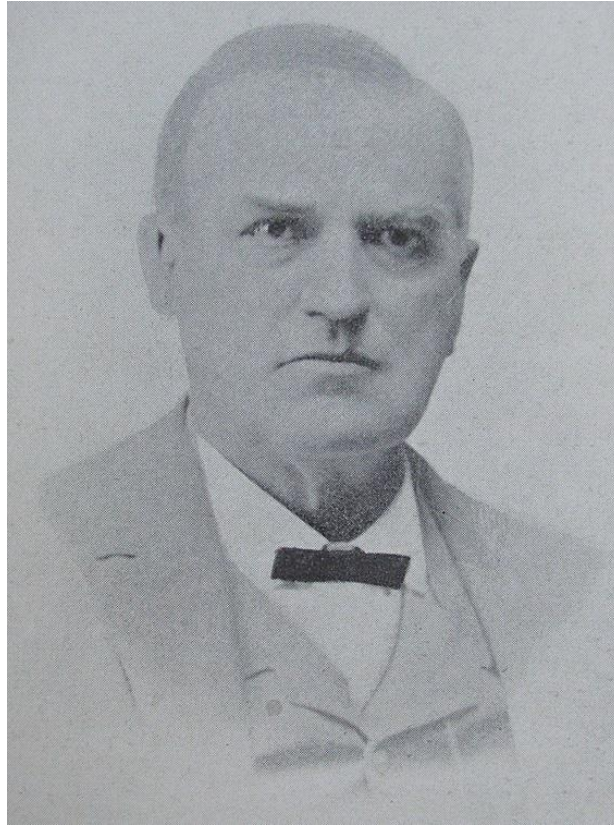


COL DR. JOSIAH HATCHER CALDWELL

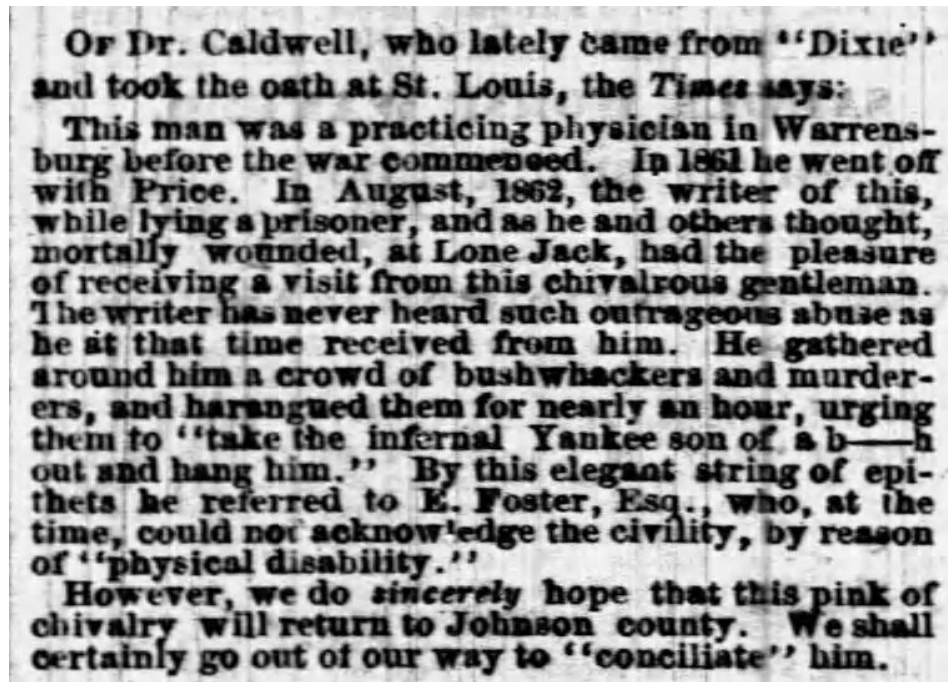
1822-1896

Pre-war nemesis of Major Emory Foster and his attempted murderer at the Battle of Lone Jack.



- Previously unknown participant in the Battle of Lone Jack.
- The attempted murderer from whom Cole Younger saved Maj. Emory Foster
- Was personally known to Foster and had been his nemesis before the war
- Arose to rank of Col before resigning due to systemic failure of the unit under his command
- Was later named Medical Director of General Price's staff
- Relocated to Waco, TX after the war where he became a prominent physician and head of the state's first medical board
- Described by Gen. Sidney Jackman as "*one of the bravest men I ever knew.*"

While the story of Cole Younger's heroic rescue of Major Emory Foster at the Battle of Lone Jack is well documented through Foster's assistance in securing Younger's release from prison, until now the identity of the assailant was known only as an unnamed "bushwacker", assumed to be one of Quantrill's men. However, recent research has discovered that as the former Confederates were taking their Union oaths in St. Louis in 1865, Emory Foster sent a letter to the St. Louis Times publicly naming and threatening his would-be assassin. This piece was picked up and republished on August 8, 1865 by the St. Louis Globe Democrat as follows:



Of Dr. Caldwell, who lately came from "Dixie" and took the oath at St. Louis, the Times says:

This man was a practicing physician in Warrensburg before the war commenced. In 1861 he went off with Price. In August, 1862, the writer of this, while lying a prisoner, and as he and others thought, mortally wounded, at Lone Jack, had the pleasure of receiving a visit from this chivalrous gentleman. The writer has never heard such outrageous abuse as he at that time received from him. He gathered around him a crowd of bushwhackers and murderers, and harangued them for nearly an hour, urging them to "take the infernal Yankee son of a b—h out and hang him." By this elegant string of epithets he referred to E. Foster, Esq., who, at the time, could not acknowledge the civility, by reason of "physical disability."

However, we do sincerely hope that this pink of chivalry will return to Johnson county. We shall certainly go out of our way to "conciliate" him.

The "Dr. Caldwell" mentioned in this piece is Dr. Josiah Hatcher Caldwell who was previously not known to have been present at the Battle of Lone Jack. Caldwell was born on September 30, 1822 in Green County, KY and married Mariah Anderson in Cerulean Springs, KY in 1847. After receiving his doctorate from the University of Louisville Medical School in 1849, he moved to Warrensburg where he became a practicing physician, professor, and member of the Board of Directors for the women's college until the outbreak of the Civil War. In 1861 he enlisted as a surgeon in the Confederate Army, eventually achieving and subsequently losing the rank of Colonel during the war. After taking his oath to the Union at St. Louis, Caldwell heeded Foster's threat not to return to Johnson County and moved to Waco, TX where he became a prominent physician and the creator of the first state medical board of Texas.

According to Foster, it was during Caldwell's pre-war practice of medicine in Johnson County that the two men first met and became bitter enemies. The details of this feud are murky, but both were living nearby each other in Warrensburg at the time. Both also had deep ties to the local education system (Foster's father was a teacher and principal, Caldwell was on the Board of Directors for the local schools.) It is possible that documentation of the cause of their personal animosity can be found in Johnson County, MO court cases and/or the un-digitized news archives held at the Mary Miller Smiser Library, but further research of the two men's previous bitter history has, unfortunately, been hampered by COVID-19 related closures. Post-pandemic,

the Lone Jack Historical Society has recently resumed ongoing research into the matter. However, what we do know is that in his 1898 letter to Judge George M. Bennett of Minneapolis on Younger's behalf, Foster says of his attacker:

“The first man who entered my room was a guerrilla, followed by a dozen or more men who seemed to obey him. He was personally known to me and had been my enemy from before the war. He said he and his men had just shot a lieutenant of a Cass County company whom they found wounded and that he would shoot me and my brother.”

When Dr. Caldwell enlisted as a surgeon on June 20, 1861 his initial rank was Lieutenant in Co G, 3rd Reg't Infantry, 8th Division (his service records mistakenly list his name as “J.H. Coldwell”.) He held this position until October 23, 1861 and at some point in early 1862 was appointed to the CSA Medical Examiners Board. It is unclear exactly what unit and rank he fought under while at Lone Jack. However, he was present together with many other members of Co G, 3rd Reg't Infantry, 8th Division who are confirmed to have fought at Lone Jack on August 31, 1862 when Jackman's 7th Missouri Regiment (later the 16th) mustered into service in Arkansas. In less than a month and before the organization of the regiment was complete, Sidney Jackman resigned as Col, requesting Lt Col. Caldwell be named as his replacement. Caldwell was officially appointed to Colonel on December 4, 1862. This unit became known as “Caldwell's Brigade” and was significantly comprised of men who had enlisted under Col Cyrus Franklin's 2nd Northeast Missouri Cavalry Regiment, which had sprang out of Co G, 3rd Regiment and had recruited during late July and early August 1862 alongside Col Joseph Porter in an attempt to reorganize into the 7th Missouri Regiment. The regiment recruiting lasted only a few weeks before being forcibly dispersed by Union forces. Due to how short-lived the regiment was, no rosters and little documentation of it exist. However, it appears that Caldwell was most likely an officer participating in regrouping this failed attempt at raising a regiment and subsequently led the remainder of these men to Lone Jack and then following the Battle of Lone Jack, down to Arkansas to be reorganized under him as the new 7th Missouri Regiment.

A particularly interesting point in Foster's letter to the St. Louis Times, is how he mentions that Caldwell had gathered a group of Confederates and had “*harangued them for nearly an hour, urging them to “take the infernal Yankee son of a b---h out and hang him.”* One would naturally assume that if he had argued for nearly an hour, there must have been someone on the Confederate side with whom he was heatedly arguing against. This is supported by two recently discovered accounts; one in an exchange between Pvt James Roberts and Col J. Vard Cockrell and another by Cole Younger himself.

The Roberts exchange appeared in the Abeline Semi-Weekly Farm Reporter on April 18, 1908. In it Roberts says to Cockrell:

“I recall that just prior to this battle Foster had with his own hands burned the house that was over the head of your wife and children. At a time like that, it is reasonable to suppose that you would have no love for the man. But when in the midst of the battle you saw Foster fall wounded and intervened for his life when many were clamoring for his blood, I say it showed plainer than words can ascribe, your noble and magnanimous spirit and forgiving disposition.”

In his following reply, Cockrell then goes on to confirm Roberts' account by saying he recalls the incidents as Roberts has related.

The other of these supporting accounts was in an interview with Cole Younger published in the Abeline Semi-Weekly Farm Reporter, Nov 7, 1907. In it Younger recounts:

"Foster was the son of Colonel Cockrell's preacher and they were friends before the war. A messenger brought the news to Colonel Cockrell that Foster was wounded at the close and the Confederate commander went to the Federal hospital. Foster told him that some of the Confederates would kill him and with others I was put on duty to guard him by Colonel Cockrell."

Even more interesting is an 1876 exchange of open letters in the papers between Jo Shelby and Emory Foster which reference Foster's treatment as a prisoner of the Confederacy. Shelby took umbrage with Foster's loud public denunciations of a pardon for Jefferson Davis. In it Shelby makes veiled references to Foster's treatment at Lone Jack by saying,

"I am aware you have been unkindly treated by certain Confederates. Had it been in our power it would have been averted. As a journalist, can you not bear with things that emanate from a few, and render your aid to restore good feeling? ... Please remember, also, that you were once our prisoner. None deserved better treatment than you, and you alone can speak of that accorded to you."

So it seems the discrepancy between Foster publicly identifying Caldwell, a Colonel in the Confederacy, and then decades later merely referring to him as "guerrilla" "who seemed to be obeyed" by more than a dozen men, is likely due to politics and the passage of time. In the Reconstruction era, such an accusation against an officer of the Confederacy who went on to become a prestigious and esteemed member of society, would have ripped open healing wounds across the country and would not have helped Foster's goal of freeing Cole Younger. In order not to re-inflate decades old bygones by publicly rehashing his buried feud with Caldwell in the national papers, it seems more than reasonable to believe that Foster later slightly reframed the nature of the attacker's stature to hide his identity while focusing on Younger's chivalry. It is plainly clear, however, that the incident in which he publicly called out and threatened Dr. Caldwell over in 1865, is the same incident he spoke of in his letters on behalf of Cole Younger in 1898.

Additionally, General Sidney Drake Jackman also mentions Caldwell in his account of Lone Jack published in the November 14, 1885 edition of The Missouri Republican. In Jackman's retelling, Caldwell is first mentioned as joining in Jackman's group at some point, unknown to Jackman, between leaving Lone Jack on the 17th and reaching the Osage River at Taberville on the morning of the 19th. In it he describes Caldwell as "one of the bravest and best men I ever knew" and speaks of his gratitude to Caldwell for assuming steadfast command while Jackman was succumbing to exhaustion and the troops began displaying "insanity from the fatigue and hunger." It is uncertain whether Jackman personally knew Caldwell before this moment, as he was unable to clearly identify him before the point in which Caldwell temporarily

relieved Jackman of command duties. However, this moment of acting as a savior to a collapsing Jackman, impressed upon him so much that Jackman stepped down as Col and appointed Caldwell to his position less than a month later.

Another revealing account of Dr. Caldwell's presence within the troops while leaving Lone Jack was written by Confederate Peter D. Lane in *Recollections of a Volunteer: A Memoir of the Civil War*. In it he describes how within days after Jackman resigned, the men now acting under Caldwell's direct orders, hanged a man named Clark from Iowa on mere suspicion of spying. This is further indicative of Caldwell's tendency to act outside the established boundaries of the rules of war and more in line with "no quarter" guerrilla tactics. It reinforces multiple statements made by Foster and others about Caldwell's actions, character, and volatile temper such as; directly after the battle at Lone Jack he "shot a lieutenant from a Cass County Company whom (he) found wounded", that he "was clamoring for blood" of the wounded Fosters, and that while Foster was near death in a field hospital, Caldwell demanded they "take the infernal Yankee son of a bitch out and hang him."

Following Caldwell's appointment to Col, his regiment consistently suffered heavy casualties and losses. On December 24, 1863, Caldwell submitted his letter of resignation as Col of Caldwell's Brigade, indicating that he felt he would be of better service as a surgeon due to lack of military leadership training and his inability to effectively lead a regiment. He was then appointed Medical Director of General Sterling Price's staff. Immediately after the war he moved to Waco, TX where he created the first state medical board. It was during this time that he got into an altercation with a prominent lawyer named G. J. Buck in 1875 over a bill Caldwell owed Buck. On April 7, 1875, the Ohio County News reported the following details regarding the incident:

"The Doctor used threatening words, and Mr. Buck hurled a paper weight at him. About the same instant the Doctor struck with his stick. After some scuffling Doctor Caldwell clinched Buck by the throat, immediately Mr. B drew his pistol and fired, missing. After falling on the floor, the Doctor still maintaining his hold of the other's throat, Buck fired again, inflicting a bad looking wound in the temple of his antagonist. This ended the fight... The physicians examined the wound of Doctor Caldwell, the ball was found to range downward, and its course to have passed near the large blood vessels of the neck. The ball was not found. There is no danger except secondary hemorrhage."

During his final years in Texas he attended several reunions and meetings of officers of the 16th Missouri Regiment. In 1881 in Dallas, Col. Josiah Caldwell, along with many of his fellow veterans of the Battle of Lone Jack including; Col Vard Cockrell, Gen Sidney Jackman, Capt Levin Lewis, Capt Pleasant Cummins, & Capt John Stemmons, created "The Association of Ex-Confederate Missourians Residing in Texas." The mission of this organization was declared as "*the perpetuation of the memories of our dead comrades, collecting and preserving the history of the scenes through which we passed during the war, and an annual reunion of its members.*"

Dr. Caldwell died on September 26, 1898. His former home that he built in Waco is now a historic museum owned by Historic Waco Foundation and is currently known as “The McCullough House” due to its later purchase by merchant, Champe Carter McCullough.

Obituary:

Dr. Josiah H. Caldwell was born in Green County, Ky., Sept. 30, 1822; and died at Waco, Texas, Sept., 29, 1896. He took his degree from the Louisville Medical College; practiced several years in Christian County, Ky.; removed to Missouri, and was at the beginning of the Civil War a resident of Warrensburg. He espoused the Southern cause, raised a regiment, and became part of General Price's army. He afterwards became Medical Director on General Price's staff. At the close of the war he located at Waco, Texas, where he has since successfully practiced his profession. He was held in very high esteem by the whole community. His loss will be keenly felt by the poor, whose calls always met as ready responses as those of people able to pay. He was a member of the Christian church for more than fifty years. *Source: New Gospel Advocate, November 19, 1896, page 747.*

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