

Angry Englishman in a Yankee Prison

John Tovell's 1863 letter from the State Penitentiary

The following remarkable letter appears in the records of the U.S. Provost Marshal in charge of civilian affairs in Nashville after Federal troops occupied the city during the Civil War. It is remarkable for several reasons. First, the writer graphically describes the conditions under which political prisoners were being kept, housed in the State Penitentiary building. Secondly, the writer's excellent command of the language and his clever allusions and not-so-veiled insults make for entertaining reading despite the subject matter.

Rec. at Hdqs. U.S. Forces

February 2, 1863

State Prison, Feby 2nd, 1863

To Brig. Gen. R.B. Mitchell

Commanding

Honored Sir,

I have been confined in this prison now just three months and during that period have suffered intensely from the hardships to which I have been subjected. After every rain the walls and flooring of my room are saturated with water and exhale a cold unhealthy vapour for many days afterwards. Several panes of glass in the windows are broken "and the cold winter winds often whistle in there." The filth in every part of the building is not only excessive but absolutely revolting. Decaying vegetable and animal matter profusely scattered over every hall and passage constantly emit a noxious odor indicating an atmosphere heavily charged with poisonous gases greatly endangering the health of those who are compelled to inspire it.

At night every inch of the floor – I speak now of my own room – is covered with men destitute of so much as a wisp of straw to shield them from contact with hard cold boards, vainly striving under such conditions and in an atmosphere more resembling that of the Black Hole of Calcutta than of a dormitory sufficiently ventilated for the purposes of healthy respirations, to court "balmy sleep" and restore the exhausted energies of "tired nature." So execrable are the arrangements for enabling the prisoners to meet the calls of nature that despite the prohibitions of the guard in charge of the prison every morning in making my way to the ground floor I have to wend my path through heaps of human dung and feel myself fortunate when I succeed in avoiding contact with it.

The quality of my rations corresponds with the other arrangements for my comfort. And as if the object of the authorities was simply to gratify an unworthy sentiment of revenge or spite my family are strictly forbidden, on pain of I know not what penalties, to furnish me with provisions of a wholesome or agreeable character.

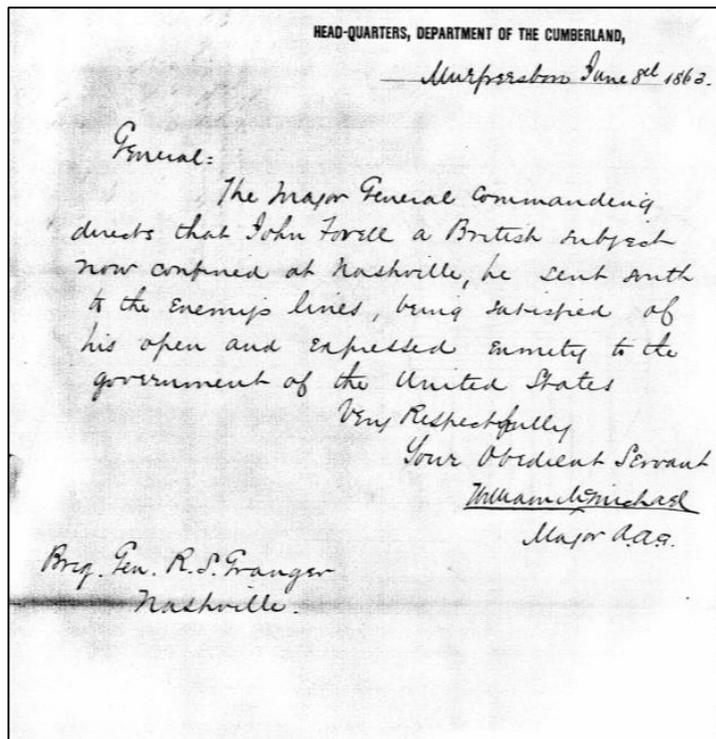
My objective however in addressing this communication to you is not so much to remonstrate against this harsh treatment as to ask you to furnish me with a statement of the charges which have subjected me to the endurance of these indignities. Should I in preferring this request be deemed to have violated any of the conventional properties which in this country regulate the intercourse between the governed classes and their rulers, permit me to plead in extenuation of my fault that I am an Englishman and a British

subject; and accordingly from my earliest years have been familiarized with practices and indoctrinated with maxims so foreign to that spirit of passive obedience and unquestioning acquiescence in the acts of their superiors which constitute so marked a feature of the American character, that it would not be surprising should I discover a kind of constitutional inaptitude for perceiving the justness and equity of a proceeding which to Americans may appear as natural and matter-of-course as an auto-da-fe' to a Spaniard or a banquet of human flesh to the discriminating taste of a Fee Gee Islander.

In view therefore of the natural disadvantages under which I labour, I trust I may be permitted to cherish the hope that if you do not grant my request I shall at least not incur your displeasure by preferring it.

I am Honored Sir
Your Obedient Servant
Jno. Tovell

On the outside of the letter a clerk summarized it tersely:
"Requests a statement of charges against him."



Tovell definitely got results from his letter. The following document next appears in the file.

Headquarters, Department of the Cumberland
Murpersboro [sic], June 8th, 1863

General:

The Major General commanding directs that John Tovell a British subject now confined at Nashville, be sent south to the Enemy's lines, being satisfied of his open and expressed enmity to the government of the United States.

Very Respectfully

Your Obedient Servant

William M. Michael

Major A.A.C.

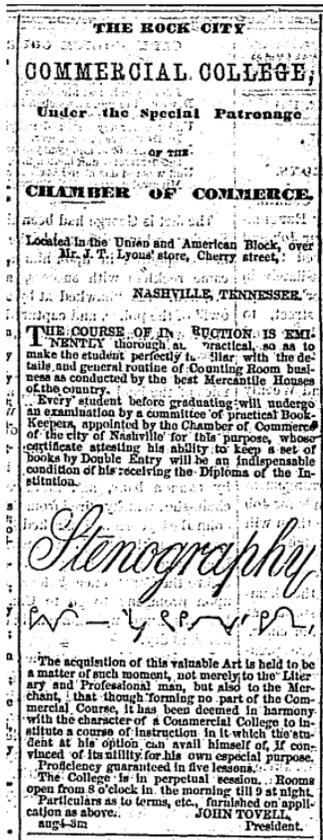
Brig. Gen. R.S. Granger
Nashville

Major General W.S. Rousseau

Reading all this leaves one with questions – such as: who was John Tovell, obviously an educated man, and why was he in Nashville during the Civil War? And also, what crime did Tovell commit that brought down the wrath of the Union Army on him?

Information about Tovell prior to 1863 has been elusive. One problem is that his name is so easily misread as Lovell, Towell, and other variants that although it may appear in the 1860 census or in passenger and immigration lists, it is not indexed as Tovell.

We can verify that Tovell remained in Nashville, as he appears in the Nashville City Directory of 1866, listed as Rev. John Tovell living on Maury Street.¹ No occupation is given, and he does not appear as a pastor in the list of churches. The following year the Directory lists John Tovell as principal of the Commercial College in the Union and American block of buildings. He resided on Carroll Street. Also listed in the directory is Miss T. Augusta Tovell, a teacher at Howard School. As Augusta is boarding on Carroll Street, and these are the only two Tovells in Nashville, it is reasonable to assume they are father and daughter.²



Republican Banner (Nashville)
Oct. 30, 1866

Tovell’s Rock City Commercial College began with high expectations, even receiving the endorsement of the Chamber of Commerce, as shown by this editorial:

The Rock City Commercial College

We congratulate the citizens of Nashville on the inauguration of this Institution, and we especially commend the wisdom and discretion of the Chamber of Commerce in according to it their sanction and approval. Prof. Tovell is no mere adventurer or pretender, but is well known as a gentleman of sound acquirements and indefatigable industry. Our young men and clerks general can have no better guarantee for obtaining a thorough and complete equipment in everything essential to make a good accountant and accomplished book-keeper, than the ‘Rock City Commercial College’ supplies. Every candidate for graduation will have to receive a certificate from a committee of practical book-keepers, appointed by the first business men of the city. . . . We auger for Prof. Tovell and his enterprise no stinted measure of success. (*Republican Banner*, Aug. 4, 1866)

Ads for the school appeared in the Nashville newspaper for three months following this endorsement, but ceased by the end of October. Nothing further has been found; evidently the editor’s augury was flawed. Considering the disruption caused by the Civil War and the Union occupation of Nashville, and the general poverty of the South in those years, it was not a propitious time to begin a school.

Failing to establish his school in Nashville, Tovell promptly moved to Memphis and tried again. By the winter of 1867 he was advertising night classes the DeSoto Commercial College.³ Again, references to this college are few, and it appears to have suffered the fate of its Nashville cousin.

The whereabouts of Tovell for the next several years are unknown. Memphis city directory of 1870 lists him as John “Torell” of an unnamed Commercial College, residing on Vance Street.⁴ If he is listed in the 1870 census the entry must be buried by flawed spelling or indexing. He remained in Memphis through 1874, listed in the directory but without any occupation.

By 1879 Tovell was in Texas, working as the Houston correspondent of the *Texas Baptist*. Rev. O.C. Pope, who was for a time pastor of the Central Baptist Church in Nashville, also went to Houston. Pope had been hired as the editor of the *Texas Baptist Herald*, a newspaper evidently in competition with the one Tovell worked for.

¹ King’s Nashville City Directory . . . January, 1866 (Nashville: E. Doug King, 1866).

² King’s Nashville City Directory (Nashville, 1867), p.106.

³ *Public Ledger* (Memphis), 07 Dec. 1867.

⁴ Edwards’ Annual Directory . . . City of Memphis for 1871 (Memphis: Southern Publishing Co., [1871]).

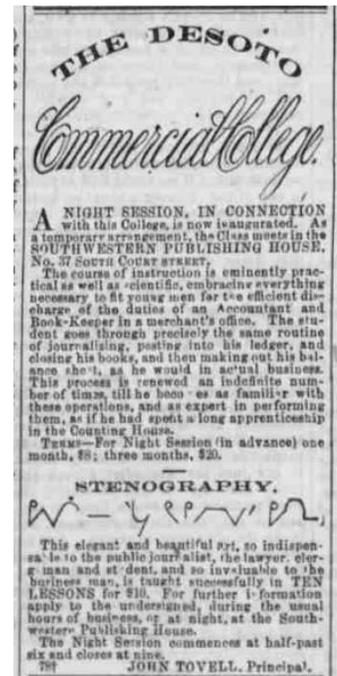
Pope wrote a lengthy article which was excerpted in Nashville by the *Daily American*, informing Tennessee readers about a most unpleasant Texas feud in which Tovell was involved.⁵

To make a long story short, Tovell was upset with J. B. Link, editor of the competing publication. Link left for Ft. Worth, and Pope came to take his place. Tovell transferred his animus to Pope, and even published a defamatory pamphlet against Pope, his publication, and the First Baptist Church of Houston (which threw Tovell out). Among the comments Pope made in his own defense was this one: "Mr Tovel [*sic*] is well known to be a man of exceedingly bitter and vindictive feelings. . . ."

Connecting Tovell to Houston in 1879 gave new hope of finding him in the census. A search of Harris County (Houston) for every male named John who was born in England bore fruit. The following entry was located⁶

John Tovell is listed as John "Toody" age 64, and his occupation is "at Leisure." He is the father-in-law of Edwin Marston, whose wife is Caroline. All of these adults were born in England. One would not be sure this was the right man, except that a grandson named Tovell Marston is in the household with him. One wonders if the little boy was called Toody, and the census taker mistook that for his grandfather's surname.

Augusta Tovell, the daughter who was listed with John Tovell in the 1867 Nashville directory, went on to have quite a career as a teacher and lecturer. She was teaching at a public school in Memphis by 1874.⁷ Tennessee newspapers carried several mentions of Miss Tovell delivering addresses at teachers' meetings in the following years. In the summer of 1879 she was the lone woman amid a group traveling with State Education Superintendent Trousdale to a meeting in Fayetteville.⁸ Another reference from the same year identifies her as a teacher at Leah Institute in Memphis.⁹ By 1890 she had moved to St. Louis, where her life came to a sudden and tragic end.



HORRIBLE ACCIDENT TO A SCHOOL-TEACHER

St. Louis, Mo. Dec. 6. – Miss Augusta Tovell died today at the City Hospital. Her death was the result of a criminal accident due to the brutality of two men who have not yet been apprehended. A day or two since, while Miss Towell was attempting to cross the street at the corner of Grand and Delmar avenues, she was struck and knocked down by a horse attached to a light wagon, in which were two men. As soon as the accident occurred the driver whipped his horse into a wild gallop. In some way Miss Tovell's foot became entangled in the wheel of the wagon, and she was dragged . . . a distance of nine blocks. When she was found she was unconscious, and was removed to the City Hospital. She was terribly bruised and marked, and never regained consciousness. Miss Tovell came here from Memphis, Tenn., five years ago, and has since occupied a position as teacher in the Normal School. She was attractive, refined and well known.

(*Indianapolis Journal*, 8 Dec. 1890, p.3)

Augusta Tovell's death record in St. Louis provided scant information, although it showed she was born in England. This would indicate that her family came to the United States after 1849. More significantly, it

⁵ "Rev. O.C. Pope's Trouble," *Daily American* (Nashville), 25 Jan., 1879, p.4.

⁶ 1880 Census, Harris County, Houston, Texas, page 9, ed 75, dwelling 388, 279 Fannin St. Household of Edwin Marston.

⁷ Boyle & Chapman's Memphis City Directory (Memphis: Boyle & Chapman, 1874).

⁸ "Personal," *Daily American* (Nashville), 13 Aug. 1879, p.4.

⁹ "Lewisburg: The Institute of Teachers," *Daily American* (Nashville), 27 Sept. 1879, p.3.

revealed that she would be buried in Houston, Texas.¹⁰ A search of *Findagrave.com* did not find a tombstone for her in Houston, but it did record that the burial register of Glenwood Cemetery there records her burial in 1890. She was buried in the same plot with Caroline “Carrie” Tovell Marston (1850-1939). Furthermore, in the same plot were recorded burials for “Mr. Tovell” and “Mrs. Tovell”.¹¹

This find then led to the death certificate of Carrie Marston. It revealed that she was born in England, the daughter of John and Thirza Tovell, both of England.¹² This left no doubt that Carrie and Augusta were sisters, daughters of John Tovell. John Tovell of the Penitentiary letter. Evidently Tovell and his wife both died in Houston, and were buried by Carrie Marston in the family plot.

This completed, more or less, the story of John Tovell’s life after he was released from the Penitentiary and forced behind the Confederate lines. But among many questions left unanswered was why he was in trouble with Union officials in the first place.

Fortunately, *GoogleBooks* revealed an answer. One of the titles digitized by Google was a government document titled “History and Digest of the International Arbitrations to which the United States has been a Party.”¹³ The entry reads:

Arrest, Imprisonment and Detention

John Tovell, No. 446, a Baptist clergyman, was arrested at Nashville, Tenn., on the 9th November, 1862, on the charge of disloyalty to the United States, and of having in the course of a funeral oration delivered at Nashville used language strongly denunciatory of the military authorities in charge of Nashville, and tending to incite disaffection and rebellion. Nashville was a town within the insurrectionary states, captured by the United States in the spring of 1862, and held by them as a military post and under military government at the time of the claimant’s arrest. He was detained in prison till the 8th June, 1863, and then banished into the confederate lines.

The commission awarded him \$830, Mr. Commissioner Frazer dissenting.

An award of \$830 was significant in those days. Commissioner Frazer didn’t have anything against Tovell in particular, he objected to all of the awards listed on the adjoining pages as well.

The information from Tovell’s international arbitration settlement led to a further search, this time at the Library of Congress’ *Chronicling America* newspaper database. An article originally published in the *Atlanta Intelligencier* in 1863, and then reprinted in the *Southern Daily Chronicle* at Knoxville, tells the rest of the story.

A REIGN OF TERROR IN NASHVILLE¹⁴

The *Atlanta Intelligencier* contains a lengthy narrative, from the pen of Mr. J. Tovell, formerly the secular editor of the *Tennessee Baptist*, of the atrocious Federal outrages in Nashville. Mr. Tovell is a British subject, but was incarcerated in the penitentiary under the circumstances which he details as follows:

¹⁰ Augusta Tovell entry, Register of Deaths in the City of St. Louis, Dec. 1890, page 78. (Digital image on *Ancestry.com*)

¹¹ Augusta Tovell entry, Greenwood Cemetery, Houston, Texas, digital entry on *Findagrave.com*.

¹² Caroline Tovell Marston death certificate, 1939, Texas Dept. of Health, certificate #25432. (Digital image on *Ancestry.com*)

¹³ U.S. Congress, House, *History and digest of the international arbitrations to which the United States has been a party*, 53rd Congress, 2nd Session, House of Representatives Miscellaneous Document 212, page 3310.

¹⁴ Tennessee Civil War Sourcebook (<http://www.tnsos.net/TSLA/cwsourcebook/>), taken from the *Daily Southern Chronicle* (Knoxville), 28 June 1863.

“Some seven or eight weeks ago a highly respectable citizen, who, for upwards of twenty years had been a magistrate of Nashville, and whose name was John Corbitt, was awakened by the barking of a dog some time after he had retired to bed, and suspecting that somebody was on the premises, got up and went out into his stable yard, where he found three federal soldiers trying to drive off his cow and calf. He remonstrated against their theft, and one of them immediately with a huge stone struck him on the side of his head, completely smashing his skull. He survived but a few days, and was buried on Sunday, in the Cherry street Cemetery. He was seventy-three years of age, and had resided in Nashville, I believe, upwards of fifty years. Having been on terms of intimacy with the old gentleman almost ever since my residence in the city, I was requested by the family to deliver the funeral oration at his interment. The circumstances of the old man's death, and the high estimation in which he was held by his fellow citizens, brought together a large concourse of people to witness the obsequies, among whom were perhaps some fifty Federal soldiers.

“As I stated, rapine, murder and theft had been desolating our city for several weeks previously. Accordingly in the course of my address, I adverted to this phase of our social existence as being a strange anomaly in a community where extraordinary measures had been adopted professedly for the more effectual maintenance of law and order, nor was I careful to repress indignation of the crime which had been committed nor of the men who had been committed nor of the men who had perpetrated it.

“I had scarcely left the ground when I was arrested by a band of soldiers belonging to the 10th Michigan Volunteers and taken to the headquarters of the General commanding the post (Gen. Negley.) After a detention of three or four hours in the guard room, I was summoned into the presence of the General who informed me that he understood I had been abusing him and speaking disrespectfully of the military authorities. I assured him that I had neither done the one or the other. That I was persuaded that among the numerous Federal soldiers present at the funeral, there was no one in whose veracity he had any confidence, who would state I have made the most distant allusion either to him or to the military authorities. I owned that I had spoken not merely disrespectfully but in the strongest terms of detestation of the atrocities perpetrated by those in who in the garb of federal soldiers, prowl about the streets at night breaking into hen roosts stealing pigs and cow, and then knocking peaceful citizens on the head for resenting the lawless proceeding.”

The result was that he was marched off, without trial or further investigation, to the Penitentiary. He states that his case has been presented to Lord Lyons, and he expects confidently the protection and justice which Great Britain proverbially commands for her subjects.

This astonishing story is supported by the tombstone of **John C. Corbitt**, found today in the Nashville City Cemetery. He died on Nov. 8, 1862 at the age of 72, fitting the timeframe of Tovell's account.¹⁵ Interestingly, when his widow Rachel Corbitt died ten years later, her obituary stated “She was the widow of John Corbitt, who was well known in Nashville, and died in 1861 [sic] at the age of 72 years. Her funeral, *with that of her husband*, will be preached at her residence”¹⁶ Could it be that her husband's actual funeral service had been interrupted by John Tovell's speech and subsequent arrest? If his widow and children felt he had never had a proper funeral, perhaps they felt this should be remedied at the time of her death.

Although pieces are missing, this research has uncovered a good deal about the man who wrote that startling letter from the Penitentiary in 1863. Although John Tovell did not stay long in Nashville, he certainly made his mark. His courage in speaking against the depredations of Union soldiers led to a terrible and lengthy imprisonment. His failures in the education field after the war must have left him discouraged and frustrated. Did his later reputation as a spiteful and contentious man result from these unhappy experiences? One wonders – and keeps looking for more clues.

¹⁵ John Corbitt entry, Nashville City Cemetery, digital entry on *Findagrave.com*.

¹⁶ “Obituaries,” Nashville City Cemetery (http://www.thenashvillecitycemetery.org/1871.htm#corbitt_rachael).