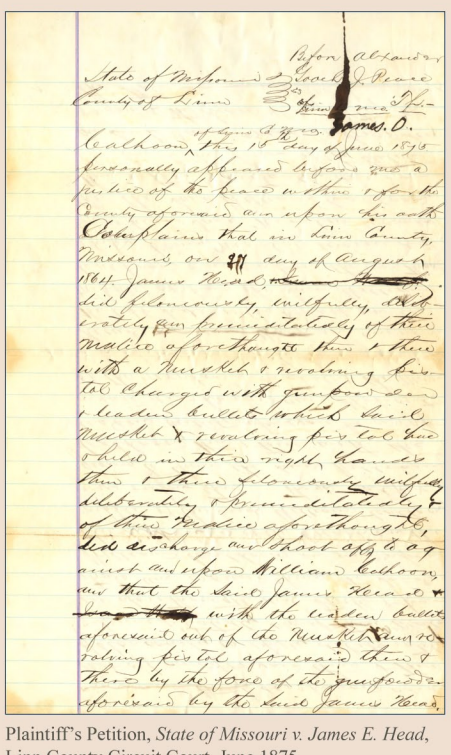
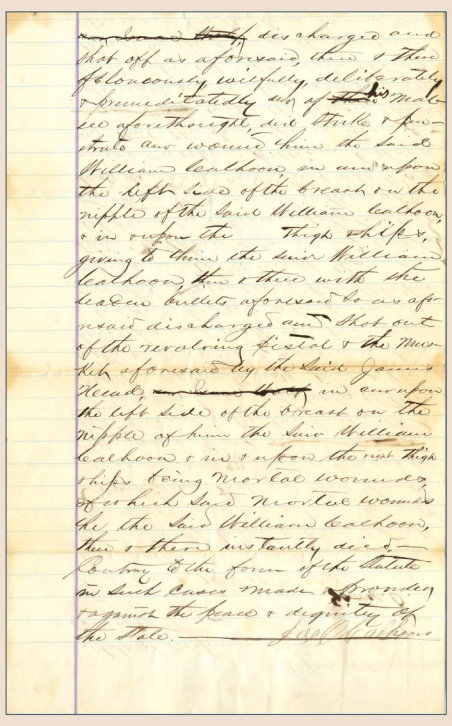
DIVIDED LOYALTIES
CIVIL WAR DOCUMENTS FROM THE MISSOURI STATE ARCHIVES

VIGILANTE VIOLENCE

SEEKING JUSTICE FOR WARTIME CRIMES

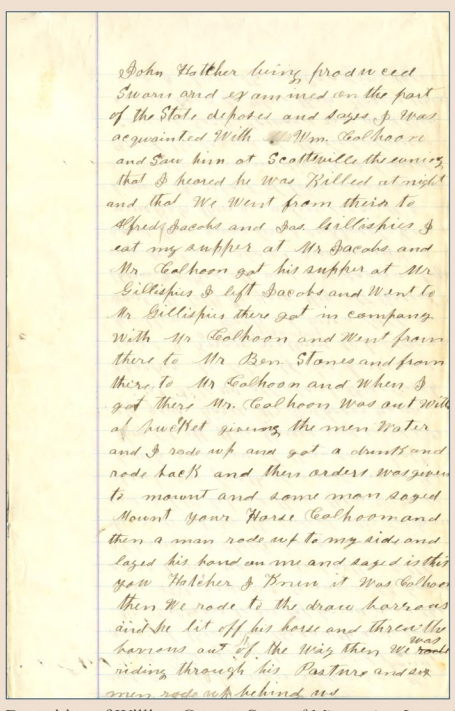


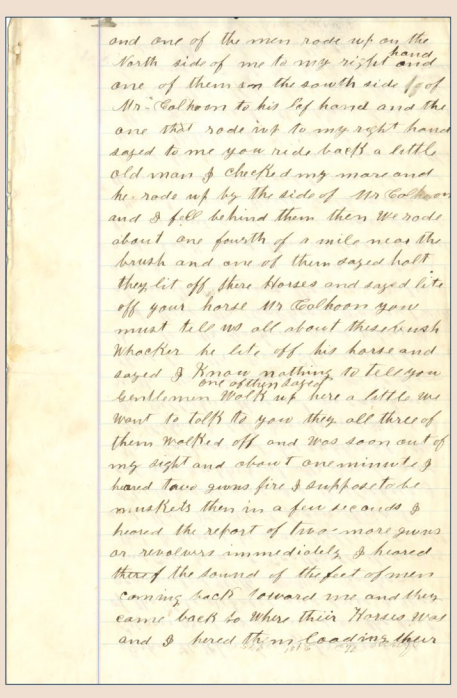


Plaintiff's Petition, *State of Missouri v. James E. Head*, Linn County Circuit Court, June 1875.
Missouri State Archives

On August 9, 1864, troops from Company E of the 66th Regiment, Enrolled Missouri Militia stopped at the Linn County farm of William Calhoun. Members of the company were trying to track down Confederate bushwhackers and some soldiers apparently believed Calhoun possessed information about the rebels' whereabouts. Late in the evening, several soldiers walked Calhoun to a secluded pasture and demanded that he tell them all he knew about the bushwhackers in the area. When Calhoun denied any knowledge of the bushwhackers, members of the militia shot him to death.

Eleven years later, in 1875, William Calhoun's son James filed charges accusing James Head with the murder. Head had been a private in the militia and was present at the Calhoun farm the night of the killing. While several witnesses testified that James Head later taunted James Calhoun by bragging that he had pulled the trigger that killed his father, the prosecution was unable to produce any witnesses who actually saw Head commit the crime. Though court records are not complete, it does not appear that James Head was ever convicted of William Calhoun's murder.

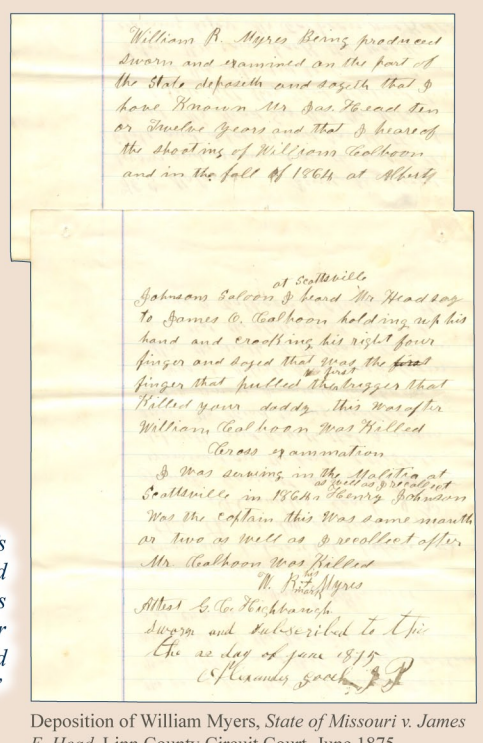




Deposition of William Garrett, *State of Missouri v. James E. Head*, Linn County Circuit Court, June 1875.
Missouri State Archives

"They lit off their horses and said 'Lite off your horse Mr. Calhoun you must tell us all about these bushwhackers.' He lit off his horse and said 'I know nothing to tell you gentlemen.' One of them said 'walk up here a little we want to talk to you.' They all three of them walked off and was soon out of my sight and about one minute I heard two guns fire. . . "

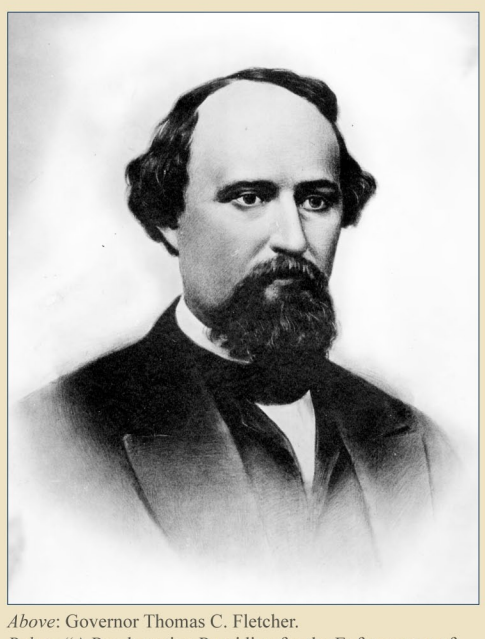
"In the fall of 1864 at Albert Johnson's Saloon in Scottsville I heard Mr. Head say to James C. Calhoun holding up his hand and crooking his right fore finger and said that was the finger that pulled the first trigger that killed your daddy."



Deposition of William Myers, *State of Missouri v. James E. Head*, Linn County Circuit Court, June 1875.
Missouri State Archives

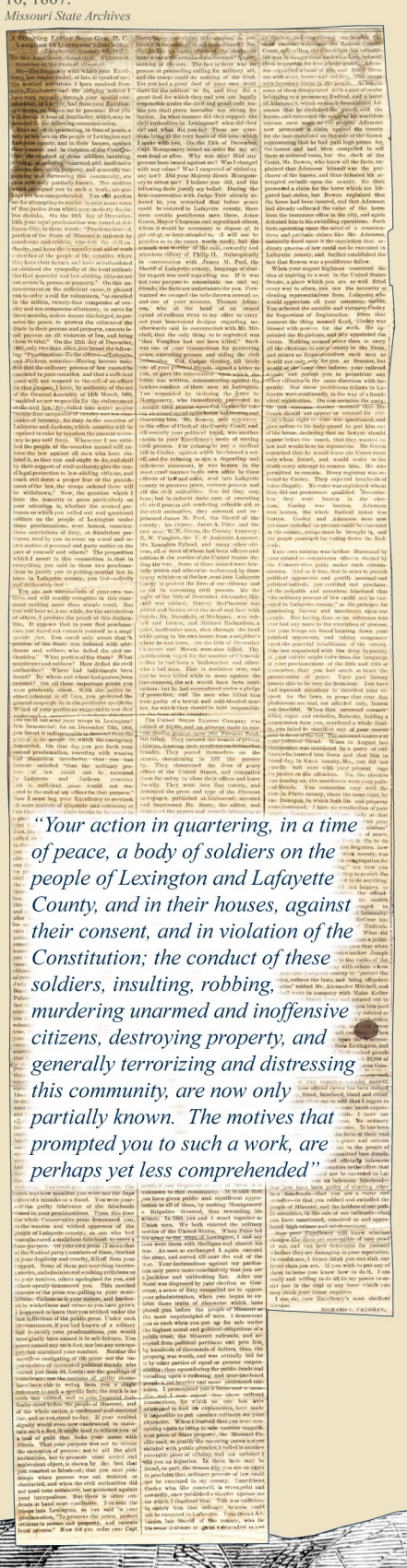
SEEKING JUSTICE IN THE PRESS

Republican Thomas Clement Fletcher became Missouri's 18th governor in the final days of the Civil War. After taking office, Fletcher faced the considerable challenge of controlling the vigilante violence that continued throughout the state in the years following the war. After sending units of cavalry and infantry to control bushwhackers in Jackson and Lafayette counties in December 1866, Fletcher was attacked by editorials and letters in the *Missouri Republican*. The newspaper claimed that the troops had been responsible for more violence than they were intended to suppress. In February 1867, Fletcher sued the *Republican's* publishers for libel and asked for $100,000 in damages. Nine months later, both parties agreed to dismiss the lawsuit and to pay their own legal expenses.

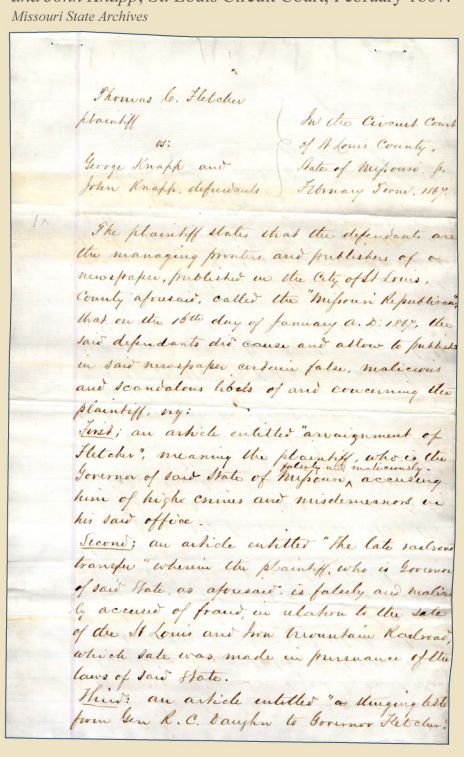


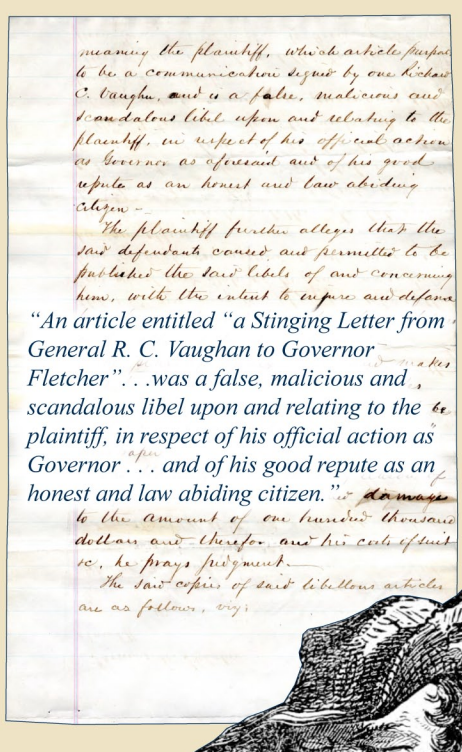
Above: Governor Thomas C. Fletcher.
Below: "A Proclamation Providing for the Enforcement of Civil Law," December 12, 1866, from *Messages and Proclamations of the Governors*, volume IV.
Missouri State Archives

"A Stinging Letter from General R. C. Vaughan to Governor Fletcher," *Missouri Republican*, January 16, 1867.
Missouri State Archives

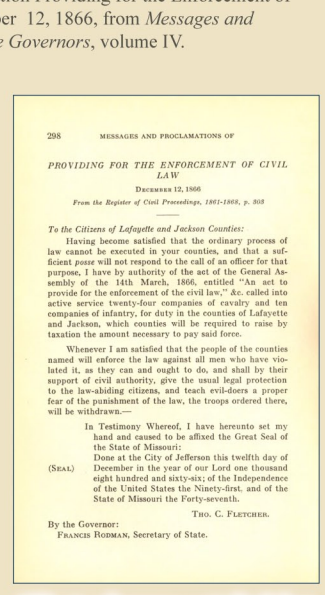


Plaintiff's Petition, *Thomas C. Fletcher v. George Knapp and John Knapp*, St. Louis Circuit Court, February 1867.
Missouri State Archives





"An article entitled "a Stinging Letter from General R. C. Vaughan to Governor Fletcher". . . was a false, malicious and scandalous libel upon and relating to the plaintiff, in respect of his official action as Governor . . . and of his good repute as an honest and law abiding citizen."



"Having become satisfied that the ordinary process of law cannot be executed . . . I have . . . called into active service twenty-four companies of cavalry and ten companies of infantry, for duty in the counties of Lafayette and Jackson."

"Your action in quartering, in a time of peace, a body of soldiers on the people of Lexington and Lafayette County, and in their houses, against their consent, and in violation of the Constitution; the conduct of these soldiers, insulting, robbing, murdering unarmed and inoffensive citizens, destroying property, and generally terrorizing and distressing this community, are now only partially known. The motives that prompted you to such a work, are perhaps yet less comprehended"

Bushwhacker activity in northern Missouri led some citizens to seek refuge in cities like St. Louis in 1864
Library of Congress

1867 & 1875