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## MILITARY EXECUTIONS

A Working Bibliography of MHI Sources

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### PRE-CIVIL WAR-GEN/MISC

Elliott, Charles W. Winfield Scott: The Soldier and the Man. NY: Macmillan, 1937. p. 149.  
E403.1S4E6.

Describes execution of 4 deserters during War of 1812 and the sham execution of a fifth deserter spared because of his youth.

Macomb, Alexander. The Practice of Courts Martial. NY: Harper, 1841. pp. 10-11.  
UB853M18RareBook.

Explains why and how to execute the death sentence.

Miller, Robert R. Shamrock and Sword: The Saint Patrick's Battalion in the U.S.-Mexican War. Norman, OK: U OK, 1989. 232 p. E409.8M54.

Parton, James. Life of Andrew Jackson. 3 vols. Boston: Ticknor & Fields, 1866. E382P272.  
See Chap XLVII, Vol. 1, and Chap XXII, Vol. 2, on militiamen Jackson executed for deserting during Creek War and the War of 1812.

Van Doren, Carl. Mutiny in January. NY: Viking, 1943. 288 p. E255V26.  
Mutiny and/or desertion executions: James Coleman, 11th PA, 26 May 1780 at Morristown; two NJ soldiers, Jan 1781 at Pompton; four men of Pennsylvania Line, 22 Mar 1781 at York.

Wynn, Dennis J. "The San Patricios and the United States-Mexican War of 1846-1848." PhD dss, Loyola, 1982. pp. 157-161. E404W95.  
Details on executions of the renegade soldiers.

**NOTE: First Military Execution, Continental Army, 1776**

According to Lossing (cited below), Thomas Hickey was court-martialed and executed 28 Jun 1776 and represented the first military execution in George Washington's army. Similarly, Hughes (cited below) agrees that Hickey was the "the first Revolutionary soldier to die the dog's death." To reach conclusions about total accuracy of the Hickey story would require rigorous and lengthy study of pertinent sources. Some historians (e.g., Freeman, Ford and Bakeless) do not place much credence in the tale that the conspirators intended to poison Washington by taking advantage of his known taste for green peas. See:

Bakeless, John. Turncoats, Traitors and Heroes. Phila: Lippincott, 1959. Chap VII. E279B3.

Berlin, Robert H. "The Administration of Military Justice in the Continental Army during the American Revolution, 1775- 1783." PhD dss, U CA-Santa Barbara, 1976. 325 p. UB500B467.  
Useful for background on military trials in Washington's Army.

Force, Peter, ed. American Archives. Fourth Series. Vol. VI. Wash, DC: Clarke & Force, 1846.  
E203A51v6.  
See index under "Hickey, Thomas."

Ford, Paul. The True George Washington. Phila: Lippincott, 1903. pp. 105-07. E312F65.

Freeman, Douglas Southall. George Washington. Vol. 4. NY: Scribner's, 1951. Chap V. E312F82v4.

Godfrey, Carlos E. The Commander-in-Chief's Guard, Revolutionary War. Wash, DC: Stevenson-Smith, 1904. pp. 21ff. E260G58.

Hughes, Rupert. George Washington. Vol. 2. NY: Morrow, 1927. pp. 394-405. E312H92.v2.

Lossing, Benson J. Washington and the American Republic. NY: Virtue & Yorston, 1870. pp. 173-78.  
E312L68v2.

Minutes of a Conspiracy against the Liberties of America. NY: Arno, 1969 reprint of 1865 ed. 111 p.  
E277M662.

Van Doren, Carl. Secret History of the American Revolution. NY: Viking, 1941. pp. 13-15.  
E277V231.

Washington, George. The Writings of George Washington. Vol. 5. [Ed by John C. Fitzpatrick]  
Wash, DC: GPO, 1932. pp. 161-95. E312.7.1931v5.

**CIVIL WAR**

Alotta, Robert I. Civil War Justice: Union Army Executions Under Lincoln. Shippensburg, PA: White Mane, 1989. 234 p. E491A46.

\_\_\_\_\_. "Military Executions of the Union Army, 1861-1866." PhD dss, Temple, 1984. 1587 p. UB783A46.

\_\_\_\_\_. "The Ritual of Execution." Mil Collector & Historian (Summer 1985): pp. 77-80. Per.

\_\_\_\_\_. Stop the Evil: A Civil War History of Desertion and Murder. San Rafael, CA: Presidio, 1978. 202 p. E527.5.116th.H68A44.

Benet, S.V. A Treatise on Military Law and the Practice of Courts-Martial. NY: Van Nostrand, 1864. pp. 166-167. UB500B4.

Bennett, B. Kevin. "The Jacksonville Mutiny." CW Hist (Mar 1992): pp. 39-50. Per.  
3<sup>rd</sup> USCT, Oct 1865, on occupation duty, FL. Last soldiers executed for mutiny (?)

Cluett, William W. History of the 57th Regiment, Illinois Volunteer Infantry.... Princeton, IL: Streeter, 1886. p. 64. E505.5.57th.C58.

History of 188th Regiment Pennsylvania Volunteers, Corn Exchange Regiment.... Phila: Smith, 1905. pp. 294-301. E527.5.118PA.P453.  
Execution of 5 deserters, Aug 1863.

Leech, Margaret. Reveille in Washington. NY: Harper, 1941. p. 111. E501L4.  
Alleged first execution in Army of Potomac, Dec 1861: Pvt William H. Johnson, Lincoln Cavalry, shot for desertion.

Linderman, Gerald F. Embattled Courage: The Experience of Combat in the American Civil War. NY: Macmillan, 1987. pp. 58-59. E468.9L56.  
Several examples cited.

Lonn, Ella. Desertion During the Civil War. Glouster, MA: Peter Smith, 1966 reprint of 1928 edition. pp. 335-37. E468L86.  
Execution of five deserters at Beverly Ford, 31 Aug 1863.

## Military Executions

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Ramold, Steven J. "‘We Have No Right to Shoot Them:’ Military Executions in the Union Army." Journal of America’s Military Past (Spring/Summer 2008): pp. 42-66. Per.

Ridley, Bromfield L. Battle and Sketches of the Army of the Tennessee. Mexico, MO: Missouri Print, 1906. pp. 283-85. E547T4R53.  
Execution of 15 deserters near Dalton, GA, spring 1864.

U.S. National Archives. M1523: Proceedings of U.S. Army Courts-Martial and Military Commissions of Union Soldiers Executed by Military Authorities, 1861-1866. Wash, DC: NARA, 1988. 8 reels. UB858M1Microfilm.

U.S. War Dept. AGO. List of U.S. Soldiers Executed by United States Military Authorities During the Late War. Report, 1 Aug 1885. 5 p. Photocopy in BibFile.  
By-state listing of individuals, giving unit, date and mode of execution, plus offense.

Wiley, F.M. "Military Execution of Three Bounty-Jumpers near Camp Morton, 1864." IN Mil Hist Jrnl (May 1980): pp. 21-24. Per.  
Eyewitness account and historical comment.

Winthrop, William. Military Law. Vol. I. Wash, DC: Morrison, 1886. pp. 590-91. UB500W5v1.

### See also:

-Bibliographies on Military Service and U.S. War Dept General Orders/General Court Martial Orders, 1861-1865 & Army of Potomac in MilPub-GOs.

## 20TH CENTURY-GEN/MISC

Iacobelli, Teresa. "Arbitrary Justice: A Comparative Analysis of Canadian Death Sentences Passed and Commuted During the First World War." Canadian Military History (Winter 2007): pp. 23-36. Per.

Kyle, Allan. "'And now the Hell will start....'" Periodical (Apr 1987): pp. 3-10. Per.  
Private Herman Perry, murderer who long evaded capture by living with Burmese tribe, 1944-1945. See pp. 9-10 on his hanging.

Philpott, Tom. "Death Penalty Case Tests CMA's Power." Army Times (9 May 1983): p. 10. Per.  
On the 1979 Matthews murder case. See also editorial on subject, p. 19.

U.S. Dept of Army. Procedure for Military Executions: Department of the Army Pamphlet 27-4, dated Dec 1947. 26 p. With Change 1, 24 Jun 1953, 2 p. MilPub-Pams.  
Includes detailed instructions for hangman's know, plus specifications for construction of gallows.

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\_\_\_\_\_. Procedure for Military Executions. Army Regulations 633-15, dated Apr 1959. 22 p. MilPub-AR.

In effect until 31 Mar 1972.

\_\_\_\_\_. Manual for Courts Martial, 1951, Para 126a. UB853A35.

Whittingham, Richard. Martial Justice: The Last Mass Execution in the United States. Chicago: Regnery, 1971. 281 p. UB856F5W45.

Seven German POWs executed in US for murder of fellow prisoner.

**NOTE:** Some military offenses, such as desertion and misbehavior before the enemy, carry the death sentence as maximum punishment. However, no death sentences have actually been executed for any military offense in the US Armed Forces since Jan 1945, when Private Eddie Slovik, a convicted deserter, dies by firing such as premeditated murder or rape, have taken place in the US Armed Forces since 1961. See:

Di Mona, Joseph. Great Court-Martial Cases. NY: Grosset & Dunlap, 1972. pp. 128-29. UB853D54.

U.S. Dept. of Army. Military Justice, Trial Procedure: DA Pam 27-173, dated Apr 9, 1978. pp. 17-16. MilPub-Pams.

### See also:

-Bibliographies on Desertion in Military Service; Eddie Slovik in Biographies; and others in Law.

## NOTE: NUMBER OF EXECUTIONS, EUROPEAN THEATER, WWII

The scholar Charles B. MacDonald in his The Mighty Endeavor: American Armed Forces in the European Theater in World War II (NY: Oxford U Press, 1969; D756M27), p. 465, mentions without footnote that 70 Americans were executed in the European Theater of Operations. An undocumented article, "The Execution of Private Slovik," in After the Battle (No 32, 1981), places the figure at 96 Americans executed. In any event, Private Eddie Slovik was the only US soldier actually executed for a purely military offense, i.e., desertion. In fact, he has been the only executed American soldier in that category since the Civil War.

Identities of the remaining 69 or 95 individuals executed in the ETO may appear in the wartime Judge Advocate General records, which should be in the custody of the National Archives.

Incidentally, statistical data on World War II desertion was compiled by the Court Martial Records Branch, JAG. The desertion rate for the eleven million soldiers who served in the US Army from 1941 to 1945 was 0.22%. Twenty-one thousand deserters were apprehended and convicted in those five years.

According to Article 58 of the Articles of War (1943), the punishment for desertion in time of war was "death or such other punishment as court-martial may direct." See:

## Military Executions

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Tillotson, Lee S. The Articles of War Annotated. Harrisburg, PA: Mil Srv Pub, 1942. pp. 122-32. UB500T54.

U.S. War Dept. A Manual for Courts-Martial, U.S. Army. Wash, DC: GPO, 1943. p. 218. UB853A35.

### See also:

After the Battle (No 57, 1987): pp. 15-16. Per.

Photographs of gallows in US-occupied Bruchsal Prison, German, Nov 1945, during executions.

Fritz, Stephen G. Frontsoldaten: The German Soldier in World War II. Lexington, KY: U KY, 1995. 299 p. D757F75.

See pp. 90 & 251-52 on numbers of US, British & German executions in WWII.

Kaplan, Alice. The Interpreter. NY: Free Press, 2005. 240 p. D810N4K37.

Story of trial and subsequent hanging of James Hendricks, black private of the 3326<sup>th</sup> Quartermaster Truck Company, from the perspective of Louis Guillox, the French translator at the trial.

Lilly, J. Robert. "US Military Executions." After the Battle (No. 9, 1995): pp. 50-53. Per.

Case of black soldier tried, convicted and executed in England, 1942, and the 1995 search for his gravesite.

"Normandy Executions." After the Battle (No 85, 1994): pp. 28-32. Per.

USA crimes against French civilians.

Oram, Gerard. Military Executions During World War I. Houndsmills, England: Macmillan, 2003. 228 p. D639D53O73.

U.S. Army European Theater of Opns. ComZ. Communications-Zone Activities in Support of the European Campaign, 30 July 1943-25 February 1945. Paris, 1945. ca 200 p. D769.75U54.

See Sec 6, pp. 12-13.

"The US Prison at Shepton Mallet." After the Battle (No. 59, 1988): pp. 26-51. Per.

Then-and-Now photographs, plus narrative, of the main US prison facility in Britain during WWII. Also features capsule descriptions of the cases of murder and rape for which 19 US servicemen were executed in Britain.

**FOREIGN MILITARY EXECUTIONS**

**-British**

Babington, Anthony. For the Sake of Example: Capital Courts-Martial, 1914-1920. NY: St Martin's, 1983. 238 p. UB859G7B33.

Denton, Kit. Closed File. Adelaide, Australia: Rigby, 1983. 160 p. DT935D46.  
Revelations on executions of Australian Breaker Morant & Peter Handcock in 1902.

Keegan, John, & Holmes, Richard. Soldiers: A History of Men in Battle. NY: Viking, 1986. 288 p. U21.2K425.

Putkowski, Julian & Sykes, Julian. Shot at Dawn: Executions in WWI by Authority of the British Army Act. London: Cooper, 1989. 301 p. UB785G7P87.  
Accounts of all 350 executions, plus overall analysis of policy.

**-German**

Fatting, Richard C. "Reprisal: The German Army and the Execution of Hostages during the Second World War." PhD dss, U CA-San Diego, 1980. 165 p. D804G4F3.

Fishman, Jack. Long Knives and Short Memories: The Spandau Prison Story. NY: Richardson & Steinman, 1987. 474 p. DD244F569.  
Imprisonment of seven Nazis sentenced to confinement by Nuremberg trials.

Messerschmidt, Manfred. "German Military Law in the Second World War." The German Military in the Age of Total War. Warwickshire, UK: Berg, 1985. pp. 323-35. UA710G372.