunteers, Company E., recruited in Acton, Massachusetts, and also some other companies of the same regiment, were at New Iberia, in Louisiana, in the winter of 1863-1864, when the news of the call was published, and when the proclamation came to them, captain William H. Chapman, then captain of Company E., was the recruiting officer of the regiment. He was an Acton man, and his company was an Acton company. It was utterly impossible to communicate with Acton at that time and receive a reply in time to have any promises on the part of Acton communicated to the man and have any number of men credited to the quota of Acton.

Everybody understands that at that time there was a great deal of rivalry between towns and cities as to the readiness with which they would fill their quotas, and the Acton quota was not full. Probably the best proof of this is the fact that the captain of each company used every means in his power to fill their quota of men, and told them that their towns would do as well by them in special bounties as any other cities or towns would do. In this manner thirty-one men were soon credited to the quota of Acton. Captain Chapman and Captain Brady of Fall River, and the other captains of the regiment, did all they could to fill the quotas of the companies from the localities to which they belonged. Captain Brady went to all his men there, and to other men, and in order to get them to join the quota from Fall River, told them what Fall River would do, —would pay as large a city bounty as any other own or city would pay. He exercised every possible means to get men to attach themselves to the quota from Fall River.

Captain Chapman was also the recruiting officer of the regiment. All the towns and cities were paying about one hundred and twenty-five dollars, or promising this amount, in special bounties to every man who should join their particular quota, and these bounties were held forth only to those who were re-enlisted men. Some of these men had served three months and were credited at once; there were others who had served a term of three years and were credited the second time. Captain Chapman told them that Acton would do as well as any town or city, and consequently, while other towns were making similar offers to their men, the quota of Acton was being filled up on this promise, and all this time other towns were trying to get away some of the men from the Acton company by making them promises of a special bounty of one hundred and twenty-five dollars or more. Twenty-nine men were thus re-enlisted in the town quota of Acton from Co. E, and then one man in Company A, and one man in Company H. making a total of thirty-one men that were re-enlisted and were credited to the town of Acton and served during the remainder of the war, with the exception of one or two who were disabled—one lost his leg and another was injured in some manner. All the rest served during the whole term to the end of the war, and, of course, were in the service some time later, as they were away from home such a great distance and the communication was broken.

The average term of service of these men was about four years in the war for the Union taking those who served for the short term and those who served for the longer one. They rendered the town

of Acton gallant and noble service, and it was supposed by every one of the men there, supposed by every officer and supposed by everybody that the town of Acton would pay each of them one hundred and twenty-five dollars extra bounty. The Fall River men were paid, the Sudbury men were paid, all the other men were paid except the Acton men, and the most of them within the time for which they had re-enlisted. There an old vote of the town of Acton which supposed to have covered everything, and which left the matter to the recruiting committee, (the local recruiting committee of the town of Acton,) and there was some talk by this recruiting committee of the town that this matter would be made all right.

The town itself thought to and intended to make the matter right, and by three successive town votes have, in regular town meeting assembled, voted to pay each of these men one hundred and twenty-five dollars. I may say in addition to this fact, that all these other towns have paid this one hundred twenty-five dollars, and that Acton has not, -- we will take two of the cases out of the thirty one among the list. Warren L. Teele was of the thirty-one. This man lived in Somerville; he belonged there, but he re-enlisted for Acton. The Somerville authorities came to him and offered him one hundred and sixty if he would get transferred to the quota of Somerville, and he refused to do it. Somerville, however, paid this one hundred and sixty dollars to her men, and Acton has not paid a cent to him.

There is another,—Francis H. Stevens of Stow. He re-enlisted for Acton. The Stow authorities tried to have him transferred, and offered to pay him one hundred and twenty dollars. He did not go, but remained with the Acton company. He re-enlisted, and he was another of the thirty-one men who have received none of the bounty promised, and to which they are honestly entitled. From the beginning of the war, town records up to the present time show plainly the patriotic efforts on the part of the people of Acton, and their perfect willingness to fulfill every obligation, and to do their full part in the suppression of the rebellion. We have printed certain votes of the town, and, while I will not trouble the Committee to read them all, I would call their attention to the two last ones. [Speaker here read vote of town meeting at Acton, Nov. 2, 1880, and vote at Acton town meeting Nov. 8. 1881.]

In reference to the first vote that was passed the same committee that are here this year, came here before the Legislature, and there were a number of claims of all sorts, good and bad, and I believe the committee refused to pass favorably upon any one of them. At all events the committee did not pass favorably upon the Acton petition, as the committee gave no more attention to this class of cases in reference to Acton than it did to cases that ought not be considered at all. And now we come this year to have these cases considered separately and by themselves. Last year's Legislature did not take any favorable action upon them, and the warrant of the town at the town meeting held on the eighth of November last contained an article reading as follows: "To see what action the town would take to pay the bounty due to those veteran soldiers who re-enlisted in the Twenty-sixth Regiment and were credited to quota of Acton in the war of the rebellion." As a result of the meeting, a vote was passed to pay these veteran soldiers who were re-enlisted in the 26th Regt. and were credited to the town of Acton, and to the legal heirs of any such soldier so re-enlisting and credited, a bounty of one hundred and twenty-five dollars. They also voted to choose, and did choose, a committee, consisting of three members, Captain Aaron C. Handley, Chas. A. Harrington and Dr. Isaiah Hutchins, to come before this legislature and procure, if possible, the passage of an act by that body legalizing the raising and collecting of a tax to pay said bounty, and this is the vote, Mr. Chairman and Gentlemen of the Committee, we ask your committee to recommend to the Legislature to be legalized; this is the vote that we ask the Legislature to confirm, ratify and make valid and that the town be fully authorized to raise and collect by taxation a sum sufficient to pay these thirty-one men. The total amount necessary to

be raised under this vote is less than \$4000, and the act or the bill which we shall present to the committee will ask that this vote be legalized and the necessary sum be raised. The committee will remember that the men—those old veterans of the late war—ask for no interest, neither do we expect any interest to be paid. If that were paid, however, it would equal an amount, calculating from 1864, which would be a very much larger sum than double the amount claimed. But we ask that the town of Acton may be authorized to raise and pay these men what they ought to have been paid in 1864, when these men re-enlisted, and filled the quota of that town, and whenever this matter has come up in town meeting—when all the inhabitants of the town have been fully notified of it—whenever this question has come up the majority of the inhabitants always voted to do this, and the men who come here to-day represent the majority of the town, and they ask you to authorize them to pay only a debt of honor, as a debt that ought to have been paid long, long ago.

That the matter may come up properly before the committee, I will hand in these papers. [Speaker passed to the chairman of committee certain documents.] These are copies of the votes of the town in reference to the matter. These are all the different votes, the last one being the vote that we ask to have legalized.

[Witnesses called and sworn.]

COL. WILLIAM H. CHAPMAN

Called. [Direct examination by Gen. Collins.]

Q What is your name, Colonel?

A My name is Col. Wm. H. Chapman.

Q What was your rank when you mustered out of the service? When you was in the 26th Regiment?

A My rank when mustered out of the service?

Q Yes sir.

A I was ranked Lieutenant Colonel.

Q Were you captain of Company E, 26th Regiment?

A I was: yes sir.

Q Did you live in Acton when you enlisted?

A Yes sir, I did.

Q You lived to Acton and were captain of Company E., 26th Regiment?

A Yes sir

Q Were you in New Iberia in the state of Louisiana, in the month of December or along there, in the year of 1863?

A Yes sir.

Q And while there were you the recruiting officer for the regiment?

A Yes sir, I was appointed by the colonel.

Q And were you the recruiting officer for the whole regiment?

A Yes sir.

Q Will you tell the committee when the call from the war department came for men to re-enlist and when it reached your regiment, what action you took in reference to Acton, that is, in regard to filling the quota from your own town?

A At the time we received the order, I was appointed the recruiting officer for the regiment. I was in New Iberia, Louisiana, at the time with my company, and I was relieved from duty.

Q. (By chairman of committee) about what time was this, sir?

A. I think it was in Dec., 1863

Q This was at the time the news reached there of the order from the war department?

A Yes sir.

Q What did you do then?

A As soon as I received my instructions I went on and recruited as fast as I could and as many as I could and credited them to the various cities and towns.

Q What did you do with reference to the Acton men, as to the matter of re-enlisting them to the quota of the town?

A In that call the men had the privilege to go for any place they liked; they could be credited to any town or city quota they liked best to be credited to. I found as did the Acton men that towns and cities were offering special bounties to all who would re-enlist in their quotas and so I told the Acton men that Acton would do as well by them as any other town; and so I got all I could to go for Acton, as I felt an interest in the town.

Q Was there at that time any means of communicating with the authorities of Acton, so as to get express authority to promise them bounties on.

A No sir; there was not. I could not get the communication, sir. I could not get a letter there and get an answer back in season.

Q Where is New Iberia situated?

A It is located on a bayou in the southwestern part of the state of Louisiana.

Q What communication did you have, either by telegraph or otherwise, or the post office?

A There was no telegraph and the regular army trains brought and took away mail occasionally.

Q It took some weeks to get a communication at that time, didn't it?

A It would take some two or three weeks to get a letter to New Orleans and back and get an answer to it.

Q And then there was no certain communication between New Orleans and the North?

A Yes; I should say that there was no way of getting a letter from New Orleans.

Q Were you in winter quarters or moving?

A We were moving, sir.

Q Will you examine this printed list, Col Chapman, so as to recognize the names of the men. (hands witness a paper) I will read them over to you, and you may tell me whether these men were re-enlisted members of your company at that time? (Reads list of all the men credited to Acton.)

Q Were all those men re-enlisted by you?

A Yes sir.

Q And were they re-enlisted under the circumstances which you have stated?

A Yes sir.

Q And were they all good soldiers?

A Yes sir; they were all good soldiers.

Q Was it not considered a great advantage to have old soldiers in the ranks; was there any advantage in having men who had served two years or more, re-enlist?

A Yes sir; it was a great advantage.

Q Was there any advantage in getting soldiers who had seen even more than two years service? Would they be more apt to serve until the end of the war unless disabled by wounds, than new recruits?

A Yes sir; they are a class those who re-enlist, they are a class of men who never desert.

Q They were not bounty jumpers then?

A No sir; these men were all good soldiers.

Q One of them lost his leg, I believe?

A Yes sir.

Q And several others were wounded?

A Yes sir.

Q Did you come home to Acton with the regiment?

A Yes sir.

Q Do you know about the other towns paying their men who re-enlisted one hundred and twenty-five dollars?

A Yes sir; they were all paid.

Q And the town of Somerville paid one hundred and sixty dollars to each of its men, I believe?

A Yes sir.

Q Some of these men lived in other towns than Acton when they re-enlisted, didn't they?

A Yes sir.

Q And some of them lived in towns that paid all their re-enlisted men one hundred and twenty-five dollars.

A Yes sir.

Q How long did you remain in Acton after returning with the troops?

A Do you mean after I returned from the war with my regiment?

Q Yes; I mean after you returned from the war at its close.

A Two or three months.

Q You have not been a participant in town affairs, then?

A No sir; I have not.

I think that is all, sir.

[Cross examination by Adelbert Meade.]

Q Did you, at the time you were re-enlisting those men, tell them that Acton would pay them a bounty?

A Yes sir; I told them that Acton would do as well by them as any other town; and I thought I had a perfect right and did perfectly right in doing so.

Q Did you tell those soldiers that Acton would pay them a bounty?

A Yes sir.

Q What authority did you have?

A Well, I took the authority; but I remember a letter stating that fact.

Q Who received that letter?

A A letter was received to that effect, and I think that a letter was read at parade one evening, and it would probably be at hand now, but we had the misfortune to lose all our luggage except what we had on. Everything was lost excepting what we had on our backs, and I expect this letter went with the rest.

Q Who was that letter from?

A I could not state; I cannot remember the name.

Q You knew all the Acton men, didn't you?

A I wouldn't state who it was; I can't remember now, it was a good while ago.

Q Didn't you say on the stand last year, under oath, that there was no letter read there?

A I didn't say there was not, positively.

Q Didn't you any last year while under oath that there was no such letter read there?

A I said I didn't remember of any letter. I say now that I do have a remembrance of a letter read at parade one evening.

Q Didn't you swear last year that there was no such letter. A I said I didn't remember.

Q Didn't you any that you had no verbal authority.

A I said I had no authority only what authority I had for the interests of the town of Acton.

Q That is the idea now that you would convey to the committee, that you took the responsibility yourself.

A Yes sir.

Q Then you don't depend upon that letter?

A No sir; I don't swear positively to that letter, but I have the impression that there was I one.

Q Didn't you swear last year that there was no such letter?

A I said that I didn't remember any letter.

Q Didn't you swear last year that you did not receive any letter?

A I said I did not remember receiving any letter.

Q Wouldn't you be likely to remember?

A Well sir, I hardly think I should. There were a good many things to think of in those times and many years have gone by since then, a good many things have happened and—

Q Will you swear that you did not swear last year that you did not receive any letter?

A I will swear that I said that I did not remember of seeing any letter.

Q Will you swear that you didn't swear last year that you did not receive any letter—that you did not swear last year that you did not receive any letter?

A I don't remember of swearing so.

Q Well, when you were engaged in re-enlisting those men did you tell them that they could go to any town they were a mind to?

A Yes sir.

Q You did tell them that you say.

A Yes sir, I did, and they had that right.

Q Well, what authority did you have for telling them that?

A I had my instructions in regard to recruiting the men.

Q Did you tell them what bounty they would receive from the government and the state?

A Yes sir.

Q Didn't you know there was a law compelling them to re-enlist in the Acton quota unless that quota was full?

A. No sir; they had a right to go into any company or any quota from any town in the state.

Q Didn't the Legislature pass a law in Nov. of 1863, forbidding any man to re-enlist outside or his own town or city, and even if he did enlist he was to be credited to the town or city where he resided before he was enlisted?

A Those veterans had the privilege to re-enlist in any town or city quota they chose.

Q And receive the bounty?

A Yes sir.

Q Didn't you testify last year that you told the men to reenlist for any town wherever they chose; didn't you swear last year that you didn't urge them to go anywhere in particular?

A No sir; I certainly did not.

Q I asked him if he didn't testify last year that he allowed those soldiers who re-enlisted to enlist for any town or city they pleased; that is what he said last year that he didn't influence them.

A If they had no choice then I put them to Acton.

Q With their consent, of course?

A Yes sir.

Q Didn't you testify last year on the stand under oath, that you did not try to influence these men to go for any particular town or city, but let them go and re-enlist in any town they chose.

A Yes, sir.

Q (By Gen. Collins) When you spoke to your Acton men whether you did or did not tell them that Acton would do as well by them as any town, and urge them to remain in the quota of Acton?

A Yes, sir.

Q (By A. Mead) When you enlisted in the war you lived in the town of Acton, did you not?

A I lived in the field when I re-enlisted those thirty-one men.

Q When you enlisted, I mean.

A Yes, sir.

Q At that time was you owning any property in the town of Acton?

A I was.

Q At the time you re-enlisted in the Acton company were you owning any property in Acton?

A No, sir.

Q Did you now—or have you owned any property in Acton since you re-enlisted those men?

A No, sir.

Q Wasn't it taking considerable on your shoulders by telling those men, those soldiers, that Acton would pay them as much as any town or city,—didn't you think—don't you think it was overstepping your bounds?

A No sir.

Q What reason had you to believe that Acton would do anything of the sort? You knew that the Selectmen and three others were added to the recruiting committee for the town of Acton.

A No sir: I didn't know anything about it.

Q You knew we had a board of Selectmen?

A Yes sir; I suppose so.

Q We did at the time have a Board of Selectmen and a recruiting committee.

A I knew that the town was trying to get all the men they could.

Q How did you know anything of that sort? A We had papers to show it.

Q How did you know that we had not filled up our quota?

A The order came from the government calling for three hundred thousand more troops, and every town was trying to fill up its quota.

Q How did you know but what we had a full quota?

A. I did not know, sir.

Q You did not know whether we had too many or whether we lacked; nor how many we lacked?

A No, sir.

Q Why did you offer any such inducements to men to go with Acton?

A I took it for granted that they wanted more men; all the other towns were securing as many as possible.

Q You say that we needed the men; how did you know that we needed the men?

A I know now of your putting in men after that.

Q We had forty-seven more men when the war closed than we needed; that don't look as if we were in very great need of men to fill our quota, or that we didn't have men enough. But till you say that you did it because you knew that Acton needed the men.

Q (By Gen. Collins) What towns were down there buying up men and paying their bounties?

A Fall River.

Q Who did that for them?

A It was Captain Brady.

Q What did Fall River pay their men?

A She paid her men one hundred and twenty-five dollars.

Q (Cross-Examination resumed.) Who paid it?

A Fall River paid it.

Q Did he have authority to offer to pay it to them?

A He had no more authority than I did. He came in and gave notice in the regiment that Fall River would pay one hundred and twenty-five dollars; and any and all the men had a right to go to Fall River if they chose.

Q Didn't Captain Brady testify last year that he did not try to buy any of your men?

A Well, he did not interfere, but he gave it as an offer from Fall River, that all who wished to go to Fall River might have a bounty extra of one hundred and twenty-five dollars.

Q I understood, according to the testimony last year, that the officers were too high-minded to buy up each others men. Didn't testify to something to that effect last year? You testified that some of the other towns all about Acton had paid their men one hundred and twenty-five dollars bounty each. What towns do you refer to now?

A Somerville.

Q How many did they pay?

A I don't know, sir.

Q What evidence did they pay it on, and that evidence have you that they have paid it anybody? Why do you make that statement unless you have authority?

A I have good authority for making the statement.

Q You should not take statements unless you can prove them and know them to be positive truths. Do you know they have paid it?

A I understand so.

Q What do you know about it? We want to know now what you know about it?

A I have understood that they have been paid an extra bounty.

Q I think there is no truth in it whatever. Then you do not know of your own knowledge any town in this whole commonwealth that has paid any of these re-enlisted soldiers any bounty?

A I have not been round to see.

Q Answer that question, yes, or no.

A I know that Fall River has paid one hundred and twenty-five dollars bounty to her men who re-enlisted at that time.

Q How do you know that?

A Because the men have told me so.

Q Because the men have told you so. Is that knowledge?

A Yes, sir; I think so.

Q I understand you to say that Captain Brady offered his men one hundred and twenty-five dollars extra bounty if they would re-enlist; didn't you say so?

A I did; yes, sir.

Q I have a letter from Captain Brady, and, if there is no objection I would like read a very short piece of it: "And, actuated by these noble principles, the men of Acton stood firmly by Acton and the men of Fall River stood firmly by Fall River; and this, without even the slightest previous assurance so far as Fall River men were concerned, that they would receive for their noble and patriotic acts a single cent. It showed clearly their confidence, etc." Here is this thing, signed by Captain Brady and printed in the Acton paper. Now, what does that mean?

(Gen Collins Why don't you get something from the Old Testament?)

Q I suppose we might take it from the new. How do you account for that?

A I have nothing to say, sir, on that. I make my statement that he said that Fall River would pay them one hundred and twenty-five dollars each.

Q You say he made a public statement to effect that Fall River offered, and would pay them one hundred and twenty-five dollars each.

A And I say so now.

Q He says he did not, and signs his name to it.

[The chairman or the committee here remarked: —Gentlemen, in order to facilitate the business I move that the examination and cross-examination of witnesses be confined to one counsel. In reply to the motion, Mr. Mead said I suppose the committee understand that we are not used to this thing at all; we have no legal counsel. (Motion withdrawn.)]

Q (By a member of the Committee.) Did you ever make any communication to the authorities of the town of Acton at that time in reference to what you had done?

A We had a furlough and I came home, but I did not see the town authorities at that time.

Q Did you make any communication to them in regard to the matter at any time; after you had returned, or at any time.

A No, sir.

Q Not officially?

A Not officially, no, sir.

Q You have never made any reference to the payment of this bounty.

A No, sir.

Q (By Gen. Collins) All your men came home after the re-enlistment.

A Yes, sir.

Q (Member of committee) I notice on this printed slip the vote of the town of Acton, Nov. 30, 1864. "To see if the town will raise a sum of money for recruiting expenses; also, to express their mind and act upon the subject of recruiting more men for the war. Voted, that the town raise the sum of fifty-five hundred dollars to recruit men for the war. Voted, that the same be assessed and collected immediately, to be assessed in the same manner as other town taxes." Do you know whether the information of that vote reached the regiment at any time during this re-enlistment?

A There were rumors of it afterwards.

Q When did you first know of that, that you remember? Was that the year that you were recruiting?

A No, sir.

Q You were recruiting earlier than that?

A Yes sir

SILAS BLODGETT

Called. [Direct examination by Gen. Collins.]

Q Your name, please.

A Silas—Silas Blodgett.

Q Were you the First Lieutenant of Co. E 26th Regiment Massachusetts Vols.?

A I was; yes, sir.

Q Whether you were at New Iberia, Louisiana, at the time the news came of the Presidents call for three hundred thousand more men, and for the re-enlistment of veterans?

A Yes, sir; I was there.

Q State to the committee what you remember of the re-enlisting of men at that time from Acton, and under what circumstances and under what inducements did they enlist

A Well, I think Colonel Chapman stated the facts as they are, as near as I can remember. I know he was appointed recruiting officer and re-enlisted the men for the unexpired term and remainder of the service

Q Do you know what was understood by the Acton men at that time in regard to extra bounty to be paid by the town for re-enlisting to her credit?

A I don't know what was understood, but I took it for granted that Acton would do as well by her re-enlisted men as any other towns. I know they had done this—given their men extra bounty, and I supposed Acton would, also.

Q You were an officer at that time?

A I think at that time I was on detached services. I think I was detached about then.

Q. Did you come home on a furlough?

A. Yes, sir; when the regiment came.

Q At the end of the war?

A No, sir; when the enlisted men came home; about the first day of April, I think.

Q In 1864?

A Yes, sir.

Q And when did the regiment return?

A After thirty days furlough.

Q Did all the men come home?

A All the re-enlisted men did.

Q Did you after you returned from the war, live in Acton?

A No, sir; I stayed there a short time; perhaps I was there four or five months.

Q You have not been a participant in the town affairs since then?

A No, sir; I have not.

Q Where do you live now?

A I live in Hyde Park.

Q I believe you are postmaster there.

A Yes, sir.

[Cross-examination by Mr. Mead]

Q You say that you came home with the re-enlisted men when they came home on a furlough?

A Yes, sir.

Q Did you remain in Acton the most of that time; did you stay in Acton during that furlough of thirty days?

A Yes, sir; I was there most of the time.

Q Did you speak to anyone about this bounty of one hundred and twenty-five dollars in the town, that you recollect of?

A I cannot recollect now, that I did.

Q Did you hear it talked about at all?

A I think I heard it talked about.

Q Who did you hear talking anything about it?

A I don't know; I can't remember; why it was seventeen or eighteen years ago, and it has passed from my mind. I am sure I cannot recollect who I heard talking about it.

Q You don't recollect making any claim on the town?

A I don't know that they did at that time. It seems that Fall River paid theirs at that time.

Q How do you know that Fall River paid anything?

A I have understood so from Captain Brady.

Q How do you account for the fact that the Acton men did not ask it of the town; you say they knew that Fall River had paid theirs?

A I don't know whether they knew it at that time or not.

Q Captain Chapman states that Captain Brady told them that Fall River would pay their men the sum of one hundred and twenty-five dollars—told them in public. Did you hear Captain Brady make any such statements before the companies?

A No, sir; I did not personally hear him say so.

ELIAS HAYNES

Called. [Direct examination by Gen. Collins.]

Q Your name in full?

A Haynes—Elias Haynes.

Q Were you the second Lieutenant of Co. E 26th Regiment?

A I was.

Q Were you at New Iberia when they were re-enlisting men of that company?

A I was; yes, sir.

Q Will you state to the members of this committee, what was said at time to those who re-enlisted for the quota of Acton? Tell all you know relative to the extra bounty promised.

A At the time Colonel Chapman was appointed Recruiting Officer, Lieutenant Blodgett was on detached service; and he and I were a great deal associated together all the time—Colonel Chapman and I. We talked these things over considerable and I have the impression that there was a letter which came down from the recruiting committee in Acton, stating that they would do as well by us if we would re-enlist, and go on the quota for Acton, as any other towns.

Q And nearly all the men consequently re-enlisted.

A They did—nearly all of them.

Q Did you serve till the close of the war?

A No sir; I returned in 1865.

Q When did you return?

A I returned in April, 1865.

Q And have you lived in Acton since then?

A Yes, sir.

Q Have you attended the town meetings and have you ever taken an active interest in town matters?

A Not since 1866.

[Cross-examined by Mr. Mead.]

Q You say that you think that it is your impression that there was a letter received?

A Yes, sir.

Q Was you acquainted in Acton before you went to the war?

A I lived in Acton at the time I went to the war.

Q Did you know men generally?

A Yes sir; I knew many of them.

Q Did you know the selectman and the leading men of the town of Acton?

A I did; but I cannot recollect who were the selectmen at that time.

Q Have you any impression or any idea who it was that that letter came from?

A I think it came from the committee on recruiting.

Q Are you sure that there was such a letter? A I am very positive there was such a letter, and that Colonel Chapman read it to the company at roll call, after parade one evening.

Q Have you any recollection which member of that committee that letter was from?

A No sir.

Q It did not come from the selectmen?

A It came, if I remember right, from the Acton recruiting committee.

Q Do you remember anything about it?

A No sir: only -that there was such a letter. I am very positive that there was such a letter read at roll-call.

Q What kind of a letter was it?

A The letter was directed, as I understood it, as I remember now since this matter has been brought up, it was directed and came there directed to Captain Chapman; and I was with him when he received it.

Q. When did that letter reach there?

A. It reached there in December.

Q Tell us what time in December.

A I could not tell the date. Somewhere's the last part—somewhere between the fifteenth and thirtieth.

Q What time, did Colonel Chapman get his authority to re-enlist, what time did he get his orders?

A Well, it was somewhere about the fifth of December, I think. It was in New Iberia where we had our Thanksgiving dinner—that was in November, though.

Q Well it was some days of the time when he received his appointment, whether it was the fifth or fifteenth?

A No, I could not say, it might have been. We were at New Iberia Thanksgiving day. He was appointed recruiting officer—that was in November—he might have been appointed before the first of December.

Q What is your impression?

A I think it was after December first.

Q What time do you think?

A As I said before, somewhere between the fifteenth and the thirtieth.

Q Did you hear Colonel Chapman state in his evidence that you could not get a letter from New Iberia short of three weeks? How do you suppose that that letter got there? You say that letter came the last of December.

A Yes, I think it did, sir.

Q Well, well call it the last part of December. You are not sure he got his orders till the fifteenth?

A I think it was before the fifth.

Q He swears under oath that a communication could not get there from New Orleans under three weeks; that it would take three weeks to get evidence that he was appointed, and three weeks more to get a letter back.

A Well, that depended wholly upon the peculiar state of things. A good many times it would take a month to get a letter, and then it would happen so as you could get one in five days.

Q Your captain says he could not get a letter there and back again inside of three weeks?

A Well, we couldn't, and sometimes I have known it to be more than that.

Q (By Gen, Collins) who appointed the recruiting officer, Colonel Farr?

A Yes sir.

Q Now in reference to the President's order. The department order was issued on the eleventh day of September, I believe. Wasn't there some difficulty in getting that order?

A We did not get it for some considerable time.

Q And yet, while the town of Acton would trust Colonel Chapman as the captain of the Acton company, they say they wouldn't trust him to go on as the recruiting officer, and get men credited to the town!

Q (By Mr. Mead) Who read this letter to those soldiers, if it was read at all?

A Captain Chapman read It to them.

Q Don't you think that he would remember the letter if he had read it, when he testified that he had no authority?

A Well, he might have forgotten it.

GEN. N. P. BANKS

Called. [Direct Examination by Gen. Collins.]

Q In December of 1863 and during January of 1861, were you in command of the department which included the troops at New Iberia?

A I was; yes sir, I was in command of that department of the Union troops.

Q Whether or not there was considerable difficulty in communicating during the winter months, we'll say with a little place in the northern part of the county--with Acton, Mass.

A Yes sir; there would be at times. It would be a matter, however, depending wholly upon the situation of the country and whether it was occupied by troops or not, and whether or not any arrangements had been perfected between these points for communication. Sometimes it was made a special object to make special arrangements to establish and maintain a communication between New Orleans and these outposts.

Q Whether or not you remember now that the call for re-enlisting troops and the terms and conditions of that call took a considerable period of time to reach that section of the country—I mean the call for re-enlistment of troops issued by the war department on the eleventh day of September, 1863.

A For the re-enlistment of veterans, you mean.

Q Yes sir, for the re-enlistment of the veterans in the field.

A I only remember the general call for re-enlistment, and the earnest desire of the government that all should reenlist who had seen service in the field, as they were of so much greater value than raw recruits. But I cannot recall the fact of the call as relating to the time it reached any particular regiment. I recollect the general call very distinctly and it took some considerable time to reach the regiment in the field, and as to when it was received that would depend wholly upon the condition of the general communication between New Iberia and that section of Louisiana and New Orleans. At times the communication would entirely cease and at other times it would be very slow indeed, taking weeks and even months, while at other times it would be very free and expeditious.

Q Well, taking thirty-one men out of any company, men who had seen more than two years service and wore tolerably good soldiers and not at all likely to desert, tell us what advantage there was in

having them re-enlist—I mean in the winter of 1863 and 1864—what advantage to the interests of the Union and the welfare and efficiency of the troops.

A It was of the highest possible advantage. There is no comparison at all. The chances of getting men to re-enlist was never to be lost sight of. The chances of getting new men who could be depended upon as a class was small. The army knew where to find those who re-enlisted. These men who re-enlisted did not often run, while those who enlisted or were enlisted often entirely failed to reach the place where they were sent.

Q You call them good soldiers—any thirty one men who served on the average four years and never left except for sickness or wounds—you call them good soldiers, you call that a good record?

A Yes sir; I do call that's good record and call them good soldiers—good soldiers.

Q You knew something of these Acton men?

A Yes sir.

Q They were as good soldiers as were in the army?

A Yes sir, they were.

Q Whether or not, in addition to the bounty given by the Federal government and that given by the states, the towns and cities generally gave the soldiers who re-enlisted, an additional bounty?

A Yes sir; that was my understanding, that they did generally. I did not attend to these actions of the towns particularly. I had no particular interest in them; but we understood generally that the towns and cities and the states, and the general government united in the bounties that were paid to these men.

Q Now, General, whether the men who re-enlisted had a right to elect to what quota they wished to be credited?

A Yes sir; they had that privilege and now in reference to their greater value over newly enlisted men let me say right here that in speaking of the general situation, it was of the highest importance that the troops in the department of the gulf should be re-enlisted so far as possible they could be induced to re-enlist. The departments work was of great importance. It was difficult to communicate with headquarters at Washington; it was difficult to get troops there, and if we had lost them by their failing or refusing to re-enlist or if we had lost them from any cause whatever, we would have had great difficulty in getting their places filled. And it was true that of those who did refuse and those who were obliged to retire from the field from sickness or wounds, that their places were rarely filled.

Q Well, what was an objection to new troops?

A They were wholly unused to the climate, were subject to severe sickness, and were entirely strangers to the country, while the re-enlisted men knew the country and were good soldiers, having had valuable experience in the field. These new arrivals could not stand the climate, were not acquainted with the country and were generally for a long time almost useless. The troops that were in this part of the country at that time had to defend it against the attacks of the enemy that were moving

about from point to point and had no particular object in view; and it was necessary that they should know the locations, the exact locations of every point in the country, that is that they should be accurately acquainted with it, and the manner and best means of reaching any certain point; and also with the people living there. All the old veteran soldiers were of great value and new men were practically useless. In another respect it was essential that the number of re-enlistments should be made as large as possible. After the fall of Port Hudson and the defeat of the enemy in Louisiana, it was intended by the general government to move east of the Mississippi, and arrangements were made to that end. But complications in Europe made it necessary that they should relinquish the movement and that we should still retain our attention to the west of the Mississippi; and there was a necessary increase of the force there and then and constant calls to Washington for it.

Q And then a re-enlistment of a few men was considered very important, was it not?

A Yes sir; the re-enlistment of thirty men or a regiment gave a certain strength to the war department; and it also strengthened the department of the Gulf to a considerable extent and gave the officers reliance and caused a general increase of interest and courage among the troops.

Q What was the sudden complication in Europe, as you recollect it?

A It was in reference to the intervention of England and France. The policy of this government was changed on the instant, almost. We had made arrangements for a lively campaign east of the Mississippi. This government was intending so to do but the sudden complications which arose in Europe prevented anything of the sort and changed the policy at once. I had a communication with General Grant, or he with me and while our views were right and the movement a most desirable one and most expedient, yet the situation of affairs in Europe made it necessary that our flag should be kept hoisted in Texas, and that required our presence in that section and the occupation and control of western Louisiana, by these troops. We had great difficulty in 1861, at the time, the time of the three months men expired in getting them to re-enlist, because they were called upon to decide immediately and some of the regiments were leaving us at that time on that account. The sixth regiment of this state unanimously declared their willingness to extend its time; other regiments unanimously refused. The government, being aware in 1864 that it was necessary to use every possible means to secure the re-enlistment of those who were inured to the service, offered them bounties; the states offered them bounties and so also did the cities and towns to which they belonged.

[Cross-examination by Mr. Mead.]

Q The government felt that they needed those men very much, you say?

A Yes, sir

Q And they paid them four hundred dollars bounty, didn't they?

A Yes, sir; they paid them the bounty.

Q The government offered that bounty as an encouragement for them to re-enlist, as an inducement to the troops, didn't it?

A Yes, sir; they offered the bounty.

Q I don't suppose you think it hardly fair-I suppose the petitioners here want to say that we had such good men there, and that Acton-and that they won't say that Acton was capable of filling their places with good men, men that were willing to go and stay? Is it your idea that Acton, after the government had offered a bounty of four hundred dollars, and the state an additional bounty of three hundred and twenty-five dollars, that the town of Acton ought, because we had good men there—that the town should be taxed over and above that of any other town? They done our town no more good than any other town or anybody else.

A. My understanding of the matter is this: The President issued his call for more troops. The different states are called upon for their certain proportion of the total number asked for, and the state authorities call upon the cities and towns within their borders for a certain number from each city or town. A certain number is thus assigned to each town, and the towns were required to raise that certain number. The obligation was first upon the state and then upon the cities and towns. I am coming to your town presently, sir. It was the United States, first, that offered a bounty, and the government thought it necessary; then the states and towns also offered bounties in order that these men would re-enlist. And I think that the town of Acton should pay their men who re-enlisted for that town, and who were good soldiers. I do think that they should be paid in this case, as they were good men and good soldiers.

Q It was not exactly a reply to my question. You believe that those men were extra men, that they were worth more than new recruits?

A Yes, sir.

Q But do you think that, because Acton was lucky enough to have those men, that she should be obliged to pay more than if she had put in raw recruits?

A Yes, sir; she should pay what other towns and cities were willing and did pay.

Q I mean that, because she was lucky enough to have those men there, that she, Acton, should be obliged to pay more than if she had put in raw recruits. Had we ought to pay more for these re-enlisted men than, when government had offered four hundred dollars as a bounty, and when the government paid them for that extra goodness or value that they were to her?

A I don't understand that Acton would be called upon to pay them any more than other towns paid, nor would she have to pay any more for the recruits.

Q The Legislature was called together and passed an act taking it out of the town's hands to recruit: did you know and do you recollect that the State Legislature of Massachusetts passed such an act?

A No, sir, I don't recollect of any such act as that. All my attention as directed in another way; my attention was very little called to the affairs here.

Q You do not recollect, then, that in 1863, a November, that they called an extra session in this state and passed an order or law giving, or rather taking, it out of the town's hands, and giving to all enlisted men three hundred and twenty-five dollars, and making it a fine for any town to pay any bounty?

A No, sir, I don't recollect.

Q (By Chairman of Committee.) In December of 1863, General, when the troops we have reference to were occupying New Iberia and Louisiana, you were in command of the department?

A Yes, sir.

Q Tell us about the condition of communication by railroad between points there, if you please?

A Yes, sir. There were some trains occasionally.

Q Were daily trains run between points there, or near there, and New Orleans?

A No, sir; trains were run when we needed them only, and for carrying the mails, but they were most certainly anything but regular, and often not run at all.

Q They were not run daily?

A No, sir.

Q What was the distance between New Iberia and Faussa Point?

A About eighty miles, I think.

Q About eighty miles?

A Yes, sir.

Q How far from Baton Rouge was it to New Iberia—about two hundred miles?

A Yes, I think so, but I cannot say exactly.

Q How far was the distance from Baton Rouge City to New Iberia?

A It was something like that; it was a considerable distance.

Q How far to Franklin was it, according to your best recollection of the distance?

A I don't know; I don't remember. It has passed out of my mind.

Q There was steamboat communication between those cities; that is, between Baton Rouge City and those places?

A Yes, sir; there was opportunity for communication.

Q The line was kept open, was it not?

A Yes, sir; the country was open most of the time. When the proposition was made to operate in Texas, those waters were the base of operations and were kept open for that purpose, and the boats running for ordinary business were taken for the use of the government and operated in the direction of Texas ten the troops were moving.

Q The government generally took measures to get the mails through to the regiments at such places whenever there were opportunities?

A Yes, sir; the government always made it an object to do that.

Q (By the Chairman of the Committee.) You consider that the veteran soldiers were better men than the recruits.

A Yes, by far. They were inured to the service.

CAPTAIN JAMES BRADY, JR.,

called. [Direct examination by General Collins.]

Q You are the collector of the Port of Fall River?

A Yes, sir.

Q What company were you captain of in the 26th Regiment of Massachusetts Volunteers?

A I was the captain of Co. G.

Q A Fall River company?

A Yes, sir.

Q Did you re-enlist your men at New Iberia when they were re-enlisted?

A Yes, sir

Q Whether or not all your company were from Fall River?

A Yes, sir; all my men were from Fall River or its immediate vicinity.

Q Was there any communication from Fall River at that time offering bounty for re-enlisting with your company.

A No, sir; but there was immediately after.

Q Not before?

A No, sir. The order giving a bounty to Fall River soldiers was not issued until after we had re-enlisted, —we got the notice of it afterward,—after we had become veterans.

Q Did they receive the city bounty?

A Yes, sir; one hundred and twenty-five dollars

Q Do you know of other towns and cities outside of Acton, whether other towns paid their re-enlisted soldiers any city or town bounty

A I know that Fall River did, sir.

Q Do you recollect about the re-enlistment of the Acton men and what was said at that time?

A I know that they re-enlisted precisely as the Fall River men did,—on the same grounds exactly, and with exactly the same expectations.

Q You knew that their captain was the recruiting officer of the regiment?

A Yes, sir; he received his appointment from the Colonel.

Q And there was more or less rivalry between the towns as to the filling up of their quotas with re-enlisted men?

A Yes, sir; there was considerable honorable rivalry existing between them, quite naturally. The rivalry sprung up in the different companies and it was carried on until all that were to be re-enlisted were placed on the rolls.

[Cross-examination by Mr. Meade]

Q At any time while you were re-enlisting did you offer to anyone of them soldiers one hundred and twenty-five dollars if they would re-enlist with the Fall River company?

A No, sir, I think not. I think I did not.

Q Was you here when Captain Chapman testified?

A We didn't receive the offer of that sum of money until after the re-enlistment of the men.

Q Was you in here when Captain Chapman gave his evidence?

A No, sir. I was not.

Q You are sure you made no such proclamation there—that you offered any man one hundred and twenty-five dollars if he would re-enlist with the Fall River company?

A I might have, but I am sure I had no authority to do it.

Q Do you know whether you did or did not do it?

A I don't believe I did. I don't believe I should be likely to do it without authority.

Q When you were re-enlisting your men, did you promise them one hundred and twenty-five dollars each if they would re-enlist with the Fall River company?

A No, sir, I did not. I promised them that the city of Fall River would pay them as much as any other locality in the state. I said that she would pay them as much as any other city or or town in the state.

Q Do you recollect of writing a piece to have it published in the Acton paper?

A Yes, sir; I did write a piece, and I sent it to Acton.

Q If it wouldn't be asking too much, I would like to read this piece. The point is this: He says he did promise his men that they should receive as much as those of any town or city. And I want to read a paragraph in a letter that he wrote and sent to our town to be published there.

[By Gen Collins—He should read the whole article if any part is read.]

Mr. Mead—Is it necessary to read the whole newspaper to get at a point! The Chairman of the committee decided that the whole matter should be read if at all.

Q (By a member of the committee.) What is the object of it?

A (By Mr. Mead.) It is for the purpose of showing that he says that he did not hold out any inducements to the men whatever for the men to re-enlist, and now he swears he did tell them that Fall River would pay them as much bounty as any other city or town.

Q (By witness.) How is that? I wish to have the entire letter read. It is strictly in accordance with my statement that—it confirms my sworn statement exactly.

Q I asked you before whether you gave your men there any inducements to join your company and the quota from Fall River, and you said that you told them that they would get as much as any other town would give their re-enlisted men.

A Yes, sir; I told them that—that is true. And they re-enlisted and were veterans in the interval between the time the order was issued from Fall River and the time it was received by us there at New Iberia.

Q What order do you refer to?

A Why, the order passed by Fall River, giving them one hundred and twenty-five dollars each.

Q The question is, whether you gave them any inducement that caused them to sign the paper for re-enlistment. You say in this paper (referring to a slip of paper in his hand,) that you did not, and now you say, under oath, that you did?

A I told them that Fall River would pay them as much as any other town would, and knowing that the general government and other localities in the State of Massachusetts were paying large bounties, I assured my boys that Fall River would pay them as much as any other locality in the state. I told them this if they would veteranize to her credit.

Q You did do this, you say? Now, what authority did you do it on?

A I had no authority and no assurance officially. I only gave them a personal assurance. (Mr. Mead here reads aloud the copy of a communication written by witness.) It makes considerable difference whether it is Fall River or Fall River men. Which of those statements do you want the committee to receive?

A I want them to receive the facts.

Q It is just what that letter says?

A They only received assurances from me. They didn't receive anything at that time from Fall River.

Q (By a member of the Committee). What is the date of that letter?

A It is in the issue of December first, 1881.

Q (By Mr. Meade) It was just before our town meeting? (Gen. Collins, interrupting:) No, sir; the town meeting was in November. [Murmurs of applause.] Oh! I didn't mean that.

Q (By a member of the Committee.) Are we to understand that you went to your Fall River men and gave them the assurance that Fall River would do as well by them as any other city or town?

A I simply assured them on my own responsibility, that it was my opinion that Fall River would do as well by her veterans during the war,—that is, to those who would veteranize to her credit,—as any other town.

Q At the time you said this you had had no communication from Fall River, as I understand it?

A No, sir.

Q When did you receive a notification that Fall River would pay a bounty of one hundred and twenty-five dollars to those who would veteranize?

A Immediately after. Although the order had been issued before I had even expressed the opinion, I didn't know the fact at the time. The order had been passed, however.

Q What is the date of the order authorizing the payment of the bounty?

A I haven't it.

Q How do you know that fact, then.

A I know because I have been and examined the date,—I know from the date of the mayor's letter at that time notifying me of the action of the city government.

Q (By Mr. Head.) Now, will you tell me whether any outside parties were allowed to enlist in the ranks—whether outside parties had the right to re-enlist in the ranks of the Fall River or other companies?

A Why, my dear sir, we were down there in the midst of the rebels. You do not suppose that any re-enlisted men were going to come in from those fellows, do you?

Q Whether or not any outside parties were allowed to come in and enlist,—I mean recruit men into the ranks?

A Oh, I beg your pardon. You ask whether any Acton men could have gone down there and gone to recruiting?

Q Yes, sir, I meant that.

A There were some who came there to recruit.

Q Did they recruit any?

A No, sir.

Q Were they allowed to go in, then, and recruit?

A As loyal citizens they could pass in and out of the lines.

Q As I understand you, then, they could not recruit?

A. No, sir.

Q I see in your paper here that they did?

A Yes, sir, I believe there was some one there from Massachusetts.

JONATHAN W. LOKER

called. [Direct examination by General Collins.]

Q Your name, sir?

A Jonathan W. Loker.

Q Were you a member of Co. E, 26th Regiment of Massachusetts Volunteers?

A Yes, sir, I was.

Q Were you there at New Iberia when the members of the company were re-enlisted?

A Yes, sir.

Q I believe you did not re-enlist?

A No, sir.

Q Do you remember what was said by Captain Chapman to his men as an inducement for their re-enlisting to the credit of the quota of Acton?

A I think he assured them that the town of Acton would probably do as well by them as any other town if they would attach themselves to the credit of her quota,—that Acton would do as well by them as other towns—other neighboring towns.

Q You did not re-enlist, you say, —you stayed until your term of service expired and then returned home?

A Yes, sir.

[Cross-examination by Mr. Mead.]

Q The Committee say we want facts now. Do you know that he made these assurances?

A Yes, sir; I do.

Q Will you swear that he did?

A Yes, sir, I will. He assured the company that Acton would. He said he would like to have all the Acton men re-enlist for Acton, for he had no doubt that would do as well by them as any other towns.

Q (By Gen. Collins.) I want to ask you if didn't fight a battle after your term expired?

A Yes, sir; I helped to.

Q (By Mr. Mead.) How long afterward?

A It was one day afterward; my time expired on the eighteenth and the battle occurred on the nineteenth.

Q You are not one who wants a bounty for re-enlistment?

A No, sir. The re-enlistment commenced on the second day of January, or the first,—I have a memoranda here—and the re-enlisted names were mustered in between the twelfth and eighteenth day of January. I have a memorandum here which I made at the time—I have it here in my pocket. (Witness finds and produces a book). The first day of January, no names had been enrolled before that.

Q What does it say?

A In 1864, the second of January, I have in my memoranda, "A considerable number re-enlisted," and the fifth day "We received a telegram from General Banks stating that the 26th Regiment would be accepted as a veteran cavalry regiment. Upon this news the names were enrolled rapidly;" and on the sixth day "Four hundred men were enrolled."

Q The sixth day after the order for re-enlistment, four hundred men were enrolled?

Q (By a member of the Committee.) Do you remember of hearing a letter read while on parade one evening—a letter read to the men of Acton?

A No, sir; I don't remember of any such letter.

Q What is this? (being handed the book).

A That is a diary I kept at that time.

Q You seem to have many entries. Have you looked to see if there is any memorandum of any letter read before the company of Captain Chapman?

A Yes, sir; I have looked there; but I have an impression that there was some word of that kind, but I cannot recollect much about it.

Q When was the telegram from Gen. Banks—what was the date of that?

A I think it was the fifth day of January, 1864.

Q Do you remember when that was read?

A No, sir; the telegram wasn't read publicly at that time but it was subsequently. January 5th Gen. Banks' telegram was received, that the 26th Regiment of Massachusetts Volunteers would be accepted as a veteran cavalry regiment.

Q Do you know where the telegram was from?

A No, sir; It was from his headquarters.

Q Were his headquarters at New Orleans at that time?

A I believe they were at that time. We removed from New Iberia, January 7th, to Franklin, twenty-eight miles distant.

Q Have you got the date of the telegram?

A The time we received it was the fifth day of January, 1864.

Q (By General Collins.) Were you frequently off on picket duty?

A Yes, sir; very often.

Q So that Captain Chapman might have received a letter and read it to the company in your absence?

A Why, certainly, it might have been read while I was out on guard outside.

Q (By Mr. Mead.) Supposing such a letter was received, would you have been likely to have heard of it?

A Yes, sir. I think I heard there was something of that sort in a letter received.

Q Do you have any remembrance of who it was from?

A I have no positive recollection.

Q Who do you think it was from—you knew them all; wouldn't you have been likely to know who the author was; wouldn't you have been likely to put it down in your diary?

A I don't know, sir. I don't think I should. I have no memorandum of it,

Q Do you recollect what time it arrived?

A I don't think it arrived in time for the re-enlistment.

Q Not until after the re-enlistment had commenced.

A It might. I don't think it did, however. It might have, perhaps, towards the last, but I am not sure that it did.

FRANCIS H. STEVENS

called. [Direct examination by General Collins.]

Q You were a member of Co. E, 26th Regiment, I believe?

A Yes, sir.

Q Do you remember the time of the re-enlistment at New Iberia, Louisiana, so far as Acton men were concerned?

A Yes, sir; I do.

Q Do you remember the circumstances and how and why you re-enlisted for Acton?

A No, sir, not particularly. I remember of going into Capt. Chapman's tent to enlist one evening.

Q And you put your name down for Acton, did you?

A Yes, sir.

Q Well, what was the general understanding about bounty?

A Captain Chapman gave me to understand that evening that Acton would do as well by me as any other town. I cannot tell exactly what was said. He gave me to understand that Acton would do as well by me as any other place, and I didn't care particularly where I went.

Q Did anyone ask you to go to the credit of Stow?

A Yes, sir; and Stow was to pay a bounty at that time.

[Cross-examination by Mr. Mead.]

Q Did you enlist for Stow?

A No, sir; I enlisted for Acton.

Q You belonged to Boxborough just as much as you did to Stow, didn't you?

A No, sir.

Q When you came back to Massachusetts did anyone ask you to go for Stow?

A Yes, sir. A few days after I came back—after we arrived in the State of Massachusetts—the chairman of the committee on recruiting, or the Selectmen, of that town came to me and wanted to know what town I went for when I re-enlisted. I told him I re-enlisted for Acton. "You belonged to Stow," says he. "Why didn't you re-enlist for us?" I told him I re-enlisted for Acton because I didn't care very much, and under the promise that Acton would do as well by me as any other town. Said he: "Stow is ready to give one hundred and twenty-five dollars if you if you will be transferred." I told him he might try to get me transferred. He told me afterwards that he went to the Adjutant General's office at the State House and asked them to let me go for Stow instead of Acton, but he could not get it done.

Q Did you live in Stow?

A Yes, sir.

Q (By a member of the committee) You were in Acton when the company enlisted?

A Yes, sir, and enlisted.

Q Do you recollect this letter that Captain Chapman read to the company one evening at parade?

A I know that at the time I formed the impression that Captain Chapman had the authority from Acton, but how I got that impression I cannot tell. Where I got it I cannot say, but I have that impression now. At the time, I believed it to be a fact that he had received authority from Acton to confirm what he had told us, that Acton would do as well by us as any other town, and I think the boys generally did.

Q (By Mr. Mead.) How soon after the orders came did you re-enlist?

A Well, I think it was within a very few days. I think I was among the first that re-enlisted.

Q If there was any letter come, it was after your re-enlistment. At any rate, this letter did not have any effect on your re-enlistment. Loker thinks it was after. Did it have any effect upon you—that is, did any letter have any effect upon your re-enlistment?

A Captain Chapman's assurance that the town of Acton would do as well by us as any other town was what made me go for Acton. I don't pretend to say that I ever saw a letter of the kind referred to, or that I ever heard it read; but we all had the impression that there was one written to Captain Chapman, and that we had authority from the town of Acton that we would be paid as much as any other veterans would be.

Q Did you ever hear it read?

A No, sir; I have no distinct recollection of it.

Q Would you be likely to recollect it as well as anything else of any importance?

A I might not.

Q You had understood that Acton was to pay and would pay you as much as any other town?

A Yes, sir.

Q You were allowed to come home on furlough of thirty days, I believe?

A Yes, sir: we had a furlough of thirty days after we re-enlisted.

Q Did you go to the recruiting committee of the town, or to the town Board of Selectmen?

A No sir; I didn't go near them when I was home here.

Q You say you did not mention it to any of them, or to any authority?

A No, sir; I did not—no, sir.

Q You did not mention it to anyone?

A No, sir.

Q And didn't you mention it even after you were mustered out of the service altogether?

A No, sir; I did not mention it to any authority.

Q Did you ever ask for it?

A No, sir; I never dunned them for it—I didn't like to do that.

Q Sometimes it is advisable to present a claim for your bills?

A Well, that is what we are doing now.

Q You never presented it to the recruiting committee?

A No, sir; I never put in a claim; no sir.

Q (By Gen. Collins.) Well, you would have presented a bill, probably, if you thought it would be necessary. But you were too busy about that time—you got married, didn't you?

A. Yes, sir; and I had plenty of other things on my mind.

Q (By Mr. Mead.) You went to Acton and tried to get transferred to Stow, didn't you?

A No, sir. The chairman of the committee or the chairman of the Board of Selectmen of Stow, I said, tried to get me transferred to Stow's quota of re-enlisted men, and I said he came to me and asked me about it, and promised me one hundred and twenty-five dollars.

Q If I had promised you one hundred and twenty-five dollars, would you come after it?

A Yes, sir, I would; and I would get it, too.

Q Yes, sir, you would?

A Yes, sir.

Q You were credited to the town of Boxborough?

A I was working in that town at the time, but my house was in Stow.

Q You never were credited to Stow?

A No

WARREN L. TEELE

Called. [Direct examination by Gen. Collins.]

Q Your name in full?

A Warren L. Teele.

Q Where were you living when you enlisted in the volunteer service for the late war, in Somerville?

A Yes, sir, that was where I resided the summer before I enlisted in the ranks.

Q You re-enlisted for Acton I believe?

A Yes, sir, I did.

Q Do-you remember the circumstances that induced you?

A Yes, sir, I do. I remember understanding Captain Chapman to say that Acton would do as well by us as any other town and so I placed myself to the credit of the quota from that town.

Q I will ask you now if any Somerville people had any conversations or dealings with you afterwards with reference to it?

A Yes, sir, they did.

Q Well, when was it?

A The recruiting officer, when I was home on furlough, came to me one day and wanted to know why I was not placed to the credit of Somerville? I told him that I re-enlisted for Acton because they promised me as much, as I understood it as any other town. He told me that if I would get my name

transferred Somerville would pay me one hundred and sixty dollars the minute it was done, so I went to the State House for that purpose, but they said it couldn't be done.

Q Where did you live after you returned from the war?

A I have lived in Somerville ever since.

Q [By Mr. Meade.] You re-enlisted from Acton, you say?

A Yes, sir.

Q You were at home on a furlough after that, I believe?

A Yes, sir. I was.

Q Where was you during the time of the furlough?

A I was in Somerville during the furlough.

Q You say that you re-enlisted for Acton, did you?

A I did, sir.

Q Did you at that time hear Captain Chapman say that Acton would do as well by the men who re-enlisted in her quota as any other town?

A Yes, sir.

Q Were you born in Acton?

A No, sir.

Q Your father used to live there?

A Yes, sir, and I did.

Q You were brought up there?

A Yes, sir.

Q If Acton said she would do as well as any other town of course you knew they were good for the money?

A I understood they had promised to pay it.

Q Then why did you go to Somerville?

A No, sir; I did not go to Somerville, they came to me.

Q You say you went to the State House?

A Yes, I did go there; after they had offered me such a liberal sum of money if I would be transferred.

Q Why didn't you wait for Acton to pay?

A Probably his influence had some weight with me. I didn't know when Acton would pay it. It was the general understanding that she would pay it, but I didn't know it absolutely and was not promised the ready money.

Q Why didn't you go to Acton and call for this money?

A Because the whole matter was in the hands of the officers of the regiment and I thought they would attend to it.

Q Is that the way you generally got your bounties?

A Yes, sir.

Q Did you succeed in getting transferred from Acton to Somerville?

A No, sir, they would not transfer me to Somerville.

Q And you didn't have any bounty from Acton?

A No, sir.

Q [By General Collins.] Has Acton paid any town bounty to its re-enlisted veterans?

A No, sir, not a cent.

Q With the exception of these re-enlisted men Acton has paid a bounty to all others?

A Exactly. I understand so.

Q [By Mr. Mead.] How do you know that the town of Acton has paid bounties to all others?

A I said I understood so.

Q Well you are not positive of it?

A No, sir.

GEORGE FLOOD

Called. [Direct examination by (General Collins.)]

Q Your name is George Flood?

A Yes, sir.

Q Were you a member of Company E, 26th Regiment, Mass. Volunteers?

A I was.

Q Did you enlist originally from Acton?

A No sir.

Q Well, where from then?

A I enlisted from Sudbury.

Q Did you re-enlist from Acton?

A No, sir.

Q I have your name on this list, how did you happen to come there?

A I was credited by mistake. My name and James Fisk's came right together and they carried my name to Acton and his name to Sudbury. It was so credited by mistake.

Q And it was never changed?

A No, sir.

Q You served for Acton instead of Sudbury?

A Yes, sir.

Q Did Sudbury pay a bounty?

A Yes, sir.

Q How much?

A. One hundred dollars. They sent for me to come and get my bounty when the others got their's, but they couldn't pay me because I wasn't credited to the town. But they found that Fisk was credited and that I went to the credit of Acton. I saw the Captain and they went before the committee and had the names transferred and they told me to let it remain where it was and that I would get my bounty just as though I went for Sudbury.

Q Do you know who told you that?

A The town authorities of Acton.

Q Did Fisk get paid his bounty?

A Yes, they paid it and he divided it with me; so when I get mine I am going to divide—when I get my bounty from the town of Acton.

Q [By Mr. Mead.] How many men did Sudbury pay a bounty to—I mean the veterans?

A They paid two the day I went there.

Q That is all you know of?

A Yes, sir.

Q You were in the 26th Regiment?

A Yes, sir, I was enlisted on the seventh day of September, 1861.

Q Who enlisted you?

A Captain Chapman.

Q Did you hear any letter read while you were in the regiment referring to Acton paying her re-enlisted men a bounty?

A No, sir; don't know of any letter but I recollect of being assured that the town of Acton would do as well by Acton soldiers who re-enlisted, that the town would do as well by those who would re-enlist to the credit of Acton, as any other town, but I stuck to my town, as I supposed, but it was a mistake.

Q You are sure that you heard Captain Chapman say that yourself? You didn't suppose he had any authority did you, merely that it was his opinion?

A Acton was supposed to be a town equal to do what any other town in the State would do.

CAPT. AARON C. HANDLEY

Called. [Direct examination by Gen. Collins.]

Q Your name is Aaron C. Handley I believe?

A Yes, sir.

Q You are a resident of the town of Acton?

A Yes, sir.

Q Have you lived in Acton all your life?

A Yes, sir.

Q I notice you were appointed sometime with the Selectmen on the Recruiting Committee, as far back as 1863. I notice you were on a recruiting committee with the Board of Selectmen that year and that you have been on different committees ever since?

A I have been on a number, yes, sir.

Q Do you remember the committee appointed on the part of the town at the town meeting, held in November 1881? Are you a member of that also?

A Yes, sir.

Q Have you held town office?

A Not a great many. I have been one of the assessors for the town for a number of years.

Q You remember the fact that these thirty-one men were credited to the town or Acton?

A Yes, sir.

Q Now I want to ask whether the town had occasion after that to raise money to fill its quota in addition to those thirty-one men?

A Yea, sir, they did raise fifty-five hundred dollars for that purpose.

Q It was to send out twenty-two additional men, was it not?

A Yes, that is what the record said and they spent about forty-five hundred dollars.

Q Do you know what action the town took at that time and how it happened that they re-enlisted?

A No, sir, I don't personally know how it happened—exactly how they re-enlisted.

Q You were one of the recruiting committee?

A The records say that I was a member of the recruiting committee of the town at the time, but I never met with the committee and I never took any action.

Q These thirty-one men were re-enlisted for the town of Acton and because they did so it saved you and your committee enlisting thirty-one men?

A I think so yes, sir.

Q Did the town enlist men afterwards—twenty-two men were enlisted?

A Yes, sir.

Q At what expense? A Forty-five hundred dollars. That is what the record says.

Q Looking at this paper (handing witness a document) tell me if you remember all of those persons whose names you find there as those who re-enlisted?

A Yes, sir, I recollect most of them.

Q You remember these last ones?

A Yes, sir

Q You say you were appointed on the town recruiting committee?

A Yes, sir, I was appointed on that committee.

Q Whether or not the matter has been brought before the town of Acton upon a warrant duly warning the people of the town as to the subject to be brought before the meeting, in regard to paying these re-enlisted men the bounty, and whether or not the town has repeatedly voted to pay it?

A Yes, sir; Always when it came up to a direct vote they have always voted to pay it.

Q And now state whether from your knowledge of the feeling of the town, there is a strong desire to pay these bounties?

A Yes, sir, I think there is.

Q Something may be said as to the ability of the town to pay these bounties. Can you tell the committee how the town of Acton stands financially, whether it is able to pay it?

A The town of Acton to-day has got—taking what money the Treasurer and Collector has—enough to pay all her bills and be in debt only one thousand dollars.

Q You mean that the town of Acton has within one thousand dollars of enough to pay all her bills?

A Yes, sir, within one thousand dollars of enough to pay all her indebtedness.

Q What is your valuation?

A It is twelve hundred and twenty thousand and six dollars.

Q You mean real and personal estate?

A Yes, sir.

Q What was the rate of taxation of Acton last year?

A Ten dollars and twenty cents on a thousand dollars.

Q And you are practically only one thousand dollars in debt?

A Yes, sir; that is, with the money we have in the treasury.

Q These men could all be paid their bounties with something like four thousand dollars?

A Yes, sir, for something less than four thousand dollars.

Q What addition to the tax of 1882 would it make to pay that entire amount this year?

A The rate of taxation last year would pay that if we don't have any extraordinary expenses and take us entirely out of debt.

Q With a tax of ten dollars and twenty cents on a thousand?

A Yes, sir.

Q You can pay the whole town debt and pay everything you owe together with your ordinary town expenses and also pay an amount not exceeding four thousand dollars towards liquidating this debt of honor to these veterans and all at a rate of taxation on a thousand dollars of ten dollars and twenty cents?

A I think so, that is, if we don't have any extra expenses over those of last year, such as washouts, new bridges, etc.

Q What is your opinion as to whether or not the property in town is rated high?

A I think it is rated just about fair in the average. As near as I can make out it would take about three mills on a dollar to pay this bill, perhaps a little more.

Q You consider the town of Acton amply able to pay this bill?

A Yes, sir; certainly I do.

Q Do you know many of these veterans?

A Yes, sir; most all of them.

Q Are many of them residents?

A Yes, sir.

Q And are they all good citizens?

A Yes, sir.

Q They have the reputation of being good citizens and having been good soldiers?

A Yes, sir.

Q In serving on these various committees have you ever had occasion to ascertain whether other towns have paid their re-enlisted men or not?

A Other towns around us, or pretty much all of them, have paid it.

Q Other towns have paid their men you say?

A Yes, sir, except this town. We paid our nine months' men one hundred dollars each.

Q Do you remember Daniel Wetherell?

A Yes, sir.

Q Was he not a member of the original town committee in 1863?

A Yes, sir; I knew, I remember him.

[Cross examination by Mr. Mead.]

Q You say that it is your opinion that the town, or a majority of the town, favor paying that bounty to those men who re-enlisted?

A Yes, sir; it shows so by that vote.

Q Do you recollect what the vote was two years ago?

A Yes, sir; I do.

Q Will you please state it?

A It was 157 in favor of the payment of the money and 17 against it.

Q That was a year ago?

A Yes, sir.

Q Do you recollect how, at the same time, there was a circular sent all around over town—or did you receive one of the circulars?

A I saw one at town meeting.

Q Yes; what did that circular say in reference to what those soldiers could have received if they had been a mind to?

A I don't remember.

Q Didn't it say that they were offered three hundred dollars if they would go for Fall River?

A The circular will tell. I don't remember, but I think not.

Q Well that circular was not true and don't you think that that circular made considerable difference with the vote of the town, after everybody had read it?

A No, sir; I don't think it made much difference.

Q Well, what was the vote this year?

A The vote was 109 to 81.

Q What made that big difference?

A I will tell you. There was a great deal of stir on the part of the opposition to this payment and they rode all over the town and got everybody they possibly could to come to the town meeting and try to defeat the payment of the bounty; and the other side thought they were so strong that they didn't make any extra exertion at all and consequently many of their friends did not come to the meeting.

Q You say the vote this year was 109 to 81 and the vote of last year was 157 to 17 against?

A Yes. Sir; that is the vote.

Q What do you mean by saying that everybody rode all over the town; who were the persons?

A The gentleman that sits beside of you for one.

Q (By O. W. Mead.) Where did I ride?

A (By witness.) Didn't you go down to Isaiah Reed's and tell him that if these men were paid a bounty of one hundred and twenty-five dollars each that it would double his taxes?

A No sir; I never went down to Mr. Reed's and told him anything of the sort.

Q I believe you said you thought that the towns generally joining Acton paid to their re-enlisted men a bounty?

A Yes, sir; I said so, towns around us.

Q Does Concord join Acton?

A Yes, sir.

Q It is a good deal larger town though?

A Yes, sir; it is, some.

Q Perhaps there is three times the money there that there is in Acton?

A Oh, no, sir! not three times I guess, but I think it is twice as wealthy, or more.

Q How many of these veterans did they pay, do you know?

A No, sir; I don't know how many she paid.

Q Would you be surprised if they paid only one?

A I don't know how many they paid. I do know of one that they did pay.

Q If you went to Concord to find out they would tell you they paid one man?

A They paid one of your Acton company—Flagg from our town.

Q Does Littleton join Acton?

A Yes, sir.

Q What did you find out there?

I don't remember.

Q Does Boxborough join Acton?

A Yes, sir.

Q Well, what did you find out there?

A If they had any re-enlisted men they paid them one hundred and fifty dollars.

Q Did they have any?

A I don't know, sir.

Q Well, how was it with Stow?

A Stow paid five or six re-enlisted men.

Q How do you know they did?

A Because I went there and saw them. I showed you the book last year with their names in it. The men belonged to the same company.

Q How do you know they paid them that bounty?

A Well, sir; their records show it.

Q Who were these men?

A Well, Wilder and Brown were two.

Q Were there any others?

A Yes, sir.

Q What others do you remember?

A I don't recollect.

Q Were there any others?

A I don't know, sir. I don't remember their names I think there were five or six that re-enlisted.

Q Didn't the Town Clerk tell you that he couldn't tell?

A I have a letter right here from the Town Clerk that says that they paid them one hundred dollars.

Q Paid to whom?

A I don't know,—to these re-enlisted men.

Q Did he say that it was paid to the reenlisted veterans?

A Yes, sir.

Q How many of them?

A He did not say how many. I did not ask him the question, and I had a communication from Sudbury saying the same thing.

Q Didn't he tell you that he could not tell whether they were veterans or not?

A. He told me he could not tell under the order that I asked him.

Q He couldn't tell whether they were veterans or not, could he?

A He didn't tell me but he gave me the records and they showed it. I think it was six men that were paid—six or seven.

Q Well, we will call it six; that makes seven men that towns have paid joining Acton?

A Didn't Sudbury pay?

Q Sudbury does not join Acton.

A I did not join Acton, I believe.

Q That is all that joins Acton. Only seven men have been paid from all the towns that join Acton.

A How is Westford—Westford paid?

Q How many did she pay?

A I don't know, but they paid what they had.

Q How do you know they did? A Well, that is what they state.

Q Who says so?

A The officers of the town say so. I have got the documents.

Q How many do they say they paid?

A. I don't know how many there were—they didn't state the number they paid.

Q Do you know that they paid any of their enlisted men?

A. Yes, sir, Westford paid one hundred and fifty dollars.

Q Concord didn't have but one.

A I think they had more than one.

Q They say they did not.

A They cannot tell by their books

Q (By a member of the Committee) I find that the town meeting of Acton, Nov. 3, 1863, voted as follows:—

Voted, that the Selectmen, with such gentlemen as the town may add as a Committee be instructed to recruit the men: now called forth with discretionary powers in regard to amount to be paid for said purpose. Voted, that a committee of three be added to the Selectmen as a recruiting committee, and chose Daniel Wetherbee, Varnum Mead and Capt. Aaron C. Handley as that committee.

Can you tell us now what measure that committee took or what inducements were offered?

A No, sir, I cannot.

Q Have you any recollection about it?

A The committee was never called together and I never heard anything being done by that committee. In fact I didn't know I was on there until I got the records of the town.

Q And now, whether the town was in arrears and needed men?

A I couldn't say whether they were or not. After they had the draft we calculated to keep ahead of the call. We had thirty men ahead when the war was over—thirty men ready for service.

Q (Gen. Collins) When the President issued the proclamation in June, and when the proclamation was sent through the War Department in September for reenlistment, the men **in to field** had to be reenlisted within sixty days. I will read from General Orders no. 305 (the speaker here read from a book)—after the proclamation it will be observed there was no time or means to communicate with Acton in order to have the authority for reenlistments within the necessary time.

CAPT. DANIEL TUTTLE

called. [Direct examination by Con. Collins.]

Q Your name is Daniel Tuttle?

A, Yes, sir.

Q Were you formerly a Captain of this company?

A. Yes, sir, of the old Sixth.

Q Do you remember about the time that the General Government called in the autumn of 1863 for the reenlistment of veteran soldiers?

A. In 1863, yes, sir, I remember.

Q Do you remember that Daniel Wetherbee was chairman of the committee on reenlistment?

A. Yes, sir.

Q Did you have any conversation with him then about reenlistment?

A Yes, sir, I did some time before they reenlisted, or about that time. I read in a newspaper one evening that one company in the 26th Regiment could re-enlist to any town that they had a mind to. I harnessed my horse right off and I went down Wetherbee's and found him out in front of his house. He wasn't in his house. I never tied my horse. I got right out there and said I understand our men can enlist anywhere they have a mind to—that they can go for any town they have a mind to and I think we had better notify Captain Chapman to have them reenlist right away. Said he "It is already done and probably he has got it by this time."

Q Do you recollect when it was—what date—or very near?

A No, sir I don't remember when it was. Why, sir, I never supposed I should be called upon to tell what passed between us then—I never thought of it.

Q You were out in the three months service?

A Yes, sir

[Cross Examination by Mr. Mead.] Q You received no bounty?

A No, sir. I believe we did receive two dollars apiece. The town made us a present of a hundred dollars we went out there.

Q It wasn't considered bounty?

A No, sir.

Q The three months men didn't receive any bounty?

A No, sir.

Q What did you say that Wetherbee said to you when you told him that you thought Capt. Chapman better be notified at once to see that Acton men reenlisted all right?

I told him that he had better notify Captain Chapman and he said it is already done and he has probably got it by this time.

Q To notify Captain Chapman to hold our men for Acton; that it had already been done and that probably they had got it by that time?

A. Yes sir, he told me that, and when he said it had already been done I turned around and went home. I met a man on the way and I told him what I was going for, and going home within half an hour afterwards I met him again and told him what had been done. He was working side of the road.

Q Those were the words you are sure?

A Yes, sir, I am sure they were. He says "It was already done."

Q What else did he say?

A Those were the words he used.

Q Wasn't there anything else said?

A No, sir.

Q Are you sure?

A Oh I might have dropped out some things and he might have talked, but I can recollect those words just as well as tho' it was yesterday.

Q Isn't it rather remarkable that you should have remembered that so distinctly?

A Oh I can remember still longer. I can remember one night after town meeting that we had an order—that I got an order to leave my company at Lowell the next morning at seven o'clock. Yes, I remember it very clearly how I went and hired a team and drove all over town to notify my men to appear at Lowell. Oh I recollect it now as though it was yesterday.

Q You say you was reading a paper and saw in the paper that those men could reenlist for any town they saw fit?

A Yes, sir, I did.

Q Didn't you know that the legislature of Massachusetts just before that had passed a law that they could not reenlist to any town except where they resided?

A No, sir, they might have passed that law. It was calculated that a man should go in their own quota and if their quota was filled they could go to any city or town.

Q But her quota was not filled?

A We had to buy up men.

Q Well you understood this law was passed by the legislature?

A I never bothered my head about it after I came home. I was always looking out for old Acton—I was always looking out for good old Acton and I spent a thousand dollars to keep up the old company.

Q Did you know at that time whether the legislature had passed this law taking away the power of men reenlisting wherever they saw fit?

I might have read it—I might have forgotten about it and I might not have seen it at all.

Q Supposing you did know it was a law—did you know it was a law that had some effect?

A I didn't know it was a law.

Q Wasn't the talk there about this law and didn't he mean that he had notified Captain Chapman about this law?

A No, sir, there was no such talk as that there at all.

CAPTAIN HANDLEY RE-CALLED.

Q (By Gen. Collins.) Did any of these people now remonstrating take any particular part in putting down the rebellion?

A No, sir, they furnished the money—scores of them perhaps.

Q (By Gen. Collins) They were willing to send all their wives' relations to the front, like Artemas Ward's patriotism?

Q (By a member of the committee) I would like to ask about this statute which has been referred to.

A (by Mr. Mead) One of the chapters of a special section of a law passed by the legislature in the fall of 1863—the 17th day of November. Chapter 252.

Q (By a member of the committee). The gentlemen are entirely at fault in reference to the provisions of that statute. (The statute was here read aloud). It simply prohibits recruiting officers recruiting.

(By Mr. Mead) That is not the one. It is the one where the state offers \$325 bounty instead of towns. It is chapter 254, section 8, (Mr. Mead here read Section.)

(By Gen. Collins) I will call your attention to the call of the War Department issued Jan. 20, 1864. (Here reads the said call) It is circular No. 6, third paragraph. My point is that they were soldiers in the United States service and practically controlled by Federal authority. Gentlemen of the Committee I will rest my case here.

Opening for the Remonstrance.

BY OLIVER W. MEAD

I would say in the outset. Mr. Chairman and Gentlemen of the Committee, that we have come here without any counsel to present our side of the case to you, and consequently we shall have to rely much on your indulgence and the merits which we think are principally upon our side. I have a few facts which we desire very much to lay before you, and we hope to do so in such a way as you will perfectly understand the case. I have put some of them on paper and which I will read to you. It might be well to state in the first place that Acton is a small farming town situated on the Fitchburg Railroad, of sixteen hundred inhabitants, and four hundred and sixty voters; and that the valuation is something about—something over twelve hundred thousand dollars. I think it is a little more than that—of course including real and personal estate.

The town has 460 voters and she is usually a quiet town; but the public mind has been somewhat disturbed in the little county hamlet for the last year or two in regard to this matter now before you gentlemen and as you may infer by the representatives here today. This is the third time as I presume you are well aware that this matter has been brought before the military committee. It has been brought before three different sessions of the legislature. We say it would never have been brought before this committee had it not been through misrepresentation of the facts. They declared in the most positive manner in our town hall and through the columns of the press and the local newspaper, and by circulating a document throughout the town and into everybody's house door that the town of Acton owed them this money; that they had received assurances from the town of Acton by a letter which was read to them in camp before they had reenlisted, or at the time they reenlisted that Acton would pay them an extra bounty. They testified most positively on their way home on a furlough that the city of Fall River offered them three hundred dollars. Now, gentlemen of the committee after hearing such statements, you must remember that it was a good while ago, and the people of our town were perfectly ignorant of all those facts. The subject had not been brought before them; they thought if the town did really make those promises she ought to make them good and pay these veterans their money. She wants to pay all her honest and just obligations. Had these statements been true, that amount that is claimed would have been paid. Captain Chapman testified here positively, as I say last year that he received no authority from the town of Acton to offer any bounty to these men.

He also testified that he never received any such letter from Acton—that was his direct testimony last year. He has forgot something since that time. Having been beaten at every point they take another tack and say now that the town should pay them, because they expected it, not that the town owed it to them. Captain Chapman killed them last year; he denied all the statements that they had been making. They then say that we should pay it to them because they expected it; because Capt. Chapman assured them that Acton would do as well as any other town.

Now, gentlemen, is it reasonable to suppose that they ever expected it? If they had, if they had been promised that extra bounty and really expected it, when they came home on a furlough wouldn't they have asked for it of the authorities of Acton or the recruiting committee, or of the selectmen of the town? Is it reasonable to suppose that they would come home here and not even ask for it or say a single word about it to any one, and spend four or five weeks in the town, and not even lisp it to one of the military committee of the town or to one of the selectmen? No, gentlemen, for the town never thought of such a thing; and not until they found that Fall River had paid it to her soldiers, did they think of trying to get it.

They say that the Fall River men were paid; that I don't know; They say the Fall River men got their bounty when they came home and now if they did, why didn't those men ask for theirs if they expected it. These men came home and did not go to ask for it and were expecting it all the time? If they expected

two bounty wouldn't they naturally, call upon the committee when they came home at the end of the war and after they had received their discharge?

Many of those men were not citizens of Acton; they were scattered all around over the state—one knows where. Does it look reasonable that they expected the town of Acton to pay them this bounty that they now say they expected all along, and were assured that they would get it when they reenlisted in the fall of 1863, at New Iberia, La.?

I ask you as intelligent gentlemen if it looks reasonable? Does it look reasonable that they really expected the town of Acton to pay them one hundred and twenty-five dollars and had never asked for it? Therefore I say they had never expected it. No gentlemen of the committee, they enlisted solely, so far as money was concerned, for the four hundred and two dollars the United States was going to give them, and the three hundred and twenty-five dollars which the state of Massachusetts was going to give them, making a total of seven hundred and twenty seven dollars.

That is what induced them to reenlist without any reference to any bounty from the town of Acton whatever. Acton had no idea of paying any of these men any bounty. The legislature was convened for the purpose of preventing the towns from buying up each other's men and paying enormous bounties for them. That is why Governor Andrew called them together for that purpose and that is why the Massachusetts legislature passed a law that instead of having the towns pay that money she would pay it herself, which of course came out of the town of Acton indirectly as you all well know. It makes no difference, it comes out of her, nevertheless, and Mr. Lieutenant Henry Brown who was on the ground and assisted Captain Chapman in the reenlistment of these men; he testified here on the stand last year that he never heard a word said about Acton paying a bounty.

[(By Gen. Collins) I should like very much to have the committee and myself informed whether he is testifying or whether he is making an opening address.] I cannot make it as well as you can, nor so able—I wish I could. [By Gen. Collins, I suppose we should conform a little at least to regularity in this matter.]

[Chairman of the committee Do you propose to produce Lieutenant Brown at this time?] I have made my address from facts as near as I could and, as I have said before, I am merely telling you what we have to offer. [By chairman of the committee I would state to the gentleman that we cannot take cognizance of Lieutenant Brown's statement unless you intend to produce him as a witness.] I will say then that I will refer to Myron Going. I thought if we had a statement from a gentleman and signed by him, to present here, that it would be evidence. [By Gen. Collins I object.] Well, then, Mr. Chairman and gentlemen of the committee, that these men have no valid or just claim against the town of Acton. and it would be a great injustice to tax the soldiers who went out there and fought without any bounty—the three years men, who went out and stayed most as long as these men did, and did not receive but about four hundred dollars from the government—I don't know the exact sum. It wouldn't be right to tax those men who have been out most as long and who received less bounty; for we claim that these are the best class of men that went into the field, for the time that they were out there. It would be unfair to tax those soldiers, to say nothing about the rest of the people in the town of Acton, and we have in the town, I think, it was fourteen or fifteen drafted men. We have twelve drafted men at least, who were compelled by law to either go to war or furnish three hundred dollars in money, which they did, without any bounty whatever. They were credited to the quota of the town of Acton, and they have carried on the government and have paid taxes right along, and many of those men give to these classes of soldiers and helped them and are now expected to give them one hundred and twenty-five dollars

each, when they never received a cent, and they did the town just as much good as others. This claim by these men has been presented before the committee three times; first, in 1872, before the committee, when they were given a respectful leave to withdraw; again last winter, when they employed the best counsel in the commonwealth to present their case before the committee and they again had 'leave to withdraw." But they did not like to withdraw, and they were not satisfied with having leave to withdraw with that, and so they had a bill substituted and it was defeated in the Senate by a vote of 2 to 1 only receiving seven votes in favor. Still this dissatisfied and persistent number of petitioners they came last November and caused an article to be put into the warrant, to see if the town would pay one hundred and twenty-five dollars. The town met and the article was carried by a vote of only twenty-eight majority, the vote being 109 in favor and 81 against. I would like to call your particular attention to these points in relation to the progress of public opinion in the town, as the people began to understand this matter more fully you will see that we were growing stronger rapidly on our side. Most of the people thought we had promised to pay it, and of course thought that we should: but we did not promise to pay anything of the sort, and we don't want to pay it; and we don't intend to pay it if we can help it. It should also be borne distinctly in mind that less than one-fourth of the town's voters, voted for this measure. We all knew if we could have a fair and full expression of all the voters that this thing could not be carried through, and we caused a petition to be circulated among the voters; and we obtained the signatures of more than one-half of the legal voters in our town. We have upon that petition two hundred and forty-five names, which is more than twice as many as voted for the measure in town meeting. Upon this petition we have most of the officers of the town; all the Selectmen and I don't know but we have all the rest of the officers of the town. Also we have on it the signatures of a large proportion of the leading men of Acton, who take a lively interest in our welfare—all of which shows conclusively to every candid mind that Acton does not want to pay this bounty. I have this petition here, which I wish to present to you; and we propose this afternoon to have it presented to the Senate. (Speaker hands a document to the chairman of the committee.) With these few remarks I will close, gentlemen. We have called a number of men from our town, who will make some statements to you as they are called upon. I suppose it will be necessary to have them sworn.

[Witness for remonstrants sworn.]

Mr. Adelbert Mead—Mr. D. H. Hall is here present and he is one of the leading veterans in this case. They haven't seen fit to put him on to-day, and I should like to ask him a few questions.

DELETTE H. HALL.

Called. [Direct examination by Mr. Mead.]

Q Your name is D. H. Hall, I believe?

A Yes, sir.

Q You re-enlisted again, for the war afterward didn't you?

A Yes, air.

Q What time would your term have been out if you had not re-enlisted?

A I think it would have expired in October of 1861—or September.

Q Of what year did you say?

A 1864.

Q And when did you re-enlist?

A I re-enlisted January 5, 1864.

Q That was before the three years term was out.

A Yes, sir; it was before that, several months before.

Q How long did you remain in the service after that—how long was it that you remained in the service after you re-enlisted?

A I was discharged the day that Abraham Lincoln was shot—on the fourteenth day of April 1865.

Q About six months, is it not, that you was in the war after your three year term had expired and your reenlistment term commenced?

A Yes, sir.

Q You were in the service about six months after your term of service would have expired if you had not re-enlisted?

A Yes sir, six or seven months, I think.

Q Did you have to do any hard fighting after the last day but one that you would have been in the army if you had not re-enlisted, before you were discharged from the service?

A Ask that question once more, please.

Q Were you in any battles after your time of service would have been out if you had stayed your three years out?

A I cannot say, sir.

Q After October, I mean.

A The battle of Cedar Creek in the Shenandoah.

Q The three years had expired I believe at that time.

A Yes, sir, practically.

Q Their term had expired?

A No, sir.

Q Only one day left.

A Yes sir, one day, I think.

Q Now, as to whether you saw any hard fighting after that before you were discharged?

A I cannot say that I did.

Q You don't think you did?

A I think that battle rather cleaned them out of the Shenandoah Valley—I think it had that effect.

Q What bounty did you receive for those six or seven months of service or about how much

A About five hundred and forty or fifty dollars.

Q That was bounties, besides the wages?

A Yes sir.

Q You could have received seven hundred and twenty-five if you had wanted it?

A No sir.

Q When you re-enlisted. I mean?

A No sir.

Q Five hundred and forty dollars is all you received then?

A I only received two hundred of my United States bounty because I was discharged before the regiment was.

Q You didn't see any hard fighting after the reenlistment service began—after that time?

A Yes sir, that was all we saw was on that day.

Q You do not claim here that the town ever promised or assured you the payment of this money as a town?

A I cannot say that I do.

Q You don't claim it, do you, that the town did really promise it to you?

A I claim it was promised through the captain at the time we recruited.

Q The town didn't know of it.

A No sir, I couldn't swear that they did, but I don't know whether they did or did not.

Q Isn't it asking too much of these farmers up there in that town to be called upon to raise —
[Objected to by Gen. Collins and objection sustained.]

Q What was the answer to the other question?

A I cannot say that they did. But we got the promise through the captain of the company.

Q You do not know that Acton promised to pay it?

A No sir.

Q You had a furlough besides?

A Yes, sir.

Q Were you here at home on that furlough?

A Yes sir.

Q You were in Acton?

A Yes, sir.

Q Did you know the recruiting committee and the Board of Selectmen?

A No sir.

Q Didn't you know we had a recruiting committee?

A No sir

Q You knew we had a Board of Selectmen?

A I supposed so; I was young then and didn't think.

Q And you didn't know we had a recruiting committee?

A No sir; I didn't know.

Q Did you ever ask any officers of the town when you were at home, for that one hundred and twenty-five dollars?

A No sir; I did not—no sir, I don't think I did.

Q Did you ask for it when you were mustered out, or a year afterward?

A I was told by different citizens that if we wanted to get that bounty, the authorities were not going to pay it—that they were going to let it go by default—and an article was put into the warrant the next spring.

Q Did you ask any of the officers of the town for it?

A No sir; I did not know who the officers of the town were.

Q You could have found out if you had asked?

A Yes sir; I suppose I could have.

Q And you have never asked the officers of this town for it, up to to-day, have you?

A No sir, not directly, no sir, not personally.

Q You never went to see them and to ask them for it?

A No sir: I always understood that the reason why we didn't get paid while we were on that furlough, was that the authorities came to Captain Chapman and said to him "Captain Chapman, we will call a special town meeting while you are at home and then, we will pay the men while they are here at home." I understood that Captain Chapman told them that it wouldn't be necessary for them to call a special town meeting because the men had received money and had enough about them; but to let it go till the regular town meeting.

Q You have heard what Captain Chapman has testified to in reference to his not saying anything to the town officers?

A That was my understanding of the matter.

Q You recollect about the circular circulated through the town; do you know who circulated it?

A I think I had a hand in it myself.

Q Did you know at the time, the purport of that circular?

A Yes sir; I did.

Q Did you think at the time that Fall River offered you three hundred dollars, or any of your men, if you would re-enlist for them?

A I didn't know.

Q Did you think so?

A Yes sir; I thought so, when we came through Fall River.

Q Don't you say in that circular that they were offered that sum of money?

A Yes sir; it says so there I think.

Q Didn't you have it printed?

A It was sent to me to be printed and I sent it down and had it printed.

Q Who sent it to you?

A I don't think I will state who sent it to me.

Q It was a responsible man, was it not?

A Yes sir, I think so

Q Didn't you know at the time that you took just as much responsibility as the man who gave it to you, or the man who wrote it? Did you calculate to circulate a falsehood sir?

A No sir. Perhaps it was not worded just right; but I have no doubt that there were some men who were offered three hundred dollars, when they went through Fall River.

Q Do you know it?

A I don't know it.

Q Who do you suppose would offer that amount?

A There were agents in all those cities that were trying to get men.

Q What I wanted of you particularly was this: the winter of your re enlistment your brother was re-enlisted also, was he not?

A Yes sir; he did re-enlist I believe.

Q From Acton?

A No sir.

Q He was credited to Acton?

A No sir. He re-enlisted from Boston.

Q Do you know whether he got any bounty or not?

A Yes sir; he did.

Q He got a state bounty?

A He not only got a government and a state bounty, but he also got a bounty from the city of Boston, from one of the wards of Boston.

Q Do you know which one of you it was that enlisted with Henry Lathrop.

A I did.

Q He did not.

A No sir.

Q He enlisted, then, from Roxbury.

A Yes sir: he re-enlisted from Roxbury and Roxbury paid him three hundred dollars bounty. He had over six hundred dollars bounty from the city and state when he re-enlisted. Joseph Warren re-enlisted from Boxborough and he was promised more than what he got; because he only got eighty-seven dollars.

JAMES E. BILLINGS

Called. [Direct examination by Mr. Mead.] Q You was the chairman of the recruiting committee and selectmen also for Acton.

A Yes, sir; I was.

Q Did you ever send any letter in any way, shape or form whatever, down to Captain Chapman, authorizing him to re-enlist any men for us—for the town of Acton.

A No, sir; never; never any word or letter; either directly or indirectly, whatever. I never sent any letter or knew of anyone going from the committee or any member of the committee and there was never no talk of sending one from the committee at any time.

Q What time were you chairman.

A I was in a number of years. I was in there pretty much all through the war, from the spring of 1862 and I remained during the war.

Q And you were chairman of the Board of Selectmen.

A Yes, sir.

Q (By a member of the committee) Were you the chairman of the Recruiting Committee during December of 1863.

A Yes, sir.

Q (By Mr. Meade.) Did Captain Chapman, when he came home on furlough,—did he ever tell you that they had promised to pay that bounty?

A Never; he never mentioned it.

Q Did he, when he came home after the war—after the war was over?

A Never. He never told me anything about it; nor did he ever ask for a bounty; nor did he ever notify me that he had promised them or anybody—or anything about it.

Q Did any of the re-enlisted men ever ask you about it?

A No sir; never.

Q Not during the furlough or afterward?

No, sir.

Q You was never approached in reference to it?

A No, sir; not at all.

Q Did you as a Selectman, of the town of Acton or as the chairman of the Recruiting committee of the town—did you at the time expect to pay them any bounty? [Objected to—sustained.]

Q Did you expect to pay them anything—Objected to by Gen. Collins and objection sustained.]

Q Do you know how much money we paid out to the soldiers?

A I could not state. I know we paid thirty-eight men one hundred dollars apiece, and twenty three years men one hundred and twenty-five dollar apiece.

Q Do you recollect when the state made the law equalizing the bounties?

A Yes, sir; I do remember; I think it was in 1863.

Q It has been thrown out here that Acton has not been doing her duty. Now, I want to ask you if the town of Acton didn't receive twenty-six hundred dollars more or less from the state as the over paid money for soldiers in equalizing the bounties?

A Yes, sir. They did pay us twenty-six hundred dollars odd. It is on the records.

Q When was it?

A It was in the fall and winter of 1863 and 4.

Q In the fall of 1863?

A Yes; sir; I think it was. We received it from the State. I have it from the books, and it was received from the State to the credit of the town.

Q The town had overpaid her bounties—her proportion of the bounties to be paid to the soldiers—more than other towns according to her proportion?

A Yes, sir. It appeared that there was that amount due to her, and it was returned.

Q (By a member of the Committee.) It appears that Acton held a town meeting November thirtieth, appointing three gentlemen on the recruiting committee of the town, and voted to "instruct them to recruit men now called for forthwith, with discretionary powers with reference to the amount to be paid such persons." Now, there has been reference made to the call of President Lincoln for "three hundred thousand men." and also to the extra session of the Legislature November 11th, when it passed these acts, and Governor Andrew, on the eighth day, issued a proclamation urging all the towns and cities to

raise a quota. What action do you remember that this recruiting committee took in regard to the quota of Acton at that time?

A After this a town meeting was held giving them discretionary power?

Q Yes, sir.

A In the fall of 1863?

Q Yes, sir.

A We went on and recruited seventeen men—it was during November and December, I think—in the fall of 1863.

Q What efforts did you make to re-enlist men into the field.

A We got the men.

Q Do you remember whether the Governor was urging the re-enlisting of men into the field.

A Yes, sir, I think he was

Q Did your committee make any effort in that direction.

A To re-enlist the men into the field. No, sir, not into the field.

Q Acton had a full company in the field.

A Yes, sir. We never took any action after we found the men. We simply got them in the neighboring towns, all we obtained during the war, and we kept our quota filled I think our number was seventeen, and we filled it.

Q (By Mr. Mead.) I see by the town report of the winter of 1864, that six men are credited to us. Did you pay them any bounty after the re-enlistment of the veterans.

A I don't think we did. I have no remembrance of it at all.

Q Our books here show, you could tell by them.

A I think I could tell by them. The bounties are all set down. I think I should remember them if they were paid.

Q We claim that we enlisted six men that winter after, and didn't pay them any town bounty. We claim that the inducement the State offered was inducement enough to them to re-enlist, and the books will show it. He will look it up. (Witness about to depart to a consult town records.)

Q (By Gen. Collins.) What did you do with that forty-five hundred dollars.

A We spent it for recruiting the men.

Q Yes, you did! Did they ever get there.

A I expect so; I expect they did.

Q Were there ever more than two men found there.

A I never heard of two in particular. I suppose they were all credited to the town.

Q You managed, by some hook or crook, to get 22 men credited to us, and don't know, nor you didn't care, whether they ever had a gun on their shoulder or not, although you spent forty-five hundred dollars!

DANIEL WETHERBEE

called. [Direct examination by Mr. Mead.]

Q Your name is. A Daniel Wetherbee.

Q Have you ever been a Selectman of Acton and have you ever held other offices in the town.

A Yes, sir, I have in former years; I haven't of very late years—ten or fifteen years.

Q Have you ever been to the General Court from Acton.

A Yes, sir. I have been five times.

Q Were you over on the recruiting committee for the town.

A Yes, sir, I was a member during the war.

Q Do you know whether there was any bounty paid to anybody by the town.

A The books tell us there is none—according to the books.

Q You heard what Capt. Tuttle said on the stand, didn't you.

A Yes, sir.

Q Do you remember any such conversation as having passed between him and you. Did you ever tell him that you had written down to Captain Chapman, and what you wrote about.

A No, sir, I don't think that I ever did. I never wrote a letter to one of the soldiers in all my life—not even to Captain Chapman, or to anybody else in the war. But I don't know but what Captain Tuttle didn't come down there. I knew at the time that there was a law on the statutes that they could not re-enlist from any other town. It was passed in that extra session in the fall of 1863. I think that he must have drawn that inference from that fact, and that I might have stated to him that it was all right anyway. I don't remember saying anything to him at all. I shouldn't say that I did not, because that fact I knew at that time.

Q You were on the recruiting committee on the re-enlistment.

A Yes, sir.

Q Did Colonel Chapman ever say anything to you in reference to what he had done, and that Acton ought, in consequence, to pay the men who re-enlisted one hundred and twenty-five dollars.

A No, sir. The first that I ever heard from Captain Chapman was last year on the stand.

Q Have any of the soldiers —any of the veterans—ever asked you for this money from the town.

A No, sir.

Q Did you ever hear any of them say anything about it when they were home on a furlough.

A No sir.

Q Or at the close of the war.

A No, sir.

Q Had you any idea that the town was under any obligation to them to pay them this sum of money. [Objected to—sustained.]

Q Do you know the amount of money that Acton paid out.

A No, sir, I do not, exactly. I think she paid—paid out—I forget the number now. I think thirty-eight were paid one hundred dollars and twenty-three were paid one hundred and twenty-five dollars.

Q Do you know that there was twenty-six hundred dollars returned from the State.

A Yes sir, I do. It was twenty-six hundred and forty-seven dollars, I think, or thereabouts. This sum was returned from the State when the bounties were equalized.

Q This was what was overpaid by Acton.

A Yes sir; we had paid more than our share at that time; and they were equalized.

Q You heard the statement that our town treasury is about one thousand dollars in debt, is that so.

A I cannot say, now. I have not looked over this matter at all.

Q I don't think that it makes any difference—we are willing to pay our honest debts.

[Cross-examination by Gen. Collins.]

Q You have done some service in this matter since the war, haven't you, sir You have been circulating this petition and getting these signatures. You have been trying to get all the signatures to that paper that you possible could?

A I haven't been all over the town. I only circulated it in one part of the town.

Q You got a good many signatures, didn't you; and you told some of those people that if any act of this sort passed, it would cost the town fifteen or twenty thousand dollars?

A don't recollect exactly what I said in reference to what it would cost the town.

Q But you were bound to get the signatures?

A I didn't urge anybody to sign at all.

Q You wouldn't swear that you did not tell them that it would cost \$15,000 or \$20,000.

A I wouldn't swear that I did not say so, but don't think I did.

Q You were here in this matter last year and you knew that the claim was only by these thirty-one men for their bounties, and that I was asked without interest. You knew that?

A I don't know. I supposed that these were more than last year.

Q Didn't you follow the petition,—Didn't you see the people that were presenting it, and didn't you know that the amount asked for did not exceed four thousand dollars?

No, sir. I wasn't here at all after the meeting.

Q Don't you remember—didn't your remember that I asked you for a bill authorizing the town to raise four thousand dollars?

A Perhaps so.

Q And then, knowing this fact, you wouldn't swear that you didn't go around and tell your townsmen that it would cost from fifteen to twenty thousand dollars, and ask them to sign a remonstrance?

A I think I have said that I thought it would take between ten and fifteen thousand dollars to pay all the bounties that are asked for.

Q Do you know Francis Conant?

A Yes, sir

Q Will you swear that you didn't tell him that, if this thing succeeded, that it would cost the town twenty thousand dollars?

A I said would cost considerable, because the draft men and the three-months men ought come in, too. I think you ought to pay the drafted men, too.

Q Will you swear that you didn't tell Francis Conant that it would cost the town fifteen or twenty thousand dollars to pay these men?

A I certainly did not mean to say so. I don't think I told him so; and if I did, he must have misunderstood me.

Q (By Mr. Mead.) Now, in reference to drafted men and their rights in this matter. How many drafted men are there?

A I think there were twelve or fourteen.

Q You thought and think now that those drafted men ought to be paid —ought those men to be paid in preference to these?

A Those were the men I included when I was talking with Mr. Conant.

Q (By Gen. Collins.) Is it your opinion that the drafted men ought to be paid, and are entitled to this bounty the same as these soldiers who re-enlisted in the army?

A My idea that these drafted men, many of them, are in hard circumstances, and that they ought not to be made to pay taxes for this amount and not receive any of its benefits themselves.

Q Don't you think that the men who stayed at home, and did not go to war at all, ought to be paid?

A I think likely.

Q (By a member of the Committee.) I presume you were on the Acton recruiting committee on November 3d, 1863. Have you any recollection what that committee did under this vote instructing them to [speaker read the vote the town that day as given.] Have you any recollection what that committee did under that vote? We put in seventeen men, I think, sir.

Q Have you any knowledge on that point?

A No, sir. It is a good while ago, and I haven't now.

Q Whether you made any effort to re-enlist the company in New Iberia?

A No, sir.

Q Can you remember whether the committee knew that it was being done, or talked about it?

A The first time the committee knew about it was up at the State House at the Adjutant-General's office, when we found them credited with a full quota.

Q You mean that you found that your quota for the Acton Company was full?

A I mean that it was not known in Acton until January 1864, that they were re-enlisted, and that the company was full.

Q You didn't know it, did you?

A I don't think I knew it. The first I knew of it we found it here at the State House.

Q What time was that?

A It was some time in the winter; I cannot tell exactly. I think it was in January.

Q That was the first time you heard or knew they were re-enlisted?

A It might have been February.

Q What were you doing at the Adjutant-General's office—what were you trying to find?

A I couldn't tell exactly.

Q Were you trying to find out how many were re-enlisted,—did you count them?

A I don't know.

Q Did you count them?

A I think I did; it is my impression that I did, but it was a good while ago.

Q And now about these seventeen men that enlisted; did they have any bounty?

A I think they did

Q Didn't the town of Acton have any other soldiers in the war in any other regiment who re-enlisted as volunteers under this order.

A I don't know; I don't think they did.

Q They were all soldiers in that company?

A Yes; it is my impression; I would not be certain.

Q Were they all in that company?

A I think so.

Q Were all of the Acton soldiers in the 26th Regiment?

A No, sir.

Q Didn't you have other soldiers who re-enlisted who were on the quota; who were in other regiments?

A I think there was, but I can't say.

Q Do you ever remember of paying any other soldiers?

A There were no other men there before they re-enlisted, from my impression.

Q When was this question first agitated in the town of Acton for the repayment of these bounties to these re-enlisted men?

A In 1872.

Q You never heard anything about them from anybody before this?

A No, sir.

Q I don't mean in a formal way?

A No, sir; I never heard of it till that time.

CAPTAIN RUFUS WHITE

called. [Direct examination by Mr. Mead.]

Q What is your name, please?

A Rufus White.

Q Did you enlist for three years?

A Yes, sir. I did.

Q In what company?

A One from Charlestown in the 11th Regiment.

Q Were you appointed recruiting officer in the regiment?

A Yes, sir.

Q In 1863?

A Yes, sir.

Q Do you know of any town bounties being offered by any town?

A I heard nothing in relation to town bounties, so far as I know.

Q (By Gen. Collins.) What were you the recruiting officer of—what regiment?

A I was in the 11th Regiment.

Q The 11th Massachusetts Regiment?

A Yes, air.

Q Where were you at the time they re-enlisted?

A We were located at Brandywine station in the Army of the Potomac.

Q In Virginia?

A Yes, sir.

Q Was the regiment from Boston, chiefly?

A Yes, sir; largely.

Q Was there a Boston committee who took charge of the recruiting?

A I don't know.

Q You know that the recruiting officers got very little trouble, don't you?

A We had one for each of the localities.

Q Are you in the employ of Mr. Mead?

A I am with the firm.

Q (By Mr. Mead.) I hope that don't hurt him any?

A (By Gen. Collins.) Oh, no; that don't make him an enemy of yours.

Q (By Mr. Mead.) Have you given your evidence according to your best knowledge and without our orders?

A I believe I have stated the facts.

LUKE BLANCHARD

Called. [Direct examination by Mr. Mead.]

Q Did you vote with the opposition when this question first came up in 1872.

A No, sir; voted for giving them the bounty.

Q Did you do it last year?

A No, sir.

Q You voted for it last year.

A No, sir, I voted for it a year ago last Fall, Last year I did not vote in favor of paying them the bounty.

Q Why did you vote for it the first time?

A Because I believed what I read in that circular. I supposed there was some truth in it. When I found out afterwards that there was no truth in it, I changed my mind.

Q Did you hear the testimony of Captain Chapman last year?

A I did.

Q Did you hear him testify that he didn't receive any letter from the town of Acton, or from any town authority?

A I understood him to say that he didn't receive any.

Q Did you ever hear Mr Going say—did you know Mr. Going.

A I did.

Q Do you know he was in the war?

A No sir, I don't know whether he was or not. He was out there in that section.

Q Did you over hear him say that they urged him very hard to re-enlist, and that he never heard a word about it town bounty.

A I did.

Q (By Gen Collins.) How do you know that there was not one word of truth in that circular; who told you.

A I heard it. I went to parties and they told me. I didn't say that there was not a word of truth in it; but I was told that no town authority sent a letter to Captain Chapman. I was told that he received no letter from the selectmen or the recruiting committee.

Q Who told you.

A D H Hall.

Q The only reason was because you had heard something about this letter.

A That was the reason exactly.

Q If you were quite sure that this letter was sent you would vote for it.

A Yes sir; I would vote for them.

Q If the town had sent a letter out there and you hadn't any doubt that they authorized it you would vote in favor of it. A I certainly should, if the recruiting officer had been authorized.

GEORGE C. WRIGHT

called. [Direct examination by Mr. Mead.]

Q Your name is Mr Wright.

A Yes sir, G. C. Wright.

Q Do you know Henry Brown?

A No sir.

Q Did you hear him say at that time [Objected to by Gen. Collins. Objection sustained.]

Q Do you think that this circular had any influence in making any change in the town meeting. I mean the statement in it that the town had promised to pay this money and that they had sent a letter from some authorities there to Captain Chapman.

A I think the town generally thought the money was promised.

Q How do you think the matter stands now in the minds of the town.

A I think there is a majority against paying it.

[Cross-examination by Gen. Collins.]

Q Was that circular circulated before the town meeting of 1881.

A Just before it, yes, sir.

Q You are sure about that.

A The one within a year or so. I have reference to the town meeting about a year ago.

Q You think that if the people had not found that that circular wasn't exactly true—you think that that has changed the town sentiment.

A Yes sir; I think so.

Q There has been no new circular or anything between the town meetings of 1880 and 1881.

A No, sir.

Q What has happened since that time—what has changed men's minds more about the circular.

A I presume they have got that in their minds yet.

Q You think it is working there yet in some state of fermentation.

A Yes sir.

Q Hasn't this petition had something to do with this change of sentiment. Hasn't that been the cause—your going around with that petition and telling people all sorts of stories,

A Well; if you know better than I do.

Q You and Wetherbee went around with this petition didn't you, trying to get signatures.

A I carried it around in my district.

Q Who carried it around in the rest of the town.

A I cannot tell.

Q You told some of the people in your district that paying this money was like paying a debt that they did not owe.

A I think that is true yes, sir.

Q You told Mr. Barker that it would make fifty dollars difference in his tax bill.

A I might have told him so.

Q What did you base your calculation upon to make it fifty dollars difference in his tax.

A I estimated it from the tax he paid.

Q How did you know that it would make that difference.

A I don't recollect now.

Q You mean you deliberately told him so without knowing how much his tax was. What did you tell Holton and Stevens.

A I don't know, I am sure.

Q You were bound to get signatures. A I didn't have to work very hard.

Q You were bound to get them if you could.

A Yes, sir.

Q [By Mr. Mead,] Did you hear the testimony of Captain Chapman last year.

A Yes, sir.

Q Did you understand him to say that he had never received any letter from Acton or read any letter from the Acton authorities to the men.

A That was what I understood him to say.

Q [By Gen Collins] Do you know of three men who served in the war whose names are on that petition.

A I know there are two or three men there—

Q You have mortgages on their property.

A I have mortgages there.

Q That was what I said.

A I haven't any mortgage on the property of these veterans. (Gen Collins) No, they'll take care you haven't.

VARNUM B. MEAD.

[Direct examination by Mr. Mead] Q Has any one of these soldiers ever called upon you for that bounty?

A No, sir.

Q I believe you were one of the recruiting officers ?

A Yes, sir.

Q You were with four or five others on this committee?

A Yes, sir; there were six others I think.

Q Was that subject of bounties ever broached in any way before 1872—that is, the question of paying these men one hundred and twenty-five dollars bounty by the town of Acton?

A No, sir; never a word said about it.

Q Did you hear Captain Chapman's testimony last year?

A Yes, sir; I did.

Q Did you understand him to say that he had never received any letter from Acton or any authority at all from Acton to pay these men one hundred and twenty-five dollars bounty?

A I understood him to say so.

[By Gen. Collins.] Are you a brother of these two gentlemen, (the Meads)?

A Yes, sir.

Q And you were on the old recruiting committee?

A Yes, sir.

Q You were there on that recruiting committee during the war and after these men had re-enlisted you spent forty-five hundred dollars for the purpose of filling up the quota of the town of Acton?

A There were fifty hundred dollars appropriated, but only forty-five hundred was spent yes sir.

Q Before spending any of that money for recruiting men did you ascertain whether those thirty-one men had re-enlisted and were placed to the credit of her quota?

A No, sir; I don't think I did. I only got the men; I didn't have anything to do with it. I got those twenty-two men.

Q Where did you get them?

A I got them here in the city.

Q Then you didn't have anything to do with it?

A No, sir; I didn't, nothing at all.

Q You had simply to get these men. Captain Chapman wouldn't be likely to go and see why other men didn't get their pay?

A I don't know why he wouldn't come to me.

Q Do you know why he would?

A No, sir.

GEORGE MEAD

Called. [Direct examination by Mr. Mead.] Q Did you go over to Littleton to see the Town Clerk?

A I did, sir.

Q Did he tell you—[Objected to by Gen. Collins.] Mr. Mead, we want to prove that these towns adjoining Acton have—[Objected to by General Collins and objection sustained] as the evidence was shown to be of a hearsay nature.

Argument of Mr. Adelbert Mead.

Mr. Chairman, and gentlemen of this committee—I didn't understand the rules of court; I supposed that Gen. Collins was to speak first and really I think he should speak first if he has got anything to say.

[Here the speaker was informed that the petitioners had the close and he proceeded.]

Mr. Chairman, and gentleman of this committee: Of course, I have no speech to make in particular now, I thought I should have the privilege of answering to the address of the other side. I have thought of nothing to say, but, in reference to some of the statements that he might make, I will say a few words; also in regard to what I didn't agree with in his remarks.

I think, Mr. Chairman, that it must be plain to you and to every one here, that Acton did not promise these men any bounty of this sort. It looks a little singular to me if Acton had promised those men one hundred and twenty-five dollars that they would have been likely to have called for it. They knew that Acton was good for it if she promised to pay it; they knew that Acton never refused to pay a debt that they agreed to pay; they knew that Acton was willing to pay even more than they could honestly demand of her. But they let this thing lay along and lay along 'till we forgot the whole of it. And we had no more idea of their bringing this thing up than we had of talking of buying the common.

We had no more idea of it than the most complete stranger to the town and it struck us as something remarkable. But when I read the circular I received from the petitioners here, saying that they were offered and could have had three hundred dollars each by joining the Fall River quota, and this paper signed by respectable men, we begun to open our eyes a little, and then we found out or ascertained who it was that circulated that petition—and I don't know but what he wrote it—But the circular said that they were offered three hundred dollars if they would go for another quota and they said in the circular that the Captain in their Company told them that he had a letter from Acton authorities and that he read it to them; and that he stated it came from persons in authority in the town, saying that Acton would do as well by them as any one if they would join the Acton quota. - When we heard all this we supposed there must be something in it and I voted to pay it; I wanted them paid if we owed it to them. But, gentlemen, after looking into the matter, we found that there was no such promise made; and I appeal to you, gentlemen, if they have sustained any such promise here to-day? I contend that the influence of that circular, that went all over our town, has kept this number of friends up to where it is to-day.

Last year, however, we got only 17 votes on our side, and they got 109 this year and we got 81. And I say that it is the influence of that letter was what created public sentiment in their favor in the town—an unjustifiable letter that was circulated through the town. And, looking further and further into this case, it does look to me that those gentlemen, if they had any claim against the town, when they all came home on a furlough, would have spoken about it—would have said something about it. Is it reasonable to suppose that if Captain Chapman, taking the great responsibility he says he did of promising these men three, four or five thousand dollars—taking that upon his shoulders—that he should come home on a furlough soon afterwards and should not say one single word to the authorities of our town and what ought to be done in the matter.

Now I think if he had agreed to do that, or had said that to his men, it seems to me that he would have immediately mentioned it to the Board of Selectmen. They say he did not mention it; the Selectmen say they never heard a word about it in any way up to it year or two after the war.

Now I say, gentlemen, that it is unreasonable to believe that they expected it or even thought of having it. I think that Captain Chapman is honest in what he says—that he did say that old Acton would do as well by them as any other town, but I do not believe he had in his mind any idea that we were to pay him money. We might be thankful, but we considered that we were paying three hundred and twenty-five dollars to each one of these men, as it made no difference whether the State paid it or

whether we paid it, it all came out of us and we thought it was enough. And I think they thought it was enough.

I don't know what they have brought here today; they have brought their men on here today; they have forgot a good deal from last year. Captain Brady goes on to the stand here and tells us that he did promise his men—that he gave those men to understand that Fall River would pay them a bounty. He sends a letter to be distributed all over Acton, however, that he did not try to influence Acton men to join his quota and you know what he has testified to today. There is conflicting evidence there—I don't know which is true—I do not know that either are. And, further than that, it does seem to me that they have made out no case and no claim against Acton. They do not claim that we are legally bound to pay them; and then, further than that, we have got a petition here that we have presented to you, with more than one-half of the voters of the town of Acton on it and I have no doubt, for we have figured it up, that they pay three-fourths of the taxes of the town of Acton.

Further than that, if it is right, let us pay it; if it is wrong, we don't want to pay it; we don't want to tax those men—those poor men who have mortgages on their farms in our town, to raise the money to pay when they were drafted, unless we did agree to pay this amount, unless we are honorably bound to pay it.

I don't believe that they have proved it to anybody that we are morally bound to pay it. It seems to me, gentlemen, that before we are generous or patriotic either, that we should be just; and now, if they have made it appear to you that it is just for us to tax those men who paid their three hundred dollars when they were drafted and have paid their part of the eight thousand six hundred dollars besides paying their three hundred dollars several-years ago; to tax those men and the men who have got mortgages on their little farms and have just all they can do to get along, I say it is not just; I say you should give them leave to withdraw but, if it is just that we should pay, let us pay it.

Argument of General Collins.

Mr. Chairman, and gentlemen—it is not the people whose farms are mortgaged, but the people who hold the mortgages on farms, that are here in opposition and the difference between these classes is obvious.

The mortgagees are here and probably many of them have got hold of the farms already. Now the facts in this case are that the soldiers in question were duly enrolled for the quota of Acton as re-enlisted veterans upon the promise that Acton would do as well by them as any other town. They came home on a furlough early in the spring of 1864 after they had re-enlisted in the face of the enemies to Acton's quota; they testify that when they were here there was talk of holding a special town meeting for the purpose of appropriating the money with which to pay them their bounties. And then it was suggested by Captain Chapman that it might be deferred until the next regular town meeting just as well—that is the one which was to be held in November 1864. And you find that at that meeting there was a committee appointed, Wetherbee, Mead and Handley, to see what the town would pay the soldiers then in the field.

The next town meeting that you hear anything about soldiers was November 30th, 1864, when they found they had not men sufficient to fill their quota and appropriated fifty-five hundred dollars to do it. The committee, the recruiting committee, didn't do anything about it. The town voted to pay fifty-five hundred dollars in order to keep their quota full and these men were in the field at the time credited to the quota of the town, fighting the battles of the country and keeping these gentlemen from spending

money to get bounty jumpers and bummers, who cost them several hundred dollars apiece to fill the quota.

They spent forty-five hundred dollars in putting two men in the field; though they got credit for twenty-two. Credit was all they wanted. Their names on the rolls to the credit of Acton, but when they got into the field or where they went or anything about them, the recruiting committee cannot tell, they say they got them. They don't know why they went up to the State House, nor who put down the rebellion, was it a lot of bummers and bounty jumpers? No, sir; but the town of Acton would have been served just as well, as far as having her quota filled; they say, they didn't care with what. They wanted to get the town of Acton relieved from paying any money and they didn't care whether its quota was filled by bummers, bounty jumpers or gentlemen.

Now mark this gentlemen, mark this difference. The one, a class of men who were enlisting anywhere where they would be paid the most, unprincipled and unfit for duty, bounty jumpers and deserters, and the other men of your own town all of whom served through the war with credit, or until disabled by wounds or until their terms of service expired; all as General Banks has told you, men of the best—the best kind of soldiers. What if the town of Acton didn't promise to pay them—that is, in a legal sense, if there had been a legal obligation to pay these people, we wouldn't come here; we would sue the town in the courts. But it is a moral obligation. Talk about giving these men thanks! There are people living who would be willing to offer anybody everything but money for a service performed, however valuable it might be. If they could only get out of paying the money they would be willing to give fortunes in thanks. But these men took their lives in their hands and went to the war and fought bravely, while these gentlemen, opposing them, stayed at home.

Now if these men are entitled to thanks they are entitled to this money. We simply ask you to let the town of Acton pay what it insists on paying and has always insisted whenever it has had the opportunity. They talk about this remonstrance. You all readily see and know, having had experience in public matters, how easily a petition can be circulated and signatures obtained, and the longer you are in public life the less you will think of an ordinary petition or remonstrance.

It is the deliberate judgment of the voters of the town at the polls that can be relied upon. Petitions can be gotten up to hang every member of this committee. I haven't any question about it—especially if you should, as I know you will, and justice and equity require, give these petitioners a bill. Yes, if this is done I have no doubt you could get a petition signed there by some to imprison you for life—each of the members of this committee; the stay-at-homes will sign it; the people that held the mortgages will sign it; the people that have houses that Mead has mortgages upon will be compelled to sign it; and the people that will be imposed upon by these lay counsel will sign it. But the town of Acton whenever it has the chance will pay it; these bounties you will find that from the beginning, the citizens of that place who are honest and generous—not the skinflints—are the people who are willing and ready not only to give thanks where they ought to give money, but to give the bounties as asked for by these men.

These men who object were very careful not to send any one to the war but their connections by marriage. But the people who did believe in paying the honest obligations of the town were not that kind of folk.

They say that old Acton with a revolutionary record and a reputation for continued honor and patriotism wants to pay these men; and I don't care whether you quibble and say that Captain Chapman wasn't duly authorized to make any such offer as he did, or not, he was the representative of the town

in the 26th Regiment. He was sent out there by the town of Acton in command of her company, to fight for her, and in her name, and when it come to responsibility he had a right to speak as their representative.

And if he hadn't offered these men one hundred and twenty-five dollars each, or as much as any other town would pay, they had a perfect right to reenlist for some other town, and then the ranks would have been filled with a lot of bummers and bounty jumpers.

These gentlemen would have had to gone around and got these bummers too and they would have cost Acton a large sum.

These men, however said "no" let the town of Acton be represented by her own men and let her do her part of the fighting—let us not leave but stay, and Captain Chapman says that the town of Acton will do as well by us as any other town.

The general acts passed by the legislature and several acts, up to the year 1880 show that these bounties were paid by other towns. In 1879 there is an act in point—the case of Essex upon which I have drawn a bill, two bills, rather, one to legalize the town vote of Acton to pay certain bounties, but if you feel, gentlemen in this matter, that there is anything in what these remonstrants say—that the town of Acton is not prepared now to do what she has voted to do for the last 2 years, I have inserted in the bill something that will test it, and that is that the town be authorized to raise and collect by taxation, the amount of money, and that the vote passed in 1881 be passed to legalize it and if you feel it doubt, I have drawn another bill to authorize the town to take another vote, and let friends and foes of the proposal come face to face.

Mr. Mead and his stay-at-homes and these soldiers and their friends, I offer you it bill to merely authorize the town to do over again what has been done in the past.

So if you feel that there is anything—that there is a substantial division of opinion in this matter, all you have got to do is to authorize the town of Acton to try it over again, we do not fear the issue,—our opponents do.