



**Smithsonian Institution**

*Freedmen's Bureau*

## **Registers and Letters Received by the Commissioner, Letters Received, Entered in Register 5, P, Mar.–May 1866**

Extracted on Jun-30-2022 05:55:40

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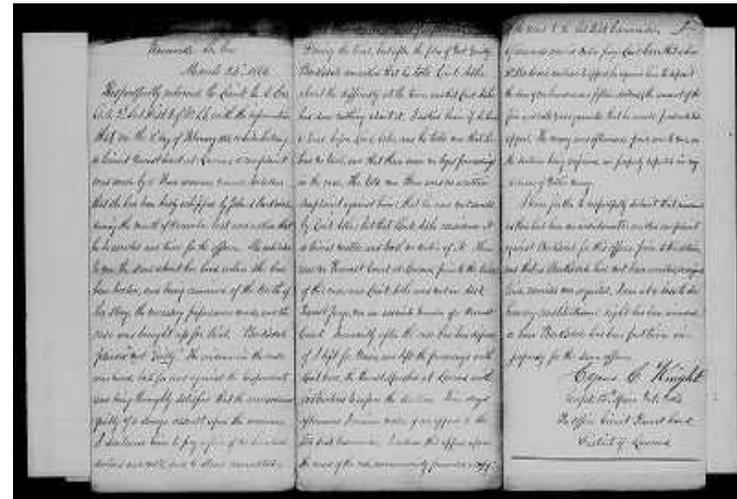
March 24" 1866,

Respectfully returned to Lieut. E.A. Low, A.A. 2nd Sub Dist. D. of W.S.C. with the information that, on the 8th day of February 1866, while holding a Circuit Provost Court at Laurens, a complaint was made by a Freed woman named Isabella that she had been badly whipped by John A. Barksdale during the month of December last, and asked that he be arrested and tried for the offence. She exhibited to me the scars about her head where she had been beaten, and being convinced of the truth of her story, the necessary papers were made, and the case was brought up for trial. Barksdale pleaded "not Guilty." The evidence in the case was heard both for and against the Respondent, and being thoroughly satisfied that the accused was guilty of a savage assault upon the woman, I sentenced him to pay a fine of one hundred dollars and costs, and to stand committed.

During the trial, but after the plea of Not Guilty, Barksdale remarked that he told Lieut. Ashe about the difficulty at the time. Lieut. Ashe had done nothing about it. I asked him if he had a trial before Lieut. Ashe; and he told me that he had no trial, and that there were no legal proceedings in the case. He told me there was no written complaint against him: that he was not arrested by Lieut. Ashe; that that Lieut. Ashe considered it a trivial matter and took no notice of it. There was no Provost Court at Laurens prior to the trial of this case, and Lieut. Ashe was not an Asst. Provost Judge, nor an associate member of the Provost Court. Immediately after the case had been disposed of, I left for Union, and left the proceedings with Lieut. Carr, the Provost Marshal at Laurens, with instructions to enforce the sentence. Five days afterwards I received notice of an appeal to the Sub. Dist. Commander. I entered this appeal upon the record of the case, and immediately forwarded a copy of the record to the Sub Dist. Commander. I afterwards received notice from Lieut. Carr that when Dr. Barksdale concluded to appeal, he required him to deposit the sum of one hundred and fifteen dollars, (the amount of the fine and costs) as guarantee that he would prosecute his appeal. The money was afterwards paid over to me, on the sentence being confirmed, and properly reported in my returns of Public Money.

I have further to respectfully submit that inasmuch as there had been no indictment or written complaint against Barksdale for this offence prior to this action, and that as Barksdale had not been arrested, arraigned, tried, convicted nor acquitted, I am at a loss to see how any constitutional right has been invaded, or how Barksdale has been put twice in jeopardy for the same offence.

Cyrus E. Knight  
Capt. 15th Maine Vet. Vols.  
Pro. Officer Circuit Provost Court  
District of Laurens.



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