

Baltimore  
L. A.  
Brig Genl.  
Commanding  
U. S. Forces,  
Morris Island  
S. C.

Head Quarters Department of S. C., Fla. & Ala.  
Charleston S. C. August 18<sup>th</sup> 1863

Sir,

Your letter of the 5<sup>th</sup> was not received at these  
Head Quarters, until the 8<sup>th</sup> instant.

I cannot bandy allegations with you, and  
much less shall I imitate the temper and spirit  
in which your communication was conceived;  
but will simply confine myself to showing how  
groundless is your imputation of bad faith on  
my part in connexion with the return of wounded  
prisoners of war.

You know that there existed an order of the  
President of my Government, and possibly <sup>of you</sup> were  
aware of an Act of the Congress of the C. S., which  
expressly excluded armed negroes from recogni-  
tion by Confederate States Officers, as legitimate  
means of war. You knew, moreover, that, in ac-  
cordance with this position of the constituted au-  
thorities of my people, as in duty bound I had  
uniformly refused to receive or communicate in  
this Department, with Flags of Truce, borne  
by officers or escorted by men of Negro Regi-  
ments of your service.

You had thus due notice of my views,  
and of my practice, and could have no right  
to expect me to deviate from either on such an  
occasion. Indeed, you must have felt assumed

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of the fact, that I could not assent to any course which, in effect, places negroes taken in arms in the State of South Carolina, on the same footing with recognized soldiers. Therefore, if not prepared to yield your consent, or obliged to exact an acquiescence on our side, in the detention of the United States, but recently set up, after two years of war, to employ negro soldiers, you were surely bound to demand definitely that negroes should be included in the proposed arrangements - but you did not demand it! - The fact is, you were well satisfied of what would be my course, had you attempted to make such conditions; and bearing in mind that I had many more of your wounded than you had of mine, you chose, Sir, to ignore your negro ally, after having given him the right or head of your stirring Column, on the 18<sup>th</sup> of July. This, Sir, will be the record of History - I dare to say, even as made up by your own countrymen.

Certain papers here with, I trust, will satisfy you that I had no idea of leading you to expect me to disregard the orders of my Government, and my usage in respect to armed negroes. Brig Genl Hagood's report, marked "B," shows, I submit, the understanding of the officers who bore the flag on your part; to wit, Brig

Genl Vogdes, of your service.

While I may not decide to receive them, I must submit for your consideration whether your course was legitimate in permitting men of my command to be retained and not returned under the cartel, on the grounds that they had declined to return, and had taken the oath of allegiance to the United States. I apprehend that, under no usage of war, were you warranted in permitting such an act, the aspect of which is by no means improved by the fact, that, in this way, you increased the inequalities of the transaction to your own advantage, and were enabled to return but 38 Confederate non-commissioned officers and privates in exchange for 104 officers, N. C. officers and privates of your own service.

You are of course aware that the men whom you have thus retained, in their taking the oath of allegiance, according to the laws of war are incontrovertably deserters, subject to the punishment set by law for that crime.

In connexion with the deserter, Green, I am led to infer that you rest your refusal to surrender him, on a denial of the fact that a truce existed on the 19<sup>th</sup> of July at such times as our respective subordinates (Genls. Bagrod and Vogdes) were not in direct communication under flags of truce between the two forces.

Of course I cannot hope to change your views by argument, and shall not attempt it, but will refer you to the report of Brig Genl Hagood herewith marked "C," which, I believe, will show that there was a truce, de facto, and substantial, between the belaguered forces on Lewis Island, during the whole of the 19<sup>th</sup> July, during which, my men were chiefly engaged in giving burial to six hundred officers and men of your troops, and removing the wounded of both forces. Further, it is confidently believed that, at the time Green entered your lines, Genls. Hagood and Vogdes were in conference, and a white flag was actually flying - Be that as it may, there was an absolute truce or suspension of hostilities, which all soldiers observant of the usages of civilized war, would acknowledge, without reference to any lack of a mere symbol such as a white flag.

In conclusion I have further to say that no wounded officer of the 54<sup>th</sup> Massachusetts negro Regiment was retained. If any of the officers of that Regiment were captured, they have assumed false names and Regiments.

Respectfully  
 Your Obedt Servt.  
 G. I. Beauregard  
 Genl Comdg