

THE CONFEDERATE NAVAL HISTORICAL SOCIETY NEWSLETTER

Issue Number Eleven -- October 1992

Navy Wins *Alabama* Bell Case In Higher Court

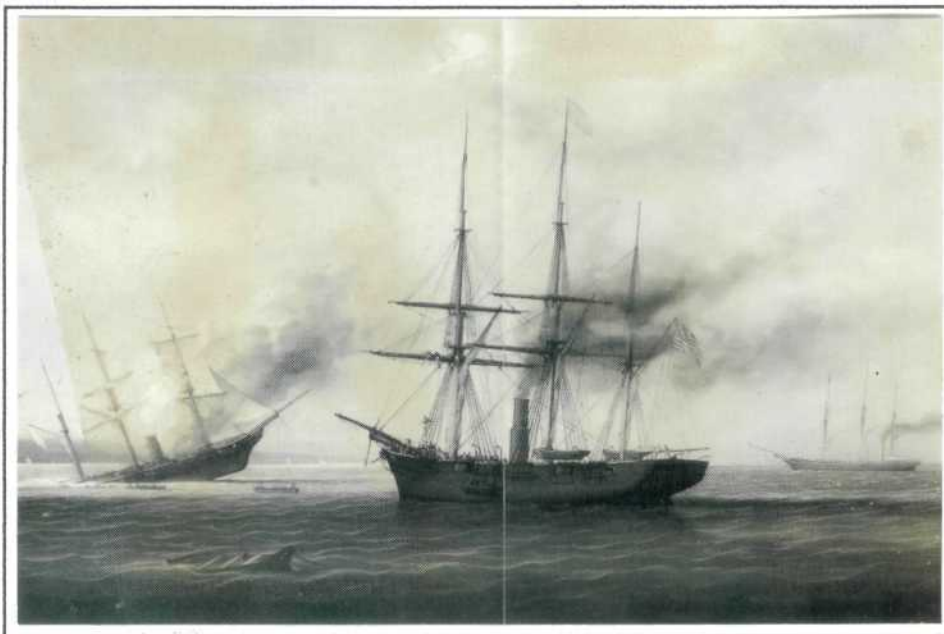
Another round in the legal battle for the alleged bell of the *CSS Alabama* has been won by the U.S. Navy, this time in the 3rd Circuit U.S. Court of Appeals in Philadelphia. The August decision is the second to go against New Jersey relics dealer Richard Steinmetz, who bought the bell from an antiques dealer in Hastings, England, allegedly for about \$14,000.

In reaffirming the Navy's claim of ownership to this and by extension all other Union and Confederate naval wrecks and their artifacts, the court decision paraphrased British poet John Donne: "Our function is to decide law and thus decide for whom the *Alabama's* bell tolls after 128 years. It tolls for the United States."

The 55-year-old Steinmetz fumed at the decision. "The government has been very arbitrary and unkind, like a child that stole something. Somewhere down the road there has got to be justice in America. This isn't a Third World banana republic," he told the Bergen, New Jersey *Record*. "The Navy is greedy, and they figured they could get something for nothing," complained Steinmetz's lawyer, Peter Hess.

The court decision kindly explained, however, that Steinmetz could get his money back by act of Congress if he could get the support of his local congressman.

Considering our report last issue that the bell is definitely a fake to begin with, good luck, Dick...



Alabama and her bell are still on the bottom, despite court rulings (illustration by Louis Dodd from *The Confederate Raiders*, see p. 2)

FT. FISHER VARIANCE DENIED IN CAROLINA POLITICAL SNAFU

In a decision feared by those looking to protect Fort Fisher from destruction by beach erosion, the North Carolina Coastal Resources Commission in August denied a variance to permit construction of a protective seawall re-vestment. The narrow vote of 7-6 reflected not a decision to abandon the historic fort to inevitable destruction by the elements but a political attempt to use the fort's plight to force a loosening of strict environmental rules preventing alteration and development of the coastline.

North Carolina's environmental rules do not allow any alteration of the coastline except in the most ex-

traordinary circumstances, thus hindering many commercial development projects that require environmental interference with the natural evolution of the coastline.

If these rule were loosened, it would greatly enhance prospects of commercial projects along the shore, and it is apparently these interests, as represented by the political appointees of the Commission, which have overridden what everyone has agreed is the essential and immediate need to preserve the irreplaceable historic monument.

Meanwhile, the waves continue to break, and one hurricane is all that it will take to entirely eradicate the Confederacy's largest fort.

Editorial:

States' Wrongs

The recent decision by the North Carolina Coastal Resources Commission not to grant a variance in order to allow a protective seawall for Fort Fisher is another triumph of the greedy, short-term thinking that has plagued this country for the last decade or so and is, unfortunately, living proof that the policy of allowing states exclusively to handle nationally important issues within their borders is flawed.

The vote was a tragic-comedy of switched sides and special interests. Many of the commissioners who had openly supported the preservation of the fort voted against it, avowedly only enforcing the strict rules they had to work with. In fact, however, they were trying to subvert them by holding Fort Fisher unnecessary hostage to the rules, for which there are specific exceptions allowed in just this kind of case. They would like to see the whole rule book loosened up so wealthy developers can make some more bucks tinkering with the shoreline environment.

Ironically, commissioner Dan Besse, a staunch environmentalist and foe of seawalls and other types of revetments, voted in favor of the variance, rather than risk having the rules rewritten to the detriment of the environment.

Mr. Besse will propose another special exception ordinance to be considered at the state level to solve the problem, but it is doubtful that it can be accomplished as hoped and certain that it cannot be achieved before at least another year has elapsed and with it the increasing chance of the next hurricane eradicating Fort Fisher.

Should this prove impractical, North Carolina Congressman Charlie Rose has proposed taking the issue to Congress and pushing through a Federal takeover of the

entire project, removing any further authority over the site on the part of North Carolina.

Although we favor settling local issues locally, this is not just a local issue, and Fort Fisher is not a local but a national historic treasure and resource. It is not within the rights of local developers to risk destroying a national resource to make a few extra bucks for themselves. If this sounds like the problem behind the S&L scandal, it most certainly is. It has too long been a policy of this national government to let private and local enterprise pursue any irresponsible policies of short-term self-interest they so desire and have the public at large suffer and pay for it in the long run. What we are witnessing here is simply another example of a terribly flawed political philosophy which has so thoroughly put America behind the eight ball already. Let's have no more of it.

We would like to see the Federal government move immediately to take over the project before it is too late. It is clear that Governor James G. Martin and his appointees, despite their cries to the contrary, do not have in mind the interests of the fort or of the people who will cherish it, preserve it, and learn from it in generations to come. Their political games are deliberately designed to thwart the will of their own citizens, who support Fort Fisher, and the interests of the nation as a whole. They are selling our future down the river, and they should be stopped.

Most parents know that when a child misuses a toy, you take it away until he or she learns how to behave properly. We regret to have to suggest, despite our respect for states' rights, that Fort Fisher is one toy that the government of North Carolina should no longer be allowed to play with.

— John Townley

Review:

Confederate Raiders Book Replete With 17 Color Illustrations

The Confederate Raiders, by Thomas J. Coughlin, assisted by Lt. Sean Coughlin, USMC, Illustrated by Louis Dodd. American Merchant Marine Museum Foundation, 1991, \$65.

With all there is out about individual raiders and the recent wrap on them reviewed earlier, you would think there is nothing left to say. Not so. Here is a lavish picture book with seventeen big, fold-out color illustrations of the exploits of the most famous raiders, done in a rather dark, stylized manner that suggests the period more than modern recreations generally do. A real coffee-table piece. We have reproduced two (in black and white, sorry), one on the cover and one on page seven to induce you to buy it, as it's worth its cover price of \$65.

What makes it perhaps most worth having is its wonderful, quirky text, not seen anywhere else on this subject. Coughlin has a unique view of life that is very conservative Yankee, but quite perceptive at times. More than that, it is obviously and unashamedly personal opinion. Rather than rehash what's been written before, he looks into the corners — the participants' biographies, technical details of the ships, possible motivations for action.

He rates the *Alabama's* chief engineer as being more important to the ship than Semmes (as only an engineer could — what if he had been a cook?), and compliments Collins for taking the *Florida* at neutral Bahia, except that "his only mistake was not sinking the Florida on the way home to the United States." And, presumably, disposing of the witnesses. But Coughlin also shows little patience with the Union Navy when it didn't do what seemed obvious to him, and in many cases he is probably correct. All in all, a very modern view of the first supposedly modern war before anybody had it really together to do it the modern way. Lots of engineering details, a brusque, new, personal approach.

National Park Service Helps Save Mobile Bay Battle Sites

In September, the National Park Service of the Department of the Interior announced that it had signed cooperative agreements for three projects to help preserve the site of the Battle of Mobile Bay, Alabama. These agreements will provide a large amount of funds for naval battlefield preservation. They are a welcome addition to the preservation efforts of those interested in northern and southern navies in the Civil War.

The cooperative agreements are part of the National Park Service's American Battlefield Protection Program (ABPP). The ABPP is a partnership-based initiative begun by Secretary of the Interior Manuel Lujan, Jr., in July 1990. The program has targeted twenty-five sites in fifteen states for immediate attention. These priority sites are both highly significant and imminently threatened. Several of the priority sites have naval components: Fort Morgan, AL; Port Hudson, LA; Fort Fisher, NC; and Richmond, VA.

In 1992, the ABPP's budget included funding for technical assistance, earthworks rehabilitation, and archeological site stabilization. Those funds were made

available to battlefield preservation organizations working to protect one of the twenty-five priority sites. The cooperative agreements for Fiscal Year 1992 totaled almost \$300,000 for groups working to protect these sites. It is expected that similar assistance funding will be available in Fiscal Year 1993.

The ABPP entered into a cooperative agreement for \$19,312 with East Carolina University (ECU). The University's Program in Maritime History and Underwater Archaeology will conduct underwater archaeological work on three shipwrecks near Fort Morgan. ECU will undertake the project with the U.S. Navy, the Alabama Historical Commission, Fort Morgan State Park, and several local historical and archaeological organizations.

The ABPP also entered into a cooperative agreement with the Alabama Historical Commission. The agreement includes two projects which total \$5,500. The first is a conference which will bring together preservation professionals from a number of Federal, state and local preservation agencies and groups to discuss preservation options and planning for the Civil War shipwrecks in Mobile Bay. The second is an archaeological survey using ground-penetrating radar to locate the remains of trenches and siegeworks near Fort Morgan.

Secretary Lujan has mounted this ambitious preservation planning effort to save Civil War battlefields. The plan calls for cooperative efforts between national, state and local governments and private preservation efforts. Congress responded to his initiative by passing the Civil War Sites Study Act of 1990. The Act mandated a study of all sites and structures associated with the Civil War which would be overseen by the Civil

War Sites Advisory Commission and staffed by the National Park Service. The Commission is legislated for two years, with the draft study to be completed in early 1993. The Commission staff surveyed more than 300 sites of armed conflict. The study will report on the integrity of sites and threats to their preservation. It will also recommend preservation alternatives and solutions.

The private sector likewise responded to the Secretary's American Battlefield Preservation Program. Mr. J. Roderick Heller, a board member of the National Trust for Historic Preservation, instigated the Civil War Trust (formerly the American Battlefield Protection Foundation and the Civil War Foundation). This not-for-profit group is trying to raise \$200 million to protect Civil War battlefields. The Civil War Trust recently received a guarantee of reaching at least part of its goal when Congress passed the Civil War Commemorative Coin Bill. Similar to the Statue of Liberty coin, these Civil War coins will be minted as legal tender and sold. The expected revenue is \$20 million.

Cooperative efforts have been successful in saving a number of important battlefield sites and offer the most promise for such work in the future. The funding given to the Alabama Historical Commission and the East Carolina University emphasizes cooperative efforts between government agencies and preservation organizations. For further information on the American Battlefield Protection Program, contact the National Park Service at American Battlefield Protection Program, Interagency Resources Division (413), P.O. Box 37127, Washington, D.C. 20013-7127; 202-343-9549. The Civil War Sites Advisory Commission may be contacted at the above address or by telephone at 202-343-3936. The Civil War Trust is located at 1225 I Street #400, NW; Washington, D.C. 20005; 202-326-8420.

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MOBILE BAY SITE SURVEY REVEALS LOOTING, NEGLECT

This is the second of three CNHS survey reports.

By **Kevin J. Foster**

The Battle of Mobile Bay was one of the largest naval engagements of the Civil War. It was also one of the handful of naval battles studied among over three hundred sites considered by the Civil War Sites Advisory Commission. The CNHS is proud to have been a partner in the study of the Mobile Bay battle "field" to determine what remains of the site and the threats to its continued existence.

I spent five days visiting all surviving Civil War sites around Mobile Bay with CNHS member Jack Friend of Mobile. For a number of years Mr. Friend has dedicated much of his time and efforts to studying and preserving the remnants of the battle.

Mobile, in addition to being one of the great cities of the South, was also the most active Confederate port on the coast of the Gulf of Mexico. Blockade runners brought in supplies for many of the military and civilian needs of the Army of Tennessee and the western theater. Cotton and naval stores (turpentine, pitch, and pine tar) exported from Mobile paid for the needed supplies, as well as the ships to carry them.

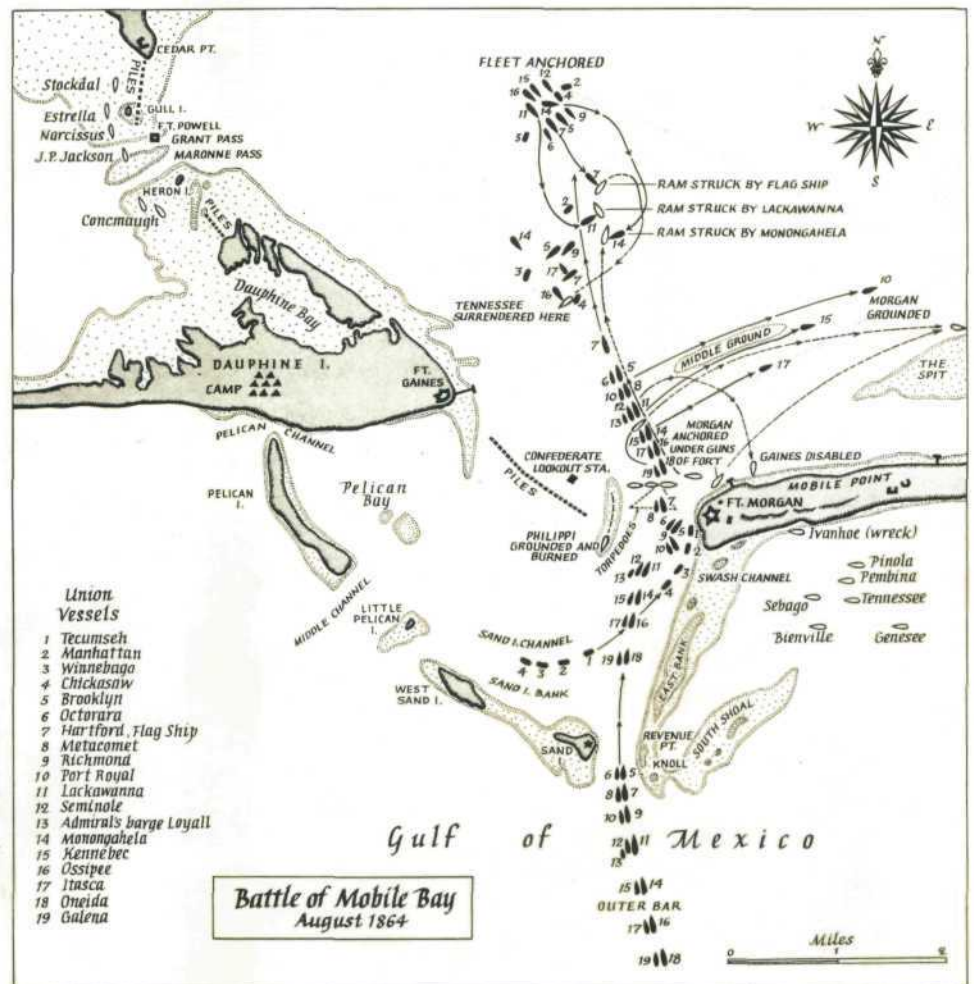
Blockade runners were able to enter Mobile Bay through four channels leading through two openings into the Bay. The deepest channel was protected by Fort Morgan, a powerful masonry and sand fort perched on the eastern edge of the entrance parallel to the shore. The

eastern channel ran into the main channel just outside the Bay from Fort Morgan. The very shallow western channel, usable only by small vessels, passed in to the west side of the Bay off a second sand and masonry defensive work, Fort Gaines. About four miles of water separated Fort Gaines from Fort Morgan. Pilings obstructed all but select parts of the main and western channels. A minefield protected the main channel leaving only a very narrow passage near the fort for deep draft vessels to pass safely.

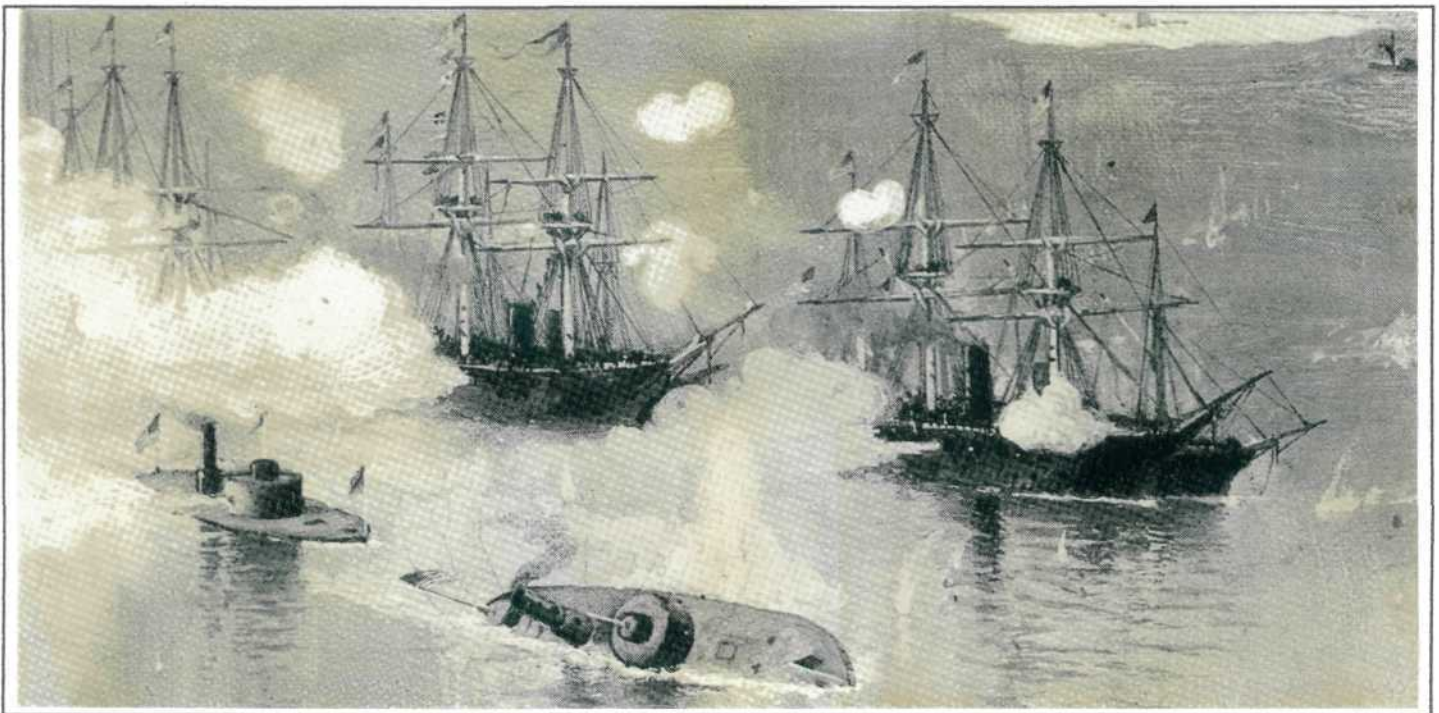
The fourth entrance to the bay

through Grant's Pass (named for a lighthouse keeper - not the Union General) was protected by a small sand and piling work called Fort Powell. The fort guarded piling obstructions and a minefield that narrowed the usable portion of the channel. Grant's Pass led from Mobile Bay into Mississippi Sound, a waterway passing behind coastal barrier islands and ultimately connecting to the Mississippi River.

In addition to the fixed military defenses, Mobile Bay was protected by a fleet of steam gunboats and ironclads. Admiral Franklin Bucha-



Ship movements during Battle of Mobile Bay.



U.S.S. Tecumseh founders on mine in a Mobile Bay attack (from an 1886 painting by J. O. Davidson)

nan, the first admiral of the Confederate States Navy, commanded these naval forces. He had commanded Confederate naval forces in the Battle of Hampton Roads, aboard the CSS Virginia, where he was wounded on the first day of the battle. Buchanan was chosen for the Mobile command because of his experience and demonstrated knowledge of fleet tactics. His flagship was the new ironclad Tennessee. The flagship and the gunboats Selma, Morgan and Gaines patrolled the lower Bay. Two more ironclads, the Huntsville and the Tuscaloosa, guarded the upper reaches of the Bay.

The commander of the Federal forces ordered to capture Mobile Bay was Admiral David Glasgow Farragut, the first admiral of the United States Navy. He was probably the north's greatest naval leader of the war. He had led US forces in the passing of Forts St. Philip and Jackson on the Mississippi, which forced the capitulation of New Orleans: the naval actions that followed on the great Western Rivers system split the Confedera-

cy in two.

Admiral Farragut planned a bold fleet movement, steaming his heaviest ships past the deadly batteries of Fort Morgan and into Mobile Bay - over the minefield known to be guarding the channel. He assembled his forces outside Mobile until he had fourteen heavy frigates and sloops and four ironclad monitors, the minimum he considered feasible for his plan. All light vessels and transports were left anchored outside the bay, until the heavy warships could make it safe to pass.

The heavy wooden steam vessels were lashed together in pairs so that if the machinery of one was damaged the other would carry them both into the bay. All unnecessary spars and gear were removed from the ships and all spare anchor chain was hung over the sides of the ships exposed to the fire of the fort.

Early on the morning of August 5, 1864, the powerful Federal fleet entered the channel leading past Fort Morgan. All ships fired as rapidly as possible to suppress the fire of the Confederate gunners. The four monitors steamed close to Fort

Morgan to shield the main battle-line. The lead monitor, USS Tecumseh, hit a Confederate mine (or torpedo, as they were then called) and sank quickly before the eyes of the entire Union and Confederate fleets. A great cheer rose up from the southern forces and the leading pair of ships in the Federal line backed their engines. Admiral Farragut prevented a rout when he gave the now famous order "Damn the torpedoes, full speed ahead." The Union battle fleet entered the Bay to engage the Confederate fleet waiting inside.

As the Federal fleet had moved into the Bay, one light Union gunboat, the wooden sidewheeler *Phillippi*, observed the successful passage of the main fleet into Mobile bay. Her captain was perhaps impatient to be into the Bay and also possibly jealous of the glory being earned by the officers on the larger ships. Although the rest of the fleet was well out of range of Fort Morgan, he ordered the little *Phillippi* to follow the path taken by her larger fleetmates. Fort Morgan was able to bring every gun to

bear on the hapless little craft and she was sunk before coming close enough to even fire back.

CSS Tennessee, and the wooden gunboats *CSS Morgan*, *Selma* and *Gaines*, met the approaching Union fleet from behind the minefield, forcing Farragut to turn his lightly armed bows toward the southern broadsides. The Federal fleet advanced into the Bay, undeterred by the raking fire of the rebel flotilla. Once clear of the heavy fire of Fort Morgan, the Union ships unlashd from one another and concentrated on the rebel ships. *CSS Gaines* engaged several Yankee vessels before receiving damage that forced her to retreat to the protection of Fort Morgan and run aground to prevent sinking. *Selma* retreated up the Bay where she was captured. *Morgan* engaged in a running gunfight with one of the swifter Federal vessels and then retreated to near Fort Morgan. She escaped up the Bay that night. *Tennessee* was left to fight alone.

As the most powerful Confederate vessel, the *Tennessee* received the main attention of Farragut's fleet. The powerful ironclad used her six Brooke rifles to good effect and was the center of attention for some time. When observing the loss of his other vessels, Buchanan broke off action and moved under the protection of Fort Morgan's guns. The Federal vessels began to anchor within the bay, tending to their wounded and repairing damages.

After about a half hour to repair damages, Buchanan ordered *Tennessee* against the Union fleet single-handed. This attack stands high among the glorious deeds of the Confederate Navy although it resulted in the loss of its most powerful vessel. *Tennessee*, repeatedly attempted to ram Union vessels and poured cannon fire into any that came near. After her rudder chain and smoke stack were shot away, *Tennessee*, beset by most of the Union fleet, was rammed and pounded by artillery until immobile. The heavy 15-inch shot from the monitors finally began to break

through the ironclad's armor; Buchanan was forced to surrender to save useless slaughter of his men.

The destruction of Admiral Buchanan's fleet proved the undoing of the forts as well. Amphibious forces and heavy artillery landed on Dauphin Island, forcing the capitulation of Forts Gaines and Powell. Their loss allowed all forces to be concentrated on capturing Fort Morgan, which was cut off from all supply when Federal forces landed on the peninsula. Brigadier General Richard L. Page, its commander, continued to fight until the fort had been so pounded by artillery that he had "no means of defense" remaining. He surrendered August 23, 1864.

The loss of the forts and Buchanan's fleet did not cause the immediate surrender of Mobile at the head of the bay. That would take an assault by an army force moving overland. The only way to the city by water led a tortuous path through several rivers protected by obstructions, fortifications, and mine fields.

In an attempt to follow up the success in the lower Bay, Farragut sent light draft vessels to the upper Bay to chart a path through the dangerous waters. Where mines could be located they were to be cleared. The attempt proved to be a failure: six more Union vessels, including the monitors *Milwaukee* and *Osage* were sunk by mines in the Bay and Blakely River. Union forces laid siege to Spanish Fort on March 17, and took it on April 8. Fort Blakely fell on April 9. With the river-front forts taken, and the minefields cleared, the city fell to the Federals on April 12th.

Today the Battle of Mobile Bay and the battles surrounding Spanish Fort and Fort Blakely, which protected the water approaches to Mobile, are remembered by many residents of the area. Forts Morgan, Gaines and Blakely are state and local historical sites and reen-

actments at each battlefield draw huge crowds. Unfortunately, interest in Civil War sites extends to looters; every land site that we visited had been recently looted. Holes dug by looters using metal detectors were concentrated on state lands where such activity is prohibited. The state lands under the water just offshore from several sites have been looted by divers.

Four days were spent surveying in the field in each area to allow time for consulting with local experts, visiting local libraries and historical societies, searching for all suspected sites, and writing up notes. The field work was followed up by several days of map and report preparation for presentation to the Commission. Here follows a brief description of the condition of the sites we visited:

There were no visible holes on the lands of Fort Morgan state park but we observed scattered holes paralleling a line of Union entrenchments just outside of the park. State employees report that artifacts probably removed from the fort have occasionally shown up in other places. Two artifact shows and a prominent Civil War artifact collecting magazine have also displayed artifacts identified as dug from Fort Morgan in the last three years. Residents and state employees reported having attempted to stop looting by divers in waters just off the fort.

We observed several weathered holes in park areas around Fort Gaines as well as several outside the park boundaries. Residents and park employees report seeing divers hunting for artifacts just off shore on underwater state lands.

Fort Powell — This sand and log fort built atop pilings is visible today only during extremely low tides when some remains of the pilings are visible. Residents reported that recent extensive salvage efforts had recovered huge amounts of material from the area

of the fort. Objects recovered included artifacts as large as heavy artillery pieces. So many were recovered by the looters that they reportedly offered one heavy artillery tube to a local historical site as a gift.

USS Tecumseh — The Tecumseh wreck site has long been the target of legitimate and illegitimate salvage attempts. The Smithsonian Institution undertook an excavation in the 1960s that was cut short by a disagreement with the salvage contractor. Ownership was uncertain for a time leading to jurisdictional disputes between the navy, the state and the Smithsonian. On one occasion confusion over jurisdiction between the state and the Coast Guard led to a refusal to stop divers from visiting the site without authorization. This may have been the cause of the openings reported in the hull by a recent private diving expedition.

USS Philippi — The exact location of *Philippi* is unknown to most local divers and the site has thus been protected from looting by any unscrupulous individuals among them.

CSS Gaines — The wreck of the *Gaines* lies just offshore from Fort Morgan. We heard that divers had visited the site without permission but were not known to have recovered any artifacts.

The battlefields and shipwrecks mentioned above are all protected from looting by the Archaeological Resources Protection Act (ARPA). ARPA is particularly noteworthy because it includes provision for the confiscation of vehicles and equipment used in the commission of the crime. This confiscation provision has led to government seizure of a number of pickup trucks and four-wheel-drive vehicles as well as at least one dive boat.

Kevin Foster is Director of the Department of Interior's National Maritime Initiative and founding vice-president of CNHS.

Letters:

Shenandoah Cannon Ball In Doubt, More Stuff And Where It Is, Ukranian Inquiry...



CSS Shenandoah attacking the Northern Pacific whaling fleet, from *The Confederate Raiders*, see review on page 2

Our mention of the “alleged” (we have to say now) cannon ball from the *CSS Shenandoah* brought in several letters to CNHS and the Confederate Research Center decrying the artifact’s probable legitimacy. They are too lengthy to print here, but they center on the existence of an a cannon on Churchill Island, Westernport Bay, to the Southeast of Melbourne. It was a six-pounder said to have been presented to a Councilor Samuel Amess in 1865 in thanks for his assistance to the ship’s crew. It was claimed that he was mayor of Melbourne at the time and that he later bought Churchill Island and moved the cannon there. The American Civil War Round Table of Australia researched the claims and found many discrepancies, among them:

1. Amess was not Mayor of Melbourne until well after the War. Others gave more prominent help and did not receive gifts.

2. Because the press covered the ship’s visit heavily and because of the neutrality laws, it would have been unlikely to give or accept such a gift of munitions.

3. The ship was never armed with a six-pounder, nor did she capture any. She was short on guns and would not likely have given one away under any condition.

4. The gun in question was an iron smoothbore of an unusual caliber, similar to a six-pounder, not conforming to any known European or American pattern or markings, and its carriage is homemade, not like any known military design.

5. There is no documentary evidence in the family concerning the origin of the gun.

As the gun had been something of a tourist attraction, a government scholar was set to the task of proving its legitimacy, but his evidence turned out to be less than convincing to other local histori-

ans. Apparently quite a number of supposed pieces of wood from the ship, cannonballs, and other artifacts have turned up and been sold, given away, and otherwise disseminated with no documentation whatsoever, so it is entirely possible that the cannonball in question is one of these. It was a gift of Tony Dunlap to the Confederate Research Center, which has written to the donor for more detailed information but as of the moment has not gotten any.

More when it materializes...

From John S. Sims, of the Andersonville Guild, Andersonville, Georgia:

You requested information about "Where The Stuff Is." At the Andersonville Welcome Center Museum, we have as one of

our relics on display the stroker from the gun-running schooner *Scottish Chief* which lies in the ocean near Tampa, Florida. Our museum focuses primarily on Wirz and Camp Sumter, but this is one of our miscellaneous relics, as is a Britten shot for three-inch cannon (made in England) salvaged from the blockade runner *Georgianna*.

Dear CNHS,

For the last two years I have attempted to find data about a steamer, named *Mazeppa*, built in Cincinnati during the Civil War. It was burned and sunk by Confederate troops of General Forrest near Ft. Henry on its maiden voyage. I believe it is near the Ft. Donaldson National Park area.

Being of Ukranian origin, I hope to publish the findings about

this ship, which I believe was named for the famous 18th century Ukranian Hetman Ivan Mazeppa. He was defeated with Charles XII of Sweden by Peter the Great of Russia at the Battle of Poltava in 1709. As a result many poems, symphonies, etc. were written about him in the 1810-1860 period.

Any details about its building, construction, officers, sketches, and the like would be greatly appreciated.

— Lt. Col. Stephen P. Hallick, Jr.
POB 5351
Norman, OK 73070

Keep that "Where The Stuff Is" stuff coming in! In coming issues we will have some notes on John Taylor Wood artifacts in Nova Scotia and a picture of *Alabama* surgeon Llewellyn's memorial chapel in England, and more...

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