***Summer, 1863***

**10**

***Troubles Continue.***

*“Major, tell my father I died with my face to the enemy.”*

*Colonel Isaac E. Avery, CSA, at Gettysburg, 2 July 1863*

**O**n the ride back to the Charles plantation, Captain Francis knew the chances of Sgt. Steele still being alive were going to be slim as the blow to his skull had been severe. Upon entering the front parlor of the Charles home, he saw a sheet was now draped over the lifeless body lying on the table in the parlor. He had lost another of his men.

As the sun began to make its presence known, Francis’ men prepared to move out. Having lost two men already he knew he could not afford to lose any more, so despite the risk involved he decided to bring the injured Sgt. Hatfield with him, broken leg and all. He also told Samuel he was coming with them as well. Francis prayed Sgt. Davis would rejoin them soon.

Thanking Mary for her help, Francis now moved his wagons towards Petersburg, Virginia, hoping to get back to the railroad so they could move south at a faster pace. As they moved along that afternoon they met up with Confederate cavalry troops who were tasked with attacking Union troops who had been creating havoc with the railroads in southern Virginia. From them, Francis learned Union troops had recently blown up two other trains. They had also damaged several nearby sections of railroad track in their attempts to disrupt the flow of supplies to the Confederate army in northern Virginia. From what he now knew, Francis decided he would continue to move south by land, but would do so as close as possible to the rail lines in the event they could locate a still functioning train.

They had been on the move for three days since leaving the Charles plantation and during this time Sgt. Davis had returned from Richmond. He was shocked by the news of Steele’s death. “I hope you fellas gave them Union boys what they deserved, and then some for killing Micah.” When he heard Francis had ordered the deserters hung, Davis knew they had gotten what they deserved.

Despite the return of Davis, problems continued to occur as Hatfield’s leg injury grew worse from enduring long hours riding over bumpy roads and fields. On their fourth day of travelling one of the wagons sustained a broken axle, but Samuel showed his ability to repair things and he soon had the axle fixed. To everyone’s surprise, he also proved to be a fine cook as well.

Then the small problems got bigger fast. On the sixth morning since leaving the Charles plantation, and with little warning, they were attacked by a small Union cavalry unit of twenty-five soldiers. This small cavalry unit was part of the larger compliment of Union troops who had been charged with destroying the railroads in southern Virginia. Hidden from view in a large grove of pine trees, and patiently waiting until Francis’ wagons had passed their location, the Union cavalry attacked the wagon train from the west, first firing their rifles as they moved closer to the slow moving wagons. They then charged through Francis’ men with their sabers drawn. As Francis and his men turned to address the attacking Union troops, Sgt. George James immediately fell from his horse, dead from a minie ball striking his right temple. Sgt. Gerald Rickert, an Arkansas Razorback, and a two-year veteran of the war, also fell to the ground as a result of being shot in his right leg by the advancing Union cavalry. His wound would prove to be far less serious than the fatal wound James had sustained.

After the Union cavalry’s first pass through them, Francis attempted a daring dash into a clearing in the woods he saw off to his left. As he urged his men towards the clearing, the wagon Sgt. James had been driving overturned as it now had no one controlling the team of horses pulling it. The wagon had run through a small ditch just before it overturned. Seeing the rest of the wagons would make it safely into the woods before the next Union charge at them, Francis gathered Sgts. Davis, ‘Big Ed’ Odom, and Foster to protect the contents of the overturned wagon.

Despite being caught off guard, and despite the loss of another man, his men reacted well to the Union attack. While outmanned and outmaneuvered by the swift moving cavalry unit, they beat off the next charge, killing two Union soldiers who had tried to capture the injured Sgt. Rickert.

To Francis’ surprise the Union cavalry then rode off to a clearing east of where his men now readied themselves in the woods. Even though they had the protection of the woods, they were at a clear disadvantage to the swifter and stronger Union cavalry. Francis knew the cavalry unit could easily finish his men off with a coordinated attack, but for now no attack came. Seizing the opportunity the stalled Union attack gave him, he had his men utilize two teams of horses to right the overturned and damaged wagon. Quickly they moved it into the woods near the rest of the wagons. As they did this, Francis waited and waited for the Union cavalry to attack, yet they did not.

With his men and wagons safely in the woods, Francis prepared them for another attack. He deployed Stine and McKinney, the two self-proclaimed *‘best here shots in Bobby Lee’s army’*, forward of the others. He told them their sole purpose was to shoot the officer in charge of the Union attack, an officer displaying the insignia of a lieutenant. “He likely will be the one leading the attack. Shoot him and their attack will quickly fall apart!”

Sgts. Stine and McKinney had both honed their skills with a rifle prior to the war, but now the war had given them the opportunity to become even better shots than they already were. In their respective units, Stine with the 12th Virginia Volunteer Cavalry Regiment, and McKinney with the Army of Northern Virginia’s 10th Volunteer Infantry Regiment, they had routinely awed many of their officers and fellow soldiers with their marksmanship skills. Each of their units had often bragged about having the best shot in the army serving with them.

Soon news of each others marksmanship abilities had become well-known. During a period of rest for both of their regiments a few months back, their commanders had arranged for a friendly shooting match to take place between the two of them to decide who the best shot was. Stine and McKinney matched shot after shot during their friendly competition that spring afternoon in 1862, but McKinney had been declared the eventual winner. His last shot had struck dead center in a wooden canteen being used as a target at almost four hundred feet away. Stine’s last shot had hit the target, but only grazed the right side of the canteen.

The two sergeants became friends that day, but had not seen each other since the shooting contest until they both showed up to meet Francis in Richmond when the mission began. Now they stood side to side with each other, each partially shielded behind a pine tree, Stine with his Springfield rifle and McKinney with his Richmond rifle. Raising their rifles, they now took careful aim at the Union cavalry officer advancing upon their somewhat protected position, his horse kicking up dust from the dry field as it led the charge towards them.

The two shots they fired hit next to each other as they struck the lieutenant’s upper chest. Later both men would lay claim to having fired the shot which soon caused the lieutenant’s death. It did not really matter who fired what shot as either of the two shots would have caused his death to quickly occur. The two well-placed shots would later cement their reputations as being amongst the finest sharpshooters within the Confederate army. In the heat of the moment, Francis was just pleased they had hit the target he identified for them.

Just as he had positioned his other men, the Union cavalry attacked again, splitting into two groups in an attempt to cause confusion within the ranks of Francis’ men. That move, coupled by McKinney’s and Stine’s well-placed shots which knocked the lieutenant out of his saddle, failed miserably for the Union. The men Francis now commanded were veterans of several battles before they had been assigned to him. They had learned long ago that staying calm while under fire often proved key to staying alive.

During the attack, Sgt. Daniel Sturges, the South Carolinian who had been the last to report to Francis in Richmond, and who at twenty-five was the oldest sergeant in the group, had received a minor gunshot wound to his left forearm. Sgt. Odom had sustained a minor slash across his back from a Union saber, but he and Sturges would survive. The Union cavalry unit lost six more men senselessly attacking a somewhat fortified position, and an experienced group of soldiers. Francis still was at a loss as to why the Union cavalry had not attacked them when they had been out in the open, but his thoughts quickly turned to the welfare of his men. As he did, he saw Banks and Stine dragging the seriously injured Union lieutenant back into their line. Francis knew they likely would not be attacked while they held him as a prisoner. The capture of the Union lieutenant at first drew much hooping and hollering from his men as they celebrated the capture of their first prisoner, but now they taunted the Union soldiers over the loss of their commanding officer. They had gotten the best of the Yankees in this skirmish.

“Lieutenant, I am Captain Judiah Francis of the Army of Northern Virginia. You have attacked me and my men; in doing so you have killed one of my men. Sir, you have done what you were charged to do, but we had no desire to fight you as we have far more important orders to complete. Despite your unprovoked attack, and because you are an officer of the United States Army, I will accept your word if you swear to me you will not attack us again. In return, we will provide you with the medical care your wounds need. If you do not give me your word, I shall let you die. After you are dead, I promise you we will not run if your men decide to attack us again; it is they who will die here today with you. Promise me your men will not attack us again and my men and I will ride away. There is no further need for anyone else to die here today; the decision is yours alone.”

Lt. Kevin Casey, of the Connecticut Volunteer Cavalry Unit’s First Regiment, lay bleeding profusely from the gunshot wounds he sustained to his upper chest. While he did not know if he would live or not without the promised medical care Francis offered to him, Casey had grown fond of living in this world and he immediately sought to prolong that experience. “Captain, I give you my word. No more attacks.” Francis then fulfilled his promise and had him treated as best as he could be. The sip of water Casey soon requested would become his last one as his wounds had been that severe. Soon he was dead.

Just before Casey died, Francis walked to the edge of the woods and yelled to the Union troops, telling them their lieutenant had agreed to call off the attacks. As he did this, he knew his prisoner was dying, but he also knew he needed time to put some distance between his men and the remaining Union cavalry soldiers. As he yelled again, Francis sought to buy himself that time by playing a risky bluff. “Your lieutenant is being treated by my men. We are moving out soon, but I am leaving at least one man behind to care for him. You can fetch him back in one hour’s time. Any earlier and we will shoot him dead.” As he turned back towards his men, he saw Casey was already dead. Francis knew the Union troops would now likely want to seek vengeance on his men for Casey’s death.

“Men, we need to move out quick. I need a volunteer to help bide us some time so the rest of us can move out.” He was moved when the four Virginia sergeants did not hesitate, each stepped forward to volunteer. Before he could select one of them, Davis spoke up.

“Captain, this here fight is on Virginia soil and I’ll be dammed if I’m gonna let somebody else fight our fight for us. I’ll stay behind and watch them Yankee boys. I’ll make sure y’all have time to get away.”

Francis quickly gave Davis his instructions. “Get up to the tree line so those Yankee soldiers see you as we are moving out. After we leave, move in and about the trees so they can see you for another thirty minutes or so; then come join us.”

“Don’t fret none about me, captain. I’ll be fine. It’s them dang Yankees who need to do some worrying, not me!” With Casey’s revolver stuck it in his waistband for added protection, Davis had barely moved off to his position when the next issue was brought to Francis’ attention.

“Captain, we got us another problem!”

Francis turned to see Sgt. Banks pointing at Samuel. He was looking at the damaged wagon they had rescued after it turned over when Sgt. James had been shot. Samuel watched as gold and silver coins from one of the damaged hidden compartments began to drop onto the ground through the wagon’s cracked floor boards. Seeing little money in his lifetime, what Samuel saw drop from the wagon seemed to be a fortune to him.

Knowing he did not have time to repair the wagon, Francis ordered the coins to be thrown into an opened barrel of flour on another wagon. He had the rest of the wagon’s contents transferred to the other wagons. Then he ordered the wagon to be set on fire. “Hurry men, hurry! We need to get away from these Yankees!” As the men moved as fast as they could, Francis and Samuel hastily buried Sgt. James in a shallow grave amongst the pine trees where they had made a courageous stand against the Yankee cavalry charge. After they finished their task, Francis said a few quick words over his body. They were soon on the move.

Francis had thought for a brief moment of what to tell Samuel about the gold and silver coins, but soon decided not to tell him anything. Telling him about the money would accomplish nothing, and doing so might upset his men even more as they had not been all that pleased to have him travelling with them, even if he had proved to be a good cook.

With the damaged wagon set on fire so the Union troops could not put it to use, they moved out as fast as the other wagons would allow. Joined by Stine, Francis rode at the rear as the wagons moved along, waiting for the Yankees to attack them again. As they rode, they soon could hear the shouts of Sgt. Davis as he raced towards them while riding low in his saddle. He was already ducking rifle shots from the pursuing Union cavalry who had found Casey dead.

The wagons had been steadily moving through several large open fields when they were alerted by Davis’ warning calls. Reacting to the warning he heard from the fast approaching Davis, Francis tried to get the others organized into a defensive position behind a waist high stone wall which had once been part of a farmer’s field. As they moved towards the stone wall, Davis passed them at a full gallop, dismounting on the far side of the wall. As Francis and the others quickly moved into position, Davis took his first shot at the charging Union cavalry. Quickly the others prepared to do the same. As they did, they then heard gunshots off to their right; collectively turning to face the threat they had not seen approaching. To their relief, they quickly realized the shots were coming from a Confederate cavalry unit; a unit now approaching their position at a fast gallop. The sight of the Confederate cavalry unit now caused the Union cavalry, already depleted by the loss of their commander, and others, to turn away and retreat. Briefly they were pursued by the rapidly advancing Confederate cavalry soldiers until a bugle call ordered the pursuit to end. Francis and his men now slumped to the ground against the stone wall to catch their breath. Pleased to know they would live to see another day.

From his position, Francis watched as the Confederate cavalry called off their pursuit of what was left of the Union cavalry unit. Then he watched as the officer in charge started to ride up to where he had sat down on a large rock adjacent to the stone wall. As he sat there, Francis heard his men let out a large cheer for the cavalry soldiers who had saved them.

Francis stood up and walked the few steps to greet his fellow officer. It was someone he had never met before. “Captain, you and your men are indeed a welcome sight. That group of Union cavalry had already charged us twice and they were getting ready to come at us again. We held them off the first two times, killing their lieutenant and a couple of others, but I’m not sure how we would have done this time. Sir, we are in your debt.”

“Captain, the pleasure is all ours. I’m pleased we were close by to help you. My name is Captain Kenneth H. Kirschner of the North Carolina Second Cavalry Unit. This is my second in command, Lt. Robert Moniz, also a proud North Carolinian, his friends call him Bobby.”

Standing next to Kirschner, who was still mounted on his horse, Francis shook hands with both men. “Captain, again my thanks to Lt. Moniz, to your men, and to you for your timely arrival. My name is Captain Judiah Francis of the Army of Northern Virginia. My men and I are moving south towards Atlanta on orders from President Davis and General Lee.”

Awkwardly, Francis then looked up at Lt. Moniz who was still mounted on his horse. He had just started to light a cigar when Francis spoke to him. “Lt. Moniz, with entirely no disrespect to you, may I have a moment with Captain Kirschner?” With a nod of the head, and then a salute, Moniz moved away so the two captains could speak privately.

After dismounting, and after quickly checking on the status of his men, Kirschner joined Francis where he had again sat down on the large rock. As Kirschner took a drink from his canteen, Francis stared at him as he spoke. “Captain, my men and I are grateful for your help. I promise when my assignment is over with, I shall be pleased to advise President Davis and General Lee of the invaluable assistance you and your men have given to us today. However, on orders from both of those two men, I cannot tell you anything more about what we are doing. I can tell you if you are to challenge me on what my assignment is I am prepared to show you a letter from President Davis, one which authorizes me and my men freely move about the South uncontested. It is my hope, as an officer of the Confederate army, that you will accept my word and will not formally challenge me as to what I am doing.” Francis paused for a moment as a loud noise momentarily got his attention. Looking back at Kirschner, he spoke again. “Captain, while I don’t know what your orders are, I would be most grateful if you would give us an escort to Petersburg. We need to get to the railroad there and we cannot afford to encounter another skirmish with any other Yankee cavalry units.”

Standing up from where he sat, Kirschner was somewhat taken back by the forcefulness of how Francis had delivered his message to him. Sensing Francis had indeed been selected for a special assignment by those men who now led the Confederacy, Kirschner knew they would have likely chosen someone like him, someone who was confident, bold, and, perhaps, someone who had a touch of arrogance or self-confidence about him. He decided he would not challenge Francis on his assignment. “Captain, if you tell me you have been selected by General Lee and President Davis for some type of assignment, I believe you. You do not have to justify your presence or your orders with me. As for my mission, I have orders to sweep the area northeast of Petersburg for Union cavalry who have been creating havoc with our railroad supply lines. We are returning to Petersburg in the morning for supplies. I would be most happy to provide you with the assistance you need.”

Pleased to learn what each other had to say, the two captains quickly shook hands. Without showing it, Francis also breathed a sigh of relief. He now knew he and his men would be much safer over the course of the next few days as they travelled with a well-armed escort.

That evening, as their men shared a dinner together, Kirschner and Francis, joined by Lt. Moniz, enjoyed their meal away from the others. As they ate, they shared their personal experiences from the war. Earlier when they talked, Kirschner had noticed Francis’ bandaged left hand. He had not asked him about it until now. “Judiah, it is easy to see this war has inflicted some type of injury upon you as your bandaged hand looks quite painful. I hope you are recovering well.”

“I am doing much better now, thank you for asking. An unlucky shot fired by a Union soldier has cost me two of my fingers, but my injury is far less than what so many others have either lost or had to endure during this terrible war. My only real fear is how my mother will react when she sees my injury. I have not told her about it as I would rather wait and tell her in person as I don’t want her worrying about me after reading about my loss in a letter.”

In short time the conversation turned to other topics, including Kirschner speaking of what he hoped to do after the war. As Kirschner spoke of returning home, Francis repeatedly tried to clench his injured hand several times through the bandages he still wore. As he did, he tried feeling for his fingers which were no longer there. Focused on his injured hand, he only heard parts of what his new friend had said. Francis hoped he could soon remove the stitches and then learn how to use his hand all over again.

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Over the course of the three-day ride to Petersburg, the two Confederate captains developed a quick friendship and a mutual respect for each other. For one of them it would be a friendship which would last in his memory for many years to come. For the other, the friendship would soon die with him.

As they entered Petersburg, Francis and Kirschner both saw to the needs of their men. After Francis secured passage on the next Richmond, Fredericksburg & Potomac train moving south, both men shared a meal together at the Petersburg Hotel before they parted company later in the afternoon. After eating their meal, they walked back to the train station together. For a short spell, they sat there talking about the war and their families. Then wishing each other well, they promised they would meet again after the war. It was a promise they would not be able to keep.