

Court Martial of Henry Wirz Charges and Specifications

CHARGE I: Maliciously, willfully, and traitorously, and in aid of the then existing armed rebellion against the United States of America, on or before the let day of March, A.D. 1864, and on divers other days between that day and the 10th day of April, 1865, combining, confederating, and conspiring, together with John H. Winder, Richard B. Winder, Joseph [Isaiah H.] White, W. S. Winder, R. R. Stevenson, and others unknown, to injure the health and to destroy the lives--by subjecting to torture and great suffering; by confining in unhealthy and unwholesome quarters; by exposing to the inclemency of winter and to the dews and burning sun of summer; by compelling the use of impure water; and by furnishing insufficient and unwholesome food--of large numbers of Federal prisoners, to wit, the number of 30,000 soldiers in the military service of the United States of America, held as prisoners of war at Andersonville, in the State of Georgia, within the lines of the so-called Confederate States, on or before the 1st day of March, A.D. 1864, and at divers times between that day and the 10th day of April, A.D. 1865, to the end that the armies of the United States might be weakened and impaired and the insurgents engaged in armed rebellion against the United States might be aided and comforted. And he, the said Henry Wirz, an officer in the military service of the so-called Confederate States, being then and there commandant of a military prison at Andersonville, in the State of Georgia, located, by authority of the so-called Confederate States, for the confinement of prisoners of war, and, as such commandant, fully clothed with authority, and in duty bound to treat, care, and provide for such prisoners held as aforesaid as were or might be placed in his custody according to the law of war, did, in furtherance of such combination, confederation, and conspiracy, and incited thereunto by them, the said John H. Winder, Richard B. Winder, Joseph [Isaiah H.] White, W. S. Winder, R. R. Stevenson, and others whose names are unknown, maliciously, wickedly, and traitorously confine a large number of such prisoners of war, soldiers in the military service of the United States, to the amount of 30,000 men, in unhealthy and unwholesome quarters, in a close and small area of ground wholly inadequate to their wants and destructive to their health, which he well knew and intended; and, while there so confined during the time aforesaid, did, in furtherance of his evil design, and in aid of the said conspiracy, willfully and maliciously neglect to furnish tents, barracks, or other shelter sufficient for their protection from the inclemency of winter and the dews and burning sun of summer; and with such evil intent did take, and cause to be taken, from them their clothing, blankets, camp equipage, and other property of which they were possessed at the time of being placed in his custody; and, with like malice and evil intent, did refuse to furnish, or cause to be furnished, food either of a quality or quantity sufficient to preserve health and sustain life; and did refuse and neglect to furnish wood sufficient for cooking in summer and to keep the said prisoners warm in winter; and did compel the said prisoners to subsist upon unwholesome food, and that in limited quantities entirely inadequate to sustain health, which he well knew; and did compel the said prisoners to use unwholesome water, reeking with the filth and garbage of the prison and prison guard, and the offal and drainage of the cookhouse of said prison, whereby the prisoners became greatly reduced in their bodily strength, and emaciated and injured in their bodily health; their minds impaired and their intellects broken; and many of them, to wit, the number of 10,000, whose names are unknown, sickened and died by reason thereof, which he, the said Henry Wirz, then and there well knew and intended; and, so knowing and evilly intending, did refuse and neglect to provide proper lodgings, food, or nourishment for the sick, and necessary medicine and medical attendance for the restoration of their health; and did knowingly, willfully, and maliciously, in furtherance of his evil designs, permit them to languish and die from want of care and proper treatment. And the said Henry Wirz, still pursuing his evil purpose, did permit to remain in the said prison, among the emaciated sick and languishing living, the bodies of the dead, until they became corrupt and loathsome and filled the air with fetid and noxious exhalations, and thereby greatly increased the unwholesomeness of the prison, insomuch that great numbers of said prisoners, to wit, the number of 1,000, whose names are unknown, sickened and died by reason thereof. And the said Henry Wirz, still pursuing his wicked and cruel purpose, wholly disregarding the usages of civilized warfare, did, at the time and place aforesaid, maliciously and willfully subject the prisoners aforesaid to cruel, unusual, and infamous punishment upon slight, trivial, and fictitious pretenses, by fastening large balls of iron to their feet, and binding large numbers of the prisoners aforesaid closely together with large chains around their necks and feet, so that they walked with the greatest difficulty--and, being so confined, were subjected to the burning rays of the sun, often without food or drink for hours, and even days--from which said cruel treatment large numbers, to wit, the number of 100, whose names are unknown, sickened, fainted, and died. And he, the said Wirz, did further cruelly treat and injure said prisoners by maliciously confining them within an instrument of torture called the "stocks," thus depriving them of the use of their limbs, and forcing them to lie, sit, and stand for many hours without the power of changing position, and being without food or drink, in consequence of which many, to wit, the number of thirty, whose names are unknown, sickened and died. And he, the said Wirz, still wickedly pursuing his evil purpose, did establish and cause to be designated within the prison inclosure containing said prisoners, a "dead-line," being a line around the inner face of the stockade or wall inclosing said prison, and about twenty feet distant from and within said stockade; and having so established said dead-line, which was in many places an imaginary line, and in many other places marked by insecure and shifting strips of boards nailed upon the top of small and insecure stakes or posts, he, the said Wirz, instructed the prison guard stationed around the top of said stockade to fire upon and kill any of the prisoners aforesaid who might touch, fall upon, pass over or under or across the said "dead-line." Pursuant to which said orders and instructions, maliciously and needlessly given by said Wirz, the said prison guard did fire upon and kill a large number of said prisoners, to wit, the number of about 300. And the said Wirz, still pursuing his evil purpose, did keep and use ferocious and bloodthirsty beasts, dangerous to human life, called bloodhounds, to hunt down prisoners of war aforesaid who made their escape from his custody, and did then and there willfully and maliciously suffer, incite, and encourage the said beasts to seize, tear, mangle, and maim the bodies and limbs of said fugitive prisoners of war, which the said beasts, incited as aforesaid, then and there did, whereby a large number of said prisoners of war, who, during the time aforesaid, made their escape and were recaptured, and were, by the said beasts then and there cruelly and inhumanly injured, insomuch that many of said prisoners, to wit, the number of about fifty died. And the said Wirz, still pursuing his wicked purpose, and still aiding in carrying out said conspiracy, did use and cause to be used, for the pretended purposes of vaccination, impure and poisonous vaccine matter, which said impure and poisonous matter was then and there, by the direction and order of said Wirz, maliciously, cruelly, and wickedly deposited in the arms of many of said prisoners, by reason of which large numbers of them, to wit, 100, lost the use of their arms, and many of them, to wit, about the number of 200, were so injured that they soon thereafter died. All of which he, the said Henry Wirz, well knew and maliciously intended, and in aid of the then existing rebellion against the United States, with the view to assist in weakening and impairing the armies of the United States, and in furtherance of the said conspiracy and with the full knowledge, consent, and connivance of

his co-conspirators aforesaid, he, the said Wirz, then and there did.

CHARGE 2: Murder, in violation of the laws and customs of war.

Specification 1.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 8th day of July, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody, as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier thereafter, to wit, on the 9th day of July, A.D. 1864, died. <ar121_787>

Specification 2.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of September, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did jump upon, stamp, kick, bruise, and otherwise injure with the heels of his boots, a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, of which said stamping, kicking, and bruising, maliciously done and inflicted by the said Wirz, he, the said soldier, soon thereafter, to wit, on the 20th day of September, A. D. 1864, died.

Specification 3.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 13th day of June, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz, in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier immediately, to wit, on the day aforesaid, died.

Specification 4.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 30th day of May, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault, and he, the said Henry Wirz, a certain pistol called a revolver then and there loaded and charged with gunpowder and bullets, which said pistol the said Henry Wirz in his hand then and there had and held to, against, and upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, then and there feloniously, and of his malice aforethought, did shoot and discharge, inflicting upon the body of the soldier aforesaid a mortal wound with the pistol aforesaid, in consequence of which said mortal wound, murderously inflicted by the said Henry Wirz, the said soldier, on the 30th day of May, A.D. 1864, died.

Specification 5.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of August, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did confine and bind with an instrument of torture called "the stocks," a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, in consequence of which such cruel treatment, maliciously and murderously inflicted as aforesaid, he, the said soldier, soon thereafter, to wit, on the 30th day of August, A. D. 1864, died.

Specification 6.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of February, 1865, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did confine and bind within an instrument of torture called "the stocks," a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, in consequence of which said cruel treatment, maliciously and murderously inflicted as aforesaid, he, the said soldier, soon thereafter, to wit, on the 6th day of February, A.D. 1865, died.

Specification 7.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of July, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did fasten and chain together several persons, soldiers, belonging to the Army of the United States, in his, the said Henry Wirz's, custody as prisoners of war, whose names are unknown, binding the necks and feet of said prisoners closely together, and compelling them to carry great burdens, to wit, large iron balls chained to their feet, so that, in consequence of the said cruel treatment inflicted upon them by the said Henry Wirz as aforesaid, one of said soldiers, a prisoner of war as aforesaid, whose name is unknown, on the 25th day of July, A.D. 1864, died.

Specification 8.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 15th day of May, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, willfully, and of his malice aforethought, did order a

rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Henry Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the musket aforesaid, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 9.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of July, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 10.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 20th day of August, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket, of which he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 11.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 1st day of July, A.D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did cause, incite, and urge certain ferocious and bloodthirsty animals, called bloodhounds, to pursue, attack, wound, and tear in pieces a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in consequence thereof the said bloodhounds did then and there, with the knowledge, encourage-merit, and instigation of him, the said Wirz, maliciously and murderously given by him, attack and mortally wound the said soldier, in consequence of which said mortal wound he, the said prisoner, soon thereafter, to wit, on the 6th day of July, A. D. 1864, died.

Specification 12.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 27th day of July, A. D. 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did order a rebel soldier, whose name is unknown, then on duty as a sentinel or guard to the prison of which said Wirz was commandant as aforesaid, to fire upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown; and in pursuance of said order, so as aforesaid maliciously and murderously given as aforesaid, he, the said rebel soldier, did, with a musket loaded with gunpowder and bullet, then and there fire at the said soldier so as aforesaid held as a prisoner of war, inflicting upon him a mortal wound with the said musket of which said mortal wound he, the said prisoner, soon thereafter, to wit, on the day aforesaid, died.

Specification 13.--In this, that the said Henry Wirz, an officer in the military service of the so-called Confederate States of America, at Andersonville, in the State of Georgia, on or about the 3d day of August, 1864, then and there being commandant of a prison there located, by the authority of the said so-called Confederate States, for the confinement of prisoners of war, taken and held as such from the armies of the United States of America, while acting as said commandant, feloniously, and of his malice aforethought, did make an assault upon a soldier belonging to the Army of the United States, in his, the said Henry Wirz's, custody as a prisoner of war, whose name is unknown, and with a pistol called a revolver, then and there held in the hands of the said Wirz, did beat and bruise said soldier upon the head, shoulders, and breast, inflicting thereby mortal wounds, from which said beating and bruising aforesaid, and mortal wounds caused thereby, the said soldier soon thereafter, to wit, on the 4th day of August, A.D. 1864, died.
