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38th Infantry Regiment Civil War Second Scott's Life Guard

History

Mustered in: June 3, 1861
Mustered out: June 22, 1863

The following is taken from *New York in the War of the Rebellion*, 3rd ed. Frederick Phisterer. Albany: J. B. Lyon Company, 1912.

This regiment, Col. J. H. Hobart Ward, was accepted by the State May 25, 1861; organized at New York city and mustered in the United States service at East New York for two years, June 3 and 8 (Company I), 1861. The 18th Militia furnished men for one company. In September, 1861, ninety-seven men of the 4th Me. Volunteers were assigned to the regiment. December 21, 1862, the regiment was consolidated into six companies, A, B, C, D, E and F, and the same day the 55th N. Y. Volunteers, consolidated into four companies, joined by transfer, forming new Companies G, H, I and K of the regiment. June 3, 1863, the three years' men of the regiment, all in the four companies G, H, I and K, were transferred to the 40th Infantry, and became Companies A, E and H of the latter.

The original companies were recruited principally: A, B, C, D and F in New York city; E in Westchester county; G in Westchester and Dutchess counties; H at Geneva and in the county of Ontario; I at Horseheads; and K at Elizabethtown.

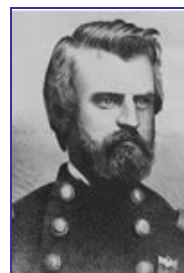
The regiment left the State June 19, 1861; served at Washington, D. C, from June 21, 1861; in 2d Brigade, 3d Division, Army of Northeastern Virginia, from July 13, 1861; in Howard's Brigade, Division of Potomac, from August 4, 1861; in Sedgwick's Brigade, Heintzelman's Division, Army of the Potomac, from October 15, 1861; in 2d, Birney's, Brigade, 3d, Hamilton's, Division, 3d Corps, Army of the Potomac, from March 3, 1862; in 2d Brigade, 1st Division, 3d Corps, Army of the Potomac, from July, 1862; and was honorably discharged and mustered out, under Col. James C. Strong, June 22, 1863, at East New York.

During its service the regiment lost by death, killed in action, 3 officers, 56 enlisted men; of wounds received in action, 1 officer, 15 enlisted men; of disease and other causes, 3 officers, 43 enlisted men; total, 7 officers, 114 enlisted men; aggregate, 121; of whom 2 officers and 4 enlisted men died in the hands of the enemy.

The following is taken from *The Union army: a history of military affairs in the loyal states, 1861-65 -- records of the regiments in the Union army -- cyclopedia of battles -- memoirs of commanders and soldiers*. Madison, WI: Federal Pub. Co., 1908. volume II.

Thirty-eighth Infantry.—Cols., J. H. Hobart Ward, James C. Strong, Regis De Trobriand; Lieut.-Cols., Addison Farnsworth, James C. Strong, James D. Potter, Robert F. Allison; Majs., James D. Potter, William H. Baird, Augustus Funk, George H. Starr, Francis Jehl. The 38th, the 2nd Scott's Life Guard, composed of seven companies from New York city, one from Geneva, one from Horseheads and one from Elizabethtown, was mustered into the U. S. service at New York city, June .3 and 8, 1861, for two years, and left the state for Washington on the 19th. It went into camp on Meridian hill until July 7, when it was ordered to Alexandria and assigned to the 2nd brigade, 3d division, Army of Northeastern Virginia, and was active at the first battle of Bull Run, where it lost 128 in killed, wounded and missing. During August and September the regiment was employed in construction work at Forts Ward and Lyons in Howard's brigade, and in October was assigned to

Sedgwick's brigade, Heintzelman's division. The winter camp was established in Oct., 1861, on the old Fairfax road and occupied until March, 1862, when, with the 2nd brigade, 3d division, 3d corps, the regiment embarked for Fortress Monroe. It participated in the siege of Yorktown; the battle of Williamsburg, where the loss of the command was 88 in killed, wounded and missing; shared in the engagement at Fair Oaks, and in the Seven Days' battles, after which it encamped at Harrison's landing until Aug. 15. From there it moved to Yorktown and Alexandria; was active at the second Bull Run and Chantilly; reached Falmouth on Nov. 25, and at Fredericksburg, lost 133 members killed, wounded and missing. On Dec. 22, 1862, the regiment received the addition of four companies of the 55th N. Y., which were added to the six companies of the 38th formed by consolidation of the regiment on Dec. 21. It participated in the "Mud March;" returned to camp near Falmouth; engaged in the Chancellorsville campaign; was then stationed at Acquia Creek until the troops started for New York on June 4 and was mustered out at New York city, on the 22nd. The three years men were transferred to the 40th N. Y. infantry, of which regiment they became Cos. A, E and H. The total strength of the regiment was 796 and it lost 75 by death from wounds and 46 from other causes.



[Battles and Casualties](#) Table from Phisterer

[Civil War Newspaper Clippings](#)

[Historical Sketch from the 3rd Annual Report of the Bureau of Military Statistics](#)



[Taking possession of the Red Redoubt](#)



[Plan of the redoubt ensilading \[sic\] the Leesburg and Fairfax turnpikes](#)

[Unit Roster](#)

Further Reading

This is meant to be a comprehensive list. If, however, you know of a resource that is not listed below, please send an email to ng.ny.nyarnq.list.historians@mail.mil with the name of the resource and where it is located. This can include photographs, letters, articles and other non-book materials. Also, if you have any materials in your possession that you would like to donate, the museum is always looking for items specific to New York's military heritage. Thank you.

Ballard, Ted. *Battle of First Bull Run*. Washington, D.C.: Center of Military History, United States Army, 2004.

Dauchy, John P. and Daniel E. Sickles. *Papers, 1862-1869*.

Year: 1862-1869

Description: 1 envelope (16 items) ; 24 x 38 cm.

Abstract: Commission, account of pay and clothing received, pass, discharge and invalid pension records of member of the 38th Regiment of New York Infantry; includes copy of farewell address to that regiment given by Major General Sickles and drafts of returns made by Captain O.A. Tilden.

Located at the Connecticut Historical Society.

Davis, Martin. 38th New York Infantry, Co. K.
Letter (November 25, 1861). 1 item.
Collection Call Number: 15814.
This letter describes troop inspection at Camp Scott, Virginia by President Lincoln and General McClellan.
Located at the New York State Library Manuscripts and Special Collections.

De Trobriand, P. Regis. *The P. Regis Detrobriand papers, 1816-1960*.
Year: 1816-1960
Description: 1 box.
Abstract: Contains the following types of materials: speech; correspondence. Contains information pertaining to the following wars and time periods: Civil War -- Eastern Theater; Indian Wars, 1865-1891; 1865-1897. Contains information pertaining to the following military units and organizations: 55th and 38th New York Infantry Regiments; 3rd Brigade, 1st Division, III Corps; defenses of New York City, Department of the East, 1st Brigade, 3rd Division, II Corps; 31st and 13th United States Infantry Regiments. General description of the collection: The P. Regis Detrobriand papers include General officer's papers: 2 speeches by Major General Charles G. Stevenson to Lafayette Camp 140, Sons of the Union Veterans of New York [1960] -- discusses 55th New York Regiment in Peninsula Campaign [1862] under command of General Detrobriand. Limited discussion of post Civil War military career.
Located at the Military History Institute in Carlisle, PA.

Hallack, John F. 38th New York Infantry, Co. A.
Letters (1862). 10 items.
Collection Call Number: 19426.
Group of letters sent to Hallack's cousins regarding the Peninsular Campaign. They include detailed descriptions of the battles at Williamsburg, Yorktown and Fair Oaks. In addition, he also wrote about the destruction and pillaging of civilian property that occurred.
Located at the New York State Library Manuscripts and Special Collections.

Johnson, Crisfield. *History of Oswego County, New York. : With illustrations and biographical sketches of some of its prominent men and pioneers. Philadelphia: L.H. Everts & co, 1877, 1991.*

Laughton, Joseph B. *Letters, 1861-1865*.
Year: 1861-1862
Description: 5 items.
Abstract: Letters describing the movements and campaigns of the Army of the Potomac, especially during the battles of Yorktown, Williamsburg, and Richmond, in 1862.
Located at Duke University.

Murphy, Charles J. *Reminiscences of the War of the rebellion and of the Mexican war, by Charles J. Murphy. New York: F. J. Ficker, 1882.*

North family. *North family papers, 1752-1943*.
Year: 1752-1943
Description: 2.4 cubic ft.
Standard No: LCCN: ms 62-3449
Abstract: Correspondence, deeds, indentures, miscellaneous pamphlets, commemorative booklets, and other papers. Includes papers (1752-1800) of Joshua Pine, Platt Townsend, Gerard Walton, and William Walton concerning land divisions at Hempstead, New York; material relating to the organization of Walton, New York, and to the first settlers there; Civil War letters written by Joshua Pine and Daniel Patrick, 38th Regiment, New York Volunteers (1861-1862); papers concerning Arthur North, lawyer, politician, explorer, lecturer, and writer (1901-1943); and genealogical notes on the North, Carter, Remson, and Pine families. Included is correspondence of or about Benjamin North, Hart North, Margaret Furman North, William B. Ogden, John Pine, and Mary Pine.
Located at Cornell University.

Owen, Frederick Wooster. *A Christmas reminiscence of Fredericksburg, by Fred Wooster Owen, First Lieutenant and Signal officer at the battle of Fredericksburg. [Morristown, N. J., 1895].*

Owen, Frederick Wooster. "The Signal service." In *War talks of Morristown veterans. Morristown, N.J., 1887.*

Post, Marie Caroline (de Trobriand). *The life and memoirs of Comte Regis de Trobriand, Major-General in the Army of the United States*, by his daughter, Marie Caroline Post (Mrs. Charles Alfred Post). New York, E. P. Dutton & co., 1910.

Shaw, Joseph and Edward Shaw. [*Joseph E. Shaw Collection.*](#)

Collection of letters, sketches and other documents relating to Joseph E. Shaw of the 38th Volunteers and his brother Edward Shaw who was a recruiter during the Civil War. Collection donated by Robert Gritman.

Strong, James Clark. *Biographical sketch of James Clark Strong, Colonel and Brigadier General brevet.* Los Gatos, CA: 1910.

Trobriand, Philippe Regis Denis de Keredern, compte de. *Four years with the Army of the Potomac*, by Regis de Trobriand. Translated by George K. Dauchy. Boston, Ticknor and co., 1889.

Watson, W.C. *Military and Civil History of the County of Essex, NY.* pp. 241-3.

Items in the museum collection are **in bold**.

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New York State Division of Military and Naval Affairs: Military History

Last modified: October 17, 2011

URL: <http://www.dmna.state.ny.us/historic/reghist/civil/infantry/38thInf/38thInfMain.htm>



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