

The Unfortunate Captain Austin

By Dave Untener

It was a dark and stormy night.... Well, it might not have been, but it certainly would have seemed so to Union Captain George Austin. He had just won a lottery, and the prize was his execution! This is a story about one of our Austin ancestors and how he was involved in a National incident during the Civil War. An incident that involved the Secretaries of War for the Union and Confederacy, General Robert E. Lee, Union General George McClellan, and the Virginia Confederate House of Delegates.

Our story begins two months after the start of the Civil War. In June of 1861, a volunteer regiment was formed at Camp Clay, Pendleton, Ohio, to fight for the Union. Although consisting primarily of Ohio recruits, it was led by Kentucky officers, and became the 2nd Kentucky Infantry Volunteers. Our George Austin was a Captain, and the leader of Company B of this unit.

There first campaign against Confederate forces started July 13 in Virginia around the towns of Barboursville and Scarytown. On 17 July 1861, the regiment engaged Confederate forces led by Captain Jenkins. During the battle, the Union regimental commander Col. Woodruff, his assistant Lt. Col. George W. Neff and our Capt. George Austin were captured and taken prisoner. They were ultimately confined at the Confederate Columbia Jail, Columbia, South Carolina. While Captain Austin sat in prison feeding birds, events were taking place that would put his life in greater peril.

The Virginia State Rangers of the Confederacy were authorized by an act of the Virginia General Assembly. These were civilian or partisan units, loosely sponsored by the Confederate Government, whose purpose was to harass Union forces using guerrilla tactics. Their leaders were given blank commissions, which were completed by the guerrillas to prove they were soldiers in case they were captured. Some Ranger groups were very effective soldiers, while some became common criminals, robbing friend and foe alike. Just how bad was it? You have some idea when Confederate General Henry Heath characterized one of the groups as "an outlaw band that robbed and plundered."

The leaders of two of these Ranger Companies, Captains John L. Spriggs and Marshall Triplett were captured by Union forces; considered outlaws, not soldiers; and were sentenced to be hanged as felons. The Confederacy would simply not allow these soldiers, official or otherwise, to be treated as criminals. The story of what happens next is set forth in a series of letters that are published in "The War of the Rebellion - A Compilation of Union and Confederate Armies."

It starts with a January 4, 1862, letter from Capt. Austin's commander Col. Woodruff indicating that he, his assistant Neff and Austin were being held as hostages for the privateers Triplett and Spriggs. In a February letter Woodruff said:

"We are treated as felons, humiliated, degraded, yet no steps have been taken as we are aware to relieve us from the mortification and suffering we have been compelled to endure. As long as the privateers are held otherwise as prisoners of war there can be no possible chance for our release."

It was at this point that things started to go downhill for our Captain. Having no appropriate answer from the Union, which was still planning to hang Triplett and Spriggs, the Head of the Confederate Prisons ordered a lottery be held to select two Union Captains who would be hanged if the Union carried out the sentences against the Rangers. Our Captain George Austin and a Captain Timothy O'Meara, of the New York State Volunteers were the unlucky winners of the lottery. General Robert E. Lee then wrote to Major General McClellan of the Union Army:

"GENERAL: I am directed by the Secretary of War to state that having been informed of the capture of Captains Spriggs and Triplett, of the Ranger Service of the State of Virginia, and of their intended execution by order of the United States Government, he has caused lots to be drawn from among US officers detained as prisoners of war for the purpose of

selecting subjects for retaliation, and the that lots have fallen upon Captain George Austin and Captain Timothy O'Meara."

"It is the desire of the Confederate Government to conduct this war in conformity to the usages of Christian and civilized nations, but should he have been correctly informed and should Captains Spriggs and Triplett be executed, retaliation will be made on Captains Austin and O'Meara. This course will be demanded by due regard for the citizens of the Confederate States and will be unhesitatingly though reluctantly pursued."

"Not being certain of the correctness of the report no change has been made in the treatment of the hostages, and I shall be very happy to learn that the report is without foundation."

While we do not have the reply, the records of the Virginia Confederate House of Delegates show a letter from the Confederate Secretary of War dated October 1862 that says, "Hearing some time ago from Gov. Letcher, of the reported intention of the enemy to treat Captains Sprigg and Triplett as felons, the department caused two hostages to be set aside from the commissioned officers of the enemy, and informed General McClellan, through General Lee, that they would be treated in all respects as the United States government treated Captains Sprigg and Triplett. General McClellan referred the letter to his government, and afterwards informed General Lee that Captains Sprigg and Triplett would be treated as prisoners of war."

In September of 1862, records show that Captain George Austin was exchanged as a prisoner of war. This is all we know about George Austin. We can guess, however, that he probably stayed away from lotteries for the rest of his life!