

# Navid's Nispatch

### 1st Lt. David Richard Reynolds Headquarters Chapter





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### PRESIDENT'S CORNER

by Larry "Joe" Reynolds

Compatriots,



Fall is getting here, and the weather is getting better. The annual meeting of our various organizations are coming to an end and we should have more time for family and friends. Remember we are now holding our DCV Virtual Meeting twice per month, on the first and fourth Mondays.

I hope by now, each of our Charter Members have received their Charter Member Certificate, if you haven't please let me know.

We're currently working on the 2025 Annual Convention and hope to have all details by the time our next newsletter is published.

Joe Reynolds President

# UPCOMING EVENTS NEXT MEETING

Monday, October 14<sup>th</sup>, 7:00 p.m. Zoom Meeting



To establish & maintain an honorable, non-racist Southern heritage and history organization dedicated to perpetuation of the memory and spirit of the Confederate Soldiers & Sailors who served their country during the War Between the States, 1861-1865

# BIRTHDAYS, ANNIVERSARIES © OTHER IMPORTANT DATES

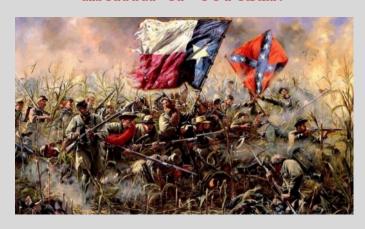
Oct 10 - Carole McGee

Oct 11 - Chuck & Casey Hand

October 17<sup>th</sup> – David Richard Reynolds Birth and Death Date (1838 – 1901).

October 12<sup>th</sup> – This day in 1870 General Robert E. Lee died. He is buried in Lexington Virginia.

# BATTLES FOUGHT DURING THE MONTH OF OCTOBER



### **Battle of Corinth - Corinth Mississippi**

3-4 October 1862 - General Earl Van Dorn verses General William S. Rosecrans. Casualties: 4233 Confederate, 2520 Union!

#### Battle of Allattoona - Allatoona Georgia

5 October 1864 - General Samuel Gibbs French verses General John Murry Corse. Casualties: 799 Confederates, 707 Union!

#### **Battle of Perryville - Perryville Kentucky**

8 October 1862 - General Braxton Bragg verses General Don Carlos Buell. Casualties: 3396 Confederate, 4211 Union!

#### Battle of Cedar Creek - Cedar Creek Virginia

19 October 1864 - General Jubal A. Early verses General Philip H. Sheridan. Casualties: 2910 Confederates, 5665 Union!

#### Battle of Ball's Bluff - Ball's Bluff Virginia

21 October 1861 - Colonel Nathan G. Evans verses Colonel Edward D. Baker. Casualties: 149 Confederate, 921 Union!



## TRIVIAL PURSUIT OR - DID YOU KNOW THIS?

**Comment:** We all sit around from time to time and discuss events, people, and places related to the War of Northern Aggression. But check out how many of these you knew before today. I hope you enjoy this edition. The Editor.

(Answers on Page 9)

- 1. What fast-moving cavalryman refused anesthesia when surgeons removed a ball lodged close to his spine?
- 2. What major general, a nephew of R.E. Lee, later served at same rank in US Army during the Spanish-American War?
- 3. What New Jersey native was the highest ranking CSA general, whose name was first on the first confirmation list of full generals?



### BET YA DIDN'T KNOW!



### General Ulysses S. Grant wasn't the bloodiest general of the war—Robert E. Lee was.

Mary Lincoln called Grant a "butcher" for the horrific losses sustained by his troops during the Overland Campaign in the spring of 1864—twice the number of casualties as Lee's army. But if casualties are counted proportionally, Lee's army suffered the most throughout the war. This is because Lee relished the attack, a trait that won him key battles such as Chancellorsville and Fredericksburg but cost him heavy casualties—Pickett's Charge at Gettysburg is an example—and eventually decimated the Army of Northern Virginia.



#### THE FORGOTTEN 11TH AMENDMENT

by Walter Donald Kennedy www.kennedytwins.com

Few Americans will dispute the suggestion that as a general rule, Americans are woefully ignorant regarding the United States Constitution. Yet, there are many professionals who study and cite the Constitution. Professionals such as attorneys, journalists, politicians, educators, and media talking heads appear to have a much greater grasp upon the particulars of the Constitution than the general public. This does not mean that each individual holds a correct view of the Constitution nor do they agree with each other on Constitutional issues. While this group of enlightened Constitutional commentators

will talk or write enthusiastically on the Constitution and especially on the First, Second, Fourth, and Tenth Amendments, the Eleventh Amendment is generally ignored.

To the reader of this article, let me ask this question: When was the last time you considered or read the Eleventh Amendment to the Constitution? Don't be embarrassed to say never or very seldom, after all, that would be the answer provided by the vast majority of even the "enlighten" Constitutional commentators.

Why is very little information written or spoken about the Eleventh Amendment? The Eleventh Amendment was adopted in 1798, a mere seven years after the adoption of the Bill of Rights. Is this amendment just an old antiquated addition to the Constitution and therefore of no modern value? Or is there something about this amendment that is so dangerous to today's power elites that Americans must be kept in the dark about its history? No part of the Constitution, including any amendment, is time limited, otherwise freedom of speech, religion, and association can be said to "old fashioned" and therefore of no value. But there is a very good reason why the Eleventh Amendment is little studied and discussed today. More than any other portion of the Constitution, the Eleventh Amendment completely invalidates and repudiates Lincoln and the Republican Party's reason for waging war upon the Confederate States of America.

In February of 1793, a mere five years after the adoption of the Constitution, the Federal Supreme Court handed down a decision in Chisholm v. Georgia.1 This decision set the new nation in an uproar. A British creditor enlisted the aid of two South Carolina citizens to sue the State of Georgia to recover money owed to a British company. It must be noted that this was not a case where one State is suing another State but private citizens attempting to sue a State. The case went directly to the Supreme Court which, according to the Constitution, has original jurisdiction.2 The State of Georgia refused to appear before the Court maintaining that a

sovereign state cannot be compelled to appear anywhere it does not choose. The State of Georgia then nullified the Supreme Court decision and stated that any Federal agent that entered Georgia and attempted to enforce any portion of the Supreme Court decision, "shall be...declared to be guilty of felony, and shall suffer death, without benefit of clergy, by being hanged."3 Constitutional scholar, Dr. Forrest McDonald, noted that when the Supreme Court announced the Chisholm decision, "Waves of protest swept the country."4 At that time in American history, Americans understood that each State in the Union was a sovereign State and could not be compelled to act against its will. The key to understanding this conflict is understanding the nature of the term "sovereign."

A noted nineteenth century legal scholar, Francis Lieber, defines sovereignty thusly, "Sovereignty is the ability to execute any thought or idea without limitation."5 From a theological viewpoint we can be assured that only God is Sovereign but from a political viewpoint sovereignty resides in the agency of government. The 16th century French political scholar, Jean Bodin (1530-1596), sovereignty as the "absolute and perpetual power of the state, that is, the greatest power to command."6 Bodin recognizes sovereignty as something that resides with a state due to its independent nature. According to Bodin, the state and the government are not the same. The government exists because a sovereign state calls it into existence. In America's original Union, "we the people" created our state government. "We the people" compose a sovereign community (State) and the people of that community create their State government. Therefore, it is the people, en masse, of that community who are sovereign, not the State government. Sovereignty is the ability to exercise supreme political power over a particular territory (State).

The Swiss political philosopher and diplomat, Emmerich de Vattel, asserted that regardless of the form of government, "Every nation that governs itself...without any dependence on foreign powers, is a sovereign State. Its rights are naturally the same as those of any other State."7 When looking at the history of the representation in the Continental Congress and the act of voting for independence it is obvious that each State, regardless of size, population, or wealth, is treated with absolute equality. Every State had one vote, as Vattel notes, "Its rights are naturally the same as those of any other State." This is reflected in the Constitution's equal representation for each State in the Senate. When called upon to elect the president, the House of Representatives will vote by State, each State having only one vote. This equality of the States is a reflection of the sovereign nature of the States as recognized by America's Founding Fathers.

So now we come to the question of where does sovereignty reside in these United States? Does sovereignty reside with the politicians and judges of the Federal government, i.e., the Union, or does it reside with "we the people" of each sovereign State?

If Americans are allowed to have a correct understanding of the history of the Eleventh Amendment, they may begin to question Lincoln and the Republican Party's destruction of the original Union and therefore, the Constitution. Lincoln's war upon the seceding Southern States was based upon two major points he announced in his March 1861 inaugural address and his July 4, 1861 message to Congress. It is important to remember that the death of almost one million Americans, soldiers and civilians and the intentional impoverishment of the formerly prosperous South was based upon Lincoln and the Republican Party's allegation that: (1) The States of the Union were never sovereign and therefore sovereignty resides with the Federal government; (2) the Union is older than the Constitution and the Union created the States and therefore was older than the States.

If sovereignty resides with the Union, i.e., the Federal government, then secession is illegal and tantamount to treason. But if sovereignty resides with "we the people" of each sovereign State, then secession is legal and the natural and logical pursuit of the American principle of "government by the

consent of the governed." The political upheaval caused by the Chisolm case demonstrates that Americans believed that the right of selfgovernment, consent of the governed, and other attributes of sovereignty resided with "we the people" within their respective states. Alexander Hamilton in The Federalist No. 81, proclaimed, "It is inherent in the nature of sovereignty, not to be amenable to the suit of an individual without its consent...as one of the attributes of sovereignty, is now enjoyed by the government of every state in the union." The uproar caused by the Supreme Court's attack upon State sovereignty in 1793, crossed all geographic lines. The day after the Chisolm v. Georgia decision was announced, Massachusetts Representative, Theodore Sedgwick, introduced a resolution to amend the Constitution. His proposed amendment would prevent a sovereign state from being compelled against its will to appear before a Federal Court.

On the floor of the House of Representatives, Rep. Sedgwick stated: "Mr. Speaker. But yesterday a majority decision of a most alarming nature was handed down by the Supreme Court. Sir, I rise to protest in the name of Massachusetts against this decision. It gives a new and wrong construction of the character of this Government. It reduces free and independent sovereignties to the rank of mere provinces. It contradicts the Declaration of Independence, which solemnly declares, 'That these united Colonies are, and of right ought to be, free and independent States.' Nor can the United States lawfully rob them of their rights as sovereign States until the Tenth Amendment...is repealed."9 Sedgwick's resolution passed In the House of Representatives by a vote of 81 yes and 9 no votes (90%). In the Senate this resolution passed by 23 yes and 2 no votes (92%). For a Constitutional Amendment to pass Congress and be submitted to the States requires a 2/3s or 66% affirmative vote of both houses. As demonstrated, the Eleventh Amendment greatly surpassed that threshold. When submitted to the States, there being fifteen States in the Union at that time, thirteen States voted for the Amendment

with no dissenting votes. "This amendment was designed to silence forever all doubts as to the sovereignty of the States." 10 Unfortunately for America, Lincoln and the Republicans were either ignorant of this history or willfully ignored this bold announcement of State sovereignty.

What then was Lincoln's "enlightened" view of State or Federal sovereignty? Let us look at Lincoln's own words as it relates to State and Federal sovereignty. In his July 4, 1861 address to Congress, Lincoln boldly proclaimed, "Much is said about the 'sovereignty' of the states, but the word even is not in the National Constitution, nor, as is believed, in any of the State constitutions." Lincoln declares that since the word "sovereignty" cannot be found in the National Constitution, no State can be sovereign. Keeping with Lincoln's logic, we are compelled to ask: "Since the National Constitution of the United States does not have the word "sovereignty" in it, does this mean that the United States is not a sovereign nation?" Lincoln's own demonstrates his sophomoric understanding of the Constitution! The Constitution is not a cookbook of rights that the Federal government grants to Americans. The Constitution is a document from "we the people" of the States that delegates power from each State in order to create a Federal government and therefore, the Union. As is noted in the Tenth Amendment, "The powers not delegated...are reserved to the States respectively, or to the people." Also, as noted in the Ninth Amendment, "The enumeration...of certain rights, shall not be construed to deny or disparage others retained by the people." These two amendments speak with an honest and forceful voice that just because something is not in the Constitution that does not mean that "we the people" do not hold that right or power. For example, the word "marriage" does not occur in the Constitution but as we fully understand, Americans have the right to marry.

The positive response of the vast majority of Americans by ratifying the Eleventh Amendment in response to the Supreme Court's Chisolm decision, proves that Americans were aggressively defending the principle of State sovereignty. Sixty-three years after the adoption of the Eleventh Amendment, Lincoln would declare that no State was ever sovereign. Upon that false premise Lincoln and the Republican Party would instigate America's most bloody war—a genocidal war of conquest. If these facts surrounding the adoption of the Eleventh Amendment were the only evidence of State sovereignty, that alone would be enough to condemn Lincoln and the Republican Party as rabid war-criminals. But there is more, much more.

As previously noted, Lincoln asserted that the Union was older than the States and "the Union created the States." This "fact" would have come as a great surprise to the people of each colony as they and they alone expelled all Royal (English) authority from their colony and assumed full control of their colony. From 1609, the founding of Jamestown, Virginia, to 1774, the first meeting of the Continental Congress (165 yrs.) there was no union, government, or official association among the Thirteen North American Colonies. The only union that existed was the union between each separate colony and Great Britain.

Many nationalist scholars have proclaimed the First Continental Congress (1774) to be the first government of what was to become the United States. What these so-call scholars selectively choose to ignore is that the Continental Congress had no power to command nor enforce any of its resolutions. The Continental Congress was strictly a deliberative body that could recommend anything but conclude nothing! It was more akin to a social club than to a government. As Bodin pointed out, a sovereign has the power to command, 11 the Continental Congress did not command it recommended.

The only government in America at that time which could command and enforce its command were the individual sovereign States of America. In reference to the Continental Congress, Judge Able Upshur noted, "that body was not a general or national government, nor a government of any kind...its acts were not in the form of laws but recommendation...it could command nothing."12 Each colony elected

delegates to the Continental Congress but each colony had only one vote regardless of size or population, again pointing to the sovereign nature of each colony. Throwing off all Royal authority, appointing delegates to the Continental Congress, and empowering said delegates to vote for or against independence, was being performed by "we the people" of each sovereign State without the aid or assistance of Mr. Lincoln's mystical Union.

(continue in next issue)



"Defenders of the Faith"

It seems to me that most of the more traditional hymns I sang as a youth and young man in church are not heard very often these days; at least in the church I attend. One of the hymns remembered is "Faith of Our Fathers." The first stanza, "Faith of our Fathers living still, in spite of dungeons, fire and sword. 0' how our hearts beat high with joy, whenever we hear that glorious word! Faith of Our Fathers Holy Faith! We will be true to thee till death," has a familiar reminiscence of our ancestors during and after the War of Northern Aggression. How have we fared, you and I, with the faith of our Confederate ancestors to the present day in which we live?

Our Confederate ancestors went back to their homes and any place some could find after Lee's surrender to pick up the pieces of their shattered lives only to find poverties of spirit and hope. Many families forsook any land or any possessions they had and went west. These scenes played out throughout the southland. Then, a subtle wind began to sweep through the ld Confederacy, which was unnoticed by the rest of the country, but not by the southern people. I have written in previous articles about the fervency of

faith that not only our soldiers had during the war, but also our leaders. Robert E. Lee, Stonewall Jackson, Leonidas Polk, John Bell Hood and many other Confederate Generals, almost too many to mention, led a spiritual renewal among their troops. This renewed faith among the individual Confederate soldiers went home with them. Hebrews 10:38 says "the just shall live by faith." And Hebrews 11:6 says, "it is impossible to please God without faith." Jesus came down from Heaven not to establish an earthly kingdom, but a spiritual kingdom, hence, the Kingdom of God. This is the Faith of our Fathers living still. "Blessed are the poor (not spiritually arrogant) in spirit, for theirs is the Kingdom of heaven." Matthew 5:3.

Hebrews 11:1 says, "Now faith is substance of things hoped for, the evidence not seen." My argument for the spiritual renewal of the south is, I believe, the evidence has been seen and felt for many decades, that is, the faith of our fathers. Let me explain. The two largest faith groups in our country are the Roman Catholic Church and the Southern Baptist Convention. The latter represents the largest evangelical community of faith. The Southern Baptist Convention was formed out of the Triennial convention in 1845 in Augusta, Georgia. The evangelical growth of this faith group, similar to many others which started in the south, grew out of the war shattered south whose people were and still are, evidently rich in spirit. The missionary endeavor of these southern faith groups has reached around the world, not only spreading the Christian Faith, but also its good works.

Yes, we are the defenders of the faith of our southern ancestors who lived and died for the southern cause of our Confederate heritage. This may be our greatest legacy, the defenders of the faith of our fathers who perpetuated the spiritual kingdom of our Lord.

Raymond Holder



## AMERICA, HOW SHOULD WE REMEMBER THIS SOLDIER?



Photo of Elijah Morrison from Mobile Register article from April 17, 1999 - Photo Courtesy of James Burrell

Elijah Morrison had a small farm in the shadow of the Blue Ridge Mountains, outside the rural community of Talking Rock, Georgia.

It was beautiful country. Good soil, clean water, and the woods were heavy with game. It was the type of place a man would fight to stay, not leave to fight.

But by the winter of 1862 the war had drained most of the young men from the county and calls for more volunteers came daily.

"To Arms! To Arms!" read the recruiting posters.
"Rally Young Men! To War!"

Elijah was hesitant. At 36, he was older than most who initially joined, and he was bound to the land, a poor farmer who worked it alone, and food was becoming scarce. He would have to leave his wife, Esther, to run the farm alone with their three children - 12-year old Julia, 11-year old Emma, and his son, 7-year old Montgomery.

Politicians said the war would be over by then, anyway. But it was now nearing its 20th month and the newspapers told of horrific battles in places like Shiloh, Manassas, and Sharpsburg. The death toll kept rising and the call to arms kept sounding. Many of his friends had already answered, and the Union Army kept marching closer, ever closer, to Georgia.

So finally, on his 37th birthday - December 1, 1862 - Elijah bid a sad farewell to Esther and his children

and walked off to enlist in the 36th Regiment, Georgia Infantry.

If it's any consolation (and it's not), Elijah's was a short war.

With little training and few supplies, his regiment marched across Tennessee and joined the ranks of the Army of Mississippi. Within three-months of leaving home, Elijah found himself part of the force defending Vicksburg, a fortress-like city that commanded the last Confederate-held portion of the Mississippi River.

Elijah's first taste of war came on May 16 at the hands of Major General Ulysses S. Grant, who sent the Army of Mississippi fleeing behind the city's many fortifications.

The Siege of Vicksburg had begun, and it was a poor thing. Already low on stocks and weakened, those trapped inside the city were quickly down to eating mules, dogs, cats, and even rats. Clean water was rare, and medicine nonexistent.

In the middle of all this, Elijah managed to have a letter smuggled to Esther.

He told her how slow the army's march had been, how distant the soldiers felt from their generals, and about when to plant crops and who in town would give a good price for the coming harvest.

"Such eating we get here isn't fit for a dog," he also wrote. "I don't like this place at all."

He wouldn't be staying much longer.

The siege ended when Confederate forces surrendered on July 4th, but relief didn't come quickly enough to Elijah. Sickness, starvation, and dehydration had left him near death. He and others like him were ferried down river to New Orleans and then on to the many makeshift hospitals dotting the coastline from Louisiana to Florida.

Elijah was let off at Point Clear, along the eastern shore of Mobile Bay, and carried inside the hospital that had once been the Grand Hotel. Sometime later, Esther received a letter from a hospital volunteer named Mrs. E.A. Scott of Mobile.

"The boat came loaded with sick and wounded which brought your husband to this place," she wrote. "He was almost dead when they brought him here."

She then detailed Elijah's final days, writing, "he assured me that he was ready to live or die as the Lord's will might, but his only regret was leaving his family."

Elijah died on July 23, 1863, just under eight months after enlisting. Trenches were hastily dug in nearby Point Clear Cemetery, and his body was placed in a mass grave with approximately 300 other soldiers from the Vicksburg campaign.

"There was so many sick and so few to do anything that marking graves was neglected," Mrs. Scott wrote.

Esther grieved and kept the letter close for her entire life. She remained in Talking Rock and lived to be 88-years old, but never remarried. Julia and Montgomery stayed in Georgia while Emma moved to Haskell County, Texas. All were married and had children.

Elijah's descendants are now spread across the country, from Florida to California, and have become businessmen, teachers, doctors, pastors, farmers, and attorneys, even politicians. One of his grandsons served in the U.S. Navy during World War I, and two of his great-grandsons served in World War II, one receiving two Bronze Stars.

His descendants have helped build, and defend, our nation.

Elijah Morrison would lie under unmarked earth for 136-years until members of a nearby camp of the Sons of Confederate Veterans used ground-penetrating radar to successfully map the precise location of the mass graves in Point Clear.

My story about their efforts ran in a January 1999 edition of the Mobile Register and was republished across the South. It found its way into the newspaper

serving Adairsville, Ga., just 30-miles from Talking Rock. There, Elijah's great-great grandson, James Burrell, read the article and knew this must be the same "Point Clear" that the nurse mentioned in the letter, now a treasured family heirloom.

Records were checked and verified, and a stone marker supplied by the U.S. Department of Veterans Affairs was finally set above Elijah's final resting place.

Elijah Morrison was a farmer. He was a husband. He was a father. And, for a brief time, he was a soldier. He went when he was called, did his duty as best he could, and then died a miserable, lonely death, leaving behind a widow and three orphans to struggle through Reconstruction alone.

His story wasn't unique.

Children and grandchildren who never knew where their loved ones were buried eventually erected memorials across the South, like the one outside of the Madison County Courthouse in Huntsville that protestors recently demanded be removed, and the one at a downtown park in Birmingham that the mayor just had covered with plywood. You may have seen the one in Durham, N.C., hauled down and smashed to pieces earlier this month.

Is this how Americans remember dead soldiers?

These aren't statues of Jefferson Davis or Robert E. Lee. They're memorials to simple soldiers and sailors, many of whom lie in unmarked graves, and by now we should be able to separate them, as men, from the cause for which they fought.

Say what you want about the politicians and generals who led him, but Elijah Morrison and those like him deserve to be remembered and honored.

Anything less and we forget who we are, and dishonor ourselves.



On June 10th, 1889, in New Orleans, Louisiana, a group of proud surviving soldiers of the Confederate States of America organized an association called the United Confederate Veterans. Its goals were to protect and defend the honor and dignity of the memory of the Con-federate soldier. As the ranks of the aged veterans of the UCV began to thin with the passage of time, a group of the surviving Confederate officers met in Columbia, SC on August 30th, 1938 to discuss their concerns that the unique contributions made by the Confederate leadership were not properly chronicled in our nation's history books. They felt a particular duty as members of the Officers Corp.

This first meeting was convened with a great deal of enthusiasm by seventeen former Confederate officers as well as forty-seven male descendants of Confederate officers in attendance. These dedicated men were unanimous in voting to begin a new CSA veteran society named the "Order of the Stars & Bars" that would meet annually. The OSB was unique in that the organization was made up of descendants veterans and their with the understanding that as the original officers of the Confederacy died that it was the sacred responsibility of their male offspring to continue to carry on the purposes of the Order.

The name was changed to "The Military Order of the Stars & Bars" in 1976 at the 39th General Convention held in Memphis, Tennessee. The first National Flag of the Confederate States of America, the Stars and Bars was accepted as the official insignia of the MOS&B.

Today the fraternal Military Order of the Stars & Bars, a non-profit 501(c) 3, non-political educational, historical, patriotic, and heritage group continues its dedication to the preservation of Southern history and remains the only heritage organization actually founded by Confederate veterans. An emphasis is placed on American Patriotism and the honoring of all American veterans of all wars.

The War Between the States produced some of the most outstanding civil and military leaders in the history of mankind. To perpetuate the idealism that animated the Confederate Cause and to honor the courage, devotion and endurance of those who dedicated their lives and services during four years of devastating war, and who, through-out the dreadful decade of reconstruction, labored heroically for the restoration of self-government as the most precious heritage of the American Revolution, male descendants of the officers who honorably served in the Army, Navy and other commands of the Confederate States of America and male descendants of the elected and appointed officials of the Confederate Executive and Legislative branches of the government unite to establish The Military Order of Stars and Bars, a patriotic Society of proud descendants of Confederate Veterans.

If your ancestor was a Confederate Officer or a government official of the Confederate States of America – We invite you as a proud descendant to join us to honor their courage, dedication, gallantry, sacrifice, service and valor as a new member of the Military Order of Stars & Bars.

Visit https://www.mosbhq.org for additional information or contact Chapter President Joe Reynolds at 318-691-2844 or by email at Joe.Reynolds@txmosb.org to learn more about us.



# TRIVIAL PURSUIT ANSWERS!

- 1. Nathan Bedford Forrest (b. Tennessee) Interned at SCV HQ, Elm Springs, TN
- 2. Fitzhugh Lee (b. Virginia)
- 3. Samuel Cooper...after the war, he lived a meager life as a farmer and died in 1876.

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(Cutoff for articles is 20<sup>th</sup> of the month)

