Evidence in the
Case of
Dr. W. B. Briggs
and W. A. Sarr

Charge -- Pandering
Federal soldiers and
Aiding them to escape
trough the lines
Office of the Chief of Police
Army of the Cumberland.

In the case of Dr. M. B. Briggs and
H. A. Parr who are charged with
killing some Federal soldiers and also with
assisting Federal soldiers to escape through
the lines, the following evidence was
taken before Col. Underdahl, Chief
of Army Police.
That evening about twelve o'clock, maybe later, I had a political discussion with a young man named Burr, a light-skinned man of apparently twenty-five or three years old, arrested as he stated of being engaged in the business of passing Union soldiers, or rather prisoners. During our conversation, he stated that there were only four other men engaged in the same business in this city, one of whom had passed over seven hundred men. I had a long conversation or argument concerning the present unfortunate condition of our country and the cause and consequences of the origin of the rebellion. After arguing thus for four hours, he concluded that it was wrong to fight and work with animosity against the old Union, and began to think that he had acted erroneously, but had been influenced to do so by those of a lesser age, and expressed his regret for his conduct. I then advised him to express himself similarly before Genl. Mitchell and swear forever allegiance to the Federal Government, but not to do so without his heart was with it, and not likewise for the simple purpose of releasing himself from his present confinement. He promised to reflect over his best course to pursue until morning, when he would conclude and inform me, but the jailer coming after me to take me to early prevented his giving me
further decision. This is about all I know or learn from the young man.

Truly Yours,

Louis Schlesinger.
Nashville, January 28th, 1863

Joh. R. Wills, 2nd Kansas Regiment, states that Dr. Briggs told him on the 27th inst., that he could parole him and show him through the lines and that when once through the lines he would be safe and could easily get off. Wills was employed for the purpose of ascertaining whether this Dr. Briggs was really engaged in this business of paroling and putting through the lines Federal Soldiers.

Wills went to Briggs's house last night, and was paroled under oath, a very binding one at that. At nine o'clock this morning Wills went to his house again when Briggs agreed to furnish him the written parole at two o'clock. This he did not do however, until after dark this evening. Wills went to his office on Cherry St. this evening where he had the parole already written out for him and two other commanders. Briggs then signed them and delivered them to Wills and the other two soldiers. These paroles are the same ones delivered to Mr. Timesdail, Chief of Police, this evening. He then went with us to the river bank near the slaughter house at the lower part of the city, where he told us that by going between two or three miles further down the river, they would find a boat in which we could cross with safety to the other side of the river, where we would be in Dixie and free from danger. He told us that they, not stating whi
I meant, had paroled over a thousand Federal soldiers. He took the names of two other convalescent soldiers, but which names he (Wells) does not recollect. While at the river, whom he was to parole at some other time. He told us that if we were stopped by any guards, to take up the paroles he had given us, as he would not for anything have them found on us. Said he would give us others, in case these were destroyed. When he left us, he shook hands, and told us not to betray him.

Seth H. Wells

I, John C. Derry was in company with Sergeant Seth H. Wells, having been detailed for that purpose by Col. Martin. His statement of what occurred is correct in every particular.

John C. Derry.

The above-named men, Sergeant Seth H. Wells, and private John C. Derry, 5th Inf. Vol., were detailed by me to ascertain whether Dr. Briggs was engaged in the business of paroling Federal soldiers.

John Martin
Col. 1st Provost Marshal
I, Seth F. Wells, do solemnly swear and pledge my honor as a man, not to aid or abet in the present war against the government of the so-called Confederate States, and I do further give this my parole of honor, not to take up arms against the so-called Confederate States government during the war.

Seth F. Wells
Paroled this 28th day of Jan., 1863.

By order of Brig. Genl. Wharton
J. A. Mathews, Assistant
Adjutant General.

I, John G. Duress, do solemnly swear and pledge my honor as a man, not to aid or abet in the present war against the government of the so-called Confederate States, and I do further give this my parole of honor, not to take up arms against the so-called Confederate States government during the war.

John G. Duress
Paroled this 28th day of Jan., 1863.

By order of Brig. Genl. Wharton
J. A. Mathews, Adj. Gen.

The above are the paroles referred to in the statements of Wells and Duress.
Head Quarters Office of Police.
Nashville Jan. 29th 1862.


I had a conversation with W. B. Briggs about one week ago in regard to passing federal soldiers. He asked me if I would assist him in it. He offered to pay me for my assistance. We were to round up such soldiers as were dissatisfied and wanted to get home. Then for a compensation, we were to make out pasted papers and show them (the soldiers) the best way to avoid the pickets and get out of the city. This took place in the store where I am clerking, and as I was busy at the time, no definite conclusion was arrived at. Briggs and myself met several times since, but the subject was not again spoken of, until last night when Briggs came and asked one to go with him to Vine St. I got permission from my employer, Dr. Cooper, and started. When we got outside, Briggs told me he wished first to see three soldiers who were waiting for him, on the corner of Market & Broad St. We went over and then in company with the soldier went to Dr. W. T. Briggs' office. This is also another Dr. practices with Briggs, whose name I do not recollect. We went into the back room of this office, and Briggs wrote out the pasted
for the three soldiers, and the soldiers signed their names to them. Briggs gave me to understand that he was to receive credit from the Confederate authorities whether he was to receive money or not, I do not know, but he was to pay me five dollars per day. There was no one present at the office when the parole papers were made out, except the three soldiers, Briggs, and myself. After the soldiers received their parole papers Briggs and myself accompanied them to a point on the river below the city; this was by the request of the soldiers, as they could not understand the direction Briggs gave them on paper. I did not know the direction we were to take until Briggs explained it to me. Briggs and myself left the soldiers at this place I did not at any time see these soldiers give compensation to Briggs nor did they to myself. Briggs is the only person I have had any knowledge of, as connected with this business of paroling soldiers. I have never broken any parole by passing the line, nor have I done anything which could be so construed except what is herein stated. I did not try to influence these three soldiers to desert, nor have I ever made out any papers to assist them. I do not know whether Dr. F. T. Briggs or his associate in whose office the parole papers were made out, or in any way connected with the paroling of soldiers. I do not know Hinckle. My employers knew nothing of the matter. Dr. Cooper, one of my employers, is a Union man; the other two, Dr. Gray and
Hence both profess to be Union, and have taken the oath. I have never heard them utter other than Union sentiments, since they have taken the oath.

R. A. Pass.
Statement of T. J. Brown, Private Co. A 1st Ky. Reg. now in Hospital No. 18, being duly sworn, deposes and says. I had a desire from sickness and bad health to go home. I believed I could not get a discharge from the hospital to save and go home, and had previously learned by accident, when in the City of Nashville on duty and pass, in passing a house on the corner of High and Broad St. (I think it is) I saw a sign "Boarding House" kept by Dr. Briggs as I afterwards learned, and I called in and asked for a dinner. I there saw two ladies and entered into conversation with them, when one of them expressed very strong rebel sentiments. One remark I distinctly recollect, she said in bitter terms against Major General Rosecrans, and she prayed old Rosecrans would be whipped. To that, I expressed my pride for the army and told them he could not be whipped. After taking them some cofee for my dinner I left. Before leaving, they inquired for a boy who they said belonged at their house, and who was to work in our Brigade, and with Col. Groff I said to them I would see the boy and tell him what they desired (for him to come home). He was a white boy about nineteen years of age. This conversation took place about two weeks before the fight. I saw these folks no more until one day last week, (Saturday).
Knowing this was a strong rebel house, I went and called upon them, and after the exchange of compliments of the season, and some other arm talk, I mentioned to three or some ladies that I was very desirous of obtaining a discharge from the army to go home. They said that it would be a good thing if all our (meaning Federal) soldiers were at home. I said so, for as I was concerned I desired to go home. They then said to me, they would send me some citizen clothes, and that I could go, and that there would be a way furnished for me to go, by means of canoe or boat to go down the river. I should say that the man of the house, Mr. Bugg by this time was present and said there would be a way furnished for me to go, and he said there had been some soldiers thus passed out of the lines before. He (Mr. Bugg) did not name any of them. He then said to me, call the next day (Sunday) and take supper with him, and I should have my clothes ready and go that night. After agreeing to this I went away and on reflection, I became satisfied that my step was a bad one. I did not the next day or since go back. He said that he had sent others through the lines.

T. J. Brown.

Nashville Jan. 29th, 1863.

Subscribed and sworn to before me, this 1st day of Feb., 1863.

John T. Robie. Procter, judge.
F. J. Brown's Statement continued.

I went down again to Gen. Bagggs to night; I asked him if he could not give me parole, and he said he could. He went down town and got a parole, and came back and told me and two other soldiers to come up to an office, which we did. He went in and passed through into another room and closed the door, and locked them. He then wrote a parole for me and two other men, and signed Genl. Wheeler's name to them, and then went with myself and the other two men, and showed us how we could get out without coming in contact with any pickets. We then parted with the other two men went on a short distance and turned round and came back.

Below is the parole Briggs wrote for me.

F. J. Brown.

Subscribed and sworn to before me this 11th Day of Feb. 1863.

John Fitch, Provost Judge.

I, Thomas J. Brown, do solemnly swear and pledge my honor as a man, not to aid or abet in the present war against the government of the so-called Confederate States, and I do further give this my parole of honor, not to take arms against the government of the so-called Confederate States during the war. F. J. Brown.

By order of Genl. Lee, Whitson.

J. C. Mathews, A. A. G.
Head Quarters, Office of Police.  
Nashville Jan. 29th 1863.

Statement of Dr. W. B. Briggs, Ben Chas. resident of  
Nashville, not in regular practice, on account of ill health.

"What do you know about the passing of soldiers, and  
their getting out of the City without papers?"

Last Friday or Saturday I had some conversation with  
Mr. Hinkle, in regard to passing soldiers. It  
commenced by speaking of the dissatisfaction supposed to  
exist in the army. The conversation then turned  
upon the best way to get out of the City, avoiding  
the pickets. I remarked that I knew persons could  
get out of the City by way of the sewer, and I knew of a  
person going that way. I knew this because a man,  
Richard Paige told my mother-in-law, that he intended  
to leave the City that way, but, as he was intoxicated  
at the time, and at best could not be relied upon, she  
did not believe him. He not returning, however, con-  
firmed the belief that he had gone that way. Hinkle then  
said he knew of a certain way to pass the pickets, which was  
to follow the river on this side, below the race course, and  
that any person down there would put them across the river  
and after they got across they would be safe. He then drew a  
plan on paper, and explained it to me, showing the route to take.  
I therewith give you a sketch of the plan as he made it. He  
then gave me the names of a number of soldiers who had been  
left him for the purpose of getting away. He named two or three, One  
Merrill, whose name I afterwards found out to be Spurrey,
and another, who I afterwards found out to be Wells. Another I think was named Roumigal. These men, he said he intended to parole if they were all right. Pursuant to this he asked me to assist him in getting soldiers off, by ascertaining who wished to leave, and by making parole papers for them, giving me at the time a form of parole paper. Hinkle left here on Tuesday last. I saw him every day from Friday on which the first conversation took place, until he left. On Saturday, or the day after the first conversation, he told me he would send three men up to me, these were the three soldiers I have just named. He said that they had all the necessary information to parole them, that they belonged to Stough's Division, that I must question them, and if they told the same story to me, that he would parole them himself. When I sent them back to him "all right." They did not come as he promised. I went up to see him on Monday night about it, and he told me they had called on him about twenty minutes before I came, and added, that they (the soldiers) would come to see me the next day, and advised me to remain at home to see them, and question them to ascertain whether they belonged to the same Brigade, Regt Co. They had told him they did, and if so, I should parole them. I told Hinkle I had no right to sign the name of another without authority. He answered, that he would give me whatever authority, and added, that he was in the secret service of the Confederate States, and had the authority to do so. He told me, signs Brig. Genl. Wharton, and I think Matthews O R G.
writing out the names, and giving me the form. He then told me tell these to any other men I might parley to go to the corner between the work house and the track, and they would see a man dressed in gray looking clothes. They were to tell him do not allow soldiers to pass over the bridge & when he would answer, not but there is a way below here which I will show you. On Tuesday, Wells came to my house in the afternoon, and I was not in. Called again at supper time. While Wells was at the house in the afternoon, some one in the house told him I could probably be found at Gray Co. Drug Store, although I had left word to tell any one who might call for me, to wait until I returned. He left before I came back, telling them he would be at the Drug Store, about two hours after dark. He called again, and stated at supper time, and said he thought he would catch me in, and after talking a short time, presented me with a piece of paper, which contained the Reg. and the Col. in name also characters representing Kinkele's name. I then entered into conversation with him in regard to the Reg. he belonged to, the Col. name etc. He said he had seen Kinkele and we commenced talking about the dissatisfaction in the army, that he was dissatisfied and that he had been anxious to leave the army for some time. He then said he wanted to be paroled, and was anxious to have me parole him then, and let him go that night. He spoke also for a companion who was absent—named Querry. I asked him where Querry was, and he said he would go after him which he did and brought him. He also said he was anxious...
to leave the army, but added, he had lost his papers, he had received from Kemble. I commenced talking with him, and he answered in the same strain that Wells had, in regard to getting away. I asked Wells if Kemble had said anything about pardoning him, and he answered Kemble had not, but he (Wells) understood that was the only way. This was before Querry came, and about as near as I can recollect his arrival. I then drew up a paper to the effect that whatever passed between us, should remain a secret, which paper he signed. Wells and Querry both took a verbal parole, swearing to the same, and asked me to give them a written parole. Which I did not do at that time, as there was some apparent informality in the form given me by Kemble. I also preferred that Kemble should give them himself, and waited expecting him back the next evening. Wells and Querry then left, promising to come the next morning. Wells came in the morning, and I asked him where Querry was. This was as near as I can remember, his reply was, he was downtown. When Wells came I got up, and without dressing, as I was very unwell, sent for him to come to my room. No particular conversation took place during this interview, except my telling him how he might get out, showing him a plan of the route. He remained all the morning with me, remaining to dinner, taking dinner in my room. Shortly after dinner he left, at his request by the back way, promising to meet me at Briggs office, and bring Querry with him as soon as he.
could find Querry. I went twice or three times to Briggs office, but did not meet him. They came to my house after supper. (As I was going home to supper I met Brown who joined me and went with me some; and of whom I will speak hereafter.) When we first met X, after I got home, and was going in to supper, the door bell rang, and Well Querry came in. I was in to supper and when I came out, introduced them to Brown, who had taken supper with me. My sister wishing me to go some distance with her, I asked these three men to follow me until I could see my sister to the house she was going. They did so, and after she separated from me, I joined them and we walked to the corner of Market and Broad Street, and asked them to wait there until I came. I went there over to Gray's Drug Store, saw Ross with whom I had several previous conversations. I told him I wished him to go with me as I had some men to parole and take out. He asked me, how far we were to go. I told him as far as Vine St. as near as I can recollect. We then went over for the men and with him went to Dr. Briggs Office, where I gave them the parole papers which they signed. I ascertained how it should be done as regards the signing from one of the Federal officers. I did not know why I wished to have the information. After the parolees were signed, we all started toward Vine St. went out Vine until we passed the St. W. & R., and then struck of
18. to the right, until we struck the river. About one half mile beyond the half-way house where we left the soldiers. In the commencement of the conversations with Mr. Hinkle, I cannot recollect the exact time. He told me he knew how I could do more service here than in the field with the R'y, that he was in the secret service receiving $100 per month, and had a number employed receiving $5.00 per day. Brig. Genl. Martin I knew in Texas. He traded with my father, and Mr. Hinkle said, as an argument to get me to join him, that Genl. Martin would know of it, and it would please him very much. He also said the other Generals would know of it and it would be of great benefit to me. I first met Brown last Saturday or Sunday. Brown came to my house to take supper or dinner. Some time before, but I cannot tell how long ago, I was not present at the time being sick in bed at the time. On Saturday or Sunday he asked some of them to sell him a suit of clothes saying he could pay his way. I was in my room, as well at the time, and my mother-in-law came up and told me there was a man in the sitting-room who wished to buy citizen clothes. I did not question her in regard to the matter, but said I would come down which I did. This occurred before I saw Hinkle. I conversed with him in regard to getting away, and told him some men had gone down
the river in a shiff. We walked to left the house and walked together as far as the N. Fork, where we separated. We met again as I was going to supper last night. He joined me and went to my house. I asked him why he did not call again as he promised; he replied that he was very sick, and did not like to come out in the cold. I told him if he got out the guerrillas would take him, he said that he wished he wanted if they would not hurt him as he could then be paroled. I told him there was no danger from them as they would only take him for the purpose of paroling him. This occurred just before supper, after supper Barr and myself went with him and the other two soldiers, and paroled them. These three soldiers, Mr. Smith and Mr. Farr, are the only persons with whom I have had any conversation in regard to paroling soldiers.

W. B. Briggs.