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Muss Harfein Rhyo. B. R. H. Mewton Kunis 10/6/52alm Mr. Shier

Biggs fno. f.

bapico. C. 112 Reg'iIII. Inf.

Enclosures.

Bed Cards	Final Statements
Burial Records	Furloughs or L. of A
Burial Records	Med. Certificates
C. M. Charges	Med. Des. Lists
Descriptive Lists	Orders
Discharge Certificates	Pris. of War Record
Enlistment Papers	Resignations

Other papers relating to-

Admission to Hosp'l	Furlough or L. of A
Casualty Sheet	Med. Examination
Confinement	Misc. Information
Contracts	Pay or Clothing
Death or Effects	Personal Reports
Desertion	Rank
Discharge from Hosp'l	Transfer to Hosp'l
Discharge from Service	Transfer to V. R. C.
Duty	Transportation

The In any Ky Respectfully forwarded to Dept No 2nd & Granger Respect Tulle offered Throngs May Comments the Many Comments and I letter who the stand Competent to are on the proceedings, as The Center. is muther math, mor one annivament in the Inter Tany, It is refurtifully Engerting must a come mental L'annot award a centime regiming any action of when other, them the to

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a.a.h.

Proceedings of a General Court martial which Convened at Lexington by by Virtue of the following Order:

Had ars 2nd Dien army of My Lexington My, Nov 3th 1862. General Order I a General Court martial is hereby appointed to must at these Herad Irs on the 4th day of November 1862 at 10 welock a.m. or as soon thereafter as practicable for the trial of such prisoners as may be brought before it. Detail for the court, 44th Regt Ohio Ool, Infly, 1 Col S. a. Silbert 2 Major J. W. Morner 18th Mich 3. Major & L. Hayes 1000 Ohio & book L. W. Julleys 44 15 5 Capt W. W. He unt 100th 6 Capt W. J. Jordan 104 th 18th ... Much y Capt 6.D. Stevens 8. Capt C. R. Miller 18th . . 43-th 9 Capt 6, & Stanley Lient Shot B. Douglas 44th Regt This bet Infty, Judge lidercule, No other Officers than those named can be assembled without manifest injury to the Service. By Order of Bry Gent D. A, Gill more W. L. M. Burger (Signed)

Capt & aret adjt bent

Deach sucerters Co "6" 112 the Reg Ille Vols Danville Sy fuly 2 you 1863 Teat

Tespecifully tencer my resignation as Captain

of Company to 112 the legt ell, Vol, chifty ener assign

as a reason. That my health river not allow me to remain longer in the service wethout danger of permement disability. Whole of life. I desire my resignation to be encementational and immediate. and for the I hereby serlify that I am not indestice to the United States, that I have no noverment property in my possession, and that there are no charges against me that would in any degree affect my fory, duck was last faid to April 30" 1863, Keny Neoperfully from & Day of Cafet lo "6" 112" Reg Mc. Vol. Sefly Henry Mr Wells
adjutant 112 the leg tell. Vol, Sufly

consider ton 18 12mg 1 Free 27 Al Hed In 102 hey Ill. Vil. After Quille to, duly 38th 163 Allow Reph of the Cite. . Apprine ax respectfully 1- 12 miles I me Mar 13/64 binounded. A wagad. Capt John J. JBP 113 (con the of laver -Haver Colle of the City Sinclers his resignation as Captum of the "6" 112 they't as Captum of the "6" 112 they't Headquarters, IDir. 23' ale. Danitle, Ky, July 28, 1863-- oral Code sit 296. Cole any 14 160 3. Surgeus en lifeale enclosed Approved in Respectfully forwarded. I speathable forwarded Hol In 112 hay ell rob July 24th 1863 Elle By L Gol, comda. i adith Dut of 12 This Resignatur approved and Respect fally firmurded - extery that leap law emsch of Itu, Ogs. 23", def. Sixriigtin Ky, any 3/6'3, John f. Biggs le "6" 112 "
Reg , Met , Tal . Infly is not midel lice to the thousands Government property in his forwarded. Mos Hartsuff those J. Hinder son. My Gent, 25%A

Hospital 112th Regtable Tol Infly Camp near Somerset Chy May 28th 1863

John J. Biggs. Captain of Company C. 112 Regicle Tolohy, and find him suffering with Namoptysis; Hi has him and is under my treatment for the last four months and is gradually failing, and of further certify that the gradually failing, and further certify that the acceptance of his resignation is necessary to save life of his resignation is necessary to save life of his resignation is necessary to save further of Milliken Cury, 112 Regt, Ill, Vol, Juf.

Lexington by Dec 5th 1868, 9 Oclock a. Mr.
The court met pursuant to the foregoing Order,
Present all the members. except bol. S. A. Silbert: of the 44the
Regiment, Ohio Voluntere Infantry, and Major J. W. Hormer of the 18th
Regiment. Inichigan Orbentere Infantry.

The court the proceeded to the trial of Captain John J. Biggs of Co 6" 113th Regiment, Illianois Volunter Infantry, who was called before the Court, and having heard the order appointing the court read, was asked if he had any objection to any member named in the order to which he replied in the negative,

The court was then in his presence duly sworn by the Gresident advocate, and the Judge advocate was duly sworn by the President of the Court.

The accused applied to the Court to be permitted to introduce Lient James Me Courties, of the 112th Regiment of Illinois Volunting Infantry, as his Counsel, which application was granted, and he appeared as Counsel for the accused.

The accused Captain John J. Biggs of Go 6 113th Regiment. Illinois Volunter Infanty, was arraigned on the following. Charges and Specifications,

Conduct imbecoming an Officer and a Gentleman-

Regiment, Illinois bolumber Infanting, diet use profane language to the Provost Patrol quard, while in the performance of their duty. This raid in Camp new Lexing ton Ky, on or about the 27th day of howender 1862.

Charge III. Conduct predjudicial to good order and military discipline Specification; In this that the said Captain John J. Biggs, of 60 6" 112th Regiment of Illinois bolunten Infantry. Click say to the provest patrol quards while arresting one of his men, by god you shart arrest on men: and if it becomes necessary we will quard them while they get wood with one hundred men, and if that wont do, we will grand them with a Regiment, and if that is not sufficient we can get the Michigan Requients to join us, and dammed if we don't raise a menting before we will be imposed upon. This said and done in Camp ble Bishop war Lexington Kentucky on or about the 27th day of november 1862. To which Change and Specifications the accused pleaded as follows. To the Specification to the first Charge - Not builty. Not Guilty, To the first Charge To the Specification to the second Change - Not Swilly. Not Sulty. To the Lecond Charge The Court adjourned until 9 O clock a.M. Dec bt 1862.

Lexington My. Dec 6 = 1862. 9.6 clock.

The court mut parsuant to adjournment. Present - some members as yesterday, the Judge advocate the accused and his counsel.

The court was called to order, and case No I continued,

Thomas Simes, a private of Co'B" 44th Regiment, who belinter Infanty, a withef for the prosecution was duly sworn.

Lustin by Judge advocate, Do you know the accused, if so identify him.

Answer, Yes Lir. Captain Biggs, 112 the Regiment, Illinois boluntew Infants, Question by Judge advocate, Were you a member of the Division proverty greated on or about the 27th day of November 1862:

Cursiver, I was, on or about that day,

Question by Judge advocate. What were your instructions on that day ? buswer. My instructions were, to arrest every man we caught carrying rails, or chopping down trees, or any thing of the kind.

Question by Judge advocate. While acting under said instructions

did you must the accused?

answer. Yes Sir.

Luslin by Judge belonget. Ander what circumstances in Auswer. The corporal of the quand and myself were taking along a man arhom we had arrested for carrying of rails, (and who had a rail on his should when writted) and as we passed the Captains Quarters he came out and engined of the Soldier whom we had arrested, what we were doing with him, the Soldier told him the affair. he then asked him if he did not know that he was violating orders, the Soldier told him that he did, but he was violating orders, the Soldier told him that he did, but he was niclating orders, the Captain then said, by god his men shindent be taken for that. I said to him that we were obeying our orders, and that that way of tathing would not do, the leaptain (Bigs) then agreed to go with us to the provoit marshalo, and on the way there, the Captain said that they had orders from General Smith, to cut trees and that we couldn't hinder them. That they could put some near

to chop them, and guard their with a hundred men, or they could great them with a Regiment, or they could get the 18th Anichigan Regiment to go in with them, and the other Unchigan Regiment too, and they would raise a menting before they would be imposed upon. Question by Judge Advocate, Ded he use any to you or the Corporar; Unswer. He did when he came out to the pike before his camp, Daying, inat by god we shouldn't take his men. Question by gredge advocate. Ted he appear excited when he made use of the above language? Cursiver. Not that I noticed. In said that he had been inch and excused from duly but he didn't appear to be much excited, Question by Judge advocate. When did this occur: huswer. The last conversation occurred just beyond the "round house" soon after we left the Camp of the 112th Regiment. Illine's bolumlet Infanty. the first part occurred just opposite Captain Biggs quar-= ters, on the Dansille pike. Question by Counsel. With whom have you held conversation with regard to this matter: answer. I don't know - I reported it to baptain Stough. From (marshal. Question by Consadel. Sid you write down what passed there, or

do you repeat it from memory?

Answer. I repeat it from memory, I didn't report when I first came over, to the Provost Manskal, but going over to the baptain Regiment the second time, they refused to pass me through their lines. I then returned to the provost Marshal's Office, and reported the whole affair to Captain Stough, and got a pass from him

Question by Counsel. Was it the first time you went over that the conversation passed, wherein the Captain used the profane Language Charged in the Specification: answer. Bes Sir. it was the first time. Question by Consul. Was there a man with you when you returned with a pass? Curswer, There was another man with me when I returned the last time with a page and went inside of the lines of the Captains Regiment. Question by Counsel. Dich the Captain ask you what authority you had for arresting a man in side the lines? answer. He did. he asked me what anthony I had for arristing a man unside of their lines. Question by Counsel. What was your refly? answer. I replied that I had authority from the provert marshall Captain Stough. or else the Corporal made that reply to him. Question by Counsel Was not the reply, by god we have authority from the Provest Monshal to do so? auswer. So Sir. Question by Counsel, Was it not in answer to the reply, Captain, Bygs used the oath? auswer. I can't say that he used the oath more than once and that was at the time he first spoke to us, after the anut. Question by Connel. Was there any oaths used by the provoch guard during either of these Conversations? answer. Not to my Knowledge. Question by Counsel lese you sun baptain Biggs used the word Muting, during the Conversation

answer. He did, I am sure.

Question by Court. What trees did you refer to in your statements. Auswer. The trees inside their lines, Witness dismissed.

Jacob Herring, a corporal of Bo 6" 104 the Regiment, Ohis Volun--teer Infanting. a witness for the presention was duly sworn,

Question by Judge advocate. Corporal! do you know the accused if so identify him.

answer, Ido. his name is Capt Biggs, of loo "6" 112th Regiment.

Illuris Columber Infanty.

Inestion by Judge advocate. Were you on duty as corporal of Division provot quards on or about the 27th day of November 1862, huswer. I was I think it was about the 28th day of November 1862, Ruslim by Judge a dvocate. Died you must the accessed while our paid duty?

Daid dutzs Answer. Zie Die I diel.

Question by Judge advocate. State the court the Circumstances, Auswer. We Computed and others) were patroling back of the 112th Regiment, Illinor boluntin Infantry. and came acrop a man carry ing a rail, and arrested him, and was taking him towards the provost marshales office. When we get on the Danville pike in front of their Regiment, Coptain Biggs came int and asked the man whom we had arrested, where we were taking him to, we told him we were taking him to the procest marshab office. he then enquired what the man had done, wetold him that he had been taking rails, and what our instruction in were fully. he then asked the man under arrest of he didn't know it was against the orders. he said he did the captain then asked him what he done it for, and the arrested man replied that he was not going to freeze. The baptain thus said

bound to respect it? answer. So Sir. Question by Connect. State how you know it was captorin Biggs of 60 6 112the Regiment Illinois bolunter Infantry? answer. We went up and enquired the name and he total it Question by Counsel. Have you had any conversation with any one previous to this trial with regard to this matter, if 20 who was Comswer. I have had lots of conversation, a good many in Camp asked me where I was going, and what for and I told themes Question by Council. Have you had any communation with regard to the particulars of this trial? Answer I told Captain Stongh the particulars, he made out some kind of a statement or order for aroust and asked one if that was correct, and I letel, home it was Question by Court Did you till Captain Biggs your instructions in regard to men cutting down trus: Unswer yes sie eve told him before he made the threats about our instructions of world dring the cutting of trus Witness Dismissed . Prose cultion Closed .-Joseph L. Waltons a private of leo & 112th Regiment, Illinois boluntur Infantry a witness for the defence, was club swom. Question by Judge actro cale Do you know the accused if so identify him. answer. "Yes dir Captain Biggs of Go 6" 112th Regiment Illionis

Tuestion by defence. State if you was arrested by the provent

quards at any time and if so when was it?

Voluntin Sufanting.

Answer. I was arrested, I don't know the day of the month in the time,
The time,
Lucstion by defence. State what was said and done by leaplaine.
Biggs at the time you was so arrested.

Cursiver. after I was arrested the Captain came along and asked me what I was arrested for, I told him for caking a rail. In asked me if I didn't know that it was against orders I answered that I know it was but we were out of wood and that was our only chance to get wood, the Captain said then, that he would go with me to the provest marshal, o Office, after we started down he was talking to the quards, and said that it was pretty hard that we didn't get any avood, as we had had none for a day, they communeed talking about the trees that had been out down, and the Captain said some had been cut except by order of General Smith. and that if he had orders from General Smith to out downtrus he would cut them down, if he had to take the company to guard them to cut them down, or if it were needed he would take the Regiment, we then came to the proof Marshal's Office.

Question by definer. Did he say anything in regard to taking

the Michigan Regiments:

Auswer, I didn't hear him say anything close.

Question by definer. Deid he say anything in regard to an order coming from General Gillmon.

Answer. He didn't say anything in my presence.

Question by definer. I will ask you if Captain Biggs used any profame Language, during the first conversation;

Answer. He did not:

Question by defence. State whether at any time you heard baptering

Biggs say, by good you shant arrist my men. "
Answer. I did not ser.

Duestion by defines. State whether or not you heard Captain
Biggs use the word Amiling, on that day.

Conswer. ho sir I did not.

Inestion by definer. State of you were present at the conversa

- tions between leaptain Biggs and the provest garde that day?

Inestion by defence. State if you were present at the conversal = lions between leaptain Bizzs and the provest gurde that day? Inswer. I could not answer that question, as I was not with the leaptain all that day, they might have had other conversation that day in my absence.

Inestin by defence. Were you present all the time during the cornersation between Captain Beggs and the provest guards, on the pike opposite the 115th Regiment, Illinois Volunteer Infanty?

answer. I was present and heard all the conversation. Inistion by defence. State of you heard all the conversation between Captain Biggs and the provost guard, on the way to the provost marshal's Office?

Consider. I did. I was with him all the time and heard all that was said.

Duestion by Court. You say you overheard all the convention between leaptain Biggs and the provest gurds: huswer. I heard all that was said while on the way to the provest marshales office, from the time of my arrest. Instin by Court. Have you ever been arrested more than once for a like offince; Witness Dismised.

Lient G. O. Alden, Quarter Master of the 113th Regiment. Illinois Voluntin Infantry, a witres for defence, was duly sworn,

Question by defence. Were you present at a conversation members of the provest quard, who had arrested one of Captain Bigs men, on or about the 28th day of november 1862. If so what was said during that Conversation and where did it occur? answer. I was present at a conversation that occurred between Captain Stough of the 44th Regiment, Ohio Columber Infantry, with two privates, in relation to a difficulty between the provert quards and Captain Biggs. the day of the month or week I am unable to say, Captaine Stough came to the adjutants tent, of the 112the Regiment, Illimis bolunter Infanty, and stated to the adjutant that he had found difficulty in making arrests in General Smiths Brigade, that his quards had been prevented, and that then seemed to be a general misunderstanding in relation to their authority, he there went on to state the authority upon which he acted, and regretted that there should be any difficulty, that they were acting under direct authority from general Billmore, the reply was made, that it was the first intimation they had, that then was a Division provort quard. That they supposed it was the city provort guard, and wondered what business they could have in their camp. I think it was the adjutant who made the reply, Captain Stough then said, addreping Captain Biggs, that the language used by him to the guard, as reported to him, was improper, and read the articles of war out of Regulations having reference to using meeting xunger Captain Bigs said he was not aware that he had used any language that could be construed under that law, or any other, to be mutinous. That his men had frequently been

Compelled to eat their lations unewhell for want of fuel being furnished, and that they had received orders from General Smith from him to him to cut down trees in true in camp, and that the language which he used to the guard the guard was that as if General Smith gave them orders to cut down tress trus that his men should do it that if the Regiment were called an called upon, they would assist in executing the order, that the that the guestion was asked by the guards if General Gillman should thould issue an order not to cut them down, what he would do then do then and that he (the Gaptain) replied He would obey the orders Itu crows of the General in command and the Captain wanted thin wanted to know of the guards, if that was not the coversation and solver had and language used between then before and there and then was no disagreement between them about it. I think the guards mand admitted that to be the language, , , Question by Court, To what arrest did the walking to in the to in the conversation?

Answer, I think there had been no arrest made. Several instances is to were referred to in which men had run and could run, and and and not be taken. Captain Stough wanted the adjustant to give the men up who had taken rails, and intended if he in dut if he gave them up that should end the matter. mutture. Question by Court, How many of the provost guards were so wen present at this conversation? He had they tame with Captain Stough, and, and

Case closed.

Witness dismissed.

The court took a recess until two oclock P.M. Dec. 6th 1862.1862.

left when he left. left.

14. Lexington Ky 2 oclock P.M. Dec 6th 1862

Court met, Present same members as in the morning. the morning of morning of morning of the specification to the second charge ... Guilty.

Of the specification to the second charge ... Guilty.

Of the second charge ... Guilty.

Suilty.

and the Court do therefore Sentence him, the Laid Daptain I. Biggs of bo, B" 113th Root Alls to Safting To be Suspended from Command with the loss of hay and to be publicly reprimanded from army Head Quarters. The Court adjourned until B, I, Wayse 101th Reg 1,159 The Douglas Lieut 4th Root allowante.

(B) (a)

bego leave to aubuit the following, for the conserved of the Court:

post of the Procedion lending in any way to and lain the first charge of Counduct surbe comme an Officer and a Gentleman There has been some Evidence going to show that he has been guilty- of conduct property from the language. If that has been clearly proved, fine the accused one Dollar which is all that can be done by the continuder that charge and specification according to Arlicle 3th of the

2nd. There is no proof whatever going to sustain the part of the prosecution shows. That all the words which Copt Riggs need were about as follows, of beid, Swith orders no to out down trees we will strill if we have to take one hundred men to do it; to. What is there prejudicial to good conduct and military discipline in that real Smith commands the Brigade in which the socused is an officer. Officers and wen are bound to obey the orders of their Bulgarior officers, and if Givel. Swith usues an order il is suffered to be in accordance with the views of Officers emperior to him and inferior officers are bound to obey than No matter wholethey are, Now the accused only stated what is a fact; that is that he would obey the orders of a suferior officiar, es this Conduct prejudicial to good orders? and must an officer be subjected to a court mark's for stating a well Known princhfele of military Vari? du regard to moing the words be will raise a

mulling before we will be imposed whom! it is

proof of using such words have been produced and they projudicial 40, The conversation if more applied to no particular person. He did not say if a certain General or Propost marchall or any other officer impores when no but merely used the words if mad at at in an and while as the first the words if mad at at in an absolute of the first and the firs the Hedid not say That they had been infound upon but if they were such and such might be the result. It come to me that the words if they more co med might muder some circumlais be week very proporty, vorning the ganard or petrolinot to impose whom any one, because they would not be ablowed to do it if it diel craise a meliny, surgered to the nee of the word danned if we don't raise a muling re, there is no proof at all. It is not to be suferosed by the cont that we admit that the changes and aperitions or any of them so having been proved, butter bankery it is claimed by the acoused that there has been no proof of any quillor liabelity about on his part which should and get time to my ofthe prime or penalties of the mildery law, and this is out willed to the court that any conduce introduced on the part of the procedion is sufficiently rebutted by the Evidence on the part of the defence, The law is that a man is suffered to be run ocentr whit he is proved guilty, and that no one ought to be convicted of a fault or a crime if there is a cingle doubt- as to his guilt: The above is respectfully submitted, In Janubarluey Connel forthe accused

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Mittikerr Luther S. Luther S.

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Makes Certification of a te of Disability for acceptance of time of Resignation in the care care of Cape Lown J. Biggs J

Med Diect Office 1st Div 23. Danville Ky-Jylly 45/1866

Approved and respectfully expected, forwarded

William Director

Head Quarters 23 A.C. A.C. M.C. Medical Directions Office ico Exington Ky Aŭg 4thong. 477 Approved and Respectfully 14 torwardede

OFFICERS' CASUALTY SHEET.

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of the organiza	tion named above	ve. Roll dated
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Joined for duty a	and enrolled:	* * * * * * * * * * * * * * * *
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Where	embridge	Ill)
Period	years.	
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*This organization	subsequently became	Co. C, 112 Reg't Ill. Inf.
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John J. Biggs , Co. C, //2Reg't Illinois Infantry.
Appears on
Company Descriptive Book
of the organization named above.
DESCRIPTION.
Age 23 years; height 6 feet inches. Complexion Lak
Eyes black; hair black
Where born Chester - O-
Occupation Blacksmith -
ENLISTMENT.
When Aug-11, 1862.
Where Cambridge - Ill-
By whom E. S. Bond; term 3 y'rs.
Remarks: Resigned ang- 9/63.
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(888g) Copyist.

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John	J. Biggs	1
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This regiment was mout pertained from the reco y Division, Maryville, ,101.	nted early in the year 186 rds), and dismounted by S Tenn., dated February 3,	S (exact date not S.O. No. 13, Cav- 1864.—R. and P.,
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19	112	XII.
9.1	J. Bigg	1
CAN C	1 0 110 D-2 TIL	inoia Infanta
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B. 1	112	III.
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John	n f. 65	eg't Illinois Infantr
Capt.	Co (2119 R	og't Illinois Infantm
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13. I	112		C 11.
John Capt, co	J. B.	J J J S S S S S S S S S S S S S S S S S	Infantry,
Age 23 years			
	Co. Muster-out		dated
Tremsto.	rro. K. C.	rune 2	2, 186 J.
Muster-out to d	late		-, 186 .
Last paid to			., 186 .
Clothing account	; ·	·	
Last settled	, 186 ; drav	wn since \$	100
Due soldier \$	ioo; due l	U. S. \$	100
Am't for cloth'g	g in kind or mone	ey adv'd \$	100
Due U. S. for a	ırms equipment	s, &c., \$	100
Bounty paid \$_	7 100 ; due	\$	190
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A. 1 (19p)	
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Caff, Co. C., 112 Reg't Illinois In	fantry.
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This regiment was mounted early in the year 1863 (exact discretained from the records), and dismounted by S.O. No. 1 lry Division, Maryville, Tenn., dated February 3, 1864.—R. a 76,101.	ate not 3, Cav- and P.,
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