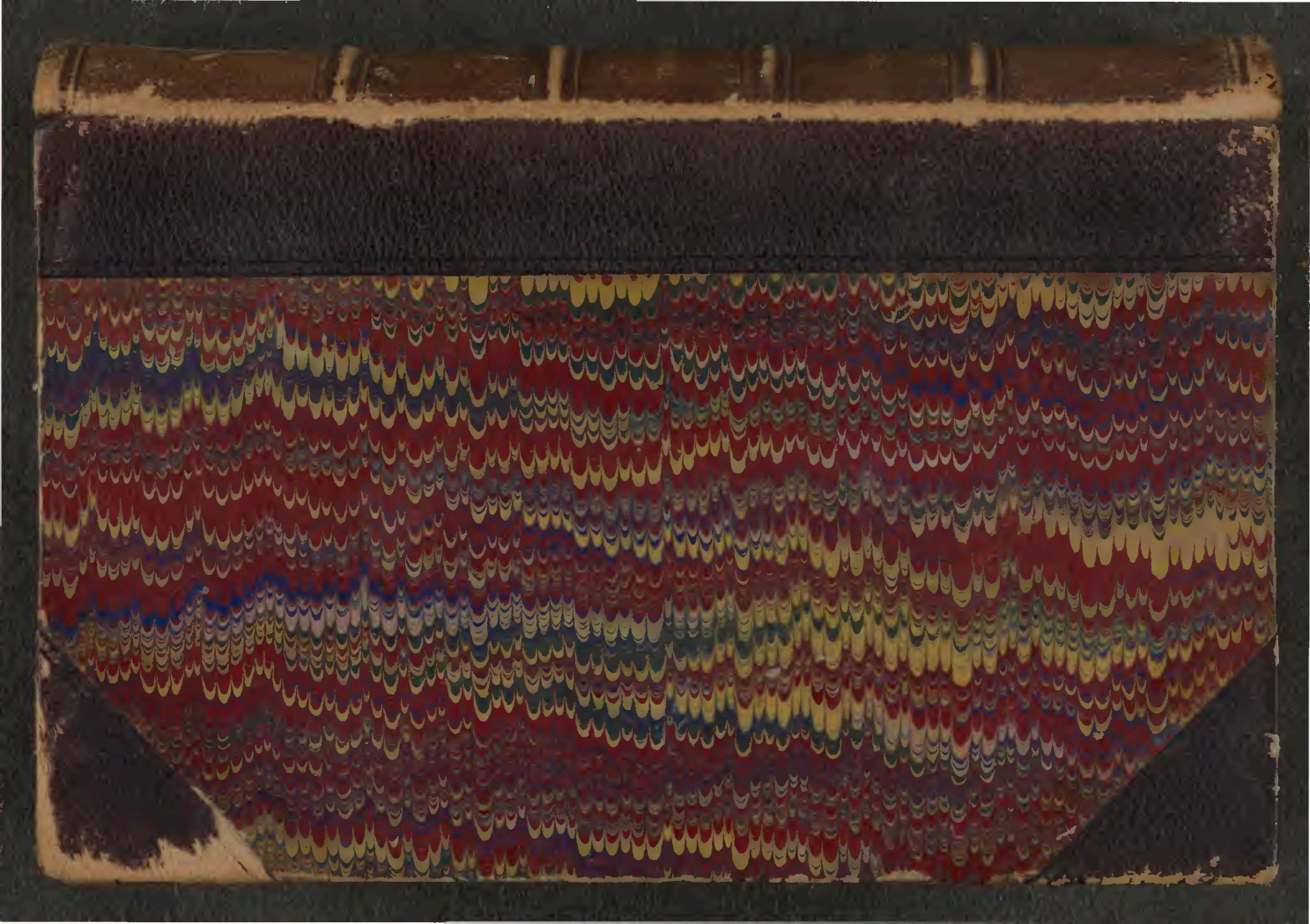

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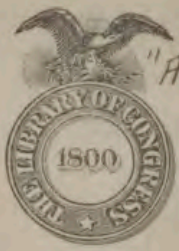

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HEADQUARTERS DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *January 11th*, 1866.

GENERAL ORDER,
No. 3.

I . . . Before the General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, current series, from these Headquarters, and of which Brigadier and Brevet Major-General W. L. ELLIOTT, United States Volunteers, is President, were arraigned and tried:

1*st*. *James Riley*, private, of Company "A," 18th United States Infantry, on the following charge and specification:

CHARGE:

"*Drunkenness on guard.*"

SPECIFICATION: "In this, that he, the said *James Riley*, private, of Company 'A,' 18th United States Infantry, having been regularly detailed as member of the guard, and posted as a sentinel, did become drunk on his post or guard, before he was regularly relieved—so much so as to be totally incapable of performing his duty. This at Fort Leavenworth, Kansas, on or about the 25th day of December, 1865."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *James*

Riley, private, Company "A," 18th United States Infantry, "to be confined, in charge of the guard, at hard labor for the period of three (3) months."

Finding and sentence confirmed. The sentence will be carried into effect, under the direction of the commanding officer, at Fort Leavenworth, Kansas.

2*d*. *Frank Smith*, private, of Company "B," 4th United States Light Artillery, on the following charge and specification:

CHARGE:

"*Desertion*."

SPECIFICATION: "In this, that he, the said *Frank Smith*, private, of Company 'B,' 4th United States Artillery, having been duly enlisted as a soldier in the service of the United States, did absent himself from and desert the said service, by leaving his camp and company in front of Petersburg, Virginia, on or about the 3d day of July, 1864, without permission from proper authority, and did remain absent therefrom until on or about the 22d day of December, 1865."

To which charge and specification the prisoner pleaded "*Not guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not Guilty*."
Of the charge, "*Not Guilty*."

And the Court does "acquit him, the said *Frank Smith*, private, Battery 'B,' 4th United States Light Artillery."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

II...Before a General Court Martial which convened at Fort Craig, New Mexico, pursuant to Special Order No. 22, current series, Headquarters Department of New Mexico, and of which Lieutenant-Colonel EDWIN A. RIGG, 1st Veteran Infantry, California Volunteers, is President, was arraigned and tried:

Jose Baldais, private, of Company "H," 1st Cavalry, California Volunteers, on the following charges and specifications:

CHARGE 1ST:

"*Murder.*"

SPECIFICATION 1ST: "In this, that he, the said *Jose Baldais*, private, of Company 'H,' 1st Cavalry, California Volunteers, did, with malice aforethought, willfully murder private Charles S. Foote, of Company 'E,' 1st Veteran Infantry, California Volunteers, at, or near the town of La Mesa. This on or about the 21st day of April, 1865."

SPECIFICATION 2D: "In this, that he, the said *Jose Baldais*, private, Company 'H,' 1st Cavalry, California Volunteers, did, with malice aforethought, willfully murder or take the life of private Charles S. Foote, Company 'E,' 1st Veteran Infantry, California Volunteers, using for the purpose some blunt instrument or gun, and did conceal the body of said Charles S. Foote by throwing or placing said body in the Rio Grande, at or near the town of La Mesa. This on or about the 21st day of April, 1865."

CHARGE 2D:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, the said *Jose Baldais*, private, of Company 'H,' 1st Cavalry, California Volunteers, did absent himself from his company from guard mount, on the 20th day of April, 1865, until 12 o'clock noon, on the 23d day of April, 1865, without proper authority. This at or near Fort Craig, New Mexico."

To which charges and specifications the prisoner pleaded as follows:

To the first specification, first charge, "*Not Guilty.*"
To the second specification, first charge, "*Not Guilty.*"
To the first charge, "*Not Guilty.*"
To the specification, second charge, "*Guilty.*"
To the second charge, "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, first charge, "*Not Guilty.*"
Of the second specification, first charge, "*Not Guilty.*"
Of the first charge, "*Not Guilty.*"
Of the specification, second charge "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Jose Baldais*, private, of Company "H," 1st Cavalry, California Volunteers, "to be confined, in charge of the guard, and forfeit to the United States ten dollars of his monthly pay, for one month."

The record in this case does not show that the Court convened pursuant to the order constituting it. A slip of paper wafered on the record has a list of "present" and "absent." This is not in conformity with paragraph 893, Army Regulations, and the list does not specify the company, regiment or organization of a single officer named.

The adjournment of August 14th was "without day." The Court then meets on the 22d August, "pursuant to order convening it, and to adjournment from Monday, the 14th inst."

Now, although a General Court Martial reduced to four members, and adjourning *sine die*, does not thereby dissolve itself, yet, in order to meet again, it must be reconvened by the proper officer. In this case there is a special order adding to the detail, but none reconvening the Court.

The reviewing officer fails to state his "decision and orders" (par. 894) at the end of the proceedings.

The proceedings are disapproved.

Jose Baldais, private, of Company "H," 1st Cavalry, California Volunteers, will be released from arrest and returned to duty.

BY COMMAND OF MAJOR-GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *January* 22, 1866.

GENERAL ORDERS,
No. 8.

I...Before a General Court Martial which convened at St. Louis, Mo., pursuant to Special Order No. 89, series of 1865, from these Headquarters, and of which Brevet Brigader-General JOHN L. BEVERIDGE, U. S. Vols., is President, were arraigned and tried:

1*st*. *John Adams*, private, of Company "H," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Larceny*."

SPECIFICATION: "In this, that he, *John Adams*, private, of Company 'H,' 3d U. S. Infantry, did feloniously steal, take, and carry away one Government blanket, of the value of $4, the property of one Adam Koch, of the same company and regiment, with intent to appropriate the same to his own use and benefit. This at Schofield Barracks, St. Louis, Mo., on or about the 1st day of January, 1866."

CHARGE 2D:

"*Desertion*."

SPECIFICATION: "In this, that he, *John Adams*, private, of Company 'H,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did absent himself from and desert the same, on or about the 1st day of January, 1866, and remained absent until on or about the 4th day of January, 1866. This at Schofield Barracks, St. Louis, Mo."

To which charges and specifications the prisoner pleaded "*Not Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty*," excepting the figures "$4," and substituting therefor the figures "$7."

Of the first charge, "*Guilty*."

Of the specification, second charge, "*Guilty*," except the figure and letters "4th," and substituting therefor the figure and letter "3d," and except the words "and desert."

Of the second charge, "*Not Guilty*," but guilty of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *John Adams*, private, of Company "H," 3d U. S. Infantry, "to be imprisoned for the period of six months, at hard labor, with the loss of one-half of his pay and allowances during said imprisonment, under the direction of the General commanding."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Missouri.

2*d*. *Edward Kennedy*, private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Larceny*."

SPECIFICATION: "In this, that he, *Edward Kennedy*, private, of Company 'H,' 3d U. S. Infantry, did feloniously steal, take, and carry away one great-coat, of the value of $12, the property of one James H. Smith, private, of Company 'H,' 3d U. S. Infantry. This at Schofield Barracks, St. Louis, Mo., on or about the 25th day of December, 1865."

To which charge and specification the prisoner pleaded "*Not Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*."

Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, *Edward Kennedy*, private, Company "H," 3d U. S. Infantry, "to be imprisoned for the period of two (2) years at hard labor, with the loss of one-half of his pay and allowances during such imprisonment, at such place as the General commanding shall direct."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Missouri.

II...Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brevet Major-General W. L. Elliott, U. S. Vols., is President, were arraigned and tried:

1*st*. *Henry Johnson*, private, of Company "F," 1st Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion*."

Specification: "In this, that he, *Henry Johnson*, private, of Company 'F,' 1st Battalion, 13th U. S. Infantry, having been duly enlisted as a soldier in the military service of the United States, did desert the same by leaving his camp and company on or about the 26th day of December, 1865, without permission from proper authority, and did remain absent therefrom until delivered up as a prisoner, on or about the 29th day of December, 1865. This at Fort Leavenworth, Kansas.

To which charge and specification the prisoner pleaded "*Not Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "desert the same by leaving," and substituting in their stead the words "absent himself from."

Of the charge, "*Not Guilty*," but guilty of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, the said *Henry Johnson*, private, Company "F," 1st Battalion, 13th U. S. Infantry, "to forfeit ten dollars ($10) of his pay."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

2*d*. *Francis M. Cornois*, private, Company "F," 1st Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Drunkenness on guard.*"

SPECIFICATION: "In this, that he, *Francis M. Cornois*, private, of Company 'F,' 1st Battalion, 13th U. S. Infantry, having been regularly detailed as a member of the guard, and properly posted as a sentinel in charge of prisoners sent out to work, did become drunk on his guard before he was regularly relieved. This at or near Fort Leavenworth, Kansas, on or about the 3d day of January, 1866."

CHARGE 2D:

"*Neglect of duty to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Francis M. Cornois*, private, of Company 'F,' 1st Battalion, 13th U. S. Infantry, having been regularly detailed as a member of the guard, and properly posted as a sentinel in charge of prisoners sent out to work, did so far neglect his duty as to allow the prisoners in his charge to get drunk, and did permit one prisoner to make his escape. This at or near Fort Leavenworth, Kansas, on or about the 3d day of January, 1866."

To which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Not Guilty.*"

Of the first charge, "*Not Guilty.*"

Of the specification, second charge, "*Guilty,*" except the words "allow the prisoners in his charge to get drunk, and did."

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Francis M. Cornois*, private, of Company "F," 13th U. S. Infantry, "to forfeit ($8) eight dollars per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

3*d*. *Michael Laddy*, private, of Company "G," 2d Regiment U. S. Cavalry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Michael Laddy*, an enlisted soldier in the service of the United States, private, of Company 'G,' 2d Regiment U. S. Cavalry, did desert the said service by leaving his camp and company at or near Hagerstown, Md., on or about the 8th day of March, 1865, without permission from proper authority, and did remain absent therefrom until delivered up as a prisoner at Fort Leavenworth, Kansas, on or about the 20th day of December, 1865."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty,*" except the words "as a prisoner."
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Michael Laddy*, private, of Company "G," 2d U. S. Cavalry, "to make good to the United States the time lost by desertion, and to forfeit ($10) ten dollars per month of his pay for three months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into execution under the direction of the commanding officer 2d U. S. Cavalry. The prisoner will be released from arrest and returned to his command.

4th. James Long, private, of Light Company "B," 4th U. S. Artillery, on the following charge and specification:

CHARGE:

"*Drunkenness on guard.*"

SPECIFICATION: "In this, that he, *James Long*, private, of Light Company 'B,' 4th U. S. Artillery, having been regularly detailed and mounted as a member of the guard, did get drunk on his guard, so much so that he was incapable of performing his duties as a sentinel. This at Fort Leavenworth, Kansas, on or about the 10th day of January, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *James Long*, private, of Light Company "B," 4th U. S. Artillery, "to be confined at hard labor in charge of the guard for the period of two months."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under direction of the commanding officer at that post.

BY COMMAND OF MAJOR-GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

St. Louis, Mo., January 24, 1866.

GENERAL ORDERS,
No. 9.

I....Before a General Court Martial which convened at St. Louis, Mo., pursuant to Special Orders No. 89, series of 1865, from these Headquarters, and of which Brevet Brigadier-General JOHN L. BEVERIDGE, U. S. Vols., is President, were arraigned and tried:

1*st*. *Thomas Mackay*, private, Company "F," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Thomas Mackay*, private, Company 'F,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 25th day of December, 1865, absent himself from and desert the said service, at St. Louis, Mo., and remain absent until on or about the 2d day of January, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "and desert."
Of the charge, "*Not guilty*," but guilty of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *Thomas Mackay*, private, Company 'F,' 3d U. S. Infantry, "to be imprisoned for

the period of two (2) months at hard labor, with the loss of one-half of his pay and allowances during said imprisonment, under the direction of the General commanding.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Missouri.

2*d*. *Eustice Wiszuski*, private, of Company ''A,'' 2d Battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

''*Desertion*.''

SPECIFICATION: ''In this, that he, *Eustice Wiszuski*, private, of company 'A,' 2d Battalion, 13th U. S. infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 29th day of November, 1865, absent himself from and desert said service, and remain absent until on or about December 23d, 1865. This at Springfield, Illinois.''

To which charge and specification the prisoner pleaded as follows:
To the specification, ''*Guilty*,'' except the words ''and desert.''
To the charge, ''*Not guilty*.''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, the Court confirms the plea of the prisoner, and finds him ''*Guilty*,'' excepting the words ''and desert.''

Of the charge, the Court confirms the plea of the prisoner, and finds him ''*Not guilty*'' of ''desertion,'' but guilty of ''absence sence without leave.''

SENTENCE:

And the Court does, therefore, sentence him, *Eustice Wiszuski*, private, company ''A,'' 2d Battalion, 13th U. S. infantry, ''to be imprisoned for the period of two (2) months, at hard labor, with the loss of one-half of his pay and allowances during said imprisonment, under the direction of the General commanding.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Missouri.

3d. Burroughs P. Williams, private of Company "E," U. S. Engineer Battalion, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Burroughs P. Williams*, private, of Company 'E,' U. S. Engineer Battalion, a duly-enlisted soldier in the service of the United States, did absent himself from and desert the same, on or about the 20th day of December, 1865, and remain absent until arrested, on or about the 22d day of December, 1865. This at Jefferson Barracks, Missouri."

CHARGE 2D:

"*Wrongfully and knowingly disposing of government property.*"

SPECIFICATION: "In this, that he, *Burroughs P. Williams*, private, of Company 'E,' U. S. Engineer Battalion, did wrongfully and knowingly sell to one Casper Hart one (1) great coat and one (1) blanket, property of the United States, furnished and to be used in the military service thereof. This at St. Louis, Missouri, on or about the 20th day of December, 1865."

CHARGE 3D:

"*Larceny.*"

SPECIFICATION: "In this, that he, *Burroughs P. Williams*, private, Company 'E,' U. S. Engineer Battalion, did felonously steal, take, and carry away one great coat, of the value of $12, the property of one Nicholas Herbert, private of same company and regiment, with intent to appropriate the same to his own use and benefit. This at Jefferson Barracks, St. Louis, Missouri, on or about the 20th day of December, 1865."

To which charges and specifications the prisoner pleaded as follows:

To the specification, first charge, "*Guilty*," except the words "and desert."

To the first charge, "*Not guilty.*"

To the specification, second charge, "*Guilty.*"

To the second charge, "*Guilty.*"

To the specification, third charge, "*Guilty.*"

To the third charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, the Court confirms the plea of the prisoner and finds him "*Guilty*," except the words "and desert."

Of the first charge the Court confirms the plea of the prisoner, and finds him "*Not guilty*," but guilty of "absence without leave."

Of the specification, second charge, the Court confirms the plea of the prisoner and finds him "*Guilty*."

Of the second charge the Court confirms the plea of the prisoner and finds him "*Guilty*."

Of the specification, third charge, the Court confirms the plea of the prisoner and finds him "*Guilty*."

Of the third charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, *Burroughs P. Williams*, private, Company "E," U. S. Engineer Battalion, "to be imprisoned two (2) years at hard labor, with the loss of one-half of his pay and allowances during said imprisonment, under the direction of the General commanding."

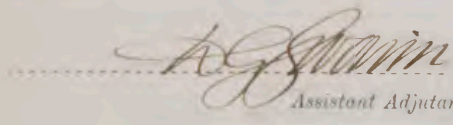
Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo.

By command of Major-General Pope.

JOS. McC. BELL,

Assistant Adjutant General.

Official:



Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

St. Louis, Mo., February 3d, 1866.

GENERAL ORDERS,
No. 13.

Before a General Court Martial which convened at St. Louis, Mo., pursuant to Special Order No. 89, series of 1865, from these Headquarters, and of which Brevet Brigadier-General JOHN L. BEVERIDGE, U. S. V., is President, were arraigned and tried:

1*st*. *James M. Hamilton*, private, Company "H," 3d United States Infantry, on the following charges and specifications:

CHARGE 1ST:—"*Absence without leave.*"

SPECIFICATION: "In this, that he, the said *James M. Hamilton*, private, of Company 'H,' 3d United States Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 5th day of January, 1866, without leave or proper authority, absent himself from his company and regiment, and remained absent until on or about January 7th, 1866. This at St. Louis, Mo."

CHARGE 2D:

"*Wrongfully and knowingly disposing of Government property.*"

SPECIFICATION: "In this, that he, the said *James M. Hamilton*, private, of Company 'H,' 3d United States Infantry, did wrongfully and knowingly sell, lose, or otherwise dispose of, one great coat, the property of the United States, furnished and to be used in the military service thereof. This at St. Louis, Mo., on or about the 7th day of January, 1866."

To which charges and specifications the prisoner pleaded as follows:

To the specification, first charge, "*Guilty.*"

To the first charge, "*Guilty.*"

To the specification and second charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, the Court confirms the plea of the prisoner, and finds him "*Guilty.*"

Of the first charge the Court confirms the plea of the prisoner, and find him "*Guilty.*"

Of the specification, second charge, "*Not guilty.*"

Of the second charge, "*Not guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *James M. Hamilton*, private, of Company "H," 3d United States Infantry, "to forfeit to the Government of the United States one (1) month's pay proper."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

2*d*. *Adolph Pinto* and *George Legros*, privates, of Company "G," 2d Battalion, 13th United States Infantry, on the following charge and specification:

CHARGE—"*Desertion*."

SPECIFICATION: "In this, that they, the said *Adolph Pinto* and *George Legros*, privates, of Company 'G,' 2d Battalion, 13th United States Infantry, duly-enlisted soldiers in the service of the United States, did, on or about the 24th day of December, 1865, absent themselves from and desert said service, and remained absent until on or about the 30th day of December, 1865. This at Jefferson Barracks, Mo."

To which charge and specification the prisoners pleaded "*Not guilty*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoners as follows:

Of the specification, "*Guilty*," except the words "and desert."

Of the charge, *Not Guilty*," but "*Guilty*" of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence them, the said *Adolph Pinto* and *George Legros*, privates, of Company "G," 2d Battalion, 13th United States Infantry, "to forfeit to the Government of the United States one (1) month's pay proper."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoners will be released from arrest and returned to duty.

3*d*. *Thomas Fogerty*, private, of Company "H," 3d United States Infantry, on the following charge and specification:

CHARGE:

"*Wrongfully and knowingly disposing of Government property*."

SPECIFICATION: "In this, that he, the said *Thomas Fogerty*, private, of Company 'H,' 3d United States Infantry, did sell, lose, or

otherwise dispose of, one great-coat, property of the United States, furnished and to be used in the military service thereof. This at St. Louis, Mo., on or about the 8th day of January, 1866.

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"

Of the charge, "*Not guilty.*"

And the Court does, therefore, "acquit him, the said *Thomas Fogerty*, private, of Company 'H,' 3d United States Infantry."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

4th. George W. Gordon, private, of Company "H," 3d United States Infantry, on the following charge and specification.

CHARGE:

"*Violation of the 38th Article of War.*"

SPECIFICATION: "In this, that he, the said *George W. Gordon*, private, of Company 'H,' 3d United States Infantry, did sell, or, through neglect, lose one great-coat and one blanket, issued to him by the Government of the United States and to be used in the service thereof. This at St. Louis, Mo., on or about the 8th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "one blanket."

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *George W. Gordon*, private, of Company "H," 3d United States Infantry, "to be imprisoned at hard labor for the period of thirty (30) days, at such place as the General commanding shall direct."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Mo.

5th. Michael Dempsey, private, of Company "C," 3d United States Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *Michael Dempsey*, private, of Company 'C,' 3d United States Infantry, did strike, beat, and otherwise bruise Francis Sullivan, First Sergeant of said company and regiment. This at Schofield Barracks, St. Louis, Mo., on or about the 30th day of December, 1865."

CHARGE 2D:

"*Wrongfully and knowingly disposing of property of the United States.*"

SPECIFICATION: "In this, that he, the said *Michael Dempsey*, private, of Company 'C,' 3d United States Infantry, did wrongfully and knowingly sell, lose, or otherwise dispose of, the following articles of clothing, viz: One (1) flannel shirt, one (1) pair drawers, one (1) pair stockings, one (1) great-coat, and one (1) blanket—property of the United States, furnished and to be used in the military service thereof. This at Schofield Barracks, St. Louis, Mo., on or about the 30th day of December, 1865."

To which charges and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Not guilty.*"

Of the first charge, "*Not guilty.*"

Of the specification, second charge, "*Not guilty.*"

Of the second charge, "*Not guilty.*"

And the Court does, therefore, "acquit him, the said *Michael Dempsey*, private, of Company 'C,' 3d United States Infantry."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General

OFFICIAL:

W. McE. Bell
Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *February* 6, 1866.

GENERAL ORDER,
No. 14.

I . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. Volunteers, is President, were arraigned and tried:

1*st*. *Matthew Green*, private, of Company "I," 2d U. S. Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION 1ST: "In this, that he, *Matthew Green*, private, of Company 'I,' 2d U. S. Cavalry, did absent himself from his Company without leave from his commanding officer, Captain Henry E. Noyes. This at or near Fort Leavenworth, Kansas, on or about the 2d day of January, 1866."

SPECIFICATION 2D: "In this, that he, *Matthew Green*, private, of Company 'I,' 2d U. S. Cavalry, did absent himself from his Company without leave from his commanding officer, Captain Henry E. Noyes. This at or near Fort Leavenworth, Kansas, on or about the 4th day of January, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Matthew Green*, private, of Company 'I,' 2d U. S. Cavalry, on being ordered to attend the morning stable-call of his Company, by his 1st Sergeant, M. O'Connell (he being then in the execution of his office), did fail to obey said order. This at or near Fort Leavenworth, Kansas, on or about the 5th day of January, 1866."

To which charges and specifications the accused pleaded as follows:

To the first specification, first charge, "*Guilty.*"
To the second specification, first charge, "*Not guilty.*"
To the first charge, "*Guilty.*"
To the specification, second charge, "*Guilty.*"
To the second charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, first charge, "*Guilty.*"
Of the second specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Matthew Green*, private, of Company "I," 2d U. S. Cavalry, "to be confined at hard labor, in charge of the guard, for the period of one month, and to forfeit ten dollars per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer of that post.

2*d*. *Orin Ingols*, private, of Company "G," 2d U. S. Cavalry, on the following charge and specification:

CHARGE:

"*Sleeping on post.*"

SPECIFICATION: "In this, that he, *Orin Ingols*, private, of Company 'G,' 2d U. S. Cavalry, having been regularly detailed as a member of the guard, and duly posted as a sentinel on stable guard, did go to sleep on his post, and so remain until awakened by the corporal of the guard. This at Fort Leavenworth, Kansas, on or about the 3d day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Orin Ingols*, private, Company "G," 2d U. S. Cavalry, "to forfeit ten dollars ($10) per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

3d. John Miller, private, of Company "I," 2d U. S. Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *John Miller*, private, of Company 'I,' 2d U. S. Cavalry, did absent himself from his Company and quarters without permission from his commanding officer, Captain Henry E. Noyes, and did remain absent from tattoo roll-call on the night of January 9, 1866, and from reveille roll-call and stable-call on the morning of January 10, 1866. This at or near Fort Leavenworth, Kansas, on or about January 9, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *John Miller*, private, of Company 'I,' 2d U. S. Cavalry, having applied to his commanding officer, Captain Henry E. Noyes, through his 1st Sergeant, M. O'Connell, for permission to be absent from tattoo roll-call on the evening of January 9, 1866, and being refused, did, after being ordered by the said 1st Sergeant M. O'Connell not to leave his Company and quarters, absent himself from tattoo roll-call. This at or near Fort Leavenworth, Kansas, on or about January 9, 1866."

To all of which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Mil-*

ler, private, of Company "I," 2d U. S. Cavalry, "to be confined at hard labor, in charge of the guard, for the period of two months, and to forfeit ten dollars ($10) per month of his pay for the same time."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer of that post.

II . . . Before a General Court Martial which convened at Saint Louis, Missouri, pursuant to Special Order No. 89, series of 1865, from these Headquarters, and of which Brevet Brigadier General JOHN L. BEVERIDGE, U. S. Vols., was President, were arraigned and tried:

1*st*. *George Stewart*, private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Wrongfully and knowingly disposing of government property.*"

SPECIFICATION: "In this, that he, *George Stewart*, private, of Company 'H,' 3d U. S. Infantry, did sell, lose, or otherwise dispose of, one great coat, the property of the United States, furnished and to be used in the military service thereof. This at St. Louis, Mo., on or about the 7th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the word "sell."
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *George Stewart*, private, of Company "H," 3d U. S. Infantry, "to be imprisoned for the period of twenty-five (25) days, at such place as the General commanding shall direct."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Mo.

2*d*. *Thomas Smith*, private, of Company "F," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Larceny.*"

SPECIFICATION: "In this, that he, *Thomas Smith*, private, of Company 'F,' 10th U. S. Infantry, did, on or about the 8th day of January, 1866, feloniously steal, take, and carry away one great coat, of the value of twelve dollars ($12), the property of one Daniel Isaacs, private, of Company 'I,' 10th U. S. Infantry. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, "acquit him, *Thomas Smith*, private, of Company 'F,' 10th U. S. Infantry."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

3d. John Dillon, private, of Company "A," 3d Battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *John Dillon*, private, of Company 'A,' 3d Battalion 13th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 25th day of December, 1865, absent himself from and desert said service, and remain absent until on or about the 29th day of December, 1865. This at Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "and desert."
Of the charge, "*Not guilty*," but "guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *John Dillon*, private,

of Company "A," 3d Battalion 13th U. S. Infantry, "to be imprisoned for the period of thirty (30) days, at such place as the General commanding shall direct."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Mo.

4th. *Winfield Sackett*, private, of Company "I," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Quitting his guard without leave or urgent necessity.*"

SPECIFICATION: "In this, that he, *Winfield Sackett*, private, of Company 'I,' 3d U. S. Infantry, having been regularly detailed and mounted for guard duty, did quit his guard without leave or urgent necessity. This at Schofield Barracks, St. Louis, Mo., on or about the 16th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Winfield Sackett*, private, of Company "I," 3d U. S. Infantry, "to forfeit one (1) month's pay proper to the Government of the United States."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

St. Louis, Mo., February 8, 1866.

GENERAL ORDERS,
No. 16.

1 . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. Vols., is President, were arraigned and tried:

1*st*. *Justin N. Ayers*, late 2d Lieutenant of Company "K," 15th Kansas Volunteer Cavalry, on the following charge and specifications:

CHARGE:

"*Misapplication and embezzlement of public property of the United States intrusted to his charge, with the intent to defraud or injure the United States, in violation of the Act of March 2d*, 1863, *chapter* 67, *section* 1."

SPECIFICATION 1ST: "In this, that he, *Justin N. Ayers*, late 2d Lieutenant of Company 'K,' 15th Kansas Volunteer Cavalry, while in command of his Company, and having proper charge of the public property appertaining thereto, did willfully and negligently misapply, embezzle, and squander, the following ordnance and ordnance stores, it being the public property of the United States, to-wit: Eight (8) carbines, nineteen (19) revolvers, four (4) cavalry sabres, fourteen (14) carbine slings, nineteen (19) bridles (curb), and five halters and straps. This at the different stations of his Company in the State of Kansas, in or about the months of January, February, March, April, May, and June, 1865."

SPECIFICATION 2D: "In this, that he, *Justin N. Ayers*, late 2d Lieutenant of Company 'K,' 15th Kansas Volunteer Cavalry, having been ordered by his commanding officer to turn over to A. J. Walker, late Captain of Company 'K,' 15th Kansas Volunteer Cavalry, all ordnance and ordnance stores appertaining to said Company for which he was accountable, did fail to properly turn over to the said Captain Walker, or otherwise properly account for, the following ordnance and

ordnance stores, it being the public property of the United States, to-wit: Eight (8) carbines, nineteen (19) revolvers, four (4) cavalry sabres, fourteen (14) carbine slings, nineteen (19) bridles (curb), and five (5) halters and straps; and intending, by the retaining of said ordnance and ordnance stores in his possession, to defraud or injure the United States, by misapplying, or appropriating to his own use or benefit, the said ordnance and ordnance stores so retained. This at or near Fort Scott, Kansas, on or about the 9th day of June, 1865."

To which charge and specifications the accused pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the first specification, "*Not guilty.*"
Of the second specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, honorably acquit him, the said *Justin N. Ayers*, late 2d Lieutenant of Company "K," 15th Kansas Volunteer Cavalry."

Finding and acquittal confirmed. The accused will be released from arrest.

2d. *James Donoughue*, private, of Battery "B," 4th U. S. Artillery, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *James Donoughue*, private, of Battery 'B,' 4th U. S. Artillery, a duly-enlisted soldier in the service of the United States, having been properly detailed at the Post Hospital, did absent himself from and desert the said service, on or about the 7th day of January, 1866, and did remain absent therefrom until about the 16th day of January, 1866. This at Fort Leavenworth, Kansas."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty,*" except the words "and desert."
Of the charge, "*Not guilty,*" but "guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, the said *James Donoughue*, private, of Battery 'B,' 4th U. S. Artillery, "to be confined at hard labor, in charge of the guard, for the period of one month, and to forfeit ten dollars ($10) per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer of that post.

3d. John Devine, private, of Company "F," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Drunkenness on guard.*"

SPECIFICATION: "In this, that he, *John Devine*, private, of Company 'F,' 13th U. S. Infantry, having been regularly detailed and mounted as a member of the post guard, did become drunk on his guard before he was regularly relieved. This at Fort Leavenworth, Kansas, on or about the 13th day of January, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Devine*, private, of Company "F," 13th U. S. Infantry, "to be confined at hard labor, in charge of the guard, for the period of thirty (30) days."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer of that post.

4th. Patrick Glynn, private, of Company "H," 1st Battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Patrick Glynn*, private, of Company 'H,' 1st Battalion 13th U. S. Infantry, having been regularly detailed, on the evening of January 10th, 1866, for guard duty on the 11th day of January, 1866, and properly notified of said detail by his 1st Sergeant, did become so much under the influence of intoxicating liquor as to be unfit to discharge his duties as a soldier, or to be placed on guard at the time specified by said detail. This at Fort Leavenworth, Kansas, on or about the 11th day of January, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Patrick Glynn*, private, of Company "H," 1st Battalion 13th U. S. Infantry, "to forfeit ten dollars ($10) per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

5th. *George Henry*, private, of Company "I," 2d U. S. Cavalry, on the following charge and specifications:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, *George Henry*, private, of Company 'I,' 2d U. S. Cavalry, having been regularly detailed and placed on duty as a member of the mounted patrol, and having a prisoner placed in his charge at Leavenworth City, Kansas, with orders to take said prisoner to Fort Leavenworth, Kansas, did fail to obey said order. This at or near Fort Leavenworth, Kansas, on or about the 16th day of December, 1865."

SPECIFICATION 2D: "In this, that he, *George Henry*, private, of Company 'I,' 2d U. S. Cavalry, having been regularly detailed and placed on duty as a member of the mounted patrol, did absent himself from his patrol and his Company without

leave, and remain absent until the following morning, when he returned without either horse or horse equipments. This at or near Fort Leavenworth, Kansas, on or about the 16th day of December, 1865.''

To which charge and specifications the prisoner pleaded as follows:

To the first specification, ''*Guilty.*''
To the second specification, ''*Guilty.*''
To the charge, ''*Not guilty.*''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, ''*Guilty.*''
Of the second specification, ''*Guilty.*''
Of the charge, ''*Guilty.*''

SENTENCE:

And the Court does, therefore, sentence him, the said *George Henry*, private, of Company ''I,'' 2d U. S. Cavalry, ''to be confined at hard labor, in charge of the guard, for the period of two (2) months, and to forfeit ten dollars ($10) per month of his pay for the same time.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer of that post.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *February* 9, 1866.

GENERAL ORDERS,
No. 17.

I . . . Before a General Court Martial which convened at Saint Louis, Missouri, pursuant to Special Order No. 89, series of 1865, from these Headquarters, and of which Brevet Brigadier General JOHN L. BEVERIDGE, U. S. Vols., is President, were arraigned and tried:

1*st*. *John E. O'Brien*, private, of Company "K," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Quitting his guard without leave or urgent necessity.*"

SPECIFICATION: "In this, that he, *John E. O'Brien*, private, of Company 'K,' 3d U. S. Infantry, having been regularly detailed and mounted for guard duty, did quit his guard without leave or urgent necessity. This at Schofield Barracks, St. Louis, Mo., on or about the 16th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, *John E. O'Brien*, private, of Company "K," 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

2*d*. *Thomas McCullough*, private, of Company "A," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Offering violence to his superior officer.*"

SPECIFICATION: "In this, that he, *Thomas McCullough*, private, of Company 'A,' 10th U. S. Infantry, did strike, beat, and otherwise offer violence to, Lieut. William Walker, V. R. C., his superior officer, then and there in the execution of his office. This near the U. S. Magazine, Jefferson Barracks, Mo., on or about the 4th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Thomas McCullough*, private, of Company "A," 10th U. S. Infantry, "to be imprisoned at hard labor for the period of one (1) year, with the loss of all pay and allowances during said imprisonment, under the direction of the commanding General."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo.

3*d*. *James McCoy* and *James White*, privates, of Company "A," and *Daniel F. Murphy*, private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that they, *James McCoy* and *James White*, privates, of Company 'A,' and *Daniel F. Murphy*, private, of Company 'H,' 3d U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of one Jacob Steiner, did carelessly and negligently permit him to make his escape. This at St. Louis, Mo., on or about the 2d day of January, 1866."

To which charge and specification the prisoners pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoners as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit them, *James McCoy* and *James White*, privates, of Company 'A,' and *Daniel F. Murphy*, private, of Company 'H,' 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoners will be released from arrest and returned to duty.

4*th*. *Bernard Rourke*, private, Company 'A,' 3d U S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Bernard Rourke*, private, of Company 'A,' 3d U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of one Wm. Manning, private, of Company 'A,' 3d U. S. Infantry, a prisoner, did carelessly and negligently permit him to make his escape. This at St. Louis, Mo., on or about the 17th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, *Bernard Rourke*, private, of Company "A," 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

5*th*. *DeWitt Lindsey*, unassigned recruit, of 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Assault and Battery.*"

SPECIFICATION: "In this, that he, *DeWitt Lindsey*, an unassigned recruit, of 3d U. S. Infantry, did, on or about the 6th day

of January, 1866, without just cause or provocation, attack and brutally beat one John Furgerson, private, of Company 'K,' 3d U. S. Infantry, by striking him on the head with a stone. This at St. Louis, Mo.''

To which charge and specification the prisoner pleaded '*Not guilty*.''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Guilty*.''

Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, *DeWitt Lindsey*, unassigned recruit, of 3d U. S. Infantry, ''to be imprisoned for the period of two (2) months, at hard labor, with the loss of all pay and allowances during such imprisonment, under the direction of the General commanding.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, in St. Louis, Mo.

II . . . Before a General Court Martial which convened at Fort Craig, N. M., pursuant to Special Order No. 11, series of 1865, Headquarters District of New Mexico, Assistant Adjutant General's office, Santa Fe, N. M., November 16, 1865, and of which Colonel FRANCISCO P. ABREU, 1st Infantry N. M. Volunteers, is President, was arraigned and tried:

Jose Chacon, private, of Company ''C,'' 1st Infantry New Mexican Volunteers, on the following charge and specification:

CHARGE:

''*Murder*.''

SPECIFICATION: ''In this, that he, *Jose Chacon*, private, of Company 'C,' 1st Infantry New Mexican Volunteers, on or about the 25th day of October, 1865, at or near Fort Craig, in the Territory of New Mexico, then and there being, did feloniously, willfully, and with malice aforethought, discharge a certain fire-arm, then and there loaded and charged with gunpowder and bullets, which fire-arm the said *Jose Chacon* in his hand then and there held at, against, and upon one D. C. Applegate, a private in Company 'E,' 1st Veteran Infantry California Volunteers, thereby inflicting upon the

body of the aforesaid Applegate a mortal wound, in consequence of which said mortal wound, murderously inflicted by the aforesaid *Chacon*, the aforesaid Applegate thereafter died."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Jose Chacon*, private, of Company "C," 1st Infantry N. M. Volunteers.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *February 14th*, 1866.

GENERAL ORDERS,
No. 18.

I... Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. Volunteers, is President, were arraigned and tried:

1*st*. *William L. Fulcher*, private, of Company "C," 13th Missouri Volunteer Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *William L. Fulcher*, an enlisted soldier in the service of the United States, private, of Company 'C,' 13th Missouri Volunteer Cavalry, did desert the said service of the United States on or about the 1st day of January, 1866, and did remain absent therefrom until delivered up as a prisoner, on or about the 6th day of January, 1866. This at Fort Leavenworth, Kansas."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, *William L. Fulcher*, an enlisted soldier in the service of the United States, private, of Company 'C,' 13th Missouri Volunteer Cavalry, in company with one Albert Godfrey, an enlisted soldier, private, of Company 'E,' 4th U. S. Volunteer Infantry, did feloniously take and carry away from the office of Major Ellis, Additional Paymaster U. S. A., one iron safe containing money, to-wit: twenty-three thousand four hundred and sixty-eight and thirty-three one-hundredths dollars ($23,-468 31), with the intent to convert and appropriate the said money to their own use and benefit. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

SPECIFICATION 2D: "In this, that he, *William L. Fulcher*, an enlisted soldier in the service of the United States, private, of Company 'C,' 13th Missouri Volunteer Cavalry, in company with one Albert Godfrey, a private soldier, of Company 'E,' 4th U. S. Volunteer Infantry, did feloniously take and carry away from the office of Major Ellis, Additional Paymaster U. S. A., with the intent to convert and appropriate the same to their own use and benefit, one Colt's revolving rifle, the public property of the United States, and one Remington revolving pistol, the private property of Major Bowen, Additional Paymaster U. S. A. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

SPECIFICATION 3D: "In this, that he, *William L. Fulcher*, an enlisted soldier in the service of the United States, private, of Company 'C,' 13th Missouri Volunteer Cavalry, in company with one Albert Godfrey, a private soldier, of Company 'E,' 4th U. S. Volunteer Infantry, did feloniously take and carry away from the office of Major Ellis, Additional Paymaster U. S. A., with the intent to convert and appropriate the same to their own use and benefit, two pairs of trowsers, one coat, and one vest, they being the private property of Haman Kemper, Paymaster's clerk. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

To which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the first specification, second charge, "*Guilty.*"
Of the second specification, second charge, "*Guilty.*"
Of the third specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *William L. Fulcher*, private, of Company "C," 13th Missouri Volunteer Cavalry, "to be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due; and to be confined at hard labor, in such penitentiary as the General commanding the Department may direct, for the period of ten years."

Finding and sentence confirmed. *William L. Fulcher*, private, of Company "C," 13th Missouri Volunteer Cavalry, is hereby dishonorably discharged the service of the United States. The

stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Missouri. The commanding officer at Fort Leavenworth, Kansas, will cause the within-named prisoner, *William L. Fulcher*, private, of Company "C," 13th Missouri Volunteer Cavalry, to be taken to Jefferson City, Missouri, and there turned over to the Warden of the State Penitentiary, who will be furnished at the same time with a copy of this Order.

2*d*. *Albert Godfrey*, private, of Company "E," 4th U. S. Volunteer Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Albert Godfrey*, private, an enlisted soldier in the service of the United States, of Company 'E,' 4th U. S. Volunteer Infantry, did desert the said service of the United States on or about the 1st day of January, 1866, and did remain absent therefrom until delivered up as a prisoner, on or about the 6th day of January, 1866. This at Fort Leavenworth, Kansas."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, *Albert Godfrey*, private, an enlisted soldier in the service of the United States, of Company 'E,' 4th U. S. Volunteer Infantry, in company with one William L. Fulcher, a private soldier, of Company 'C,' 13th Missouri Volunteer Cavalry, did feloniously take and carry away from the office of Major Ellis, Additional Paymaster U. S. A., one iron safe containing money, to-wit: twenty-three thousand four hundred and sixty-eight and thirty-one one-hundredths dollars ($23,468 31), with the intent to convert and appropriate the said money to their own use and benefit. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

SPECIFICATION 2D: "In this, that he, *Albert Godfrey*, private, an enlisted soldier in the service of the United States, of Company 'E,' 4th U. S. Volunteer Infantry, in company with one William L. Fulcher, a private soldier, of Company 'C,' 13th Missouri Volunteer Cavalry, did feloniously take and carry away, with the intent to convert and appropriate the same to their own use and benefit, one Colt's revolving rifle, the public property of the United States, and one Remington revolving pistol, the private property of Major Bowen, Additional Paymaster U. S. A. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

SPECIFICATION 3D: "In this, that he, *Albert Godfrey*, private, an enlisted soldier in the service of the United States, of Company 'E,' 4th U. S. Volunteer Infantry, in company with one William L. Fulcher, a private soldier, of Company 'C,' 13th Missouri Volunteer Cavalry, did feloniously take and carry away, with the intent to convert and appropriate the same to their own use and benefit, two pairs of trowsers, one coat, and one vest, they being the private property of Haman Kemper, Paymaster's clerk. This at Fort Leavenworth, Kansas, on or about the 1st day of January, 1866."

To which charges and specifications the prisoner pleaded "*Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty*."
Of the first charge, "*Guilty*."
Of the first specification, second charge, "*Guilty*."
Of the second specification, second charge, "*Guilty*."
Of the third specification, second charge, "*Guilty*."
Of the second charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Albert Godfrey*, private, of Company "E," 4th U. S. Volunteer Infantry, "to be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due; and to be confined at hard labor, in such penitentiary as the General commanding the Department may direct, for the period of ten years."

Finding and sentence confirmed. *Albert Godfrey*, private, of Company "E," 4th U. S. Volunteer Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Fort Leavenworth, Kansas, will cause the within-named prisoner, *Albert Godfrey*, private, of Company "E," 4th U. S. Volunteer Infantry, to be taken to Jefferson City, Mo., and there turned over to the Warden of the State Penitentiary, who will be furnished at the same time with a copy of this Order.

II . . . Before a Military Commission which convened at Springfield, Missouri, pursuant to Special Order No. 79, series of 1865, from Headquarters District of Southwest Missouri, and of which

Major ROSWELL K. HART, 16th Missouri Volunteer Cavalry, is President, were arraigned and tried:

Nelson Chapman, Samuel M. Thompson, and John Bruce, soldiers of the so-called Confederate States Army, on the following charges and specifications:

CHARGE 1ST:

"*Violation of the laws of war.*"

SPECIFICATION: "In this, that they, the said *Nelson Chapman, Samuel M. Thompson*, and *John Bruce*, soldiers belonging to Chapman's Company of Snavel's Regiment of the Army of the so-called Confederate States of America, rebels in arms against the Government of the United States, did, during the months of April and May, 1865, enter and come within the lines of the military forces of the United States; and, without ever having surrendered to the nearest military post, or to any of the military authorities of the United States, did lurk and travel about in the State of Missouri, in arms, as outlaws and guerrillas, until captured, on or about the 5th day of May, 1865, at Greene county, Mo. This in the State of Missouri, A. D. 1865."

CHARGE 2D:

"*Being guerrilla marauders.*"

SPECIFICATION: "In this, that they, the said *Nelson Chapman, Samuel M. Thompson*, and *John Bruce*, soldiers belonging to Chapman's Company of Snavel's Regiment of the Army of the so-called Confederate States of America, rebel enemies of the United States, did join a band of guerrillas, insurgents, and robbers, under the leadership of one Charles Brownlee, a notorious guerrilla and marauder, and did consort with said band of guerrillas, insurgents, and robbers, aforesaid, for the purpose of committing depredations upon the property, and acts of violence upon the persons, of the loyal citizens of the State of Missouri. This in the State of Missouri, and in the months of April and May, 1865."

To which charges and specifications the accused pleaded as follows:

To the specification, first charge, "*Not guilty.*"
To the first charge, "*Not guilty.*"
To the specification, second charge, "*Not guilty.*"
To the second charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoners as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Commission does, therefore, sentence them, *Nelson Chapman*, *Samuel M. Thompson*, and *John Bruce*, "to be imprisoned at hard labor for the term of ten years; in such prison as the General commanding may direct."

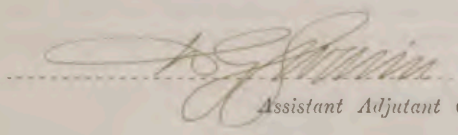
Proceedings, finding, and sentence confirmed. The prisoners will be delivered to the Provost Marshal General, Department of Missouri, for confinement, in accordance with the sentence, at such place as the Department Commander may direct.

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Missouri. Term of imprisonment to date from June 11, 1865. The commanding officer of the St. Louis Military Prison will cause the above-named prisoners, *Nelson Chapman*, *Samuel M. Thompson*, and *John Bruce*, to be taken to Jefferson City, Missouri, and there turned over to the Warden of the State Penitentiary, who will be furnished at the same time with a copy of this Order.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:



Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *February* 23, 1866.

GENERAL ORDERS,
No. 22.

I... Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. Volunteers, is President, were arraigned and tried:

1st. *Thomas Duning*, private, of Company "H," 3d Battalion 18th United States Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION; "In this, that he, the said *Thomas Duning*, private, of Company 'H,' 3d Battalion 18th United States Infantry, having been duly detailed and mounted as a member of the guard, and regularly posted as a sentinel over prisoners, did allow one of them (Orion H. Williams, of Company 'C,' 21st New York Cavalry) to escape, and did fail to report his escape to the sergeant of the guard or officer of the day. This at Fort Leavenworth, Kansas, on or about the 8th day of February, 1866."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Guilty.*"
To the charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Thomas Duning*, private, of Company "H," 3d Battalion 18th United

States Infantry, "to be confined at hard labor, in charge of the guard, for the period of thirty days, and to forfeit ten dollars ($10(of his pay."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer at that post.

2*d*. *John C. Murphy*, private, of Company "H," 1st Battalion 13th United States Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *John C. Murphy*, private, of Company 'H,' 1st Battalion 13th United States Infantry, did get drunk at his company quarters, and did take a butcher-knife from the company mess-room and go into the company quarters, saying that he would 'cut the hearts out of the damned sons of bitches of non-commissioned officers,' or words to that effect; and did attack and attempt to stab Sergeant James McManus, of the same company and regiment, cutting him on the back. This at Fort Leavenworth, Kansas, on or about the 30th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "from the company mess-room," and saying that he would "cut the hearts out of the sons of bitches of non-commissioned officers," or words to that effect.

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John C. Murphy*, private, of Company "H," 1st Battalion 13th United Infantry, "to be confined at hard labor, in charge of the guard, for the period of one month, and to forfeit ten dollars per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will

be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer at that post.

3d. John Jackson Washington Miller, private, of Company "F," 1st Battalion 18th United States Infantry, on the following charge and specification:

CHARGE:

"*Drunkenness on guard.*"

SPECIFICATION: "In this, that he, the said *John Jackson Washington Miller*, private, of Company 'F,' 1st Battalion 18th United States Infantry, having been regularly detailed and mounted as a member of the guard, did become drunk on his guard before he was regularly relieved, so much so as to be incapable of performing his duties as a sentinel. This at Fort Leavenworth, Kansas, on or about the second day of February, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Jackson Washington Miller*, private, of Company "F," 1st Battalion 18th United States Infantry, "to be confined at hard labor, in charge of the guard, for the period of three months, with ball and chain attached to leg, the ball not to weigh less than ten pounds."

Finding and sentence confirmed. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer at that post.

4th. George T. Robinson, late Lieutenant and then Major, Chief Engineer Department of Kansas, on the following charges and specifications:

CHARGE 1ST:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, the said *George T. Robinson*, late Lieutenant and then Major, when acting as Chief Engineer of the Department of Kansas, having been ordered

by his Department Commander to erect or cause to be erected certain barracks and stables at Fort Scott, Kansas, in said Department, instead of entering into a contract for the lumber for the same, did improperly authorize and allow one Ramis, a citizen, to enter into a verbal contract with one Dimon for an indefinite amount of lumber for such purpose; and that said Ramis was, in consequence of such authority, enabled to make, and did make, with said Dimon a contract for furnishing to the United States an indefinite amount of lumber at an extravagant and unwarrantable rate and price. This at or near Fort Leavenworth, Kansas, on or about the 15th day of April, 1865."

SPECIFICATION 2D: "In this, that he, the said *George T. Robinson*, late Lieutenant and then Major, when acting as Chief Engineer of the Department of Kansas, did, as such, make and deliver to one Dimon, a citizen, a receipt or voucher in which he certified to the effect that the United States had received from said Dimon lumber to the amount of seventy thousand (70,000) feet and upwards, and that there was due and payable therefor to said Dimon by the United States the rate and price of fifty dollars ($50) per thousand feet; whereas the said *Robinson* had no good and sufficient reason for believing or certifying that the United States had received the said full amount of lumber, or had, in fact, received a greater amount than fifty thousand (50,000) feet of the same; and further well knew, or had good reason to believe, that the said Dimon had contracted to furnish said lumber to the United States at the rate and price of forty dollars ($40) per thousand feet, and that the rate charged in said voucher was extortionate and fraudulent. This at or near Fort Leavenworth, Kansas, on or about the 14th day of July, 1865."

CHARGE 2D:

"*Making and delivering a voucher certifying the receipt of public property, used or to be used in the military service of the United States, without having full knowledge of the facts therein stated, and with the intent to defraud or injure the United States, in violation of Act of 2d of March*, 1863, *chapter* 67, *section* 1."

SPECIFICATION: "In this, that he, *George T. Robinson*, late Lieutenant and then Major, when acting as Chief Engineer of the Department of Kansas, and being duly authorized as such to make and deliver a voucher certifying the receipt by the United States of certain public property—to-wit: lumber used or to be used in the military service thereof—did make and deliver to one Dimon, a citizen, a written voucher for the receipt from him by the United States of seventy thousand (70,000) feet or upwards of said lumber, to be paid for at the rate of fifty dollars ($50) per thousand feet of the same—he, the said *Robinson*, not having full knowledge or being properly informed and assured that the said full amount of lumber mentioned in said voucher had ever been actually received by the United States, or that the same was properly to be paid for at the said rate; and intending, by the making

and delivery of such voucher, to defraud or injure the United States by authorizing the payment for a much greater amount of lumber than had actually been received by it, and at a much higher price than it had contracted to pay. This at or near Fort Leavenworth, Kansas, on or about the 14th day of July, 1865."

To all of which charges and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, first charge, "*Guilty,*" except the words "at an extravagant and unwarrantable rate and price."

Of the second specification, first charge, "*Guilty,*" except the words "and further well knew, or had good reason to believe, that the said Dimon had contracted to furnish said lumber to the United States at the rate and price of forty dollars ($40) per thousand feet, and that the rate charged in said voucher was extortionate and fraudulent."

Of the first charge, "*Guilty.*"

Of the specification, second charge, "*Not guilty.*"

Of the second charge, "*Not guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *George T. Robinson*, late Lieutenant and then Major, Chief Engineer Department of Kansas, "to pay to the United States the sum of one thousand dollars ($1,000) lawful money; in default of which, to be imprisoned at such place as the General commanding the Department may designate, for such a number of days, at the rate of five dollars ($5) per day, until the fine is paid."

The proceedings in the case of *George T. Robinson*, late Lieutenant and then Major, are disapproved. Under the ruling of the Judge Advocate General of the Army, although it is strictly legal to try by Court Martial a civilian, formerly, but, not at the time in the military or naval service, for offenses committed in violation of the act of March 2, 1863, under which act the second charge in this case is laid, and which expressly confers such jurisdiction, yet there is no authority for the trial of such offender by a military court under one or more of the Articles of War, these being enacted solely for the government of the armies of the United

States, and applicable only to the acts of those in the military service.

The prisoner has been brought to trial under the following charges:

1. Conduct prejudicial to good order and military discipline.

2. Violation of the act of March 2, 1863.

He is convicted under the first charge and acquitted under the second charge. Inasmuch as the prisoner, having been honorably discharged from the United States service prior to his trial, is no longer amenable before a military court for any offense declared criminal by the Articles of War, and no act of Congress rendering a citizen not in the military service so amenable, the proceedings of the Court in the within case, so far as concerns the first charge, are irregular and illegal, and the imposition and enforcement of a sentence based on such illegal proceedings wholly unwarranted by law.

The prisoner will be immediately released from arrest.

By command of Major-General Pope.

J. P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *February* 26, 1866.

GENERAL ORDERS,
No. 25.

I . . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. Volunteers, is President, were arraigned and tried:

1*st*. *James C. Hayward*, private, of 1st Michigan Veteran Volunteer Cavalry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *James C. Hayward*, private, of 1st Michigan Veteran Volunteer Cavalry, having been ordered by Sergeant Thomas Webster, of the same regiment, to assist in policing the grounds around the barracks occupied by the "attaches" at Fort Leavenworth, Kansas, did positively refuse to obey said order, by saying he would 'be God-damned if he would do it;' that he would 'see him (Sergeant Webster) damned if he would shovel dirt;' or words to that effect; he, the said Sergeant Webster, being then and there in the execution of his office. This at or near Fort Leavenworth, Kansas, on or about the 2d day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *James C. Hayward*, private, of 1st Michigan Veteran Volunteer Cavalry, "to be confined at hard labor, in charge of the guard, for the period of one month, and to forfeit ten dollars ($10) per month of his pay for two months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the commanding officer at that post.

2*d*. *Alfred Vesey*, private, of Company "H," 1st Battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Alfred Vesey*, private, of Company 'H,' 1st Battalion 13th U. S. Infantry, did feloniously steal from one Francis M. Law, a private soldier of Company 'E,' 2d Battalion 18th U. S. Infantry, with the intent to convert and appropriate the same to his own use and benefit, the sum of one hundred and forty-six dollars or upwards ($146 30) of money. This at Fort Leavenworth, Kansas, on or about the 26th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Alfred Vesey* private, of Company "H," 1st Battalion 13th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

II .... Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, current series, from these Headquarters, and of which Major and Brevet Colonel, J. N. G. WHISTLER, 13th U. S. Infantry, is President, were arraigned and tried:

1*st*. *C. Fortner* and *J. Driscoll*, privates, of Company "H," 10th U. S. Infantry, and *F. Bowers*, private, of Company "E," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that they, the said *C. Fortner* and *J. Driscoll*, privates, of Company 'H,' 10th U. S. Infantry, and *F. Bowers*, private, of Company 'E,' 3d U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of a working party (prisoners), did carelessly and negligently permit one of said prisoners to make his escape. This at Jefferson Barracks, Mo., on or about the 9th day of February, 1866."

To which charge and specification they, the prisoners, each and all of them, pleaded "*Not guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoners, *C. Fortner* and *I. Driscoll*, privates, of Company "H," 10th U. S. Infantry, and *F. Bowers*, private, of Company "E," 3d U. S. Infantry, as follows:

Of the specification, "*Guilty*," except the words "carelessly and negligently."

Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence them, *John C. Fortner* and *J. Driscoll*, privates, of Company "H," 10th U. S. Infantry, and *F. Bowers*, private, of Company "E," 3d U. S. Infantry, "to forfeit to the United States sixteen dollars ($16) per month of their monthly pay for two months, and to be confined at hard labor, in charge of the guard, wearing a ball and chain attached to their left leg, for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officers. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post.

2*d*. *Thomas Smith*, private, of Company "E," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Drunkenness on duty.*"

SPECIFICATION: "In this, that he, the said *Thomas Smith*, private, of Company 'E,' 10th U. S. Infantry, having been regularly detailed and mounted for guard duty, did absent himself from said duty and become so drunk as to be unable to perform the duties of a soldier. This at Jefferson Barracks, Mo., on or about the 6th day of February, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Thomas Smith*, private, of Company "E," 10th U. S. Infantry, "to be confined at hard labor, in charge of the guard, for the period of three (3) months, wearing a ball and chain attached to his left leg for the same period."

Finding and sentence confirmed. The sentence will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post."

3*d*. *William Herson*, private, of Company "C," 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, *William Herson*, private, of Company 'C,' 10th U. S. Infantry, having been ordered by Sergeant George W. Carpenter, of Company 'C,' 10th U. S. Infantry, to clean up certain dirt which had been spilled in the quarters of his company, did positively refuse to do so. This at Jefferson Barracks, Mo., on or about the 24th day of January, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *William Herson*, private, of Company 'C,' 10th U. S. Infantry, having been ordered by

Sergeant George W. Carpenter, of Company 'C,' 10th U. S. Infantry (being at the time in the execution of his office), to come with him to the guard-house, did reply to the said George W. Carpenter in the following language: 'You God-damned son of a bitch! I will put a bullet through your heart the first chance that I get;' or words to that effect. This at Jefferson Barracks, Mo., on or about the twenty-fourth day of January, 1866."

To which charges and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *William Herson*, private, of Company 'C,' 10th U. S. Infantry, "to forfeit to the United States ten dollars ($10) per month of his monthly pay for six months, and to be confined at hard labor, in charge of the guard, wearing a ball and chain attached to his left leg, for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post.

4th. Wm. H. Chittick, private, of Company "B," 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *Wm. H. Chittrik*, private, of Company 'B,' 10th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, without leave from proper authority, on the morning of the 11th day of February, 1866, absent himself from reveille roll-call, until late at evening of the same day. This at Jefferson Barracks, Missouri."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Wm. H. Chittrik*, private, of Company 'B,' 10th U. S. Infantry, having been regularly detailed for guard duty on the morning of February 11th, 1866, did absent himself from his company and regiment until late in the evening of the same day, in order to avoid the guard duty aforesaid. This at Jefferson Barracks, Mo."

To which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Wm. H. Chittick*, private, of Company "B," 10th U. S. Infantry, "to forfeit to the United States fourteen dollars ($14) of his monthly pay for one month, and to be confined at hard labor, in charge of the guard for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI.

ST. LOUIS, MO., *March 1st*, 1866.

GENERAL ORDERS,
No. 28.

I... Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, current series, from these Headquarters, and of which Major and Brevet Colonel J. N. G. WHISTLER, 13th United States Infantry, is President, were arraigned and tried:

1*st*. *James Brown*, private, of Company "C," 10th United States Infantry, on the following charge and specification:

CHARGE:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *James Brown*, private, of Company 'C,' 10th United States Infantry, did absent himself from retreat and tattoo roll-calls of his Company on the 1st day of February, 1866, and from reveille roll-call of his Company on the 2d day of February, 1866. All this at Jefferson Barracks, Mo., on or about the 1st and 2d days of February, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *James Brown*, private, of Company "C," 10th United States Infantry, "to forfeit to the United States ten dollars ($10) of his monthly pay for the period of one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

2d. *John Murphy*, private, of Company "C," 10th United States Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *John Murphy*, private, of Company 'C,' 10th United States Infantry, did, without leave from proper authority, absent himself from retreat and tattoo roll-calls of his Company on the 29th day of January, 1866, and from reveille roll-call of said Company on the 30th day of January, 1866. This at Jefferson Barracks, Mo."

CHARGE 2D:

"*Larceny.*"

SPECIFICATION "In this, that he, *John Murphy*, private, of Company 'C,'' 10th United States Infantry, did feloniously steal the following articles of clothing, with the intent to appropriate the same to his own use and benefit: One (1) great coat, of the value of twelve dollars ($12,); one (1) pair of trowsers, of the value of four dollars and seventy-five cents ($4.75); two (2) shirts, of the value of four dollars and sixty-four cents ($4.64); one (1) pair of stockings, of the value of forty-eight (48) cents; all the property of enlisted men of the same regiment. This at Jefferson Barracks, Mo., on or about the 29th day of January, 1866."

To which charges and specifications the prisoner pleaded as follows:

To the specification, first charge, "*Guilty.*"
To the first charge, "*Guilty.*"
To the specification, second charge, "*Not guilty.*"
To the second charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Not guilty.*"
Of the second charge, "*Not guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Murphy*, private, of Company "C," 10th United States Infantry, "to forfeit to the United States ten dollars ($10) of his monthly pay for the period of one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

3d. *Edward McIntire*, private, of Company "F," 3d United States Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *Edward McIntire*, private, of Company 'F,' 3d United States Infantry, being a duly-enlisted soldier in the service of the United States, did desert the said service, on or about the evening of the 12th day of January, 1866, and did remain absent until brought back in charge of a guard on the evening of the 16th day of January, 1866. This at Jefferson Barracks, Mo., on or about January 16th, 1866."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Not guilty.*"
To the charge, "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Edward McIntire*, private, of Company "F," 3d United States Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

4th. *John Moore*, private, of Company "C," 10th United States Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *John Moore*, private, of Company 'C,' 10th United States Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 29th day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 30th day of January, 1866. This at St. Louis, Mo."

CHARGE 2D:

"*Larceny.*"

SPECIFICATION. "In this, that he, the said *John Moore*, private, of Company 'C,' 10th United States Infantry, did feloniously steal the following articles of clothing, with intent to appropriate the same to his own use and benefit, viz: One (1) great-coat of the value of $12; one (1) pair of trowsers of the value of $4.75; two (2) shirts of the value of $4.64; and one (1) pair of stockings of the value of 48c.; all the property of enlisted men of same regiment. This at Jefferson Barracks, Mo., on or about the 29th day of January, 1866."

To which charges and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty,*" except the words "and desert."

Of the first charge, "*Not guilty,*" but guilty of "absence without leave."

Of the specification, second charge, "*Not guilty.*"

Of the second charge, "*Not guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Moore*, private, of Company "C," 10th United States Infantry, "to refund to the United States all expenses which may have been incurred in his apprehension; to forfeit to the United States fourteen dollars ($14) of his monthly pay for the period of one month, and to be confined at hard labor, under charge of the guard, for the period of thirty (30) days."

Finding and sentence confirmed. The stoppage of pay and expenses will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post."

II . . . The General Court Martial convened at St. Louis, Mo., under Special Order No. 16, series of 1865, from these Headquarters, and of which Lieutenant-Colonel E. E. BRYANT, 50th Regiment Wisconsin Volunteer Infantry, was originally President, is hereby dissolved.

III . . . The General Court Martial convened at St. Louis, Mo., pursuant to Special Order No. 89, series of 1865, from these Headquarters, and of which Brevet Brigadier-General JOHN L. BEVERIDGE, U. S. V., was President, is hereby dissolved.

IV . . . The General Court Martial convened at Fort Leavenworth, Kansas, by virtue of Special Order No. 114, series of 1865, from these Headquarters, and of which Brigadier and Brevet Major General W. L. ELLIOTT, U. S. V., was President, is hereby dissolved.

V . . . The General Court Martial convened at Davenport, Iowa, by Special Order No. 81, series of 1865, from these Headquarters, and of which Major EDWARD DETSHY, A. A. D. C., was President, is hereby dissolved.

VI . . . The General Court Martial convened at Jefferson Barracks, Mo., under Special Order No. 121, series of 1865, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, 13th U. S. Infantry, was President, is hereby dissolved.

VII . . . The Military Commission convened at St. Louis, Mo., by Special Order No. 40, September 5th, 1865 (for the trial of Wm. Murphy and others), and of which Brevet Brigadier-General JOHN L. BEVERIDGE, U. S. V., was President, is hereby dissolved.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

St. Louis, Mo., *March* 2, 1866.

GENERAL ORDERS,
No. 29.

1 . . . . Before a General Court Martial which convened at Schofield Barracks, St. Louis, Mo., pursuant to Special Order No. 38, current series, from these Headquarters, and of which Colonel and Brevet Brigadier-General P. Morrison, U. S. A., is President, were arraigned and tried:

1*st*. *Frederick Beck*, corporal, of Company "A," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

Specification: "In this, that he, the said *Frederick Beck*, corporal, of Company 'A,' 3d U. S. Infantry, did take from the person of the late Sergeant Daniel O'Connor, of Company 'K,' 3d U. S. Infantry, one silver watch, the property of said Sergeant O'Connor, with intent to appropriate the same to his own use and benefit. This at St. Louis, Mo., on or about the 12th or 13th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Frederick Beck*, corporal, of Company "A," 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

2*d*. *Thomas Sullivan*, private, of Company "A," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Quitting his guard without leave or urgent necessity.*"

SPECIFICATION: "In this, that he, the said *Thomas Sullivan*, private, of Company 'A,' 3d U. S. Infantry, being regularly detailed for guard duty and posted as a sentinel, did quit his post and guard without leave or urgent necessity. This at Schofield Barracks, St. Louis, Mo., on or about the 3d day of February, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *Thomas Sullivan*, private, of Company 'A,' 3d U. S. Infantry, did lend his aid and assist one William Mason, private, of same company, in secreting the coat of First Lieutenant E. A. Belger, 3d U. S. Infantry, well knowing the same to have been stolen. This at Schofield Barracks, St. Louis, Mo., on or about the 3d day of February, 1866."

To which charges and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Not guilty.*"
Of the second charge, "*Not guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Thomas Sullivan*, private, of Company 'A,' 3d U. S. Infantry, "to be confined, under charge of the guard, for twenty days from the date of the promulgation of this sentence; and to walk each day during that time, in front of the guard, from reveille until tattoo, with the exception of half an hour, which shall be allowed for each meal; and to forfeit ten dollars ($10) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Schofield Barracks, St. Louis, Mo., under the direction of the commanding officer of that post.

3*d*. *William Hull*, private, of Company "B," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *William Hull*, private, of Company 'B,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 2d day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 28th day of January, 1866. This at Schofield Barracks, St. Louis, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty,*" except the words "and desert."
Of the charge, "*Not guilty,*" but guilty of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *William Hull*, private, of Company "B," 3d U. S. Infantry, "to be confined, under guard, for fifteen days from the date of the promulgation of this sentence; and to walk in front of the guard each day during that time from reveille until tattoo, with the exception of half an hour, which shall be allowed for each meal; and to forfeit to the United States ten dollars ($10) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Schofield Barracks, St. Louis, Mo., under the direction of the commanding officer of that post.

4th. John Fitzgerald, private, of Company "B," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *John Fitzgerald*, private, of Company 'B,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 22d day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 27th day of January, 1866. This at Schofield Barracks, St. Louis, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Fitzgerald*, private, of Company "B," 3d U. S. Infantry, "to forfeit all pay and allowances that are or may become due him, except so much as will pay the just dues of the laundress and sutler, and one dollar per month, until discharged; and to be confined at hard labor, under guard, for the term of six months from the promulgation of this sentence, wearing a ball weighing twelve pounds attached to his left leg by a chain five feet long, and be indelibly marked with a letter 'D' one and a half inches long upon his right hip; and, at the expiration of the term of his sentence, to be dishonorably discharged the service of the United States."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be "indelibly marked with the letter 'D,' one and a half inches long, upon his right hip," is remitted. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Military Prison, at St. Louis, Mo. The remainder of the sentence will be carried into effect by the commanding officer of Company "B," 3d U. S. Infantry.

5th. Charles Huber, private, of Company "A," 3d U. S. Infantry, on the following charge and specifications:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, the said *Charles Huber*, private, of Company 'A,' 3d U. S. Infantry, did, when ordered by Sergeant Wm. J. Lamb, of the same company, to do certain police duty, refuse to obey said order. This at Schofield Barracks, St. Louis, Mo., on or about the 27th day of January, 1866."

SPECIFICATION 2D: "In this, that he, the said *Charles Huber*, private, of Company 'A,' 3d U. S. Infantry, did, when about being arrested and taken to the guard-house by Sergeant Wm. J. Lamb, of the same company, offer violence to and kick said Sergeant Lamb in the face. This at St. Louis, Mo., on or about the 27th day of January, 1866."

To which charge and specifications the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, "*Not guilty.*"
Of the second specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Charles Huber*, private, of Company "A," 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

6th. Nicholas Baason, private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *Nicholas Baason*, private, of Company 'H,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 7th day of February, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 10th day of February, 1866. This at St. Louis, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows;

Of the specification, "*Guilty,*" except the words "and desert."
Of the charge, "*Not guilty,*" but guilty of "absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, the said *Nicholas Baason*, private, of Company 'H,' 3d U. S. Infantry, "to make

good to the United States thirty dollars ($30) paid for his apprehension, by stoppage of ten dollars ($10) per month from his monthly pay for three consecutive months.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

II . . . Before a General Court Martial which convened at Fort Snelling, Minnesota, pursuant to Special Order No. 30, current series, from Headquarters District of Minnesota, Department of Missouri, St. Paul, Minnesota, and of which Captain M. E. Palmer, 23d Veteran Reserve Corps, is President, was arraigned and tried:

James Arbuthnot, Company ''A,'' 3d U. S. Veteran Volunteers, on the following charge and specifications:

CHARGE:

''*Larceny.*''

Specification 1st: ''In this, that he, the said *James Arbuthnot*, private, of Company 'A,' 3d U. S. Veteran Volunteers, being on duty as Post-Baker at Fort Snelling, Minnesota, did feloniously take a large quantity, to wit: Forty-nine loaves of bread, more or less, the property of the Post, for which Brevet Captain Theodore Schwan, U. S. Army, Post-Treasurer, was responsible, and did sell the bread aforesaid to one Mullen, a citizen, for ninety-eight (98) cents, appropriating the proceeds to his own use and benefit. This at Fort Snelling, Minnesota, on or about the 23d day of January, 1866.''

Specification 2d: ''In this, that he, the said *James Arbuthnot*, private, of Company 'A,' 3d U. S. Veteran Volunteers, being on duty as Post-Baker at Fort Snelling, Minnesota, did feloniously take and steal fifteen (15) loaves of bread, more or less, the property of the Post, for which Brevet Captain Theodore Schwan, U. S. Army, Post-Treasurer, was responsible, and did sell the bread aforesaid to one Mullen, a citizen, for seventy-five (75) cents, appropriating the proceeds to his own use and benefit. This at Fort Snelling, Minnesota, on or about the 20th day of January, 1866.''

Specification 3d: ''In this, that he, the said *James Arbuthnot*, private, of Company 'A,' 3d U. S. Veteran Volunteers, being on duty as Post-Baker at Fort Snelling, Minnesota, did feloniously take and steal five (5) loaves of bread, the property of the Post, for which Brevet Captain Theodore Schwan, U. S. Army, Post-Treasurer, was responsible, and did sell the said bread to one Harrison Rhodes, a citizen, for twenty-five (25) cents, more or less, appropriating the said amount to his own use and benefit. This at Fort Snelling, Minnesota, on or about the 24th day of January, 1866.''

SPECIFICATION 4TH: "In this, that he, the said *James Arbuthnot*, private, of Company 'A,' 3d U. S. Veteran Volunteers, being on duty as Post-Baker at Fort Snelling, Minnesota, did feloniously take and steal ten (10) loaves of bread, more or less, the property of the Post, for which Brevet Captain Theodore Schwan, U. S. Army, Post-Treasurer, was responsible, and did sell the bread to one Lloyd, a citizen, for fifty (50) cents, appropriating the said amount to his own use and benefit. This at Fort Snelling, Minnesota, on or about the 10th day of January, 1866."

To which charge and specifications the prisoner pleaded "*Not guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, "*Guilty*."
Of the second specification, "*Guilty*."
Of the third specification, "*Guilty*."
Of the fourth specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *James Arbuthnot*, private, of Company "A," 3d U. S. Veteran Volunteers, "to forfeit to the United States all pay and allowances that are now due or may become due him, and to be dishonorably discharged the service of the United States."

Finding and sentence confirmed. The said *James Arbuthnot*, private, of Company "A," 3d U. S. Veteran Volunteers, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 8, 1866.

GENERAL ORDERS,
No. 34.

1. . . Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, current series, from these Headquarters, and of which Major and Brevet Colonel J. N. G. WHISTLER, 13th U. S. Infantry, is President, were arraigned and tried:

1*st*. *William Oakes*, private, of Company "K," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *William Oakes*, private, of Company 'K,' 10th U. S. Infantry, did, when ordered by Lance-Sergeant Wm. Ashmead, of same Company, to assist in drawing rations, positively refuse to obey in the following language: 'I won't go;' or words to that effect. This at Jefferson Barracks, Mo., on or about the 8th day of February, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *William Oakes*, private, of Company 'K,' 10th U. S. Infantry, "to forfeit to the United States twelve dollars ($12) per month of his monthly pay for the period of six months, and to be confined at hard labor, in charge of the guard, for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that post.

2*d*. *Robert T. Ellis*, private, of Company "A," 3d Battalion 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *Robert T. Ellis*, private, of Company "A," 3d Battalion 13th U. S. Infantry, when directed by Fisher F. Fletcher, sergeant in charge of recruiting rendezvous, to take some blanks to his commanding officer's quarters, did positively refuse to obey, saying 'that he would not do it for him or any other damned man.' This at Harrisburg, Pa., on or about the 15th day of January, 1866."

CHARGE 2D:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, the said *Robert T. Ellis*, private, of Company "A," 3d Battalion 13th U. S. Infantry, having been duly placed in charge of the rendezvous for the night, did absent himself, without proper authority, from about 8 o'clock in the evening until about 3 o'clock in the morning. This at Harrisburg, Pa., on or about the 15th day of January, 1866."

To which charges and specifications the prisoner pleaded "*Not guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty*."
Of the first charge, "*Guilty*."
Of the specification, second charge, "*Not guilty*."
Of the second charge, "*Not guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Robert T. Ellis*, private, of Company "A," 3d Battalion 13th U. S. Infantry, "to forfeit to the United States ten dollars ($10) per month of his monthly pay for three months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

3d. Hugh Dumford, private, of Company "K," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, the said *Hugh Dumford*, private, of Company 'K,' 10th U. S. Infantry, did, in violation of the orders of his company commander, commit a nuisance upon the grounds adjoining the quarters of his company. This at Jefferson Barracks, Mo., on or about the 12th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Not guilty,*" but guilty of "conduct to the prejudice of good order and military discipline."

SENTENCE:

And the Court does, therefore, sentence him, the said *Hugh Dumford*, private, of Company "K," 10th U. S. Infantry, "to forfeit to the United States five dollars ($5) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

4th. Lorenzo Belz, sergeant, of Company "B," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *Lorenzo Belz*, sergeant, of Company 'B,' 10th U. S. Infantry, while sergeant of the post-guard at Jefferson Barracks, Mo., did, when visited by the officer of the day, report 'the guard and prisoners all

present,' at the same time knowing that three members of the guard were absent. This at Jefferson Barracks, Mo., on or about the 2d day of February, 1866.''

To which charge and specification the prisoner pleaded ''*Not guilty*.''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Guilty*,'' except the word ''knowing.''
Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, the said *Lorenzo Belz*, sergeant, of Company ''B,'' 10th U. S. Infantry, ''to forfeit to the United States one month's pay, and to be reprimanded in orders by the commanding officer of his Battalion.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

5th. *Henry George*, unassigned recruit, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

''*Desertion*.''

SPECIFICATION: ''In this, that he, the said *Henry George*, unassigned recruit, 13th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did absent himself from and desert said service, on or about the 17th day of December, 1865, and remained absent until arrested, on or about the 27th day of January, 1866. This at or near Jefferson Barracks, Mo.''

To which charge and specification the prisoner pleaded ''*Not guilty*.''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Guilty*.''
Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, the said *Henry George*, unassigned recruit, 13th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be "indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *Henry George*, recruit, 13th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded, under guard, to Jefferson City, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

6th *William Carson*, private, of Company "C," 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion*."

SPECIFICATION: "In this, that he, the said *William Carson*, private, of Company 'C,' 10th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 29th day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 30th day of January, 1866. This at St. Louis, Mo."

CHARGE 2D:

"*Larceny*."

SPECIFICATION: "In this, that he, the said *William Carson*, private, of Company 'C,' 10th U. S. Infantry, did feloniously steal the following articles of clothing, with intent to appropriate the same to his own use and benefit, viz: One (1) great-coat, of the value of $12; one (1) pair of trowsers, of the value of $4 75; two (2) shirts, of the value of $4 64; one

(1) pair of stockings, of the value of 48c.—all the property of enlisted men of same regiment. This at Jefferson Barracks, Mo., on or about the 29th day of January, 1866.''

To which charges and specifications the prisoner pleaded ''*Not guilty*.''

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, ''*Guilty*,'' except the words ''and desert.''

Of the first charge, ''*Not guilty*,'' but guilty of ''absence without leave.''

Of the specification, second charge, ''*Not guilty*.''

Of the second charge, ''*Not guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, the said *William Carson*, private, of Company ''C,'' 10th U. S. Infantry, ''to refund to the United States all expenses which may have been incurred in his apprehension; to forfeit to the United States fourteen dollars ($14) of his monthly pay for the period of one month; and to be confined at hard labor, in charge of the guard, for the period of thirty (30) days.''

Finding and sentence confirmed. The stoppage of pay and expenses will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer at that place.

7th. John Keeghler, private, of Company ''B,'' 2d Battalion 18th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

''*Desertion*.''

SPECIFICATION: ''In this, that he, the said *John Keeghler*, private, of Company 'B,' 2d Battalion 18th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did absent himself from and desert the said service while *en route* from Fort Leavenworth, Kansas, to Fort Kearney, Nebraska Territory, on or about the 28th day of November, 1865, and remained absent until discovered at Jefferson Barracks, on or about the 15th day of February, 1866.''

CHARGE 2D:

"*Re-enlisting without a regular discharge.*"

SPECIFICATION: "In this, that he, the said *John Keeghler*, a duly-enlisted soldier, of Company 'B,' 2d Battalion 18th U. S. Infantry, did, without ever having received a regular discharge from said company and regiment, present himself for enlistment, and was enlisted, in the 13th U. S. Infantry, under the name of Charles H. Allen." This at or near Fort Leavenworth, Kansas, on or about the 28th day of November, 1865."

To which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Keeghler*, private, of Company 'B,' 2d Battalion 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be "indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *John Keeghler*, private, of Company "B," 2d Battalion 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be for-

warded, under guard, to Jefferson City, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

8th. Charles A. Cary, private, of Company "C," 2d Battalion 18th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *Charles A. Cary*, private, of Company 'C,' 2d Battalion 18th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 1st day of December, 1865, while *en route* from Fort Leavenworth, Kansas, to Fort Kearney, Nebraska Territory, absent himself from and desert said service, and remained absent until on or about the 15th day of February, 1866."

CHARGE 2D:

"*Re-enlisting without a regular discharge.*"

SPECIFICATION: "In this, that he, the said *Charles A. Cary*, private, of Company 'C,' 2d Battalion 18th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did present himself for enlistment, and was enlisted, in the 13th U. S. Infantry, under the name of Charles Catlin. This at or near Fort Leavenworth, Kansas, on or about the 1st day of December, 1865."

To which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Charles A. Cary*, private, of Company "C," 2d Battalion 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and

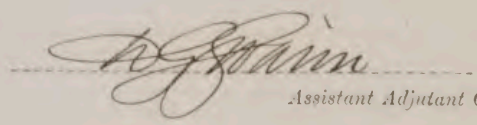
sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the commanding General of the Department may designate, for the period of three years.''

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be ''indelibly marked with the letter 'D,' one and one-half inches long, on the left hip,'' is remitted. *Chas. A. Cary*, private, of Company ''C,'' 2d Battalion 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded, under guard, to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

By command of Major-General Pope.

J. P. SHERBURNE,
Assistant Adjutant General.

Official:



Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 8, 1866.

GENERAL ORDERS,
No. 35.

I... Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, paragraph 3, current series, from these Headquarters, and of which Major and Brevet Colonel J. N. G. WHISTLER, 13th U. S. Infantry, is President, were arraigned and tried:

1st. *John Ryan* and *John McCarthy*, privates, of Company "E," 10th U. S. Infantry, and *T. A. Lefferts*, unassigned recruit, 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Absence without leave.*"

SPECIFICATION: "In this, that they, the said *John Ryan* and *John McCarthy*, privates, of Company 'E,' 10th U. S. Infantry, and *T. A. Lefferts*, unassigned recruit, 10th U. S. Infantry, did absent themselves from their company and regiment, while *en route* from New York city to St. Louis, Mo., on or about the 1st day of January, 1866, and remained absent until arrested and returned to their company and detachment, on or about the 27th day of January, 1866. This at Utica, N. Y."

To which charge and specification they, the prisoners, pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoners as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit them, the said *John Ryan* and *John McCarthy*, privates, of Company "E," 10th U. S. Infantry, and *T. A. Lefferts*, unassigned recruit, 10th U. S. Infantry.

Finding and acquittal confirmed. The prisoners will be released from arrest and returned to duty.

2*d*. *Thomas Smith*, private, of Company "B," 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Larceny*."

SPECIFICATION "In this, that he, the said *Thomas Smith*, private, of Company 'B,' 10th U. S. Infantry, did feloniously steal, take, and carry away one razor-case, containing two razors, of the value of six dollars ($6.00), the property of one Chas. Bridgeman, of Company 'E,' 10th U. S. Infantry, with intent to appropriate the same to his own use and benefit. This at Jefferson Barracks, Mo., on or about the 16th day of February, 1866."

CHARGE 2D:

"*Absence without leave*."

SPECIFICATION: "In this, that he, the said *Thomas Smith*, private, of Company 'B,' 10th U. S. Infantry, did, without leave from proper authority, absent himself from tattoo roll-call of his Company, on the 16th day of February, 1866, and did remain absent until about 4 o'clock on the morning of the 17th day of February, 1866. This at Jefferson Barracks, Mo."

To which charges and specifications the prisoner pleaded as follows:

To the specification, first charge, "*Not guilty*."
To the first charge, "*Not guilty*."
To the specification, second charge, "*Guilty*."
To the second charge, "*Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, first charge, "*Guilty*."
Of the first charge, "*Guilty*."
Of the specification, second charge, "*Guilty*."
Of the second charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Thomas Smith*, private, of Company "B," 10th U. S. Infantry, "to forfeit

to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such place as the General commanding the Department may designate, for the period of one year."

Finding and sentence confirmed. The said *Thomas Smith*, private, of Company "B," 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be taken to Jefferson City, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

3*d*. *William Fahey*, private, of Company "I," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *William Fahey*, private, of Company 'I,' 10th U. S. Infantry, having been regularly detailed for guard duty and duly posted as a sentinel, did quit his post, abandon his musket, and engage in a conversation with another sentinel. This at Jefferson Barracks, Mo., on or about the 19th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "quit his post, and engage in conversation with another sentinel."

Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *William Fahey*, private, of Company "I," 10th U. S. Infantry, "to forfeit to the United States sixteen dollars ($16) per month of his monthly pay for the period of one month, and to be confined at hard labor, under charge of the guard, for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under the direction of the commanding officer of that post.

4th. John E. Sloan, private, of Company "G," 3d Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *John E. Sloan*, private, of Company 'G,' 3d Battalion 18th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 29th day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 31st day of January, 1866. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John E. Sloan*, private, of Company "G," 3d Battalion 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be "indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *John E. Sloan*, private, of Company "G," 3d Battalion 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper

officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be taken to Jefferson City, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

5th. *Bayron Brayton*, private, of Company "G," 3d Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *Bayron Brayton*, private, of Company 'G,' 3d Battalion 18th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, on or about the 29th day of January, 1866, absent himself from and desert the said service, and remain so absent until arrested, on or about the 31st day of January, 1866. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Bayro Brayton*, private, of Company "G," 3d Battalion 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now due or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be "indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *Bayron Brayton*, private, of Company "G," 3d Battalion 18th U. S.

Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Jefferson Barracks, Mo., will cause the prisoner to be taken to Jefferson City, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this Order.

II . . . Before a General Court Martial which convened at Schofield Barracks, St. Louis, Mo., pursuant to Special Order No. 38, current series, from these Headquarters, and of which Colonel and Brevet Brigadier-General P. MORRISON, U. S. A., is President, were arraigned and tried:

1*st*. *Robert Perry*, private, of Company "I," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Selling or otherwise disposing of his clothing.*"

SPECIFICATION: "In this, that he, the said *Robert Perry*, private, of Company 'I,' 3d U. S. Infantry, did sell or otherwise dispose of two knit shirts, of the value of four dollars and fifty cents ($4.50); one pair of knit drawers, of the value of one dollar and seventy-five cents ($1.75); one pair of bootees, of the value of two dollars and seventy cents ($2.70); and one great-coat, of the value of twelve dollars ($12.00); being United States clothing, which had been issued to him for use in the military service. This at Schofield Barracks, St. Louis, Mo., on or about the 12th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not guilty.*"
Of the charge, "*Not guilty.*"

And the Court does, therefore, acquit him, the said *Robert Perry*, private, of Company "I," 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

2*d*. *Charles McDonald*, private, of Company "I," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *Charles McDonald*, private, of Company 'I,' 3d U. S. Infantry, did lose through neglect, sell, or otherwise dispose of, one blanket issued to him by the Government. This at St. Louis, Mo., on or about the 21st day of January, 1866."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Guilty*," except the words "sell or otherwise dispose of."

To the charge, "*Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "sell or otherwise dispose of."

Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Charles McDonald*, private, of Company "I," 3d U. S. Infantry, "to be confined, under charge of the guard, for five (5) consecutive days from the date of the promulgation of this sentence; and to walk each day during that time, in front of the guard, from reveille until tattoo, with the exception of half an hour which shall be allowed for each meal; and to forfeit two dollars ($2.00) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Schofield Barracks, St. Louis, Mo., under the direction of the commanding officer at that post.

3d. William Mason, private, of Company "A," 3d U. S. Infantry, on the following charge and specifications:

CHARGE:

"*Larceny.*"

SPECIFICATION 1ST: "In this, that he, the said *William Mason*, private, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take, and carry away, with intent to appropiate to his own use, one watch, of the value of thirty dollars, and one sack-coat, of the value of sixteen dollars, the property of 1st Lieutenant E. A. Belger, 3d U. S. Infantry. This at Schofield Barracks, St. Louis, Mo., on or about the 2d day of February, 1866."

SPECIFICATION 2D: "In this, that he, the said *William Mason*, private, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take, and carry away, with intent to appropriate to his own use, one great-coat, the value of twelve dollars; one blouse, the value of four dollars and eighty cents; two pairs of trowsers, the value of nine dollars and fifty cents; three shirts, the value of six dollars and seventy cents; three pairs of drawers, the value of five dollars and seventy-five cents; and three pairs of stockings, the value of one dollar and forty-four cents—the property of John B. King, private, of Company 'A,' 3d U. S. Infantry. This at Schofield Barracks, St. Louis, Mo., on or about the 3d day of February, 1866."

To which charge and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, finds the prisoner as follows:

Of the first specification, "*Guilty.*"
Of the second specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *William Mason*, private, of Company "A," 3d U. S. Infantry, "to forfeit all pay and allowances that are or may become due him, except so much as will pay the just dues of the laundress and sutler, and one dollar per month until discharged; and to be confined at hard labor, under guard, for the term of six months from the promulgation of this sentence, wearing a ball weighing twelve pounds attached to his left leg by a chain five feet long; and be indelibly marked with

the letter 'T,' one and one-half inches long, upon his right hip; and, at the expiration of the term of his sentence, to be dishonorably discharged the service of the United States.''

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be ''indelibly marked with the letter 'T,' one and one-half inches long, upon his right hip,'' is remitted. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Military Prison at St. Louis, Missouri, under the direction of the commanding officer at that post. The remainder of the sentence will be executed by the commanding officer of Company ''A,'' 3d U. S. Infantry.

4th. William Race, second-class private, of the Ordnance Detachment, on the following charge and specification:

CHARGE:

''*Conduct to the prejudice of good order and military discipline.*''

SPECIFICATION: ''In this, that he, the said *William Race*, second-class private, of the Ordnance Detachment, stationed at the St. Louis Arsenal, St. Louis, Missouri, did, on or about 7 o'clock on the evening of the 7th day of February, 1866, enter the saloon of John Mars, near said Arsenal, and did then and there conduct himself in a disorderly and disgraceful manner; and, after leaving said saloon, did attack with stones the premises of said John Mars, thereby endangering the lives of the persons there collected, and breaking an article of furniture hanging upon the walls. All this near the St. Louis Arsenal, St. Louis, Missouri.''

To which charge and specification the prisoner pleaded ''*Guilty.*''

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, ''*Guilty.*''
Of the charge, ''*Guilty.*''

SENTENCE:

And the Court does, therefore, sentence him, the said *William Race*, second-class private, of the Ordnance Detachment, ''to be confined, in charge of the guard, for fifteen (15) consecutive days, to date from the promulgation of this sentence; and to walk each

day during that time, in front of the guard, from reveille until tattoo, with the exception of half an hour which shall be allowed for each meal; and to forfeit to the United States fifteen dollars ($15) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the St. Louis Arsenal, St. Louis, Mo., under the direction of the commanding officer of that post.

5th. *Stephen B. Stanbury*, late 1st sergeant, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Larceny.*"

SPECIFICATION: "In this, that he, the said *Stephen B. Stanbury*, late 1st sergeant, of Company 'H,' 3d U. S. Infantry, having charge of the U. S. clothing on hand and for issue to said company, did feloniously take therefrom, and sell or otherwise dispose of, thirteen (13) pairs of trowsers, valued at $61.75; twenty-eight (28) bed-sacks, valued at $48.00; two (2) forage-caps, valued at $2.00; two (2) great-coats, valued at $24.00; and one (1) blanket, valued at $7.00. This at Schofield Barracks, St. Louis, Mo., from on or about the 25th day of January, 1866, to on or about the 10th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Stephen B. Stanbury*, late 1st sergeant, of Company "H," 3d U. S. Infantry, "to be reduced to the ranks; to reimburse the United States with the value—viz: one hundred and ninety-two dollars and seventy-five cents ($192.75)—of the clothing disposed of; and, in addition thereto, to forfeit to the United States all pay and allowances, over and above the aforesaid reimbursement, that are now or may become due him, with the exception of the just dues of the laun-

dress and sutler and one dollar ($1.00) per month until the date of his discharge; to be confined at hard labor, in charge of the guard, for six months from the promulgation of this sentence; and, at the expiration of the term of his sentence, to be indelibly marked with the letter 'T,' one and one-half inches long, on his right hip, and to be dishonorably discharged the service of the United States.''

Finding and sentence confirmed. So much of the sentence as directs that the prisoner be ''indelibly marked with the letter 'T,' one and one-half inches long, on the right hip,'' is remitted. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Military Prison at St. Louis, Missouri, under the direction of the commanding officer at that place. The remainder of the sentence will be executed by the commanding officer of Company ''H,'' 3d U. S. Infantry.

6th. Thomas Smith, private, of Company ''A,'' 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

''*Conduc' to the prejudice of good order and military discipline.*''

SPECIFICATION: ''In this, that he, the said *Thomas Smith*, private, of Company 'A,' 3d U. S. Infantry, being disorderly in his company quarters and having been ordered by Sergeant Charles Reardon to go with him to the guard-house, did refuse to obey, saying at the same time: 'I will shoot any man who attempts to take me there;' or words to that effect. This at Schofield Barracks, St. Louis, Missouri, on or about the 17th day of January, 1866.''

CHARGE 2D:

''*Absence without leave.*''

SPECIFICATION: ''In this, that he, the said *Thomas Smith*, private, of Company 'A,' 3d U. S. Infantry, a duly-enlisted soldier in the service of the United States, did, without leave of his commanding officer or proper authority, absent himself from his company and regiment, on or about January 17th, 1866, and remained absent until on or about January 18th, 1866. This at Schofield Barracks, St. Louis, Missouri.''

To which charges and specifications the prisoner pleaded ''*Guilty.*''

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Thomas Smith*, private, of Company "A," 3d U. S. Infantry, "to forfeit to the United States ten dollars ($10) of his monthly pay for four (4) months, and to be confined at hard labor for one (1) month, under charge of the guard."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Military Prison at St. Louis, Missouri, under the direction of the commanding officer at that place.

BY COMMAND OF MAJOR-GENERAL POPE.

J. P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 20, 1866.

GENERAL ORDERS, No. 40.

I. . . Before a General Court Martial which convened at Schofield Barracks, St. Louis, Missouri, pursuant to Special Order No. 38, Paragraph 3, current series, from these Headquarters, and of which Colonel and Brevet Brigadier-General P. MORRISON, U. S. A., is President, were arraigned and tried:

1*st*. *Jacob Rolf*, recruit, of the 11th U. S. Infantry, on the following charge and specifications:

CHARGE:

"*Larceny*."

SPECIFICATION 1ST: "In this, that he, the said *Jacob Rolf*, recruit, of the 11th U. S. Infantry, did take the following articles of clothing, viz: one (1) flannel sack-coat, valued at four dollars and eighty cents ($4.80), from the recruiting rendezvous, 11th U. S. Infantry, at St. Louis, Mo., and did attempt to sell said clothing. All this at St. Louis, Mo., on or about the 15th day of January, 1866."

SPECIFICATION 2D: "In this, that he, the said *Jacob Rolf*, recruit, of the 11th U. S. Infantry, did take the following articles of clothing, viz: two (2) pairs drawers, eight (8) flannel sack-coats, five (5) shirts, four (4) pairs of drawers, three (3) pairs of bootees, thirty-eight (38) pairs of stockings, and two (2) great-coats, to the amount of one hundred and fourteen dollars and eighty-nine cents ($114.85), from the recruiting rendezvous, 11th U. S. Infantry, at St. Louis, Mo., and did sell the said clothing. All this between February 2d, 1865, and January 15th, 1866."

To which charge and specifications the prisoner pleaded "*Not guilty*."

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, "*Guilty.*"
Of the second specification, "*Not guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Jacob Rolf*, recruit, of the 11th U. S. Infantry, "to forfeit all pay and allowances that are now or may become due him until his discharge, except so much as will pay the just dues of the sutler and laundress, and one dollar per month from the date of the promulgation of this sentence; and to be confined at hard labor, in charge of the guard, at such military post as the Department Commander may designate, for six months from the before-mentioned date; and to be indelibly marked with the letter 'T,' one and a half inches long, on his right hip; and, at the expiration of his sentence, to be dishonorably discharged the service of the United States."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner "be indelibly marked with the letter 'T,' one and a half inches long, on his right hip," is remitted. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Jefferson Barracks, Mo., under direction of the Commanding Officer of that Post. The remainder of the sentence will be executed by the Commanding Officer of the 11th U. S. Infantry.

2*d*. *George Brown*, of the mounted service, U. S. Army, on the following charges and specifiertions:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, the said *George Brown*, unassigned recruit, mounted service, U. S. Army, a duly-enlisted soldier in the service of the United States, did, on or about the 10th day of December, 1865, absent himself from and desert the said service, and remain absent until arrested, on or about the 24th day of December, 1865. This at Fort Leavenworth, Kansas."

CHARGE 2D:

"*Unlawfully enlisting into the service of the United States.*"

SPECIFICATION: "In this, that he, the said *George Brown*, did unlawfully present himself for enlistment and was enlisted in the mounted service, U. S. Army, he being already a soldier in the service of the United States as a private of Company 'G,' 2d U. S. Cavalry. This at St. Louis, Mo., on or about the 15th day of December, 1865."

To which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification to the first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification to the second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *George Brown*, unassigned recruit, mounted service, U. S. Army, "to forfeit all pay and allowances that are now or may become due him, excepting so much as will pay the just dues of the sutler and laundress, and one dollar ($1.00) per month until the date of his discharge, and to be confined at hard labor, in charge of the guard, at such military post as the Department Commander may direct, for six months from the date of the promulgation of his sentence, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain five feet long; to be indelibly marked with a letter 'D,' one and a half inches long, on his right hip; and at expiration of the term of his sentence to be dishonorably discharged from the service of the United States."

Finding and sentence confirmed. In consideration of the recommendation of the majority of the Court, the sentence is remitted, excepting that portion of it which relates "to the forfeiture of all pay and allowances and the dishonorable discharge from the service of the United States." Private *George Brown*, unassigned recruit, mounted service, U. S. Army, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer.

3d. *Louis Manshund*, second class private, of the Ordnance Department, St. Louis Arsenal, St. Louis, Mo., on the following charge and specification:

CHARGE:

"*Desertion of Post.*"

SPECIFICATION: "In this, that he, second class private, *Louis Manshund*, of the Detachment of Ordnance, stationed at St. Louis Arsenal, St. Louis, Mo., having been duly posted as a sentinel, did, between the hours of three and four o'clock, on the morning of the 11th day of February, 1866, desert his gun and post, and enter the mess-room and kitchen, and did remain there till discovered and arrested by the Sergeant in charge of the guard. This at St. Louis Arsenal, St. Louis, Mo."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Guilty*" except the words "*desert his gun.*"

To the charge, "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, second class private, *Louis Manshund*, of the Ordnance Department, "to be confined at hard labor, in charge of the guard, for three (3) consecutive months from the date of the promulgation of this sentence, and to forfeit to the United States ten dollars ($10) of his monthly pay for the same period."

Finding and sentence confirmed. Upon the unanimous recommendation of the Court for mercy, the sentence is remitted. The prisoner will be released from confinement and returned to duty.

4th. *Patrick Murphy*, private, of Company "H," attached to Company "K," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Drunkenness on duty.*"

SPECIFICATION: "In this, that he, the said *Patrick Murphy*, private, of Company 'H,' attached to Company 'K,' 10th U. S. Infantry, was drunk at evening parade, on the 18th of February, 1866. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Patrick Murphy*, private, of Company "H," 10th U. S. Infantry, "to be confined at hard labor, under guard, for one week from the date of the promulgation of his sentence."

Finding and sentence confirmed. The sentence will be carried into effect under the direction of the Commanding Officer at Jefferson Barracks, Mo. The Commanding Officer of the St. Louis Military Prison will cause the prisoner to be forwarded to Jefferson Barracks, Mo.

5th. *Jacob Rahn*, private, of Company "K," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Sleeping on his post.*"

SPECIFICATION: "In this, that he, the said *Jacob Rahn*, private, of Company "K," 3d U. S. Infantry, having been regularly detailed for guard duty and duly posted as a sentinel, was found sleeping on his post. This at the St. Louis Military Prison at St. Louis, Mo., on or about the 8th day of March, 1866."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Jacob Rahn*, private, of Company "K," 2d U. S. Infantry, "to be confined, under guard, at hard labor, for six months from the date of the promulgation of his sentence, wearing a ball weighing twelve pounds, attached by a chain five feet long, to his left leg."

Finding and sentence confirmed. On the recommendation of the majority of the Court, the sentence is remitted. *Jacob Rahn*, private, of Company "K," 3d U. S. Infantry, will be released from arrest and returned to duty.

6th. *Charles Walker*, private of Company "A," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Larceny*."

SPECIFICATION 1ST.: "In this, that he, *Charles Walker*, private, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take and carry away, with intent to appropriate the same to his own use and benefit, the following articles of clothing, viz: one (1) shirt, of the value of two dollars and twenty-five cents ($2 25); one (1) pair drawers, of the value of one dollar and twenty-five cents ($1 25), and one pair of socks, of the value of forty-eight cents (48 c.), the property of one Wm. Beck, of the same company and regiment."

SPECIFICATION 2D: "In this, that he, *Charles Walker*, private, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take and carry away, with the intent to appropriate the same to his own use and benefit, the following articles of clothing, viz: one (1) shirt, of the value of two dollars and twenty-five cents ($2 25), and one pair of drawers, of the value of one dollar and seventy-five cents ($1 75), the property of one Henry Tharp, of the same company and regiment."

SPECIFICATION 3D: "In this, that he, *Charles Walker*, private, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take and carry away, with the intent to appropriate the same to his own use and benefit, the following articles of clothing,

viz: one (1) shirt, of the value of two dollars and twenty-five cents ($2 25), and two (2) pairs of drawers, of the value of three dollars and fifty cents ($3 50), the property of James McCoy, of the same company and regiment.''

CHARGE 2D:

''*Selling, losing, or otherwise disposing of his clothing.*''

SPECIFICATION: ''In this, that he, *Charles Walker*, private of Company 'A,' 3d U. S. Infantry, did sell, lose, or otherwise dispose of the following articles of clothing, issued to him by the government of the United States, and to be used in the military service thereof, viz: one (1) blanket, one (1) shirt, one (1) pair of drawers, and two (2) bedsacks. This at Schofield Barracks, St. Louis, Mo., on or about the 22d day of February, 1866.''

CHARGE 3D:

''*Desertion.*''

SPECIFICATION: ''In this, that he, *Charles Walker*, private, of Company 'A,' 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of February, 1866, absent himself from and desert said service, and remained absent until arrested and returned to his company, under guard, on or about the 22d day of February, 1866. This at Schofield Barracks, St. Louis, Mo.''

To all of which charges and specifications the prisoner pleaded ''*Not guilty.*''

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification to the first charge, ''*Not guilty.*''
Of the second specification to the first charge, ''*Not guilty.*''
Of the third specification to the first charge, ''*Not guilty.*''
Of the first charge, ''*Not guilty.*''
Of the specification to the second charge, ''*Not guilty.*''
Of the second charge, ''*Not guilty.*''
Of the specification to the third charge, ''*Guilty,*'' except the words, ''*and desert.*''
Of the third charge, ''*Not guilty,*'' but ''*Guilty of absence without leave.*''

SENTENCE:

And the Court does, therefore, sentence him, the said *Charles Walker*, private, of Company "A," 3d U. S. Infantry, "to forfeit to the United States five dollars of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

II . . . Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, Paragraph 3, current series, from these Headquarters, and of which Major and Brevet Colonel J. N. G. WHISTLER, 13th U. S. Infantry, is President, were arraigned and tried:

1*st*. *Taylor Lawson*, unassigned recruit, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion*."

SPECIFICATION: "In this, that he, the said *Taylor Lawson*, unassigned recruit, 13th U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 11th day of January, 1866, absent himself from and desert said service, and remained absent until arrested, on or about the 21st day of February, 1866. This at Springfield, Illinois."

To which charge and specification the prisoner pleaded "*Guilty*."

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *Taylor Lawson*, unassigned recruit, 13th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the

United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip: and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years.''

Finding and sentence confirmed. So much of the sentence as directs that the prisoner ''be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip,'' is remitted. *Taylor Lawson*, private, unassigned recruit, 13th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who will, at the same time, be furnished with a copy of this order.

2*d*. *Charles Osborne*, recruit, 18th U. S. Infantry, on the following charge and specification:

CHARGE:

''*Desertion*.''

SPECIFICATION: ''In this, that he, the said *Charles Osborne*, recruit, 18th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service, in the month of June, 1865, and remain absent from his command until apprehended at Columbus, Ohio, on or about the 27th day of February, 1866. All this at or near Camp Thomas, Columbus, Ohio, in the month of June, 1865.''

To which charge and specification the prisoner pleaded ''*Guilty*.''

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows:

Of the specification, ''*Guilty*.''

Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, the said *Charles Osborne*, recruit, 18th U. S. Infantry, ''to be dishonorably dis-

charged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip, and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner "be indelibly marked with the letter 'D,' one and one half inches long, on the left hip," is omitted. *Charles Osborne*, recruit, 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who, at the same time, will be furnished with a copy of the order.

III . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Orders, No. 50, Paragraph 1, current series, from these Headquarters, and of which Lieutenant-Colonel GEORGE SYKES, 5th U. S. Infantry, is President, was arraigned and tried:

1*st*. *Mortimer Warner*, private, of Company "I," 2d U. S. Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Mortimer Warner*, an enlisted soldier in the service of the United States, private of Company 'I,' 2d U. S. Cavalry, did absent himself from and desert the said service, on or about the 26th day of January, 1866, and did remain absent therefrom until delivered up as a prisoner, on or about the 22d day of February, 1866. This at Fort Leavenworth, Kansas."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, *Mortimer Warner*, an enlisted soldier in the service of the United States, private of Company 'I,' 2d U. S. Cavalry, did sell, exchange, or otherwise improperly dispose of the following articles of U. S. military clothing, issued to him by his company commander, viz: one pair cavalry trowsers, one blouse, and one cap. This at or near Fort Leavenworth, Kansas, on or about the 26th day of January, 1866."

SPECIFICATION 2D: "In this, that he, the said *Mortimer Warner*, an enlisted soldier in the service of the United States, private, of Company 'I;' 2d U. S. Cavalry, did sell, exchange, or otherwise improperly dispose of the following articles of public property of the United States, viz: one letter 'I,' one number '2,' one pair cross sabers, one knapsack, one haversack, one canteen and strap, one poncho, one shelter tent, one saddle blanket, one curb bridle, and one watering bridle. This at or near Fort Leavenworth, Kansas, on or about the 26th day of January, 1866."

To which charges and specifications the prisoner pleaded as follows:

To the specification of the first charge, "*Guilty.*"
To the first charge, "*Guilty.*"
To the first specification of the second charge, "*Guilty.*"
To the second specification of the second charge, "*Not guilty.*"
To the second charge, "*Not guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the first specification of the second charge, "*Guilty.*"
Of the second specification of the second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Mortimer Warner*, private, of Company "I," 2d U. S. Cavalry, "to be confined in charge of the guard for three (3) months, breaking rock, from reveille until retreat, daily (Sundays excepted), allowing him half an hour for each meal, and to forfeit forty-eight dollars ($48) of his pay."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the Commanding Officer at that Post.

By command of Major-General Pope.

JOHN P. SHERBURNE
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

St. Louis, Mo., *March* 21, 1866.

GENERAL ORDERS,
No. 41.

On the recommendation of the Commanding Officer of the 3d U. S. Infantry, so much of the unexpired sentence as relates to imprisonment, in the case of Private John Keller, late Drum Major, 3d U. S. Infantry, promulgated in General Orders No. 52, series 1865, Headquarters, Department of the Missouri, under date of December 2d, 1865, is hereby remitted.

By command of Major-General Pope.

JOHN P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 23, 1866.

GENERAL ORDERS, No. 42.

I . . . Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 35, Paragraph 3, current series, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 13th U. S. Infantry, is President, were arraigned and tried:

1*st*. *William Babcock*, private, of Company "K," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion*."

SPECIFICATION: "In this, that he, the said Private *William Babcock*, an enlisted soldier in the service of the United States, of Company 'K,' 10th U. S. Infantry, did absent himself from and desert said service, at Jefferson Barracks, Mo., on or about the 5th day of February, 1866, and did remain absent from said service until delivered up as a prisoner at Jefferson Barracks, on or about the 9th day of February, 1866."

To which charge and specification the prisoner pleaded "*Not guilty*."

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, Private *William Babcock*, of Company "K," 10th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may

become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long. on the left hip; and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years.''

Finding and sentence confirmed. So much of the sentence as directs the prisoner ''to be indelibly marked with the letter 'D,' one and one-half inches long. on the left hip,'' is remitted. Private *William Babcock*, of Company ''K,'' 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks. Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

2*d*. *James W. Young*, private, of Company ''E,'' 3d Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE:

''*Desertion*.''

SPECIFICATION: ''In this, that he, the said *James W. Young*, private, of Company 'E,' 3d Battalion 18th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his quarters without permission from his commanding officer, and did desert the service of the United States on the night of the 1st of March, 1866, and remain absent until apprehended and returned on the same night. This at Jefferson Barracks, Mo.''

To which charge and specification the prisoner pleaded ''*Not guilty*.''

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Guilty*.''
Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, Private *James W. Young*, of Company ''E,'' 3d Battalion 18th U. S. Infantry,

"to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs the prisoner "to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *James W. Young*, private, of Company "E," 3d Battalion 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

3*d*. *James H. Beard*, private, of Company "H," 3d Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion*."

SPECIFICATION: "In this, that he, the said *James H. Beard*, private, of Company 'H,' 3d Battalion 18th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his quarters without permission from his commanding officer, and desert the service of the United States, on the night of the 1st of March, 1866, and remain absent until apprehended and returned on the same night. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not guilty*."

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, Private *James H. Beard*, of Company "H," 3d Battalion 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now due or may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip; and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs the prisoner "to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *James H. Beard*, private, of Company "H," 3d Battalion 18th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

II . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Order No. 50, Paragraph 1, current series, from these Headquarters, and of which Lieutenant-Colonel GEO. SYKES, 5th U. S. Infantry, is President, was arraigned and tried:

David Trihey, private, of Company "H," 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, the said *David Trihey*, private, of Company 'H,' 13th U. S. Infantry, did get drunk, and with a lighted cigar in his mouth enter the Post Hospital and attempt to go into the ward in which he belonged; and

upon being prohibited from doing so, did use threatening and abusive language toward Michael O'Malley, hospital steward, and private Devore, of the 11th Ohio Cavalry, offering to fight them and calling them 'damned mean men,' and that he would have revenge out of them at the first opportunity. This at Fort Leavenworth, Kansas, on or about the 8th day of March, 1866."

To which charge and specification the prisoner pleaded "*Not guilty*."

FINDING:

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the specification, "*Guilty*."
Of the charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, the said *David Trihey*, private, of Company "H," 13th U. S. Infantry, "to be confined, in charge of the guard, for sixty (60) days, breaking rock from reveille until retreat, allowing half an hour for each meal, and to forfeit thirty-two dollars ($32) of his pay."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the Commanding Officer of that Post.

III . . . Before a General Court Martial which convened at Schofield Barracks, St. Louis, Mo., pursuant to Special Orders No. 38, Paragraph 3, current series, from these Headquarters, and of which Colonel and Brevet Brigadier-General P. MORRISON, U. S. A., is President, were arraigned and tried:

1*st*. *Thomas Pasimore*, private, of Company 'H,' 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Thomas Pasimore*, private, of Company 'H,' 3d U. S. Infantry, having been ordered by

Sergeant John Swartz, sergeant in charge of the guard, to go to the guardhouse, did refuse to obey, at the same time offering resistance and striking said Swartz. This at Schofield Barracks, St. Louis, Mo., on or about the 8th day of March, 1866.''

To which charge and specification the prisoner pleaded ''*Not guilty*.''

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Guilty*.''
Of the charge, ''*Guilty*.''

SENTENCE:

And the Court does, therefore, sentence him, *Thomas Pasimore*, private, of Company ''H,'' 3d U. S. Infantry, ''to be confined at hard labor, under guard, for three months from the date of the promulgation of this sentence, wearing a ball, weighing twelve pounds, attached to his left leg by a chain five feet long; and to forfeit to the United States twelve dollars ($12) per month of his monthly pay for the same period.''

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into execution under the direction of the Commanding Officer of the 3d U. S. Infantry, who will designate the place of confinement.

2*d*. *Dennis Lawler*, private, of Company ''H,'' 3d U. S. Infantry, on the following charge and specification:

CHARGE:

''*Sleeping on his post*.''

SPECIFICATION: ''In this, that he, *Dennis Lawler*, private, of Company 'H,' 3d U. S. Infantry, having been regularly detailed for guard duty and duly posted as a sentinel at the St. Louis Military Prison, St. Louis, Mo., was found sleeping on his post. This at St. Louis, Mo., on or about the 10th day of March, 1866.''

To which charge and specification the prisoner pleaded "*Guilty*."

FINDING:

The Court having maturely considered the case, finds the prisoner as follows:

Of the specification, "*Guilty*," confirming the plea of the prisoner.

Of the charge, "*Guilty*," confirming the plea of the prisoner.

SENTENCE:

And the Court does, therefore, sentence him, *Dennis Lawler*, private, of Company "H," 3d U. S. Infantry, "to be confined at hard labor, under guard, for six consecutive months, to date from the date of the promulgation of his sentence, wearing a ball weighing twelve (12) pounds attached by a chain five (5) feet long to his left leg; and to forfeit to the United States twelve dollars ($12) per month of his monthly pay for the same period."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into execution under the direction of the Commanding Officer of the 3d U. S. Infantry, who will designate the place of confinement.

By command of Major-General Pope.

JOHN P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 27, 1866.

GENERAL ORDERS,
No. 44.

1...Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Orders No 35, Pargraph 3, current series, from these Headquarters, and of which Major and Brevet Colonel J. N. G. WHISTLER, 13th U. S. Infantry, is President, were arraigned and tried:

1st. *William H. Reynolds*, private, of the permanent company, 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *William H. Reynolds*, private, permanent company, 18th U. S. Infantry, having been duly enlisted in the service of the United States, did desert said service, on or about the 11th day of January, 1866, at or near Jefferson Barracks, Missouri, and did remain absent from his company and regiment until on or about the 10th day of March, 1866, when he was apprehended and arrested at or near Terre Haute, Indiana. All this at or near Jefferson Barracks, Mo., on or about the 11th day of January, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *William H. Reynolds*, private, permanent company, 18th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit

to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip, and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years.''

Finding and sentence confirmed. Upon the unanimous recommendation of the Court, based upon the mitigating circumstances and the previous good character of the prisoner, the sentence is remitted. *William H. Reynolds*, private, permanent company, 18th U. S. Infantry, will be released from arrest and returned to duty.

2d. *James McFarland*, private, of Company ''E,'' United States Engineers, on the following charge and specifications:

CHARGE:

''*Theft.*''

SPECIFICATION 1ST: ''In this, that he, *James McFarland*, private, of Company 'E,' U. S. Engineers, did feloniously steal, take, and carry away, one great coat, the property of one William Enright, of the value of twelve dollars, with intent to appropriate the same to his own use and benefit. This at Jefferson Barracks, Mo., on or about the 1st day of January, 1866.''

SPECIFICATION 2D: ''In this, that he, *James McFarland*, private, of Company 'E,' U. S. Engineers, did feloniously steal, take, and carry away, eleven dollars ($11) or thereabouts, the property of one John Allen, of same company, with intent to appropriate the same to his own use and benefit. This at Jefferson Barracks, Mo., on or about the 15th day of January, 1866.''

To which charge and specifications the prisoner pleaded ''*Not Guilty.*''

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, ''*Guilty.*''
Of the second specification, ''*Guilty.*''
Of the charge, ''*Guilty.*''

SENTENCE:

And the Court does, therefore, sentence him, *James McFarland*, private, Company ''E,'' U. S. Engineers, ''to be dishonorably

discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler, and to be confined at hard labor, in such penitentiary as the Commanding General may designate, for the period of five (5) years."

Finding and sentence confirmed. *James McFarland*, private, Company "E." U. S. Engineers, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

3d. *William Murphy*, unassigned recruit, 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *William Murphy*, unassigned recruit, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert the said service, at Jefferson Barracks, Mo., on or about the 18th day of November, 1865, and did remain absent until apprehended at Jefferson Barracks Mo., March 12th, 1866, while in the act of enlisting in the 10th U. S. Infantry, under the assumed name of *William Crawford*. This at Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *William Murphy*, unassigned recruit, 10th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indeli-

bly marked with the letter 'D,' one and one-half inches long, on the left hip, and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years.''

Finding and sentence confirmed. So much of the sentence as directs the prisoner ''to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip,'' is remitted. *William Murphy*, recruit, 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

4th. *William McClellan*, private, Company ''E,'' 3d battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

''*Conduct prejudicial to good order and military discipline.*''

SPECIFICATION: ''In this, that on or about the 9th day of March, 1866, at Jefferson Barracks, Mo., *William McClellan*, private, Company 'E,' 3d battalion 13th U. S. Infantry, did force an entrance to the baggage-room of No. 1 Hospital, through the window, while the guard was on the opposite side of the building, and did attempt to appropriate to his own use property pertaining to the United States Army, Medical Department, and for which Surgeon R. H. Alexander is responsible.''

To which charge and specification the prisoner pleaded ''*Not Guilty.*''

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, ''*Not Guilty.*''
Of the charge, ''*Not Guilty.*''

And the Court does, therefore, acquit him, *William McClellan*, private, Company ''E,'' 3d battalion 13th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

5th. *Nathaniel James*, private, Company "E," 3d battalion 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that on or about the 9th day of March, 1866, at Jefferson Barracks, Mo., *Nathaniel James*, private, Company 'E,' 3d battalion 13th U. S. Infantry, did force an entrance to the baggage-room of No 1 Hospital, through the window, while the guard was on the opposite side of the building, and did attempt to appropriate to his own use property pertaining to the United States Army, Medical Department, and for which Surgeon R. H. Alexander is responsible."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does, therefore, acquit him, *Nathaniel James*, private, Company "E," 3d battallion 13th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

6th, *John Banghart*, private, Company "G,' 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *John Banghart*, private, Company 'G,' 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert the said service on the 20th day of October, 1865, or thereabouts, at Washington, D. C., and did remain absent until apprehended at Jefferson Barracks, Mo., March 15th, 1866."

CHARGE 2D:

"*Re-enlisting without a regular discharge.*"

SPECIFICATION: "In this, that he, *John Banghart*, private, Company 'G,' 10th U. S. Infantry, a duly enlisted soldier in said

regiment, did, without having ever received a regular discharge from said company and regiment, present himself and was enlisted in the 13th U. S. Infantry, February 4th, 1866, at Harrisburg, Pennsylvania. This on or about the dates above specified, and at or near the places designated."

To which charges and specifications the prisoner pleaded "*Guilty*."

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification to the first charge, "*Guilty*."

Of the first charge, "*Guilty*."

Of the specification to the second charge, "*Guilty*."

Of the second charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, *John Banghart*, private, Company "G," 10th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip, and to be confined at hard labor at such place as the Commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs the prisoner "to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *John Banghart*, private, Company "G," 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

7th. *Michael Mullens*, unassigned recruit, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Michael Mullens*, an unassigned recruit, 13th U. S. Infantry, having been duly enlisted in the service of the United States, did absent himself from and desert the same, on or about the 10th day of February, 1866, at or near Columbus, Ohio, whilst *en route* for Jefferson Barracks, Mo., and did remain absent until apprehended at or near Cincinnati, Ohio, on or about the 15th day of February, 1866.

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*," except the words "*and desert.*"

Of the charge, "*Not Guilty*," but "*Guilty of absence without leave.*"

SENTENCE:

And the Court does, therefore, sentence him, *Michael Mullens*, private, an unassigned recruit, 13th U. S. Infantry, to refund to the United States thirty dollars ($30) paid for his apprehension.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

8th. *Wilhelm Weinbrecht*, private, of Company "F," 10th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Wilhelm Weinbrecht*, private, Company 'F,' 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert the said service, on the 28th day of March, 1865, or thereabouts, at or near Fort Buffalo, N. Y., and remained absent until apprehended at Jefferson Barracks, Mo., March 15th, 1866.

CHARGE 2D:

"*Re-enlisting without a regular discharge.*"

SPECIFICATION: "In this, that he, *Wilhelm Weinbrecht*, private, Company 'F,' 10th U. S. Infantry, a duly-enlisted soldier in said regiment, did, without ever having received a regular discharge from said company and regiment, present himself for and was enlisted for general service, U. S. A., December 1st, 1865, at Cincinnati, Ohio. This on or about the dates specified above, and at or near the places designated."

To all of which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification to the first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification to the second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Wilhelm Weinbrecht*, private, Company "F," 10th U. S. Infantry, "to be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip, and to be confined at hard labor, at such place as the Commanding General of the Department may designate, for the period of three years."

Finding and sentence confirmed. So much of the sentence as directs the prisoner "to be indelibly marked with the letter 'D,' one and one-half inches long, on the left hip," is remitted. *Wilhelm Weinbrecht*, private, Company "F," 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary at Jefferson City, Mo. The Commanding Officer at Jefferson Barracks, Mo., will cause the prisoner to be

forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

By command of Major-General Pope.

JOHN P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *March* 27, 1866.

GENERAL ORDERS,
No. 45.

In accordance with instructions from the War Department, Adjutant General's Office, so much of the sentence in the case of privates John Jackson Washington Miller, of Company "F," 1st Battalion 18th U. S. Infantry, published in General Orders No. 22, Headquarters, Department of the Missouri, February 23d, 1866, and private John Fitzgerald, of Company "B," 3d U. S. Infantry, published in General Orders No. 29, Headquarters, Department of the Missouri, March 2d, 1866, as relates to the wearing of a ball and chain during their term of imprisonment, is remitted.

BY COMMAND OF MAJOR-GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

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HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *April* 12, 1866.

GENERAL ORDERS,
No. 48.

I... Before a General Court Martial which convened at Schofield Barracks, St. Louis, Mo., pursuant to Special Orders No. 74, current series, from these Headquarters, and of which Major and Brevet Colonel C. GROVER, 3d U. S. Infantry, is President, were arraigned and tried:

1*st*. *Dennis Corcoran*, Recruit, of Company "A," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Theft*."

SPECIFICATION: "In this, that he, *Dennis Corcoran*, Recruit, Company 'A,' 3d U. S. Infantry, did feloniously steal, take and carry away, one (1) great-coat, of the value of twelve (12) dollars, the property of one Wm. McDowell, of same Company and Regiment. This at Schofield Barracks, St. Louis, Mo., on or about the 27th day of March, 1866."

To which the prisoner pleaded "*Not Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*, except the words 'feloniously steal.'"

Of the charge, "*Not Guilty*."

And the Court does, therefore, "acquit him."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

2*d*. *Charles Walker*, Private, of Company "A," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Canduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Charles Walker*, Private, of Company 'A,' 3d U. S. Infantry, did assist one Thomas H. Carroll, of same Company and Regiment, in carrying off one blanket, knowing the same to have been stolen from one John Hoffman, Private, of Company 'A,' 3d U. S. Infantry. This at Schofield Barracks, St. Louis, Mo., on or about the 28th day of March, 1866."

To which the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Charles Walker*, Private, Company "A," 3d U. S. Infantry, "To forfeit to the United States fourteen dollars ($14 00) of his monthly pay for two months, and to be confined at hard labor, under charge of the guard, wearing a ball weighing twelve pounds attached to his left leg by a chain six feet long, for the same period."

Finding and sentence confirmed. In accordance with instructions from the Secretary of War, so much of the sentence as relates to the wearing of a ball weighing twelve pounds, attached to his left leg by a chain six feet long, is remitted. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of the 3d U. S. Infantry.

3*d*. *Thomas Smith*, Sergeant, of Company "B," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Thomas Smith*, Sergeant, of Company 'B,' 3d U. S. Infantry, having been regularly placed in charge of a police party, and having under his immediate charge a prisoner under charges, did negligently and carelessly permit sa d prisoner to escape. This at Schofield Barracks, St. Louis, Mo., on or about the 13th day of March, 1866."

To which the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not Guilty.*"

Of the charge, "*Not Guilty.*"

And the Court does therefore acquit him.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

4th. Thomas H. Carroll, Recruit, Company "A," 3d U. S. Infantry, on the following charge and specifications:

CHARGE:

"*Theft.*"

SPECIFICATION 1ST: "In this, that he, *Thomas H. Carroll,* Recruit, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take, and carry away one (1) blanket, of the value of seven ($7.00) dollars, the property of one John Stafford, of same Company and Regiment, with the intent to appropriate the same to his own use and benefit. This at Schofield Barracks, St. Louis, Mo., on or about the 28th day of March, 1866."

SPECIFICATION 2D: "In this, that he, *Thomas H. Carroll,* Recruit, of Company 'A,' 3d U. S. Infantry, did feloniously steal, take, and carry away, with the intent to appropriate the same to his own use and benefit, one (1) blanket, of the value of seven ($7.00) dollars, the property of one John Hoffman, of same Company and Regiment. This at Schofield Barracks, St. Louis, Mo., on or about the 28th day of March, 1866."

To which the prisoner pleaded as follows:

To the first specification, "*Guilty.*"

To the second specification, "*Not Guilty.*"

To the charge, "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, confirms the plea of the prisoner, and finds him "*Guilty.*"

Of the second specification, "*Guilty,* except the words 'take and carry away.'"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Thomas H. Carroll,* Private, Company "A," 3d U. S. Infantry, "To be confined at hard

labor, under guard, for six consecutive months from the date of the promulgation of his sentence, wearing a ball weighing twelve pounds attached to his left leg by a chain five feet long; and to forfeit all pay and allowances that are, or may become due him, with the exception of what may be justly due the sutler and laundress, and one dollar per month, and, at the expiration of his sentence, to be dishonorably discharged from the service of the United States.

Finding and sentence confirmed. In accordance with instructions from the Secretary of War, so much of the sentence as relates to the wearing of a ball weighing twelve pounds, attached to his left leg by a chain five feet long, is remitted. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of the 3d U. S. Infantry.

II... Before a General Court Martial which convened at Fort Kearney, N. T., pursuant to Special Orders, No. 39, Headquarters District of Nebraska, dated Fort Kearney, N. T., November 22d, 1865, and of which Major A. J. HUGHES, 12th Missouri Cavalry, is President, was arraigned and tried:

Edward W. Allen, Private, of Company "A," 1st Nebraska Vet. Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Assault with intent to kill.*"

SPECIFICATION: "In this, that he, *Edward W. Allen*, 1st Nebraska Vet. Cavalry, did make an assault upon the person of Zebulon J. Marks, late a private of Company 'A,' 1st Nebraska Cavalry Vet. Vols., by striking him on the head with a revolver, and then he, the said *Edward W. Allen*, of said Company and Regiment, run to his quarters, and, taking his carbine, did load it, and say that he would 'shoot the son-of-a-bitch,' or words to that effect. All this at Gillman's Ranche, N. T., at or about four o'clock, P. M., on the 1st day of November, 1865."

CHARGE 2D:

"*Violation of the Ninth Article of War.*"

SPECIFICATION: "In this, that he, *Edward W. Allen*, Private, of Company 'A,' 1st Nebraska Cavalry Vet. Vols., did lift up and full cock a loaded carbine againt the person of Arthur Carmichael, a Corporal in Company 'A,' 1st Nebraska Cavalry Vet. Vols., while in the performance of his duties as Corporal. All this at Gillman's Ranche, N. T., at or about four o'clock, P. M., on the 1st day of November, 1865."

CHARGE 3D:

"*Murder.*"

SPECIFICATION: "In this, that he, *Edward W. Allen*, Private, of Company 'A,' 1st Nebraska Cavalry Vet. Vols., did wilfully and feloniously, and of malice aforethought, kill and murder one Zebulon J. Marks, late a Private of Company 'A,' 1st Nebraska Cavalry Vet. Vols., by shooting him to death then and there. This at Gillman's Ranche, N. T., at or about nine o'clock, P. M., on the 1st day of November, 1865."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Guilty.*"

Of the first charge, "*Guilty.*"

Of the specification to the second charge, "*Not Guilty.*"

Of the second charge, "*Not Guilty.*"

Of the specification of the third charge, *Guilty*, with the exception of the words 'wilfully and feloniously, and of malice aforethought,' and the word 'murder.'"

Of the third charge, '*Not Guilty* of murder, but guilty of manslaughter."

SENTENCE:

And the Court does therefore sentence him the said *Edward W. Allen*, Private, of Company 'A,' 1st Nebraska Vet. Cavalry, "to be dishonorably dismissed the service of the Uni ed States, with the loss of all pay now due, or to become due, and to be confined at hard labor for the period of five (5) years, at such place as the Commanding General may direct."

Finding and sentence confirmed. Private *Edward W. Allen*, Company "A," 1st Nebraska Vet. Cavalry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into execution at the Missouri State Penitentiary, at Jefferson City, Mo. The Commanding Officer at Fort Kearney, N. T., will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who, at the same time, will be furnished with a copy of this order.

III... Before a General Court Martial which convened at Jefferson Barracks, Mo , pursuant to Special Orders, No. 73, current series, from these Headquarters, and of which Major and Brevet Colonel S. B. HAYMAN, 10th U. S. Infantry, is President, were arraigned and tried:

1*st.* *Albert Comstock*, Private, of Company "G," 3d Batt. 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Albert Comstock*, Private, Company 'G,' 3d Batt. 18th U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of a party of prisoners, did permit one of said prisoners, Frank Mermon, a Musician, of Company 'B,' 1st Batt. 18th U. S. Infantry, to escape. This at Jefferson Barracks, Mo., on or about the 25th day of March, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does, therefore, acquit him, *Albert Comstock*, Private, of Company "G," 3d Batt. 18th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

2*d.* *Reuben Spencer*, Private, Company "E," 3d Batt. 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Reuben Spencer*, Private, of Company 'E,' 3d Batt. 13th U. S. Infantry, a duly enlisted soldier in the United States service, did absent himself from his Company, without permission from his Commanding Officer, and deserted the same on the 18th of March, 1866, and remained absent until apprehended and returned on the 19th of March, 1866. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty,* except the words 'and deserted the same.'"

Of the charge, "*Not Guilty,* but guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *Reuben Spencer,* a Private of Company "E," 3d Battalion 13th U. S. Inf ntry, "To forfeit to the United States thirty ($30.00) dollars, the sum paid for his apprehension, and to carry a knapsack, strapped to his back, weighing forty (40) pounds, every alternate two hours, from reveille till tattoo, for ten days."

Finding and sentence confirmed, excepting so much as directs that the prisoner forfeit to the United States $30.00 paid for his apprehension, the charge of *desertion* not having been sustained. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer at Jefferson Barracks, Mo.

By command of Major-General Pope.

JOHN P. SHERBURNE,

Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *April* 24, 1866.

GENERAL ORDERS, No. 53.

I... Before a General Court Martial, which convened at Jefferson Barracks, Mo., pursuant to Special Orders, No. 73, current series, from these Headquarters, and of which Major and Brevet Colonel S. B. HAYMAN, 10th U. S. Infantry, is President, were arraigned and tried:

1*st*. *Charles Cavanaugh*, Private, of Company "B," 3d Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Charles Cavanaugh*, Private, of Company 'B,' 3d Battalion, U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 20th day of March, 1866, absent himself and desert from said service, and remained absent until arrested in the city of St. Louis, Mo., on the 21st day of March, 1866. This at or near Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*, except the words 'and desert,' and the words 'on the 21st day of March, 1866.'"

Of the charge, "*Not Guilty*, but guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *Charles Cavanaugh*, Private, of Company 'B,' 3d Battalion, 13th U. S. Infantry, "to for-

feit thirty dollars ($30) to the United States, and to be confined ten days, during which time to carry a knapsack weighing forty pounds every alternate two hours from reveille till retreat, in front of the guard house."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner forfeit thirty dollars to the United States, is remitted. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of the 13th U. S. Infantry.

2*d*. *Andrew J. Arnold*, Private, of Company "E," 3d Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, *Andrew J. Arnold*, Private, of Company 'E,' 13th U. S. Infantry, did, when ordered by the 1st Sergeant of his Company to retire to his quarters, wantonly, insultingly and profanely refuse to obey said order. This at Jefferson Barracks, Mo., on or about the 16th of March, 1866."

CHARGE 2D:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that he, *Andrew J. Arnold*, Private, of Company 'E,' 13th U. S. Infantry, did interfere with a Sergeant of his Company, while attempting to arrest a member of his Company for disorderly conduct, at the same time saying, 'If you attempt to arrest me, I will bite hell out of you,' or words to that effect. This at Jefferson Barracks, Mo., on or about the 16th day of March, 1866."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Not Guilty.*"

Of the first charge, "*Not Guilty.*"

Of the specification of the second charge, "*Guilty,*" except the words, "at the same time saying, 'If you attempt to arrest me, I will bite hell out of you,' or words to that effect."

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Andrew J. Arnold*, Private, of Company "E," 3d Battalion, 13th U. S. Infantry, "To

forfeit ten dollars per month of his monthly pay for the period of three months, and to be confined at hard labor for sixty days, with a six-pound ball and a chain six feet long attached to his left leg."

Finding and sentence confirmed. So much of the sentence as relates to the wearing of a six pound ball and chain six feet long, attached to his left leg, is remitted. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of the 13th U. S. Infantry.

3d. *Patrick Hanley*, Private, of Company "E," 3d Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, *Patrick Hanley*, Private, of Company 'E,' 3d Battalion, 13th U. S. Infantry, having been ordered by a Sergeant of his Company to stop making a noise and go to bed, did wantonly refuse to obey said order. This at Jefferson Barracks, Mo., after taps, on or about the 10th day of March, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Patrick Hanley*, Private, of Company 'E,' 3d Battalion, 13th U. S. Infantry, did, when ordered to go to the guard-house by the 1st Sergeant of his Company, wantonly, profanely, and insultingly refuse to obey, saying 'I will have your life for this before I leave the army,' or words to that effect. This at Jefferson Barracks, Mo., on or about the 16th day of March, 1866."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Not Guilty.*"
Of the first charge, "*Not Guilty.*"
Of the specification of the second charge, "*Not Guilty.*"
Of the second charge, "*Not Guilty.*"

And the Court does, therefore, acquit him, *Patrick Hanley*, Private, of Company "E," 3d Battalion, 13th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released rom arrest and returned to duty.

4*th.* *William Cooper,* Private, of Company "G," 3d Battalion, 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty, to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *William Cooper*, Private, of Company 'G,' 3d Battalion 18th U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of a party of prisoners, did permit one of said prisoners, Frank Mermon, a Musician, of Company 'B,' 1st Battalion, 18th U. S. Infantry, to escape. This at Jefferson Barracks, Mo., on or about the 25th day of March, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does, therefore, acquit him, the said Private *William Cooper*, Company 'G,' 3d Battalion, 18th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

5*th.* *John Wilson*, Private, of Company "E," 3d Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Striking his superior officer.*"

SPECIFICATION: "In this that he, *John Wilson*, Private, of Company 'E,' 3d Battalion, 13th U. S. Infantry, did strike his superior officer, a Corporal of his Company, while in the execution of his office. This at or near Jefferson Brrracks, Mo., on or about the 16th day of March, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *John Wilson*, a Private, of Company "E," 3d Battalion, 13th U. S. Infantry, "To forfeit fourteen ($14.00) dollars per month of his monthly pay for six months, to solitary confinement on bread and water for fourteen days, and to hard labor for six calendar months, wearing a six-pound ball, and chain six feet long, attached to his left leg, at such military post as the Department Commander may designate."

Finding and sentence confirmed. So much of the sentence as relates to wearing a ball and chain, is remitted. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of the 13th U. S. Infantry.

6th. Robert Cole, Private, of Company "E," Battalion of Engineers, on the following charges and specifications:

CHARGE 1ST:

"*Striking his superior officer.*"

SPECIFICATION: "In this, that he, *Robert Cole*, Private, of Company 'E,' Battalion of Engineers, did strike his superior officer, 1st Sergeant Louis Marquart, of Company 'E,' Battalion of Engineers, he, the said Sergeant Marquart, being then and there in the execution of his office. This at Jefferson Barracks, Mo., on or about the 24th day of March, 1866."

CHARGE 2D:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that he, *Robert Cole*, Private, of Company 'E,' Battalion of Engineers, did, after having been confined in the guard-house by 1st Sergeant Louis Marquart, of same Company, use the following disrespectful language towards him: 'You are a God-damned Dutch son-of-a-bitch; I can lick you,' or words to that effect. This at Jefferson Barracks, Mo , on or about the 24th day of March, 1866."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Not Guilty.*"

Of the first charge, "*Not Guilty.*"

Of the specification of the second charge, "*Guilty.*"

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Robert Cole*, Private, Company "E," Battalion of Engineers, "To forfeit ten dollars of his monthly pay for one month, and to be confined for fifteen days, carrying a knapsack weighing forty pounds, every alternate two hours, between reveille and retreat, for the same time in front of the guard-house."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer of his Company.

7th. Robert T. Ellis, Private, of Company "A," 3d Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Theft.*"

SPECIFICATION: "In this, that he, *Robert T. Ellis*, Private, of Company 'A,' 3d Battalion, 13th U. S. Infantry, did feloniously steal, take, and appropriate to his own use and benefit the sum of three dollars ($3.00) in money, the property of one John Brown, Private, of Company 'B,' 3d Battalion, 13th U. S. Infantry. This at St. Louis, Mo., on or about the 21st day of March, 1866."

CHARGE 2D:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *Robert T. Ellis*, Private, of Company 'A,' 3d Battalion, 13th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself without proper authority from his Company and Regiment on the night of the 20th of March, 1866, and did remain absent until arrested in St. Louis, Mo., on the 21st day of March, 1866. This at or near Jefferson Barracks, Mo."

To which charges and specifications the prisoner pleaded as follows:

To the specification of the first charge, "*Not Guilty.*"

To the first charge, "*Not Guilty.*"
To the specification of the second charge, "*Guilty.*"
To the second charge, "*Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds he prisoner as follows:

Of the specification to the first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification to the second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Robert T. Ellis*, Private, Company "A," 3d Battalion, 13th U. S. Infantry, "To forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler and ($3.00) three dollars, to be refunded to John Brown, Private, Company 'B,' 3d Battalion, 13th U. S. Infantry; to have his head shaved; to be branded with the letter 'T,' one and a half inches long, on the left hip; to be drummed out of the service, with a placard attached to his back with the word 'Thief,' painted upon it in letters two and one-half inches long, and to be confined at hard labor for the period of three months, at such place as the Department Commander may designate."

Finding and sentence confirmed. So much of the sentence as directs the branding with the letter "T," one and one-half inches long, on the left hip, and confinement of the prisoner for three months, is remitted. *Robert T. Ellis*, Private, of Company "A," 3d Battalion, 13th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be executed under the direction of his Commanding Officer.

8th. John Warmsley, Private, of Company "E," 3d Battalion, 18th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *John Warmsley*, Private, of Company 'E,' 3d Battalion, 18th U. S. Infantry, a duly-enlisted soldier in the United States service, did absent himself from

his company without permission from his Commanding Officer, and deserted the same on the 18th day of March, 1866, and remained absent until apprehended and returned on the 19th day of March, 1866. This at Jefferson Barracks, Mo."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Guilty*, except the words 'and deserted the same.'"

To the charge, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty*, except the words 'and deserted the same.'"

Of the charge, "*Not Guilty*, but guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *John Warmsley*, Private, of Company "E," 3d Battalion, 18th U. S. Infantry, "to forfeit to the United States thirty dollars ($30) paid for his apprehension, and to carry a knapsack strapped to his back, weighing forty (40) pounds, every alternate two hours from reveille till tattoo, for ten days, under charge of the police guard."

Finding and sentence confirmed. So much of the sentence as directs that the prisoner forfeit thirty dollars paid for his apprehension is remitted, the charge of desertion not having been sustained. The remainder of the sentence will be executed under the direction of the Commanding Officer of the 18th U. S. Infantry.

9th. William McDonald, Private, of Company "H," 10th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *William McDonald*, Private, of a detachment of Company 'H,' 10th U. S. Infantry, attached to Company 'K,' 10th U. S. Infantry, a duly-enlisted soldier in the service of the United States, did absent himself from and desert the said service, and remained absent until delivered up as a prisoner at the Jefferson Barracks guard-house, on or about the 23d day of March, 1866."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *William McDonald*, Private, of Company "H," 10th U. S. Infantry, "To forfeit all pay and allowances that are now, or may become due him, except the just dues of the laundress and sutler; to have his head shaved; to be branded with the letter 'D,' one and one-half inches long, on the left hip; to be drummed out of the service; and to be confined at hard labor for three years, at such place as may be designated by the Department Commander."

Finding and sentence confirmed. So much of the sentence as directs the prisoner to be branded with the letter "D," one and one-half inches long, on the left hip, is remitted. *William McDonald*, Private, of Company "H," 10th U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be executed under the direction of the Commanding Officer at Jefferson Barracks, Mo., who will cause the prisoner to be forwarded to Jefferson City, Mo., and turned over to the warden of the State Penitentiary, who, at the same time, will be furnished with a copy of this order.

10*th*. *Michael Smith*, Private, of Company "D," 3d Battalion, 18th U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Assault and battery.*"

SPECIFICATION: "In this, that he, *Michael Smith*, Private, of Company 'D,' 3d Battalion, 18th U. S. Infantry, did assault, strike, beat, and otherwise brutally bruise one Frederick W. Weber, Acting Sergeant, 3d Battalion, 18th U. S. Infantry, by knocking him from a car, the same being in motion. This between St. Louis, Mo., and Jefferson Barracks, Mo., on or about the 18th day of March, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*

SPECIFICATION: "In this, that he, *Michael Smith*, Private, o Company 'D,' 3d Battalion, 18th U. S. Infantry, being a prisoner

under guard, did claim to be the sergeant in charge of the guard, whereby he was enabled to and did create a disturbance, and abuse, insult, and otherwise ill-treat his fellow prisoners. This between the city of St. Louis, Mo., and Jefferson Barracks, Mo., on or about the 18th day of March, 1866."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Guilty*, but attach no criminality thereto."

Of the first charge, "*Not Guilty.*"

Of the specification of the second charge, "*Not Guilty.*"

Of the second charge, "*Not Guilty.*"

And the Court does, therefore, "acquit him, *Michael Smith*, Private, Company 'D,' 3d Battalion, 18th U. S. Infantry."

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

11*th*. *John Wilson*, Sergeant, of Company "E," Battalion of Engineers, on the following charges and specifications:

CHARGE 1ST:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that, he, *John Wilson*, Sergeant, of Company 'E,' Battalion of U. S. Engineers, having been placed in arrest, with orders from his Comanding Officer to confine himself to his quarters, did leave his Company and quarters on or about the 19th day of March, 1866, and remained absent until returned on the 21st day of March, 1866. This at Jefferson Barracks, Mo."

CHARGE 2D:

"*Desertion.*"

SPECIFICATION: "In this, that he, *John Wilson*, Sergeant, of Company 'E,' Battalion of U. S. Engineers, a duly enlisted soldier in the service of the United States, did, on or about the 19th day of March, 1866, absent himself from and desert said service, and remained absent until apprehended and returned to Jefferson Barracks, Mo., on or about the 21st day of March, 1866. This at Jefferson Barracks, Mo."

To which charges and specifications the prisoner pleaded as follows:

To the specification of the first charge, "*Guilty.*"

To the first charge, "*Guilty.*"

To the specification of the second charge, "*Not Guilty.*"

To the second charge, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, "*Guilty.*"

Of the first charge, "*Guilty.*"

Of the specification of the second charge, "*Guilty*, except the words 'and desert,' and the words 'apprehended and returned to Jefferson Barracks, Mo.'"

Of the second charge, "*Not Guilty*, but guilty of absence without leave."

SENTENCE:

And the Court does, therefore, sentence him, *John Wilson*, Sergeant, of Company "E," Battalion of U. S. Engineers, "To be reduced to the ranks, and to forfeit to the United States fifteen dollars per month of his monthly pay for six months, and to be confined at hard labor for six months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect under the direction of the Commanding Officer at Jefferson Barracks, Mo.

BY COMMAND OF MAJOR-GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *April* 27, 1866.

GENERAL ORDERS, No. 54.

I... Before a General Court Martial, which convened at Schofield Barracks, St. Louis, Mo., pursuant to Special Orders, No. 74, current series, from these Headquarters, and of which Major and Brevet Colonel C. GROVER, 3d U. S. Infantry, is President, were arraigned and tried:

1*st*. *Jacob Kaufman*, Private, Company "A," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion*."

SPECIFICATION: "In this, that he, *Jacob Kaufman*, Private, Company 'A,' 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 3d day of January, 1866, absent himself from and desert said service, and remained absent until arrested on or about the 30th day of March, 1866. This at St Louis, Mo."

CHARGE 2D:

"*Re-enlisting without a regular discharge*."

SPECIFICATION: "In this, that he, *Jacob Kaufman*, Private, of Company 'A,' 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did present himself for, and was enlisted in the 18th U. S. Infantry, without ever having received a regular discharge from the regiment in which he last served. This at Jefferson Barracks, Mo., on or about the 24th of February, 1866."

To which the prisoner pleaded "*Guilty*."

FINDING:

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification to the first charge, "*Guilty*."

Of the first charge, "*Guilty*."

Of the specification to the second charge, "*Guilty*."

Of the second charge, "*Guilty*."

SENTENCE:

And the Court does, therefore, sentence him, *Jacob Kaufman*, Private, of Company "A," 3d U. S. Infantry, "to forfeit all pay and

allowances that are now or may become due him, except so much as will pay the just dues of the sutler and laundress, and one (1) dollar per month until his discharge, and to be confined for six consecutive months at hard labor, under charge of the guard, from the date of the promulgation of his sentence, wearing a ball weighing twelve pounds attached to his left leg by a chain five feet long, and at the expiration of his sentence to be dishonorably discharged from the service of the United States.

Finding and sentence confirmed. Upon the unanimous recommendation of the Court, the sentence is remitted. The prisoner will be released from arrest and returned to duty.

2*d*. *Paul Casimer*, Private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Selling, losing, or otherwise disposing of his clothing.*"

SPECIFICATION: "In this, that he, *Paul Casimer*, Private, of Company 'H,' 3d U. S. Infantry, did sell, lose, or otherwise unlawfully dispose of one (1) great-coat, of the value of twelve ($12.00) dollars, and one blanket, of the value of seven ($7.00) dollars, furnished by, and to be used in, the military service of the United States. This at St. Louis, Mo., on or about the 31st day of March, 1866."

To which the prisoner pleaded as follows:

To the specification, "*Guilty*, except the words 'did sell' and 'or otherwise disposing of.'"

To the charge, "*Guilty*, except the words 'selling' and 'or otherwise disposing of.'"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, confirms the plea of the prisoner and finds him "*Guilty*, except the words 'did sell' and 'or otherwise unlawfully disposing of.'"

Of the charge, confirms the plea of the prisoner, and finds him "*Guilty*, except the words 'selling' and 'or otherwise disposing of.'"

SENTENCE:

And the Court does, therefore, sentence him, *Paul Casimer*, Private, Company "H," 3d U. S. Infantry, "to reimburse the United States the amount of the clothing lost, and to forfeit fourteen ($14.00) dollars of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

3d. George W. Gordon, Private, of Company "H," 3d U. S. Infantry, on the following charge and specification:

CHARGE:

"*Selling, losing, or otherwise disposing of his clothing.*"

SPECIFICATION: "In this, that he, *George W. Gordon*, a Private of Company 'H,' 3d U. S. Infantry, did sell, lose, or otherwise unlawfully dispose of one great-coat, of the value of twelve dollars, and one flannel sack coat, of the value of four dollars and eighty cents, furnished by, and to be used in the military service of the United States. This on or about the 22d day of March, 1866."

To which the prisoner pleaded as follows:

To the specification, "*Guilty*, except the words 'did sell' and 'or otherwise unlawfully dispose of.'"

To the charge "*Guilty*, except the words 'selling or otherwise disposing of.'"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification, confirms the plea of the prisoner, and finds him "*Guilty*, except the words 'did sell' and 'or otherwise unlawfully dispose of.'"

Of the charge, confirms the plea of the prisoner, and finds him "*Guilty*, except the words 'selling, or otherwise disposing of.'"

SENTENCE:

And the Court does, therefore, sentence him, *George W. Gordon*, Private, of Company "H," 3d U. S. Infantry, "to reimburse to the United States the amount of clothing lost, and to forfeit fourteen dollars ($14.00) of his monthly pay for one month."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

4th. Alexander Anderson, Private, Company "G," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *Alexander Anderson*, Private, Company 'G,' 3d U. S. Infantry, did absent himself from his

Company and Regiment without proper authority, from between the hours of 9 and 10 o'clock, A. M., March 30th, 1866, until tattoo, same date. This at Schofield Barracks, St. Louis, Mo., on or about the dates above specified."

CHARGE 2D:

"*Selling, losing, or otherwise disposing of his clothing.*"

SPECIFICATION: "In this, that he, *Alexander Anderson*, Private, Company 'G,' 3d U. S. Infantry, did sell, lose or otherwise dispose of one blanket, of the value of seven dollars, issued to him to be used in the military service of the United States. This at Schofield Barracks, St. Louis, Mo, on or about the 30th day of March, 1866."

To which the prisoner pleaded as follows:

To the specification of the first charge, "*Guilty*"

To the first charge, "*Guilty.*"

To the specification of the second charge, "*Not Guilty.*"

To the second charge, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, confirms the plea of the prisoner, and finds him "*Guilty.*"

Of the first charge, confirms the plea of the prisoner, and finds him "*Guilty.*"

Of the specification of the second charge, "*Guilty.*"

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *Alexander Anderson*, Private, Company "G," 3d U. S. Infantry, "to forfeit to the United States fourteen dollars ($14.00) of his monthly pay for two months, and to be confined at hard labor, under charge of the guard, wearing a ball weighing twelve pounds attached to his left leg by a chain six feet long, for the same period."

Finding and sentence confirmed. In accordance with instructions from the Secretary of War, so much of the sentence as directs the prisoner to wear a ball weighing twelve pounds attached to his left leg by a chain six feet long, is remitted The stoppage of pay will be made by the proper officer. The remainder of the sentence will be executed under the direction of the Commanding Officer of the 3d U. S. Infantry.

II . . . Before a General Court Martial, which convened at Fort Leavenworth, Kansas, pursuant to Special Orders, No. 50, current series, from these Headquarters, and of which Lieut. Col. THOS. L. MACKEY, 11th Ohio Cavalry, is President, were arraigned and tried:

1st. *John Ashburn*, Private, of Company "B," 13th Missouri Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *John Ashburn*, an enlisted soldier in the service of the United States, Private, of Company 'B,' 13th Missouri Cavalry, did absent himself from and desert said service, at or near Fort Riley, Kans., on or about the 6th day of September, 1865, and did remain absent therefrom until apprehended at or near Camden, Ray county, Mo., on or about the 16th day of January, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *John Ashburn*, an enlisted soldier in the service of the United States, Private, of Company 'B,' 13th Missouri Cavalry, did, at the time of his desertion, feloniously take, and carry away, with the intent to convert, and appropriate the same to his own use and benefit, one U. S. cavalry horse, and one set of horse equipments, the public property of the United States. This at Fort Riley, Kans., on or about the 6th day of September, 1865."

To all of which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification of the first charge, "*Guilty.*"

Of the first charge, "*Guilty.*"

Of the specification to the second charge, "*Guilty.*"

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *John Ashburn*, Private, of Company "B," 13th Missouri Cavalry, "to be confined at hard labor, in charge of the guard, for the unexpired term of his enlistment, to forfeit all pay and allowances during his confinement, and at its expiration to be dishonorably discharged the service of the United States."

Finding and sentence confirmed. In pursuance of instructions from the War Department, contained in General Orders, No. 5, current series, from these Headquarters, the sentence of imprisonment is remitted. Private *John Ashburn*, Company "B," 13th Missouri Cavalry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer.

2d. Francis M. Sconce, Sergeant, of Company "B," 13th Missouri Cavalry, on the following charges and specifications:

CHARGE 1ST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Francis M. Sconce*, an enlisted soldier in the service of the United States, Sergeant, of Company 'B,' 13th Missouri Cavalry Volunteers, did absent himself from and desert the said service, at or near Fort Riley, Kans., on or about the 6th day of September, 1865, and did remain absent therefrom until apprehended at or near Camden, Ray county, Missouri, on or about the 16th day January, 1866."

CHARGE 2D:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Francis M. Sconce*, an enlisted soldier in the service of the United States, Sergeant, of Company 'B,' 13th Missouri Cavalry, did, at the time of his desertion, feloniously take and carry away, with the intent to convert, and appropriate the same to his own use and benefit, one cavalry horse and one set of horse equipments, the public U. S. property of the United States. This at or near Fort Riley, Kans., on or about the 6th day of September, 1865."

To all of which charges and specifications the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification to the first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification to the second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, the said *Francis M. Sconce*, Sergeant, of Company "B," 13th Missouri Cavalry, "to be confined at hard labor, in charge of the guard, for the unexpired term of his enlistment, to forfeit all pay and allowances accruing during his confinement, and at its expiration to be dishonorably discharged the service."

Finding and sentence confirmed. On account of the irregular proceedings of the Court, in not first reducing the prisoner to the rank of a private soldier, and in compliance with instructions from the W r Department, contained in General Orders, No. 5, current series, from these Headquarters, the sentence of imprisonment is remitted. Sergeant *Francis M. Sconce* is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer.

III... Before a General Court Martial, which convened at Jefferson Barracks, Mo., pursuant to Special Orders, No. 87, current series, from these Headquarters, and of which H. G. GIBSON, Captain and Brevet Colonel, 3d U. S. Artillery, is President, was arraigned and tried:

D. B Long, Hospital Steward, U. S. A., on the following charges and specifications:

CHARGE 1ST:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that he, *D. B. Long*, Hospital Steward, U. S. A., being ordered by 1st Lieutenant and Brevet Major Wm. M. Wherry, 13th U. S. Infantry, Officer of the Guard, to go as a prisoner with a corporal and a guard to the guard-house, did refuse to obey said order until compelled to do so by force. This at Jefferson Barracks, Mo., on or about the 12th day of April, 1866."

CHARGE 2D:

"*Insubordinate conduct to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that he, *D. B. Long*, Hospital Steward, U. S. A., on being ordered by 1st Lieutenant and Brevet Major Wm. M. Wherry, 13th U. S. Infantry, Officer of the Guard, to '*raise*, and '*stand* at attention,' and show proper respect to his superior officer, did refuse to obey said officer, and when placed under arrest by 1st Lieutenant and Brevet Major Wm. M. Wherry, 13th U. S. Infantry, Officer of the Guard, did use insolent and insulting language towards said Lieutenant and Brevet Major Wm. M. Wherry. This at the hospital at Jefferson Barracks, Mo., on or about the 12th day of April, 1866."

SPECIFICATION 2D: "In this, that he, *D. B. Long*, Hospital Steward, U. S. A., being reprimanded by his superior officer, 1st Lieutenant and Brevet Major Wm. M. Wherry, 13th U. S. Infantry,

for inattention and disrespect, did conduct himself in an insubordinate manner, and did use insulting language toward said 1st Lieutenant and Brevet Major Wm. M. Wherry, 13th U. S. Infantry. This at Jefferson Barracks, Mo , on or about the 9th day of April, 1866."

To all of which charges and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having ma'urely considered the evidence adduced, finds the prisoner as follows:

Of the second charge and specifications, "*Guilty.*"
Of the first charge and specification, "*Not Guilty.*"

SENTENCE:

And the Court does, therefore, sentence him, *D. B. Long*, Hospital Steward, U. S. A., "to be reduced to the ranks, and to be confined at hard labor, under charge of the guard, for three months, and to forfeit all pay and allowances which are or may become due him for the same period, and to be dishonorably discharged from the service of the United States."

Proceedings and finding approved. The sentence, being irregular and unauthorized by law, and in variance with paragraph 895, Revised Army Regulations, is disapproved, except that portion which relates to the forfeiture of three months' pay and allowances, which will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

By command of Major-General Pope.

JOHN P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, June 1st, 1866.

GENERAL ORDERS,
No. 63.

On the recommendation of the Commanding Officer of his Company, based on the previous good conduct of Sergeant John Wilson, Co. "E," Battallion U. S. Engineers, stationed at Jefferson Barracks, Mo., so much of the sentence, promulgated in General Orders No. 53, current series, from these Headquarters, as sentences him to confinement at hard labor for six months, is hereby remitted: and the forfeiture of fifteen dollars per month of his monthly pay for six months, is so modified, as to read "fifteen dollars of his monthly pay per month for three months."

By command of Major General Pope.

JOHN P. SHERBURNE,
Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

Fort Leavenworth, Kansas, June 9th, 1866.

GENERAL ORDERS,
No. 64.

Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Orders No. 59, par. 1, current series, from these Headquarters, and of which Lieut. Col. Geo. Sykes, 15th U. S Infantry is President, were arraigned and tried:

I.....*Frank V. Papinaw*, Private Company H, 2d Battallion, 13th U. S. Infantry, on the following charge and specification:

CHARGE—*Mutinous Conduct to the Prejudice of Good Order and Military Discipline.*

Specification 1st:—In this, that he, Private *Frank V. Papinaw*, of Company H, 2d Battallion, 13th U. S. Infantry, in company with Private Walter Dustan, of same Company and Regiment, did break open and force the door of the Company cook room of Company H, 13th U. S. Infantry, for the purpose of aiding Private Joseph Delany, of Company H, 2d Battallion, 13th U. S. Infantry, while a prisoner, to resist the authority of Lance Sergeant, John P. Rippetoe, of the same Company and Regiment; he, the said Sergeant Rippetoe being there and then in the execution of his office.

This at Fort Leavenworth, Kansas, on or about the 13th day of February, 1866.

Specification 2d:—In this, that he, Private *Frank V. Papinaw*, of Company H, 2d Battallion, 13th U. S. Infantry, having been ordered by Lance Sergeant, John B. Rippetoe, of same Company and Regiment, to go out of the Company cook room of said Company, did refuse to obey said order, he, the said Sergeant Rippetoe being then and there in the execution of his office.

This at Fort Leavenworth, Kansas, on or about the 13th day of February, 1866.

To which charge and specifications the prisoner pleaded "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the 1st *Specification*, "*Not Guilty.*"

Of the 2d *Specification*, "*Not Guilty.*"

Of the CHARGE, "*Not Guilty.*"

And the Court does therefore *acquit him*, the said Private *Frank V. Papinaw*, of Company H, 2d Battallion, 13th U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from confinement and returned to duty.

II..... *Walter Dustan*, Private of Company H, 2d Bat. 13th U. S. Infantry, on the following charge and specifications:

CHARGE—*Mutinous Conduct to the Prejudice of Good Order and Military Discipline.*

Specification 1st:—In this, that he, Private *Walter Dustan*, of Company H, 2d Battallion, 13th U. S. Infantry, in company with Private Frank V. Papinaw, of same Company and Regiment, did break open and force the door of the cook room of Company H, 13th U. S. Infantry, for the purpose of aiding Private Joseph Delany, of Company H, 2d Battallion, 13th U. S. Infantry, while a prisoner, to resist the authority of Lance Sergeant, John B. Rippetoe, of same Company and Regiment, he, the said Sergeant Rippetoe, being then and there in the execution of his office.

This at Fort Leavenworth, Kansas, on or about the 18th day of February 1866.

Specification 2d:—In this, that he, Private *Walter Dustan*, of Company H, 2d Battallion, 13th U. S. Infantry, having been ordered by Lance Sergeant, John B. Rippetoe, of same Company and Regiment, while in the execution of his office, to go out of the cook room of said Company, did positively refuse, in a mutinous manner, to obey said order, by seizing a stick of wood, and saying: "I won't go out of the room; I'll knock somebody's brains out before I go," or words to that effect.

This at Fort Leavenworth, Kansas, on or about the 13th day of February, 1866.

To which charge and specifications the prisoner pleaded "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the 1st *Specification*, "*Not Guilty.*"

Of the 2d *Specification*, "*Guilty,*" except the words "in a mutinous manner," and "by seizing a stick of wood."

Of the CHARGE, "*Not Guilty,*" but "*Guilty*" of "Conduct to the Prejudice of Good Order and Military Discipline."

SENTENCE.

And the court does therefore *sentence him*, the said Private *Walter Dustan*, of Company H, 2d Battallion, 13th U. S. Infantry, *to be confined at hard labor, breaking rock in charge of the guard, for the period of one month*, (Sundays excepted.)

Finding and sentence confirmed. The sentence will be carried into effect at Fort Leavenworth, Kansas under the direction of the Commanding Officer of that Post.

III.....*Joseph Delany*, Private of Company H, 2d Bat. 13th U. S. Infantry, on the following charge and specifications:

CHARGE—*Mutinous Conduct to the Prejudice of Good Order and Military Discipline*

Specification 1st:—In this, that he, Private *Joseph Delany*, of Company H, 2d Battallion, 13th U. S. Infantry, did get drunk and behave in a riotous and disorderly manner at his Company quarters, and when ordered to go with the guard, by his commanding officer, Capt. Jos. Bush, 13th U. S. Infantry, did refuse to obey said order.

This at Fort Leavenworth, Kansas, on or about the 13th day of February, 1866.

Specification 2d:—In this, that he, Private *Joseph Delany*, of Company H, 2d Battallion, 13th U. S. Infantry, did get drunk and behave in a riotous and disorderly manner at his Company quarters, and when ordered by Lance Sergeant, M. S. Black, of same Company and Regiment, to keep quiet, did refuse, in a mutinous manner, to obey said order, by attempting to seize and take a musket from the said Sergeant Black, saying, "I can whip you, you son of a bitch." "I dare you to step out into the floor." "I am a better man than you are," or words to that effect, he, the said Sergeant Black, being then and there in the execution of his office.

This at Fort Leavenworth, Kansas, on or about the 13th day of February, 1866.

To which charge and specifications the prisoner pleaded "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the 1st *Specification*, "*Guilty.*"
Of the 2d *Specification*, "*Guilty.*"
Of the CHARGE, "*Guilty.*"

SENTENCE.

And the Court does therefore *sentence him*, the said Private *Joseph Delany*, of Company H, 2d Battallion, 13th U. S. Infantry, *to be confined at hard labor, in charge of the guard, for the period of two months, ten days in each month to be kept in the cell on bread and water, and to forfeit* ($30,00) *thirty dollars of his pay.*

Finding and sentence confirmed. So much of the sentence as relates to the forfeiture of $30 is remitted. The sentence of imprisonment will be carried into effect at Fort Leavenworth, Kansas, under the direction of the Commanding Officer of that Post.

BY COMMAND OF MAJOR GENERAL POPE.

JOHN P. SHERBURNE,

Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI

Fort Leavenworth, Kansas, June 23d, 1866.

GENERAL ORDERS, }
No. 65. }

Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Orders No. 123, par. 5, current series, from these Headquarters, and of which Bvt. Brig. Genl. Henry M. Wessels, Lt. Col. 13th U. S Infantry is President, were arraigned and tried

I.....*Henry Holden*, Private of Company G, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the Prejudice of Good Order and Military Discipline.*

Specification:—In this, that he, *Henry Holden* Private of Company G, 3d U. S. Infantry, having been duly placed as Sentinel, in charge of a party of prisoners, did interfere with one Horace L. Edwards, a citizen, having in charge one Private Gustav Starkluff, of Company G, 3d U. S. Infantry, a deserter, by attempting to prevent the said Edwards, from turning over the said deserter to the Officer of the Day.

This at Fort Leavenworth, Kansas, on or about the 24th day of April, 1866.

To which the prisoner pleaded "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence addaced, finds the prisoner as follows:

Of the Specification—The Court finds the facts as set forth: but attach no criminality thereto.

Of the CHARGE, "*Not Guilty.*"

And the Court does therefore *acquit him* the said Private *Henry Holden*, of Company G, 3d U. S. Infantry.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

II.....*John Schmollinger*, Private of Company G, 2d U. S. Cavalry, on the following charge and specification:

CHARGE—"*Desertion*"

Specification:—In this, that he, Private *John Schmollinger*, of Company G, 2d U. S. Cavalry, a duly enlisted soldier, in the service of the United States, did on or about the 19th day of December, 1865, absent himself from and desert said service, and remain absent until arrested: on or about the 21st day of May, 1866.

This at or near Fort Leavenworth Kansas.

To which the prisoner pleaded "*Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the *Specification*, "*Guilty*."

Of the CHARGE, "*Guilty*."

SENTENCE.

And the Court does therefore *sentence him*, Private *John Schmollinger*, of Company G, 2d U. S. Cavalry, *to be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due, or to become due; except the past dues of the Sutler and Laundress, and to be confined at hard labor at such place as the General Commanding the Department, may direct for the period of* (2) *two years*.

Finding and sentence confirmed. Private *John Schmollinger*, Company G, 2d U. S. Cavalry, is hereby dishonorably discharged the service of the United States; the stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, Jefferson City, Missouri. The commanding officer at Fort Leavenworth, Kansas, will cause the prisoner to be forwarded to Jefferson City, Missouri, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

III.....*Gustav Starkluff*, Private of Company G, 3d U. S. Infantry, on the following charge and specification:

CHARGE—"*Desertion*."

Specification—In this, that he, *Gustav Starkluff*, Private of Company G, 3d U. S. Infantry, a duly enlisted Soldier, in the service of the United States, did on or about the 23d day of April, 1866, absent himself from, and desert said service, and did remain absent therefrom until on or about April 24th, 1866, when apprehended.

This at Fort Leavenworth, Kansas.

To which the prisoner pleaded "*Not Guilty*."

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the *Specification*, "*Guilty*" except the words, "*and desert*."

Of the CHARGE, "*Not Guilty*," but "*Guilty*" of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, the said *Gustav Starkluff*, Private of Company G, 3d U. S. Infantry, to forfeit to the United States ($10 *of his pay for one month*.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer; the prisoner will be released from confinement and returned to duty.

IV.....*John Stewart*, Private of Company K, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—"*Desertion*"

Specification:—In this that he, *John Stewart*, Private of Company K, 3d U. S. Infantry, a duly enlisted Soldier in the service of the United States, did absent him-

self from and desert said service on or about the 29th day of April, 1866, and did remain absent until on or about the 2d day of May, 1866.

This at Fort Leavenworth, Kansas.

CHARGE 2d—"*Larceny.*"

Specification:—In this, that he, *John Stewart*, Private of Company K, 3d U. S. Infantry, *did feloniously steal, take, and carry away, one Great Coat*, the property of one Charles DeWitt, of the value of ($12,00) twelve dollars, or thereabouts, with intent *to appropriate the same to his own use and benefit.*

This at Fort Leavenworth, Kansas, on or about the 21st day of April, 1866.

To which the prisoner pleaded as follows:

To the *Specification*, of the 1st CHARGE, '*Guilty*' except the words, "*and desert.*"

To the 1st CHARGE, "*Not Guilty*" but guilty of "*absence without leave.*"

To the *Specification*, of the 2d CHARGE, "*Not Guilty.*"

To the 2d CHARGE, "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the *Specification*, to the 1st CHARGE, "*Guilty*" except the words "*and desert.*"

Of the 1st CHARGE, "*Not Guilty,*" but *guilty of absence without leave.*

Of the *Specification*, to the 2d CHARGE, "*Not Guilty.*"

Of the 2d CHARGE, "*Not Guilty.*"

SENTENCE.

And the court does therefore *sentence him*, the said, John Stewart, Private of Co. K, 3d U. S. Infantry, "*to forfeit* ($5,00) *five dollars of his pay.*"

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from confinement, and returned to duty.

V.....*Henry Smith*, Private of Company G, 3d U. S. Infantry, on the the following charges and specifications:

CHARGE 1st—"*Absence without leave*"

Specification:—In this, that he, *Henry Smith*, Private of Company G, 3d U. S. Infantry, did absent himself, without proper authority from his Company and Regiment, from on or about the morning of May 26th, 1866, until on or about the evening of May 27th 1866.

This at Fort Leavenworth, Kansas.

CHARGE 2d—"*Insubordinate conduct to the prejudice of good order and military discipline.*"

Specification 1st:—In this that *Henry Smith*, Private of Company G, 3d U. S. Infantry, on being ordered to the guard house, by 1st Sergeant Francis Sullivan, Company G, 3d U. S. Infantry, did refuse to obey said order, saying "I'll be damned if I will," or words to that effect.

This at Fort Leavenworth, Kansas, on or about May, 27th 1866.

Specification 2d:—In this that he *Henry Smith*, Private of Company G, 3d U. S. Infantry, being taken to the guard house by First Sergeant Sullivan, Company G, 3d U. S. Infantry, did call him several times "a low lived son of a bitch," or words to that effect.

This at Fort Leavenworth, Kansas, on or about May 27th, 1866.

To all of which charges and specifications the prisoner pleaded, "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the *Specification* to the 1st CHARGE, "*Guilty.*"

Of the 1st CHARGE, "*Guilty.*"

Of the 1st *Specification*, to the 2d CHARGE, "*Guilty.*"

Of the 2d *Specification*, to the 2d CHARGE, "*Guilty.*"

Of the 2d CHARGE, "*Guilty.*"

SENTENCE.

And the Court does therefore *sentence him*, the said *Henry Smith*, Private of Company G 3d U. S. Infantry, "*to be confined at hard labor under charge of the guard for the period of three months, from the date of the promulgation of this sentence, three days in each month to be solitary confined in a cell in the guard house, on bread and water diet, and to forfeit ten dollars of his pay per month for three months.*"

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be executed under the direction of the Commanding Officer of Fort Leavenworth, Kansas.

VI..... *William Demilt*, Private 4th Company detachment recruits, 5th U. S. Infantry, on the following charge and specification:

CHARGE—"*Larceny*"

Specification:—In this that he, *William Demilt*, Private 4th Company detachment recruits, 5th U. S. Infantry, did on or about the 29th day of May, 1866, feloniously steal, take and carry away, for the purpose of converting to his own use and benefit, *one Infantry Great Coat, of the value of* ($10,00) *ten dollars or thereabouts*, the property of John Cosgrove, Private 4th Company detachment recruits, 5th U. S. Infantry.

This at Fort Leavenworth, Kansas.

To which the prisoner pleaded "*Guilty.*"

FINDING.

The court having maturely considered the case, finds the prisoner as follows:

Of the *Specification*, confirms the plea of the prisoner and finds him "*Guilty.*"

Of the CHARGE, confirms the plea of the prisoner, and finds him "*Guilty.*"

SENTENCE.

And the court does therefore sentence him, *William Demilt*, Private 4th Company detachment recruits, 5th U. S. Infantry, "to be confined in the guard house at Fort Leavenworth, Kansas, one month, to forfeit all pay and allowances, now due or to become due, except the just dues of the Sutler and Laundress; and at the end of his imprisonment to be dishonorably discharged and drummed out of the service, wearing on his back a placard with the word "*Thief*" printed thereon, in letters six inches in length.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect under the direction of the commanding officer at Fort Leavenworth, Kansas. The remainder of the sentence is remitted.

VII.....*Frank Smith*, Private of Light Company B. 4th U. S. Artillery, on the following charge and specifications:

CHARGE—"*Conduct to the prejudice of good order and military discipline.*"

Specification 1st:—In this, that he, *Frank Smith*, Private of Light Company B. 4th U. S. Artillery, did bring into, or have in his possession, in his Company quarters a bottle of whisky.

This at Fort Leavenworth, Kansas, on or about the 20th day of April, 1866.

Specification 2d:—In this, that he *Frank Smith*, Private of Light Company B, 4th U. S. Artillery, did take out of his pocket in his Company quarters, a bottle of whisky, and hold it up before Sergeant John Gallagher, of Light Company B, 4th U. S. Artillery, and say, "I would like to see the damned son of a bitch, that would take this bottle, and confine me," (or words to that effect,) and this after the said Sergeant Gallagher, had the evening before said in his, Private Smith's presence, that the next time he saw a man bring into, or have whisky in quarters, he would break his bottle and confine him, or words to that effect.

This at Fort Leavenworth, Kansas, on or about May 20th, 1866

Specification 3d:—In this, that he, *Frank Smith*, Private of Light Company B, 4th U. S. Artillery, was drunk in his Company quarters.

This at Fort Leavenworth, Kansas, on or about May 20th, 1866.

To which charges and specifications, the prisoner pleded as follows:

To the 1st *Specification*, "*Guilty.*"

To the 2d *Specifidation*, "*Not Guilty.*"

To the 3d *Specification*, "*Not Guilty.*"

To the CHARGE, "*Guilty.*"

FINDING.

The court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the 1st *Specification*, confirms the plea of the prisoner and finds him "*Guilty.*"

Of the 2d *Specification*, "*Guilty.*"

Of the 3d *Specification*, "*Guilty.*"

Of the CHARGE, confirms the plea of the prisoner and finds him "*Guilty.*"

SENTENCE.

And the court does therefore *sentence him*, the said *Frank Smith*, Private of Light Company B, 4th U. S. Atillery, *to be confined at solitary confinement in the guard-house, on bread and water diet for ten days, and to forfeit ten dollars of his pay.*

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be executed under the direction of the commanding officer of Fort Leavenworth, Kansas.

VIII.....*Jerry McLaughlin*, Private Company G, 2d U. S. Cavalry, on the following charges and specifications:

CHARGE 1*st*—"*Desertion.*"

Specification:—In this, that he, *Jerry McLaughlin*, Private Company G, 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did on or about the 12th day of May, 1866, absent himself from, and desert said service, and remained absent until returned under guard on or about the 23d day of May, 1866.

This at or near Camp Sykes, at or near Fort Leavenworth, Kansas

CHARGE 2d—"*Absence without leave.*"

Specification:—In this, that he, *Jerry McLaughlin*, Private of Company G, 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did on being returned under guard to his Company aforesaid, immediately leave camp, without

permission, on or about the 23d day of May 1866, and remain absent until arrested by the 1st Sergeant of his Company, on or about the 24th day of May, 1866.

This at or near Camp Sykes, at or near Fort Leavenworth, Kansas.

CHARGE 3d—"*Disobedience of Orders.*"

Specification :—In this, that he, *Jerry McLaughlin*, Private Company G, 2d U. S. Cavalry, a duly enlisted soldier, in the service of the United States, did after being ordered by his Company commander, to return to camp, refuse or neglect to obey said order, and did not return to his command until sent back under guard.

This in or near Leavenworth City, Kansas, on or about the 13th day of May, 1866.

CHARGE 4th—"*Selling, or losing through neglect his Arms.*"

Specification :—In this, that he, *Jerry McLaughlin*, Private of Company G, 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did on or about the 12th day of May, 1866, take and carry away from Camp Sykes, at or near Fort Leavenworth, Kansas, (One Spencer Repeating Rifle,) the property of the United States, issued to him, as a soldier, and did sell, lose or otherwise dispose of the same.

This at or near Fort Leavenworth, Kansas, on or about the 12th day of May, 1866.

To which charges and specifications the prisoner pleaded as follows:
To the *Specification* af the 1st charge, "*Not Guilty:*"
To the 1st CHARGE, "*Not Guilty.*"
To the *Specification*, of the 2d charge, "*Guilty.*"
To the 2d CHARGE, "*Guilty.*"
To the *Specification*, of the 3d charge, "*Guilty.*"
To the 3d CHARGE "*Guilty.*"
To the *Specification*, of the 4th charge, "*Not Guilty,*"
To the 4th CHARGE, "*Not Guilty.*"

FINDING.

The court having maturely considered the evidence adduced finds the prisoner as follows:
Of the *Specification*, of the 1st charge, "*Guilty.*" "except the words and desert."
Of the 1st CHARGE, "*Not Guilty.*" "but guilty of absence without leave'"
Of the *Specification*, to the 2d charge, "*Guilty.*"
Of the 2d CHARGE, "*Guilty.*"
Of the *Specification*, to the 3d charge, "*Guilty.*"
Of the 3d CHARGE, "*Guilty.*"
Of the *Specification*, to the 4th charge, "*Guilty.*"
Of the 4th charge, "*Guilty.*"

SENTENCE.

And the court does therefore *sentence him* the said *Jerry McLaughlin*, Private of Company G, 3d U. S. Cavalry, "*to forfeit ten dollars of his pay, per month for six months, thirty dollars of that amount to reimburse the Government of the United States, for the Carbine lost: and to be confined at hard labor, in charge of the guard for the period of six months, seven days in each month, to be solitary confined on bread and water diet.*"

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer: the sentence of imprisonment will be executed under the direction of the Commanding Officer at Fort Leavenworth, Kansas.

By command of Major General Pope.

JOHN P. SHERBURNE.

Assistant Adjutant General.

Official:

Assistant Adjutant General.

HEAD-QUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 13th, 1866.

GENERAL ORDERS
No. 66.

Before a General Court Martial, which convened at Fort Kearney, N. T., pursuant to Special Orders No. 18, par. II. C. S. dated Head-Quarters District of Nebraska, March 9th, 1866, and of which Lieut. Colonel R. H. Brown, 12th Mo. Vol. Cavalry, was president, were arraigned and tried:

Carl Kostman, Captain 6th U. S. Vol. Infantry, on the following charges and specifications:

CHARGE I.—"Drunkenness while on duty."

Specification.—"In this, that he, Captain *Carl Kostman*, Company E, of the 6th Regiment U. S. Infantry Volunteers, did appear before a General Court Martial, convened in obedience to Special Orders No. 39, Head-Quarters District of Nebraska, dated November 22d, 1865, while said General Court Martial was in session, and of which he was a member, in a state of intoxication, so much so, as to render him unfit to perform the duties for which he had been detailed."

This at Fort Kearney, N. T., on or about the 13th day of December, A. D. 1865.

CHARGE II.—"Conduct unbecoming an officer and gentleman."

Specification I.—In this, that he, *Carl Kostman*, Captain Co. E, of the 6th Regiment U. S. Infantry Volunteers, did appear before a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N. T., dated November, 22d, 1865, while said General Court Martial was in session, and of which he was a member, in a state of intoxication, so much so, as to render him unfit to perform the duties for which he had been detailed.

This at Fort Kearney, N. T., on or about the 13th day of December 1865.

Specification II.—In this, that he, *Carl Kostman*, Captain Co. E, of the 6th U. S. Vol. Infantry, did willfully absent himself from one of the sittings of a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N. T., dated November 22d, 1865, while said General Court Martial was in session, and of which he was a member, from 6 o'clock p. m. of December 13th, 1865, to 10 o'clock a. m. of December 14th, 1865, during the trial of Edward W. Allen, private, Co. A, 1st Nebraska Veteran Cavalry Volunteers, after having received official notice that said General Court Martial would meet at 6 o'clock p. m., of December 13th, 1865.

This at Fort Kearney, N. T., on or about the 13th day of December 1865.

Specification III.—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S. Infantry Volunteers, did, in presence of the members of the aforesaid General Court Martial, in a threatening and sneering manner, say to Major Andrew J. Hughes, 12th Regiment Mo. Cavalry Volunteers, presiding officer of the aforesaid General

Court Martial, after having been admonished by him, (Major Andrew J. Hughes,) "I'll remember you, Major," and turning to Captain Lee P. Gillette, Co. A, 1st Nebraska Veteran Cavalry Volunteers, (Judge Advocate of the aforesaid General Court Martial), did say: "And you, too, Captain Gillette, damn you," or words to that effect.

This at Fort Kearney, N. T., on or about the 14th day of December, 1865.

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S. Infantry Volunteers, did appear before a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N. T., dated November 22d, 1865, while said General Court Martial was in session, and of which he was a member, in a state of intoxication, so much so, as to render him unfit to perform the duties for which he had been detailed.

This at Fort Kearney, N. T., on or about the 13th day of December, 1865.

Specification II.—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S. Infantry Volunteers, did willfully absent himself from one of the sittings of a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N. T., dated November 22d, 1865, while said General Court Martial was in session, and of which he was a member, from 6 o'clock p. m. of December 13th, 1865, to 10 o'clock a. m. of December 14th, 1865, (during the trial of Edward W. Allen, private of Co. A, 1st Nebraska Veteran Cavalry Volunteers,) after having received official notice that said General Court Martial would meet at 6 o'clock p. m. of December 13th, 1865.

This at Fort Kearney, N. T., on or about the 13th day of December, 1865.

Specification III.—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S. Infantry Volunteers, did, in the presence of the members of the aforesaid General Court Martial, in an insulting and sneering manner, say to Major Andrew J. Hughes, 12th Regiment Mo. Cavalry Volunteers, presiding officer of the aforesaid General Court Martial, after having been admonished by him, (Major Andrew J. Hughes,) to keep quiet, "I'll remember you, Major," and turning to Captain Lee P. Gillette, Co. A, 1st Nebraska Veteran Cavalry Volunteers, (Judge Advocate of the General Court Martial,) did say: "And you, too, Captain Gillette, damn you," or words to that effect.

This at Fort Kearney, N. T., on or about the 14th day of December, 1865.

Specification IV.—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S Infantry Volunteers, did appear before a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N. T., dated November 22d, 1865, and of which he was a member, and in presence of the members of the aforesaid General Court Martial, and George P. Belden, 2d Lieut. of Co. I, 1st Regiment Nebraska Veteran Cavalry Volunteers, counsel for the accused in the case of the United States *versus* Edward W. Allen, private Co. A, 1st Nebraska Veteran Cavalry Volunteers, and also in the presence of Sergeant Andrew C. McMaken, Co. A, 1st Nebraska Veteran Cavalry Volunteers, and other enlisted men, including the prisoner, Edward W. Allen, aforesaid, in a state of intoxication, so much so, and to such an extent, as to render him unfit to perform the duties for which he had been detailed, and to cause the aforesaid

General Court Martial to take a recess, and to suspend proceedings in the aforesaid case.

This at Fort Kearney, N. T., on or about the 13th day of December, 1865.

CHARGE IV.—" Neglect of duty."

Specification—In this, that he, *Carl Kostman*, Captain Co. E, 6th U. S. Infantry Volunteers, did willfully absent himself from one of the sittings of a General Court Martial, convened in obedience to Special Orders No. 39, from Head-Quarters District of Nebraska, Fort Kearney, N.T., dated Nov 22d, 1865, while said General Court Martial was in session, and of which he was a member, from 6 o'clock p. m. of December 13th, 1865, to 10 o'clock a. m. of December 14th, 1865, during the trial of Edward W. Allen, private Co. A, 1st Nebraska Veteran Cavalry Volunteers, after having received official notice that said General Court Martial would meet at 6 o'clock p. m of December 13th, 1865.

This at Fort Kearney, N. T.

To all of which charges and specifications the accused pleaded, "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the Specification of the 1st Charge ..... "*Not Guilty.*"
Of the 1st Charge ..... "*Not Guilty.*"
Of the 1st Specification of the 2d Charge ..... "*Not Guilty.*"
Of the 2d Specification of the 2d Charge ..... "*Guilty.*"
with the exception of the word "willfully."
Of the 3d Specification of the 2d Charge ..... "*Guilty.*"
with the exception of the words "threatening and sneering manner."
Of the 2d Charge ..... "*Not Guilty.*"
"Of conduct unbecoming an officer and gentleman," but "Guilty of using improper language."
Of the 1st Specification of the 3d Charge ..... "*Not Guilty.*"
Of the 2d Specification of the 3d Charge ..... "*Guilty.*"
with the exception of the word "willfully."
Of the 3d Specification of the 3d Charge ..... "*Guilty.*"
with the exception of the words "in a threatening and sneering manner."
Of the 4th Specification of the 3d Charge ..... "*Not Guilty.*"
Of the 3d Charge ..... "*Not Guilty.*"
but "guilty of hasty and improper language."
Of the Specification of the 4th Charge ..... "*Guilty.*"
with the exception of "wilfully."
Of the 4th Charge ..... "*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Captain *Carl Kostman*, Company E, 6th Regiment U. S. Infantry Volunteers, "*To be reprimanded in published Orders by the General Commanding.*"

Finding and Sentence confirmed.

Such conduct as Captain Kostman was found to have been guilty of, is highly reprehensible under any circumstances, and when, as in this case, it occurs during the session of a General Court Martial, of which he was a member, is deserving of

the severest censure, as highly unbecoming an Officer, and tending to bring into discredit and contempt proceedings which should be of the most dignified character. Captain Kostman is fortunate in finding more disposition to leniency in the Court which tried him, than his conduct deserves.

Captain Kostman is relieved from arrest and returned to duty, and will resume his sword.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL.

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 26th, 1866.

GENERAL ORDERS
No. 68.

I..... Before a General Court Martial which convened at Fort Kearney N. T., pursuant to Special Orders, No. 27, dated Headquarters District of the Plains, Julesburg, C. T., June 12th, 1865, and of which Lt. Col. Wm. Baumer, 1st Nebraska Vet. Vol. Cavalry, was President, were arraigned and tried:

David Laswell, citizen in Government employ, on the following charge and specification:

CHARGE.—*Murder.*

Specification:—In this, that he, David Laswell, citizen in Government employ, did willfully, feloniously, premeditatedly, and with malice aforethought, murder John Neistor, a citizen in Government employ, by shooting him to death.

This at Julesburg, C. T., on or about March 27th, 1865.

To which Charge and Specification, the prisoner pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Guilty.*"

Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, the said David Laswell, citizen, in Government employ, to be hung by the neck, until dead, at such time and place as the Commanding General shall designate, two-thirds of the members concurring therein.

The finding and sentence in the foregoing case having been disapproved by the reviewing officer, (on account of irregularities in the proceedings, which render the sentence inoperative,) and the record forwarded to the General Commanding the Department for final action, the following are his orders thereon.

The action of the reviewing officer, in the case of David Laswell, citizen, in Government employ, is hereby approved and confirmed. The prisoner will be released from confinement.

II .....Before a Military Commission which convened at Fort Collins, C. T., in pursuance to Special Orders, No. 51, dated Headquarters, District of Colorado, and separate Brigade, Denver, C. T., April 10th, 1866, and of which Captain J. W. Farrand, 21st New York Cavalry, is President, were arraigned and tried:

Peter Stalkes, Private of Company G, 21st New York Cavalry, on the following charge and specification:

CHARGE.—*Burglary and robbery.*

Specification:—"In this, that he the said Peter Stalkes, Private of Company G, 21st N. Y. Cavalry, did break into the Sutler store of Mason & Co., at Camp Collins, C. T., and take therefrom 50 dollars in money, more or less."

This at Camp Collins, C. T., on or about the 30th day of March, 1866.

To which charge and specification the prisoner pleaded..... ....."*Guilty.*"

FINDING.

The Commission having maturely considered the case, confirms the plea of the prisoner.

SENTENCE.

And the Commission does therefore sentence him, Peter Stalkes, Private of Company G, 21st N. Y. Cavalry, to be confined until the expiration of his term of service, with a ball weighing twenty-four (24) pounds, attached by a chain, four feet in length, to his left leg, with the loss of all pay and allowances now due him, or that may become due from the United States.

Finding and sentence confirmed. So much of the sentence as relates to the wearing of a ball and chain is remitted. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be executed under the direction of the Commanding officer at Fort Collins, C. T.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL.

Assistant Adjutant General.

HEAD-QUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, July 28th, 1866.

GENERAL ORDERS
No. 69.

Before a General Court Martial, which convened at Jefferson Barracks, Mo., June 20th, 1866, pursuant to Special Orders No. 141, Par. 1, C. S. from these Head quarters, and of which Bvt. Brig. General Pitcairn Morrison, Col. U. S. Army, is President, were arraigned and tried:

1.....Geo. A. Niforth, Corporal of Light Battery C, 3d U. S. Artillery, on the following Charges and Specifications:

CHARGE I.—*Neglect of duty to the prejudice of good order and military discipline.*

Specification:—In this, that he, George A. Niforth, Corporal of Light Battery C, 3d U. S. Artillery, having been placed in charge of a guard, and one prisoner, J. H. Hughes, Sergeant of same Battery, did negligently, and carelessly permit said prisoner to make his escape.

This at Jefferson Barracks, Mo., on or about the 31st day of March, 1866.

CHARGE II.—*Conduct to the prejudice of good order and military discipline.*

Specification:—In this, that he, George A. Niforth, Corporal of Light Battery C, 3d U. S. Artillery, having in his charge, one J. H. Hughes, Sergeant of the same Battery, as a prisoner, did permit said Hughes to have access to the Clothing Account-Book, of the Battery, and alter or make false entries in the same, and in consideration of an alteration of his, (the said Niforth's) clothing account, made in his presence by said Hughes in his favor to the amount of ten dollars, ($10) permit said Hughes to escape.

This at Jefferson Barracks, Mo., on or about the 31st day of March, 1866.

To all of which Charges and Specifications the prisoner pleaded.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification to the 1st Charge.....*"Guilty."*
Of the 1st Charge.....*"Guilty."*
Of the Specification to the 2d Charge.....*"Guilty."*
except the words "and in consideration of an alteration of his (the said Niforth's) Clothing account, made in his presence by the said Hughes in his favor to the amount of ten dollars, ($10) permit his escape."
Of the 2d Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, Corporal George A. Niforth, of Light Battery C, 3d U. S. Artillery, "To be reduced to the ranks, and to forfeit fifteen dollars ($15) of his pay pr. month, for six months."

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer.

The remainder of the sentence will be executed by the Commanding Officer of Co. C, 3d U. S. Artillery.

The prisoner will be released from arrest and returned to duty.

II.....William H. Stickle, Private of Light Battery C, 3d U. S. Artillery, on the following Charge and Specification :

CHARGE—*Sleeping on post.*

Specification.—In this, that he, William H. Stickle, a Private of Light Battery C, 3d U. S. Artillery, did after he was duly posted as a Sentinel in the stable of Light Battery C, 3d U. S. Artillery, fall asleep on his post.

This at Jefferson Barracks, Mo., between the hours of one and two o'clock A. M., on the morning of June 3d, 1866.

To which the prisoner pleaded ..... "*Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows :

Of the Specification..... "*Guilty.*"
Of the Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, William H. Stickle, Private of Light Battery C, 3d U. S. Artillery, to forfeit ten dollars ($10) of his monthly pay for four months.

Finding and Sentence confirmed. The stoppage of pay will be made by the proper officer.

The prisoner will be released from arrest and returned to duty.

III.....Henry Lester, Private of Light Battery C, 3d U. S. Artillery, on the following Charge and Specification :

CHARGE—*Neglect of duty.*

Specification:—In this, that he, Henry Lester, a Private of Light Battery C, 3d U. S. Artillery, while a Sentinel in charge of prisoners at work did through gross carelessness and negligence, permit one prisoner, Private Stone, 10th Infantry, to escape.

This at Jefferson Barracks, Mo., on the 13th day of June, 1866.

To which the prisoner pleaded..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the Specification..... "*Guilty.*"
except the words "through gross carelessness."
Of the Charge ..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Henry Lester, Private of Light Battery C, 3d U. S. Artillery, to forfeit fifteen dollars ($15) of his monthly pay for two months.

Finding and Sentence confirmed. The stoppage of pay will be made by the proper officer.

The prisoner will be released from arrest and returned to duty.

IV..... David Hall, Private of Co. E, Battalion of Engineers, on the following Charges and Specifications :

CHARGE I.—*Theft.*

Specification:--In this, that he, David Hall, Private of Company E, Battalion of Engineers, did steal from Private Frederick Smith, Company E, Battalion of Engineers, and did appropriate to his own use, one flannel blouse, of the value of ($4.00) four dollars.

All this at Jefferson Barracks Mo., (Engineer Depot,) on or about the 26th day of May, 1866.

CHARGE II.—*Desertion.*

Specification:--In this, that he, the said David Hall, Private Company E, Battalion of Engineers, a regular enlisted Soldier, in the service of the United States, did desert the same on or about the 26th day of May, 1866, and did remain absent until apprehended in Carondelet, Mo., on same day, and brought back.

This at Jefferson Barracks, Mo., on or about the 26th day of May, 1866.

To all of which Charges and Specifications, the prisoner pleaded....."*Not Guilty.*"

FINDING

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the Specification to the 1st Charge....."*Guilty.*"
Of the 1st Charge....."*Guilty.*"
Of the Specification to the 2d Charge....."*Not Guilty.*"
Of the 2d Charge....."*Not Guilty.*"

SENTENCE

And the Court does therefore sentence him, David Hall, Private Co. E, Battalion of Engineers. "To be confined at hard labor with ball and chain for six months,at Fort Jefferson, Florida, and to forfeit eight dollars, ($8) of his monthly pay for six months.

Finding and Sentence confirmed. In compliance with instructions from the War Department, so much of the sentence as relates to the wearing of the ball and chain is remitted. The stoppage of pay will be made by the proper officer.

In compliance with instructions from the Adjutant General of the Army, the prisoner will be sent under a suitable guard via New Orleans, to Fort Jefferson, Florida.

V..... Avery R. Robinson, Artificer, of Co. E, Battalion of Engineers, on the following Charge and Specifications :

CHARGE—*Forgery.*

Specification I:—In this, that he, the said Avery R. Robinson, Artificer, of Co. E, Battalion of Engineers, did sign the name of Sergeant Woodworth, to an order on the Sutler's store for ten glasses of beer.

This at the Engineer Depot, at Jefferson Barracks, Mo., on or about the evening of July 3d, 1866.

Specification II:—In this, that he, the said Avery R Robinson, Artificer, of Co E, Battalion of Engineers, having signed the name of Sergeant Woodworth, to an order on the Sutler for ten glasses of beer, did present said order at the Sutler's, and on being informed that the signature was not that of Sergeant Woodworth, did insist that it was, and that he had received the same from Sergeant Woodworth.

All this at Jefferson Barracks, Mo., on or about the evening of July 3d, 1866.

To which the prisoner pleaded... ....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the 1st Specification.....*"Guilty."*
Of the 2d Specification.....*"Guilty"*
except the words, 'did insist that it was, and that he had received the same from Sergeant Woodworth."
Of the Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, Avery R. Robinson, Artificer of Co. E, Battalion of Engineers, To be confined at hard labor for six months at Fort Jefferson, Florida, and to forfeit all pay for the same period.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer.

In compliance with instructions from the Adjutant General of the Army, the prisoner will be sent under a suitable guard via New Orleans, to Fort Jefferson, Florida.

VI.....Orrin Olney, Private Co. E, Battalion of Engineers, U. S. A., on the following Charge and Specifications :

CHARGE--*Conduct to the prejudice of good order and military discipline.*

Specification I:--In this, that he, the said Orrin Olney, of Co. E, Battalion of Engineers, did absent himself from Company drill between the hours of 9 A. M., and 11 A. M., and from fatigue duty, between the hours of 1 P. M., and 3 P. M., on the *plea of sickness*, and did fail to get excused from the same, by the Post-Surgeon at Jefferson Barracks, Mo., on the 27th day of May, 1866.

Specification II:--In this, that he, the said Orrin Olney, of Co. E, Engineers, having presented a pass to his Company Commander for permission to visit St. Louis, Mo., and having been informed by his Commanding officer, that the said pass was refused him on account of his stating that he was sick, the previous day, did absent himself from his quarters and Company, about ten A. M., May 28th, 1866, and did visit the City of St. Louis, Mo., and did remain absent until 5 P. M. May 28th, 1866, in utter disregard to the refusal of his Commanding Officer, to allow said privilege.

All this at Jefferson Barracks, Mo., Engineer Depot, on or about the 28th day of May, 1866.

To all of which Charge and Specifications the prisoner pleaded.....*"Guilty."*

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows :

Of the 1st Specification.....*"Guilty."*
Of the 2d Specification.....*"Guilty"*
Of the Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, Private Orrin Olney, of Co. E, Battalion of Engineers, *"To forfeit ten dollars of his monthly pay, for one month."*

Finding and Sentence confirmed. The stoppage of pay will be made

by the proper officer.

The prisoner will be released from arrest and returned to duty.

VII.....George Thayer, Private Co. E, Battalion of Engineers on the following Charge and Specification :

CHARGE—*Desertion.*

Specification:—In this, that he, the said Private George Thayer, Co. E, Engineers, a regular enlisted Soldier, in the service of the United States, did desert the same, on or about the 26th day of May, 1866, and did remain absent until apprehended, at Carondelet, Mo., on same day, and brought back.

This at Jefferson Barracks, Mo.

To which the prisoner pleaded ..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the Specification..... "*Not Guilty.*"
Of the Charge..... "*Not Guilty.*"

And the Court does therefore acquit him. Finding and acquittal confirmed.

The prisoner will be released from arrest, and returned to duty.

VIII.....Mathew Conroy, Private of Co. E, Battalion of Engineers, U. S. A., on the following Charge and Specifications :

CHARGE—*Conduct to the prejudice of good order and military discipline.*"

Specification I:—In this, that he, the said Private Mathew Conroy, a member of the guard of Co. E, Battalion of Engineers, having been ordered by Corporal James D. Shearer, Corporal of the guard, to change from one post to another, in accordance with the 388th Par. Army Regulations, did reply to said Corporal Shearer, as follows : "I'll be d—d if I change post, I have just the post I want, and you must not think I am a d—d fool, I do as I please about changing posts," or words to that effect.

Specification II:—In this, that he, the said Pvt. Mathew Conroy, a member of the guard of Co. E. Battalion of Engineers, having refused to obey an order of Corporal James D. Shearer, junior Corporal of the guard, was informed by Corporal Gustav A. Lichtenberg, senior Corporal of the guard, that the order was given by his direction, and that he would at once change his post, No. 4 of the 2d Relief, to No. 3 of the 3d Releif, to which Private Conroy, replied as follows . "You have no business to put men as you like, and I will be d—d if I'll go. You must not think you can do as you like with me because I am an Irishman," or words to that effect.

All this at the Engineer Depot, Jefferson Barracks, Mo., on or about the 4th day of June, 1866.

To which the prisoner pleaded..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the 1st Specification..... "*Guilty,*"
except the words "Corporal James D. Shearer," and "Shearer."
Of the 2d Specification..... "*Guilty.*"
except the words "Corporal James D. Shearer, junior, and that the order was given by his direction."
Of the Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private Mathew Conroy

of Co. E, Battalion of Engineers, "*To be confined at hard labor*, under the charge of the guard at the Engineer Depot, at Jefferson Barracks, Mo., for the period of three months."

Finding and Sentence confirmed. The sentence will be carried into effect under the direction of the Commanding officer of Co. E, Battalion of Engineers, at Jefferson Barracks, Mo.

The Court of which Bvt. Brig. General Pitcairn Morrison, Col. U. S. Army, is President, is hereby dissolved.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL.

Wm. Hoelcke
Capt & A
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 8th, 1866.

GENERAL ORDERS,
No. 71.

Before a General Court Martial which convened at Jefferson Barracks, Missouri, pursuant to Special Orders No. 141, par. 1, C. S. from these Headquarters, and of which Bvt. Brig. General Pitcairn Morrison, Col U. S. A., is President, were arraigned and tried:

I.....James Roach, Private of Light Battery C, 3d U. S. Artillery.

CHARGE.—*Disobedience of orders.*

Specification:—In this, that he, James Roach, Private of Light Battery C, 3d U. S. Artillery, having been ordered by Lance Corporal Emerson D. Babcock, of Light Battery C, 3d U. S. Artillery, to cut wood, (he being on police duty) did positively refuse to obey said order, saying, "I have no right to cut wood, and I wont do it," or words to that effect

This at Jefferson Barracks, Missouri, on or about the 9th day of July, 1866.

To which Charge and Specification, the prisoner pleaded.....*"Not Guilty."*

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification.....*"Guilty."*

Of the Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, James Roach, Private Light Battery C, 3d U. S. Artillery, to forfeit fifteen, ($15) dollars of his monthly pay for one month. Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

II .....William F. Flynn, Sergeant Light Battery C, 3d U. S. Artillery.

CHARGE.—*"Conduct to the prejudice of good order and military discipline."*

Specification:—In this, that he William F. Flynn, Sergeant Light Battery C, 3d U. S. Artillery, did in the stable of said Battery, throw stones at, and strike a public horse usually ridden by Bvt. Major James R. Kelly, 1st Lieut. 3d U. S. Artillery, and did at the same time remark, "God damn the horse, and God damn his rider, (meaning the aforesaid Bvt. Major James R. Kelly) "the horse is no account, nor his rider either," or words of like import.

This at Jefferson Barracks, Missouri, on or about the 10th day of July, 1866.

To which Charge and Specification the prisoner pleaded.....*"Not Guilty."*

The Court having maturely considered the evidence adduced, finds the prisoner as follows;

Of the Specification.....*"Guilty,"*
except the words "and strike a public horse," and "God."

Of the Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, William F. Flynn, Sergeant Light Battery C, 3d U. S. Artillery, to be reduced to the ranks, and to forfeit ten ($10) dollars of his monthly pay for three months. Finding and sentence confirmed. So much of the sentence as reduces the prisoner

to the ranks will be executed by the Commanding officer Light Battery C, 3d U. S. Artillery. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

III.....Charles Flynn, Private Light Battery C, 3d U. S. Artillery.

CHARGE—*Theft.*

Specification:—In this, that he, Charles Flynn, Light Battery C, 3d U. S. Artillery did feloniously steal, take and carry away, one (1) pair of boots, the property of Michael McKinzie, Light Battery C, 3d U. S. Artillery, of the value of ten (10) dollars, with intent to appropriate the same to his own use and benefit.

This at Jefferson Barracks, Missouri, on or about the 16th day of June, 1866.

To which Charge and Specification the accused pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Not Guilty.*"

Of the Charge....."*Not Guilty.*"

And the Court does therefore acquit him, Charles Flynn, Private Light Battery C, 3d U. S. Artillery. Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

IV.....John H. McDonnell, Private Company E, Engineer Battalion, U. S. Army.

CHARGE—"*Disobeying the lawful command of his superior officer.*"

Specification:—In this that he, John H. McDonnell, Private Company E, Engineer Battalion, U. S. Army, having been commanded by his superior officer to leave a room in the Engineer buildings at Jefferson Barracks, Missouri, on or about the 9th day of June, 1866, did positively and willfully disobey said lawful command, by returning twice to said room after having been ordered and ejected therefrom.

To which Charge and Specification the prisoner pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Guilty.*"

Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, John H. McDonnell, Private Company E, Engineer Battalion, U. S. Army, to be confined at hard labor under charge of the guard at the Engineer Depot, Jefferson Barracks, Missouri, for three (3) months, and to forfeit ten ($10) dollars per month of his monthly pay, for the same period.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be carried into effect under the direction of the Commanding Officer of the Engineer Depot at Jefferson Barracks, Missouri.

V.....John Williams, Private of Light Battery C, 3d U. S. Artillery.

CHARGE I—"*Absence without leave.*"

Specification:—In this, that he, John Williams, Private Light Battery C, 3d U. S. Artillery, did absent himself from his Company and quarters, from Tattoo of the 8th of July, 1866, until Reville of the 9th of July, 1866

This at Jefferson Barracks, Missouri, on or about the time above specified.

CHARGE II.—*Conduct to the prejudice of good order and military discipline.*

Specification:—In this, that he, John Williams, Private Light Battery C, 3d U. S. Artillery, while a prisoner in charge of the stable guard, did conduct himself in a disorderly manner, and did use abusive language toward 1st Sergeant John H. Mc Manus, of Light Battery C, 3d U. S. Artillery, he being at the time in the execution of his office.

This at or near Jefferson Barracks, Missouri, on or about the 10th day of July 1866.

To which Charges and Specifications the prisoner pleaded as follows:

To the Specification of the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
To the Specification of the 2d Charge.....*"Not Guilty."*
To the 2d Charge.....*"Not Guilty."*

FINDING.

Of the Specification to the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
Of the Specification to the 2d Charge.....*"Guilty."*
Of the 2d Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, John Williams, Private of Light Battery C, 3d U. S. Artillery, to be confined at hard labor under charge of the guard, for one month, and to forfeit fifteen (15) dollars of his monthly pay for the same period.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be executed under the direction of the Commanding officer at Jefferson Barracks, Missouri.

Before a General Court Martial which convened at Fort Leavenworth, Kansas, pursuant to Special Orders No. 166, Par. 1, C. S., from these Headquarters, and of which Captain and Bvt. Lieut. Colonel Lewis Merrill, 2d U. S. Cavalry, is President, were arraigned and tried:

I.....James Murphy, Private of Company G, 3d U. S. Infantry.

CHARGE.—*"Drunkenness on duty."*

Specification:—In this, that he, James Murphy, Private Company G, 3d U. S. Infantry, being a member of the guard mounted at Fort Leavenworth, Kansas, June 13th, 1866, did become so drunk as to be unable to perform the duties of a sentinel.

This at Fort Leavenworth, Kansas, on or about the date above specified.

To which Charge and Specification the prisoner pleaded.....*"Not Guilty."*

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification.....*"Guilty."*
Of the Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, Private James Murphy, of Company G, 3d U. S. Infantry, to be confined in charge of the guard for the period of three months, from the promulgation of this sentence, and to be kept breaking stone, from Reville until Retreat each day, while so confined, except Sundays, allowing one hour at noon each day for meals.

Finding and sentence confirmed. The sentence will be carried into effect at Fort Leavenworth, Kansas, under the direction of the Commanding officer of that post.

II.....John Corcoran, Private Company G, 3d U. S. Infantry.

CHARGE.—"*Drunkenness on guard.*"

Specification:—In this, that he, John Corcoran, Private of Company G, 3d U. S. Infantry, being a member of the guard, and having been duly posted as a sentinel, did become so drunk as to be unable to perform his duty properly.

This at Fort Leavenworth, Kansas, on or about the evening of the 27th day of July, 1866.

To which Charge and Specification the prisoner pleaded....."*Not Guilty.*"

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Not Guilty.*"

Of the Charge....."*Not Guilty.*"

And the Court does therefore acquit him. Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

III.....John Golden, Private of Company G, 3d U. S. Infantry.

CHARGE.—"*Drunkenness on duty.*"

Specification:—In this, that he, John Golden, Private Company G, 3d U. S. Infantry, being a member of the guard, mounted at Fort Leavenworth, Kansas, June 13th, 1866, and having been duly posted as a sentinel, did become so drunk as to be unable to perform his duty properly.

This at Fort Leavenworth, Kansas, on or about the date above specified.

To which Charge and Specification the prisoner pleaded....."*Not Guilty.*"

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Guilty.*"

Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, John Golden, Private of Company G, 3d U. S. Infantry, to be confined in charge of the guard for the period of three months, from the promulgation of this sentence, and to be kept breaking stone from Reville to Retreat each day, while so confined, except Sundays, allowing one hour at noon each day for meals.

Finding and sentence confirmed. The sentence will be carried into effect at Fort Leavenworth, Kansas, under the direction of the Commanding officer of that post

IV .....James Ryan, Private of Company G. 3d U. S. Infantry

CHARGE.—*Neglect of duty to the prejudice of good order and military discipline.*

Specification:—In this, that he, James Ryan, Private Company G, 3d U. S. Infantry, having been regularly detailed for guard duty, and duly placed in charge of two prisoners, (Private Seith and Anderson, of same Company and Regiment,) did carelessly and negligently permit said prisoners to make their escape.

This at Fort Leavenworth, Kansas, on or about the 8th day of June, 1866.

To which Charge and Specification the prisoner pleaded.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification.....*"Not Guilty."*

Of the Charge.....*"Not Guilty."*

And the Court does therefore acquit him. Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 20, 1866.

GENERAL ORDERS,

No. 72.

I.....Before a General Court Martial, which convened at Jefferson Barracks, Mo., June 20th, 1866, pursuant to Special Orders, No. 141, Par. 1, C. S., from these Headquarters, and of which Bvt. Brig. General Pitcairn Morrison, Colonel U. S. A., is President, were arraigned and tried:

I.....Michael Lynch, Private of Light Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st.—*Drunkenness on guard.*

Specification:—In this, that he, Michael Lynch, Private of Light Battery C, 3d U. S. Artillery, did, while a member of the stable guard, of the above named Battery, get so drunk as to be unable to perform any duty.

This at Jefferson Barracks, Missouri, on the 27th day of June, 1866.

CHARGE 2d.—*Conduct to the prejudice of good order and military discipline.*

Specification:—In this, that he, Michael Lynch, Private of Light Battery C, 3d U. S. Artillery, while a prisoner under charge of the stable guard, did strike Joseph Baker, a Private of Light Battery C, 3d U. S. Artillery, he being a member of the stable guard, and a sentinel in the execution of his duty.

This at or near Jefferson Barracks, Missouri, on or about the 10th day of July, 1866.

To all of which charges and specifications the prisoner pleaded.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification to the 1st Charge.....*"Guilty."*
Of the 1st Charge.....*"Guilty."*
Of the Specification to the 2d Charge.....*"Not Guilty."*
Of the 2d Charge.....*"Not Guilty."*

SENTENCE.

And the Court does therefore sentence him, Michael Lynch, Private of Light Battery C, 3d U. S. Artillery, to be confined at hard labor under charge of the guard for the period of two months.

Finding and sentence confirmed. The sentence will be executed under the direction of the Commanding officer at Jefferson Barracks, Missouri.

II.....Thomas Smith, Private of Light Battery C, 3d U. S. Artillery, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification:—In this, that he, Thomas Smith, Private of Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, having been placed as a guard over an insane soldier, did through negligence permit said soldier to escape, and did fail to report the same to proper authority, until more than three hours after said escape.

All this at Jefferson Barracks, Missouri, on or about the 6th day of July, 1866.

To which the prisoner pleaded ..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification ..... "*Not Guilty.*"
Of the Charge ..... "*Not Guilty.*"

And the Court does therefore acquit him Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

II.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, July 19th, 1866, pursuant to Special Orders 166, Par. 1, C. S., from these Headquarters, and of which Captain and Bvt. Lieut. Colonel L. Merrill, 2d U. S. Cavalry, is President, were arraigned and tried:

I.....Edward Bourke, Private of Company G, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Drunkenness on guard.*

Specification:—In this, that he, Edward Bourke, Private of Company G, 3d U. S. Infantry, while a member of the guard, mounted at Fort Leavenworth, Kansas, on the 26th day of May, 1866, did become so drunk as to be unable to perform his duty properly.

This at Fort Leavenworth, Kansas, on or about the 26th day of May, 1866.

CHARGE 2d.—*Leaving his guard without authority or urgent necessity.*

Specification:—In this, that he, Edward Bourke, Private of Company G, 3d U. S. Infantry, did leave his guard without proper authority, or urgent necessity, at or about 4 o'clock P. M., and did not return to it until ordered back to it by Sergeant James C. Fisher, Company G, 3d Infantry, Sergeant of the guard, at or about 7 o'clock P. M.

This at Fort Leavenworth, Kansas, on or about the 26th day of May, 1866.

CHARGE 3d.—*Striking his superior non-commissioned officer.*

Specification:—In this, that he, Edward Bourke, Private of Company G, 3d U. S. Infantry, did resist, and strike with his fist and attempt to run through with a bayonet, Sergeant James C. Fisher, Company G, 3d U. S. Infantry, Sergeant of the guard, while he (Sergeant Fisher,) was attempting to put the said Private Edward Bourke in the prison room.

This at Fort Leavenworth, Kansas, on or about the 26th day of May, 1866

To all of which Charges and Specifications the prisoner pleaded..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specfiication to the 1st Charge..... "*Guilty.*"
Of the 1st Charge..... "*Guilty.*"
Of the Specification to the 2d Charge..... "*Not Guilty.*"
Of the 2d Charge..... "*Not Guilty.*"
Of the Specification to the 3d Charge..... "*Guilty*"
Of the 3d Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Edward Bourke, Private of Company G, 3d U. S. Infantry, to be confined at hard labor, breaking stones, from Reveille to Retreat each day, except Sundays, and allowing one hour each day for dinner, for six calendar months, and to forfeit to the United States five dollars ($5) of his pay per month for six months.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be excuted under the direction of the Commanding officer at Fort Leavenworth, Kansas.

II.....George L. Greene, Private of Company K, 3d U. S. Infantry, on the following charge and specification:

CHARGE.—*Neglect of duty to the prejudice of good order and military discipline.*

Specification:—In this, that he, George L. Greene, Private of Company K, 3d U. S. Infantry, being a member of the main guard and duly placed in charge of certain prisoners, did negligently and carelessly allow one of said prisoners (viz: one Schmollinger a deserter,) to escape from his custody and get away.

All this at or near Fort Leavenworth, Kansas, on or about the 27th day of June, 1866.

To which the prisoner pleaded..... "*Guilty.*"

FINDING.

The Court having maturely considered the case confirms the plea of the prisoner and finds him as follows:

Of the Specification..... "*Guilty.*"
Of the 1st Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, George L. Greene, Private of Company K, 3d U. S. Infantry, to be confined in charge of the guard at hard labor breaking stones, from Reveille till Retreat, allowing one hour at noon each day for dinner, daily except Sundays, for four months, and to forfeit to the United States two dollars ($2) per month of his monthly pay for four months.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be carried into effect under the direction of the Commanding officer at Fort Leavenworth, Kansas.

III.....W. Henry James Sheridan, Private of Company G, 3d U. S. Infantry, on the following charges and specifications :

CHARGE 1st.—*Drunkenness on duty.*

Specification:—In this, that he, W. Henry James Sheridan, Private of Company G, 3d U. S. Infantry, did while on Parade and Review on the 4th day of July, 1866, become so drunk, as to be unable to stand or march in ranks.

This at Fort Leavenworth, Kansas.

CHARGE 2d.—*Conduct to the prejudice of good order and military discipline.*

Specification:—In this, that he, W. Henry James Sheridan, Private of Company G, 3d U. S. Infantry, having been notified on the evening of the 3d day of July, 1866, by the First Sergeant of his Company, that he was detailed for guard, for the next day, the 4th day of July, 1866, did after such notification, become so drunk as to be unfit to march on guard, or perform his duty as a soldier.

This at Fort Leavenworth, Kansas, on or about the dates above specified.

To all of which Charges and Specifications the prisoner pleaded....." *Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows :

Of the Specification to the 1st Charge..... ....." *Guilty.*"
Of the 1st Charge....."*Guilty.*"
Of the Specification to the 2d Charge....."*Guilty.*"
Of the 2d Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, W. Henry James Sheridan, Private of Company G, 3d U. S. Infantry, to be solitarily confined on bread and water diet for seven days, and to forfeit to the United States ($5) five dollars per month of his monthly pay for four months.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be executed under the direction of the Commanding officer at Fort Leavenworth, Kansas.

IV.....Charles Ogden, Private of Company G, 3d U. S. Infantry, on the following charges and specifications :

CHARGE 1st.—*Drunkenness on duty.*

Specification:—In this, that he, Charles Ogden, Private of Company G, 3d U. S. Infantry, did while on Parade and Review on the 4th day of July, 1866, become so drunk as to be unable to stand or march in ranks.

This at Fort Leavenworth, Kansas.

CHARGE 2d.—*Conduct prejudicial to good order and military discipline.*

Specification:—In this, that he, Charles Ogden, Private of Company G, 3d U. S. Infantry, having been notified on the evening of the 3d of July, by the First Sergeant of his Company that he was detailed for guard for the next day, the 4th day of July, 1866, did after such notification become so drunk as to be unfit to march on guard, or perform his duty as a soldier.

This at Fort Leavenworth, Kansas, on or about the dates above specified.

To all of which Charges and Specifications the prisoner pleaded....."*Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner and finds him as follows ;

Of the Specification of the 1st Charge....."*Guilty.*"
Of the 1st Charge....."*Guilty.*"
Of the Specification of the 2d Charge....."*Guilty.*"
Of the 2d Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Charles Ogden, Private of Company G, 3d U. S. Infantry, to be solitarily confined on bread and water diet for seven days, and to forfeit to the United States ($5) five dollars per month of his monthly pay for four months.

Finding and sentence confirmed. The stoppage of pay will be made by the proper officer. The sentence of confinement will be executed under the direction of the Commanding officer at Fort Leavenworth, Kansas.

V.....John Smith, Private of Company K, 3d U. S. Infantry, on the following charge and specification :

CHARGE.—*Neglect of duty as a sentinel.*

Specification:—In this, that he, John Smith, Private of Company K, 3d U. S. Infantry, while a sentinel having in his charge Private Henry Holden, Company G, 3d U. S. Infantry, a prisoner, did allow the said prisoner to escape and desert the service of the United States, without taking proper care to prevent it.

This at Fort Leavenworth, Kansas, on or about the 26th day of June, 1866.

To which the prisoner pleaded ....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the Specification....."*Guilty.*"
Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, private John Smith, company K, 3d U. S. Infantry, "To break stones, in charge of the guard, from reveille until retreat, each day, (except Sundays,) for four (4) months, allowing one hour at noon, each day, for dinner.

Finding and sentence confirmed. The sentence will be executed under the direction of the commanding officer at Fort Leavenworth, Kansas.

VI.....William Johnson, private of Company K, 3d U. S. Infantry, on the following charge and specification :

CHARGE.—*Larceny.*

Specification.—In this, that he, William Johnson, a private of Company K, 3d U. S. Infantry, did feloniously steal, take and carry away, with purpose to convert to his own use, one silver watch, of the value of five dollars, or thereabouts; the property of one Henry Hunter, private of the 125th U. S. Colored troops, and

did thereafter sell the same to one I. G. Clary, a citizen in the employment of the Quartermaster's Department at Fort Leavenworth, Kansas, on or about the 26th day of June, 1866.

To which the prisoner pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification....."*Not Guilty.*"

Of the Charge....."*Not Guilty.*"

And the Court does therefore acquit him. Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

VII .....John Conway, corporal of Company G, 3d U. S. Infantry, on the following charge and specification:

CHARGE.—*Quitting his Guard without authority or urgent necessity.*

Specification.—In this, that John Conway, a corporal of company G, 3d U. S. Infantry, having been regularly mounted as a Corporal of the Guard at Fort Leavenworth, Kansas, did leave said guard without authority, between the hours of 12 M. and 1 P. M., and did not return to said guard during its tour of duty.

This at Fort Leavenworth, Kansas, on or about the 14th day of July, 1866.

To which the prisoner pleaded....."*Guilty.*"

FINDING.

The Court having maturely considered the testimony adduced, finds the prisoner as follows:

Of the Specification....."*Guilty.*"

Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, John Conway, corporal of Company G, 3d U. S. Infantry, "To be reduced to the rank of a private sentinel: to be confined at hard labor, in charge of the guard, breaking stones, from reveille to retreat, each day, Sundays excepted, allowing one hour at noon for dinner, for four calendar months, and to forfeit to the United States seven dollars [$7] per month of his monthly pay for four months."

Finding and sentence confirmed. Upon the unanimous recommendation of the Court, for clemency, based upon the previous good character of the prisoner, so much of the sentence as relates to confinement at hard labor for four calendar months, is remitted; the remainder of the sentence will be executed by the company commander. The prisoner will be released from arrest and returned to duty.

VIII.....James McCafferty, a private of Company C, 3d U. S. Infantry, on the following charge and specification:

CHARGE.—*Neglect of duty as a Sentinel.*

Specification.—In this, that James McCafferty, a private of Company C, 3d U. S. Infantry, having been regularly detailed as a member of the guard, and duly

placed in charge of two prisoners, did, carelessly and negligently, permit one of said prisoners to escape.

This at Fort Leavenworth, Kansas, on or about the 20th July, 1866.

To which the prisoner pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification,....."*Not Guilty.*"

Of the Charge....."*Not Guilty.*"

And the Court does therefore acquit him.

Finding and acquittal confirmed. The prisoner will be released from arrest and returned to duty.

IX.....Henry Mantle, a private of Company G, 3d U. S. Infantry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that Henry Mantle, a private of Company G, 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same, on or about the 10th day of March, 1866, and did remain absent therefrom until apprehended and delivered up to the commanding officer at Jefferson Barracks, Mo., on or about the 7th day of July, 1866.

This at St. Louis, Mo., on or about the dates above specified.

To which the prisoner pleaded....."*Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the Specification....."*Guilty.*"

Of the Charge....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Henry Mantle, private of Company G, 3d U. S. Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due, or to become due, and to be confined at hard labor in the penitentiary, at such place as the General Commanding the Department may direct, for the period of three [3] years."

Finding and sentence confirmed. Private Henry Mantle, of Company G, 3d U. S. Infantry, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Mo. The commanding officer at Fort Leavenworth, Kansas, will cause the prisoner to be taken to Jefferson City, Mo., and turned over to the warden of the State Penitentiary, who, at the same time, will be furnished with a copy of this order.

X.....Joseph Davidson, a private of Company G, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Absence without leave.*

Specification.—In this, that Joseph Davidson, a private of Company G, 3d U. S. Infantry, did absent himself from Company and Regiment without proper authority, from on or about the afternoon of the 6th, until on or about the morning of the 8th day of June, 1866.

This at Fort Leavenworth, Kansas, on or about the dates above specified.

CHARGE 2d.—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Joseph Davidson, private of Company G, 3d U. S. Infantry, did, while absent without leave, declare in a letter to 1st Lieut. E. A. Belger, 3d Infantry, that he, (Davidson) absented himself without authority, for the purpose of being confined in the guard-house, and having charges preferred against him. Stating, also, that "he preferred to be in the guard-house to be doing duty in the company," or words to that effect.

This at Fort Leavenworth, Kansas, on or about June 6th, 1866.

To which Charges and Specifications the prisoner pleaded as follows:

To the Specification, of the 1st Charge..... "*Guilty.*"
To the 1st Charge..... "*Guilty.*"
To the Specification, of the 2d Charge..... "*Not Guilty.*"
To the 2d Charge..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification of the 1st Charge, confirms the plea of the prisoner, and finds him..... "*Guilty.*"
Of the 2d Charge, confirms the plea of the prisoner, and finds him..... "*Guilty.*"
Of the Specification of the 2d Charge..... "*Guilty*" except the words, "stating, also, that he preferred to be in the guard-house to be doing duty in the company."
Of the 2d Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Joseph Davidson, private of Company G, 3d U. S. Infantry, "To be confined, in charge of the guard, for ten [10] days, breaking stones, from reveille until retreat, each day, allowing half an hour for each meal, the remainder of the time to be kept in solitary confinement.

Finding and sentence confirmed. The sentence will be carried into effect under the direction of the Commanding Officer at Fort Leavenworth, Kansas.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL.

A. Pope
Capt & A.D.C.

~~*Assistant Adjutant General.*~~

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 21, 1866.

GENERAL ORDERS,
No. 73.

I.....Before a General Court Martial, which convened at Fort Kearney, N. T., pursuant to Special Orders, No. 18, C. S., dated Headquarters District of Nebraska, Omaha, N. T., March 9th, 1866, and of which Major Thomas J. Majors, 1st Neb. Vet. Cavalry, is President, were arraigned and tried:

I.....John L. Hutton, Private of Company E, 1st Neb. Vet. Cavalry Vols., on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, John L. Hutton, Private of Company E, 1st Neb. Vet. Cavalry Vols., having been duly enlisted in the service of the United States, did on or about the 23d day of September, 1865, while in Omaha, N. T., desert said service.

All this at or near Omaha, N. T.

CHARGE 2d.—*Theft.*

Specification.—In this, that he, John L. Hutton, Private of Company E, 1st Neb. Vet. Cavalry Vols., having been duly enlisted in the service of the United States, did, on or about the 23d day of September, 1865, while in Omaha, N. T., desert said service, taking with him the following articles, property of the United States, viz: One Saddle, $17.72; one Saddle Blanket, $3.00; one Curb Bridle, $4.46; one Halter and Strap, $1.90; one Nose-Bag, $1.50; one Surcingle, $1.12; one Lariat and Pin, 90 cts.; one pair Spurs and Strap, 52 cts.; one Horse Brush, 75 cts.; one Curry-Comb, 26 cts.; one Merrill Carbine, $30; one Carbine Cartridge-box, $1.05; one Cap-Pouch, 45 cts.; one Remmington Pistol, $20; one Pistol Belt and Holster, 75 cts.; one Pistol Cartridge-box, 60 cts.; one Sabre Belt and Plate, $1.35; one Haversack, 95 cts.; and one Cavalry Horse, value unknown.

All this at or near Omaha, N. T.

To all of which Charges and Specifications the prisoner pleaded....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification of the 1st Charge....."*Guilty.*"
Of the 1st Charge....."*Guilty.*"
Of the Specification of the 2d Charge....."*Guilty.*"
(except the taking away of the Ordnance and Ordnance Stores, and Quartermaster's property mentioned in the Specification.)
Of the 2d Charge....."*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private John L. Hutton.

Company E, 1st Neb. Vet. Cavalry Vols., to be dishonorably discharged the service of the United States, without pay or allowances.

II.....Andrew M. Heath, Private of Company E, 1st Neb. Vet. Cavalry Vols., on the following charges and specifications :

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Andrew M. Heath, of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 26th day of September, 1865, absent himself from and desert said service, and remained absent until the 8th day of January, 1866, at which time said soldier returned voluntarily to duty.

This at or near Fort Kearney, N. T.

CHARGE 2d.—*Theft*

Specification.—In this, that he, Private Andrew M. Heath, of Company E, 1st Neb. Vet Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 26th day of September, 1865, absent himself from and desert said service, and did take Ordnance Stores with him of the value of $97.09.

To which Charges and Specifications the prisoner pleaded as follows :

To the Specification, of the 1st Charge....."*Guilty.*"
To the 1st Charge....."*Not Guilty.*"
To the Specification, of the 2d Charge....."*Not Guilty.*"
To the 2d Charge....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows :

Of the Specification of the 1st Charge....."*Guilty.*"
Of the 1st Charge....."*Guilty.*"
Of the Specification of the 2d Charge....."*Guilty,*"
(with the exception of the words relating to the taking with him of "Ordnance Stores of the value of $97.09.")
Of the 2d Charge....."*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private Andrew M. Heath, Company E, 1st Neb. Vet. Cavalry Vols., to be dishonorably discharged the service of the United States, without pay or allowances.

III.....Charles A. Pierce, Private of Company E, 1st Neb. Vet. Cavalry Vols., on the following charges and specifications :

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, Private Charles A. Pierce, of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 26th day of September, 1865, absent himself from and desert said service, and remain absent until the 8th day of January, 1866, at which time said soldier returned voluntarily to duty.

This at or near Fort Kearney, N. T.

CHARGE 2d.—*Theft.*

Specification.—In this, that he, Private Charles A. Pierce, of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 26th day of September, 1865, absent himself from and desert

said service, and take Ordnance and Ordnance Stores with him, of the value of $89.60.

To which Charges and Specifications the prisoner pleaded as follows:

To the Specification of the 1st Charge ..... "*Guilty.*"
To the 1st Charge ..... "*Not Guilty.*"
To the Specification of the 2d Charge ..... "*Not Guilty.*"
To the 2d Charge ..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification of the 1st Charge ..... "*Guilty.*"
Of the 1st Charge ..... "*Guilty.*"
Of the Specification of the 2d Charge ..... "*Guilty.*"
(except the taking away of the Ordnance and Ordnance Stores, mentioned in the Specification.)
Of the 2d Charge ..... "*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private Charles A. Pierce, Company E, 1st Neb. Vet Cavalry Vols., to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due.

IV.....George Edson, Private of Company E, 1st Neb. Vet. Cavalry Vols., on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, Private George Edson, Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 9th day of October, 1865, absent himself from and desert said service, and remain absent until the 4th day of December, 1865, at which time said soldier returned voluntarily to duty.

This at or near Fort Kearney, N. T.

CHARGE 2d.—*Theft.*

Specification.—In this, that he, Private George Edson, of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 9th day of October, 1865, absent himself from and desert said service, and take Ordnance and Ordnance Stores with him, of the value of $64.93.

To which Charges and Specifications the prisoner pleaded as follows:

To the Specification of the 1st Charge ..... "*Guilty.*"
To the 1st Charge ..... "*Not Guilty.*"
To the Specification of the 2d Charge ..... "*Not Guilty.*"
To the 2d Charge ..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification of the 1st Charge ..... "*Guilty.*"
Of the 1st Charge ..... "*Guilty.*"
Of the Specification of the 2d Charge ..... "*Guilty.*"
(except the taking with him of Ordnance Stores of the value of $64.93.)
Of the 2d Charge ..... "*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private George Edson, of Company E, 1st Neb. Vet. Cavalry Vols., to be dishonorably discharged the service of the United States, without pay or allowances.

V.....John Hughes, Corporal Company E, 1st Neb. Vet. Cavalry Vols., on the following charges and specifications:

CHARGE 1st.—*Desertion:*

Specification.—In this, that he, Corporal John Hughes, Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 9th day of October, 1865, absent himself from and desert said service, and remain absent until the 5th day of December, 1865, at which time said soldier returned voluntarily to duty.

This at or near Fort Kearney, N. T.

CHARGE 2d.—*Theft.*

Specification.—In this, that he, Corporal John Hughes, of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 9th day of October, 1865, absent himself from and desert said service, taking with him Ordnance and Ordnance Stores, of the value of $61.46.

This at or near Fort Kearney, N. T.

To which Charges and Specifications the prisoner pleaded as follows:

To the Specification of the 1st Charge ..... "*Guilty.*"
To the 1st Charge ..... "*Not Guilty.*"
To the Specification of the 2d Charge ..... "*Not Guilty.*"
To the 2d Charge ..... "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification of the 1st Charge ..... "*Guilty.*"
Of the 1st Charge ..... "*Guilty.*"
Of the Specification of the 2d Charge ..... "*Guilty*
(except the taking with him of Ordnance and Ordnance Stores, of the value of $61.46.)
Of the 2d Charge ..... "*Not Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Corporal John Hughes, of Company E, 1st Neb. Vet. Cavalry Vols., to be dishonorably discharged the service of the United States, without pay or allowances.

VI.....Josiah Jordian, Private of Company E, 1st Neb. Vet. Cavalry Vols., on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, Josiah Jordian, a Private of Company E, 1st Neb. Vet. Cavalry Vols., a duly enlisted soldier in the service of the United States, did, on or about the 27th day of December, 1865, absent himself from and desert said service, and remain absent until the 12th day of March, 1866, at which time said soldier returned voluntarily to duty.

This at or near Fort McPherson, N. T.

To which the prisoner pleaded as follows:

To the Specification..... "*Guilty*,"
(except word "desert")

To the Charge..... "*Not Guilty*."

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification..... "*Guilty*."

Of the Charge..... "*Guilty*."

SENTENCE.

And the Court does therefore sentence him, Josiah Jordian, Private of Company E, 1st Neb. Vet. Cavalry Vols., to be dishonorably discharged the service of the United States, without pay or allowances.

VII.....Headquarters of the District of Nebraska having been discontinued, and the proceedings in the foregoing cases forwarded to the General Commanding the Department for final action, the following are his orders thereon:

The proceedings, findings and sentences in the foregoing cases are approved and confirmed.

Corporal John Hughes, and Privates John L. Hutton, Andrew M. Heath, Charles A. Pierce, George Edson and Josiah Jordian, of Company E, 1st Nebraska Veteran Cavalry Volunteers, are hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer. The prisoners will be released from confinement.

By command of MAJOR GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL.

D Pope
B. Maj & A.W.C.

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF THE MISSOURI,

Fort Leavenworth, Kansas, August 22, 1866.

GENERAL ORDERS,
No. 74.

I.....Before a General Court Martial which convened at Fort Leavenworth, Kansas, July 19, 1866, pursuant to Special Orders No. 166, current series, from these Headquarters, and of which Captain and Brevet Lieutenant-Colonel LEWIS MERRILL is President, were arraigned and tried:

1*st*. *Michael Nicholas*, private of Company "C," 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1ST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *Michael Nicholas*, private of Company 'C,' 3d U. S. Infantry, being duly detailed and on duty as company cook, did absent himself without permission from proper authority, from on or about 2 o'clock, P. M., until on or about 6 o'clock, P. M., of the 25th day of June, 1866. This at Lawrence, Kansas."

CHARGE 2D:

"*Drunkenness on duty.*"

SPECIFICATION: "In this, that he, *Michael Nicholas*, private of Company 'C,' 3d U. S. Infantry, was so drunk whilst on duty as company cook, as to be unable to perform the duties of a soldier. This at Lawrence, Kansas, on or about the 25th day of June, 1866."

CHARGE 3D.

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION: "In this, that he, *Michael Nicholas*, private of Company 'C,' 3d U. S. Infantry, being drunk and disorderly in the 'Eldridge House,' at Lawrence, Kansas, did refuse to leave when requested to do so by the proprietor of said house, and when Sergeant Christian Miller, of same company and regiment, and on duty in charge of the guard at the city jail, was requested to take him out of the said

house, he, private *Michael Nicholas*, did refuse to leave when ordered to do so by the said Sergeant Miller, and on being put out by force, did frequently attempt to strike the said Sergeant Miller, and did at the same time threaten the said Sergeant Miller by saying, 'Miller, you son of a bitch, I will shoot or kill you the first chance I get,' or words to that effect.'' This at Lawrence, Kansas, on or about the 25th day of June, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the first charge, ''*Guilty*.''
To the first charge, ''*Guilty*.''
To the specification of the second charge, ''*Not guilty*.''
To the second charge, ''*Not guilty*.''
To the specification of the third charge, ''*Not guilty*.''
To the third charge, ''*Not guilty*.''

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the specification of the first charge, confirms the plea of the prisoner and finds him ''*Guilty*.''
Of the first charge, confirms the plea of the prisoner, and finds him ''*Guilty*.''
Of the specification to the second charge ''*Guilty*,'' except the words ''whilst on duty as company cook.''
Of the second charge, ''*Not guilty*.''
Of the specification of the third charge, ''*Not guilty*.''
Of the third charge, ''*Not guilty*.''

SENTENCE.

And the Court does, therefore, sentence him, *Michael Nicholas*, private, Company 'C,' 3d U. S. Infantry, to solitary confinement on bread and water diet for four days.

Finding and sentence confirmed. The proceedings in this case should have shown that there was no more testimony for the prosecution. It does not appear that the Court took into consideration any other evidence than of private John C. Smith, Company 'C,' 3d U. S. Infantry, or used any exertion to obtain any. In consideration of the length of confinement to which the accused has already been subjected, he will be released from arrest and returned to duty.

II.....Before a General Court Martial which convened at Jefferson Barracks, Mo., June 20th, 1866, pursuant to Special Orders No. 141, part 1, current series, from these Headquarters, and of which Brevet Brigadier General PITCAIRN MORRISON, U. S. A., was President, were arraigned and tried:

2d. *Gustav A. Lichtenberg*, corporal of Company "E," Battalion of Engineers, on the following charge and specifications:

CHARGE:

"*Mutinous conduct, to the prejudice of good order and military discipline.*"

SPECIFICATION 1ST: "In this, that *Gustav A. Lichtenberg*, Corporal, Company 'E,' Battalion of Engineers, being on duty as acting sergeant of the guard of the Engineer Depot, at Jefferson Barracks, Mo., on or about the 9th day of June, 1866, when called upon by an officer of the forces of the United States, Brevet Col. H. G. Gibson, Captain 3d U. S. Artillery, to keep a prisoner committed to his charge by said Colonel Gibson, did release said prisoner without proper authority, and did in the presence of enlisted men and citizens, mutinously refuse to recognize the said Brevet Col. H. G. Gibson as his superior officer, and did defiantly, insolently, and mutinously order his guard to fire upon any one approaching in obedience to the orders of the said Brevet Col. Gibson."

SPECIFICATION 2D: "In this, that *Gustav A. Lichtenberg*, Corporal of Company 'E,' Battalion of Engineers, being on duty as acting sergeant of the guard at the Engineer Depot, at Jefferson Barracks, Mo., on or about the 9th day of June, 1866, did, in the presence of enlisted men and citizens, behave with contempt and disrespect to his superior officer, Brevet Col. H. G. Gibson, Captain 3d U. S. Artillery, by an insolent, defiant manner, and by saying: 'I obey no one's orders unless I recognize him,' or words to that effect, and by ordering his guard to fire upon any one approaching in obedience to orders of the said Brevet Col. Gibson."

SPECIFICATION 3D: "In this, that *Gustav A. Lichtenberg*, Corporal of Company 'E,' Battalion of Engineers, did, while commanding a guard, at the Engineer Depot, at Jefferson Barracks, Mo., on or about the 9th day of June, 1866, refuse to keep a prisoner committed to his charge by an officer of the forces of the United States, Brevet Col. H. G. Gibson, Captain 3d U. S. Artillery, and did presume to release said prisoner committed to his charge, without proper authority for so doing, or induce orders for his release by false representations or misrepresentations."

To all of which charge and specifications the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the first specification, "*Guilty.*"

Of the second specification, "*Guilty.*"

Of the third specification, "*Guilty,*" except the words, "or induce orders for his release by false representations or misrepresentations."

Of the charge, "*Guilty,*"

SENTENCE:

And the Court does, therefore, sence him, *Gustav A. Lichtenberg,* Corporal of Company "E," Battalion of Engineers, to be reduced to the ranks, and to be confined at hard labor, under charge of the guard, at Jefferson Barracks, Mo., for six (6) months, and to forfeit fifteen ($15) dollars of his monthly pay per month, for the same period.

Finding on the first and third specifications disapproved, as not being sufficiently sustained by the testimony; finding on second specification, charge and sentence approved, but it appears that Corporal *Lichtenberg* acted under an erronious impression of his duty, arising from improper instructions.

The sentence is remitted. The prisoner will be released from arrest and returned to duty.

BY COMMAND OF MAJOR-GENERAL POPE.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICAL:

D. Pope.
Bvt Maj & A.D.C.
Assistant Adjutant General.

Field

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Missouri.

(1st series.)

1866.

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HEAD-QUARTERS DEPARTMENT OF THE MISSOURI.
DENVER CITY, C. T., July 2d, 1866.

GENERAL FIELD ORDERS,
No. 2.

Before a General Court Martial, convened at Camp Wardwell, C. T., by virtue of Special Field Order No. 8, paragraph III, dated Head-quarters Department of the Missouri, Camp Wardwell, C. T., June 23d, 1866, was tried:

I. Private James M. Lane, Co. "D," 3d Battalion, 18th Regiment U. S. Infantry.

CHARGE I:--*Desertion.*

Specification. In this, that Private James M. Lane of Co. D, 3d Battalion, 18th Regiment U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert the same on or about the 14th day of June, 1866, and did remain absent until apprehended and delivered up, on or about June 19th, 1866.

This at Fort Wardwell, C. T.

CHARGE II--*Theft.*

Specification:—In this, that Private James M. Lane, Co. D, 3d Battalion 18th U. S. Infantry, did feloniously take and appropriate to his own use one horse, one saddle, one bridle, one Springfield Rifle-musket, and set of Infantry accoutrements, the property of the United States.

This at Fort Wardwell, C. T., on or about the 14th day of June, 1866

To which charges and specifications the accused pleaded as follows:

To the Specification of the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
To the Specification of the 2d Charge.....*"Guilty."*
To the 2d Charge.....*"Guilty."*

FINDING.

To the Specification to the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
To the Specification of the 2d Charge.....*"Guilty."*
To the 2d Charge.....*"Guilty."*

SENTENCE.

And the Court do therefore sentence private *James M. Lane*, Co. "D," 3d Battalion 18th Regiment U. S. Infantry: To forfeit all pay and allowances due him, to be dishonorably discharged the service of the United States, and to be imprisoned at hard labor in such prison as the Commanding General of the Department shall designate, for the period of ten years.

II. Private William F. Smith, Co. "D," 3d Battalion 18th Regiment U. S. Infantry.

CHARGE I--*Desertion.*

Specification :—In this, that Private William F. Smith, Co. D, 3d Battalion, 18th Regiment U. S Infantry, a duly enlisted soldier, in the service of the United States, and at the same time a sentinel on guard, did absent himself from, and desert the same, on or about the 14th day of June, 1866, and did remain absent until apprehended and delivered up, on or about the 19th day of June, 1866,

This at Fort Wardwell, C. T.

CHARGE II—*Theft.*

Specification I :—In this that Private William F. Smith, Co. D, 3d Battalion, 18th Regiment U. S. Infantry, did while on guard, did either take himself or otherwise aid and abet, in taking from the stable over which he had been placed as a guard, three horses, three saddles, and three bridles : the property of the United States.

This at Fort Wardwell, C. T., on or about the 14th day of June, 1866.

Specification II:—In this, that Private William F. Smith, Co. D, 3d Battalion, 18th Regiment U. S. Infantry, did feloniously take and appropriate to his own use one Springfield Rifle-musket, and equipments complete, the property of the United States.

This at Fort Wardwell, C. T., on or about the 14th day of June, 1866.

CHARGE III :—*Disobedience of orders:*

Specification :—In this, that Private William F. Smith, Co. D, 3d Battalion, 18th Regiment U. S. Infantry, having been stationed as a sentinel over the stables with orders not to allow any horses to be taken away, did himself, assist and connive at the stealing of three horses from said stables such horses being the property of the United States.

This at Fort Wardwell, C. T., on or about June 14th, 1866.

To which charges and specifications the prisoner pleaded as follows :

To the Specification of the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
To the 1st Specification of the 2d Charge.....*"Guilty."*
To the 2d Specification of the 2d Charge.....*"Guilty."*
To the 2d Charge.....*"Guilty."*
To the Specification of the 3d Charge.....*"Guilty."*
To the 3d Charge.....*"Guilty."*

FINDING.

To the Specification of the 1st Charge.....*"Guilty."*
To the 1st Charge.....*"Guilty."*
To the 1st Specification, of the 2d Charge.....*"Guilty."*
To the 2d Specification of the 2d Charge.....*"Guilty."*
To the 2d Charge.....*"Guilty."*
To the Specification of the 3d Charge.....*"Guilty."*
To the 3d Charge.....*"Guilty."*

SENTENCE.

And the Court do therefore sentence him, private *William F. Smith*, Co. "D," 3d Battalion 18th Regiment U. S. Infantry : To be shot to death with musketry, at such time and place as the Commanding General of the Department shall direct, two thirds of the members of the Court concurring therein.

III. Private Orange D. McLain, Co. "D," 3d Battalion 18th Regiment U. S. Infantry.

CHARGE I :—*Desertion.*

Specification:—In this, that Private Orange D. McLain, Co. D, 3d Battalion, 18th Regiment U. S. Infantry, a duly enlisted soldier, in the service of the United States, did absent himself from and desert the same on or about the 14th day of June 1866, and did remain absent until apprehended, and delivered up, on or about the 19th day of June 1866.

This at Fort Wardwell, C. T.

CHARGE II—*Theft.*

Specification:—In this, that Private Orange D. McLain, of Co D, 3d Battalion, 18th Regiment U. S. Infantry, did feloniously take, and appropriate to his own use, one horse, one saddle, one bridle, one Springfield Rifle-musket, and set of Infantry accoutrements, the property of the United States.

This at Fort Wardwell, C. T., on or about June 14th, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the Specification of the 1st Charge ..... "*Guilty.*"
To the 1st Charge ..... "*Guilty.*"
To the Specification of the 2d Charge ..... "*Guilty.*"
To the 2d Charge ..... "*Guilty.*"

FINDING.

To the Specification of the 1st Charge ..... "*Guilty.*"
To the 1st Charge ..... "*Guilty.*"
To the Specification of the 2d Charge ..... "*Guilty.*"
To the 2d Charge ..... "*Guilty.*"

SENTENCE.

And the Court do therefore sentence him, private *Orange D McLain*, Co. "D," 3d Battalion 18th Regiment U. S. Infantry: To forfeit all pay and allowances due him; to be dishonorably discharged the service of the United States, and to be imprisoned at hard labor in such prison as the Commanding General of the Department shall designate for the period of ten years.

IV.

The proceedings and findings in the case of private James M. Lane, Co. "D," 3d Battalion 18th Regiment U. S. Infantry, approved and sentence confirmed. The penitentiary at Jefferson City, Missouri, is designated as the place of confinement.

V.

The proceedings and findings in the case of private William F. Smith, Co. "D," 3d Battalion 18th Regiment U. S. Infantry, are approved: but the sentence of death is commuted to ten years of confinement at hard labor in the penitentiary at Jefferson City, Missouri.

VI.

The proceedings and findings in the case of private Orange D. McLain, Co. "D," 3d Battalion 18th Regiment U. S. Infantry, approved and sentence confirmed. The penitentiary at Jefferson City, Missouri, is designated as the place of confinement.

The General Court Martial convened by virtue of Special Field Order No. 8, par. 3, Head-Quarters Department of the Missouri, dated Camp Wardwell, C. T., June 23d, 1866, is hereby dissolved.

By command of MAJOR GENERAL POPE.

JOS. McC. BELL,
Assistant Adjutant General.

OFFICIAL.

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT UNION, N. M., July 16th, 1866.

GENERAL FIELD ORDERS,

No. 3.

Before a General Court Martial, convened at Rocky Hill, C. T., by virtue of Special Field Order, No. 12, dated Headquarters Department of the Missouri, Rocky Hill, C. T., July 8th, 1866, was tried:

I.....Private Levi Schuyler, Co. E, 3d Regiment, U. S. Infantry.

CHARGE.—*Neglect of duty.*

Specification:—In this, that he, Private Levi Schuyler, Co. E, 3d Regiment, U. S. Infantry, being a member of the guard and duly posted as sentinel in the rear of the officers quarters, did allow a mess chest, the property of Major James Sawyer, to be stolen whilst he was on post, between the hours of 12½ and 2½ o'clock A. M., on or about the morning of the 28th of June, 1866.

This at camp near Denver City, C. T.

To which charge and specification the prisoner pleaded as follows:

To the Specification....."*Not Guilty.*"
To the Charge....."*Not Guilty.*"

FINDING.

To the Specification....."*Not Guilty.*"
To the Charge....."*Not Guilty.*"
and does therefore acquit him.

The proceedings and findings in the case of Private Levi Schuyler, Co. E, 3d Regiment U. S. Infantry, are approved. Private Levi Schuyler, Co. E, 3d Regiment U. S. Infantry, will be released from confinement and returned to duty with his Company.

The General Court Martial convened by virtue of Special Field Order No. 12, Headquarters Department of the Missouri, dated Rocky Hill, C. T., July 8th, 1866, is hereby dissolved.

By command of MAJOR GENERAL POPE.

JOS. McC. BELL,
Assistant Adjutant General.

OFFICIAL.

J. W. Tomlinson
Capt 5th U S Cav Actg

Assistant Adjutant General.

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FROM THE

HEADQUARTERS

Dept. of the Missouri.

(2d series.)

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HEADQUARTERS DEPARTMENT OF THE MISSOURI.

St. Louis, Mo., September 4, 1866.

General Orders,
No. 2.

So much of General Orders No. 53, 1866, from these Headquarters, as confirms the sentence in the case of private John Wilson, Company "E," 3d Battallion 13th U. S. Infantry, charged with "Striking his superior officer," is hereby revoked, for want of proper charge and specification. From the evidence adduced it appears that the person styled "superior officer" was a non-commissioned officer, and not a superior officer in the meaning of the law. See Holt's Digest, page 2, par. 3, and page 155.

By command of Major General Hancock:

JOHN P. SHERBURNE,

ASSISTANT ADJUTANT GENERAL.

Official:

ASSISTANT ADJUTANT GENERAL.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *September* 20, 1866.

GENERAL ORDERS,
No. 4.

I. Before a general court martial which convened at Fort Leavenworth, Kansas, August 13, 1866, pursuant to Special Orders No. 188, par. 1, series of 1866, from these headquarters, and of which Captain and Brevet Lieutenant Colonel LEWIS MERRILL, 2d U. S. cavalry, is President, were arraigned and tried:

1*st*. Second Lieutenant *B. F. Ryer*, 2d U. S. Artillery, on the following charges and specifications:

CHARGE 1ST:

"*Drunkenness to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, Second Lieutenant *B. F. Ryer*, 2d U. S. Artillery, did appear on the public streets of Leavenworth City, Kansas, in a state of intoxication, to the great disgrace and scandal of the military service. This at Leavenworth City, Kansas, on or about the 18th day of May, 1866."

CHARGE 2D:

"*Conduct unbecoming an officer and gentleman.*"

SPECIFICATION 1ST: "In this, that he, Second Lieutenant *B. F. Ryer*, 2d U. S. Artillery, did, while in a state of intoxication, with other officers of the army, enter the store or residence of a citizen of Leavenworth, Kansas, and did there make use of insulting gestures to the wife of said citizen, by offering to embrace her, and did persist in remaining in said store or residence, though repeatedly ordered to leave it by said citizen. This at Leavenworth City, Kansas, on or about the 18th day of May, 1866."

SPECIFICATION 2D: "In this, that he, Second Lieutenant *B. F. Ryer*, 2d U. S. Artillery, did, on or about the 31st day of May, 1866, write to Colonel and Brevet Major General Wm. Hoffman, U. S. army, and transmit by mail, a communication, purporting to be written at Fort Columbus, New York harbor, in which he stated that he was innocent of any wrong in connection with, and that he had nothing to do with, a disgraceful disturbance which occurred at Leav-

enworth City, Kansas, on or about the 18th day of May, 1866, said communication having reference to a disturbance which was caused by several officers of the United States army, of which he was a party, entering the store or residence of a private citizen at the time and place aforesaid, and there connecting themselves in a manner to the disgrace and scandal of the service; said communication being knowingly and willfully false."

To all of which charges and specifications, the accused pleaded "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the specification of the 1st charge, "*Not Guilty.*"

Of the 1st charge, "*Not Guilty.*"

Of the 1st specification of the 2d charge, "*Guilty,*" except the words "while in a state of intoxication," and except all following the word "Kansas," where it first occurs.

Of the 2d specification of the 2d charge, "*Guilty,*" except the words "and that he had nothing to do with," and the words "said communication being knowingly and willfully false."

Of the 2d charge, "*Not Guilty.*"

And the Court does, therefore, acquit him, the said Second Lieutenant *B. F. Ryer*, 2d U. S. Artillery.

Finding and acquittal confirmed. Second Lieutenant *B. F. Ryer* is hereby released from arrest, and will resume his sword. He will rejoin his proper station without delay, at Governor's Island, New York harbor.

BY COMMAND OF MAJOR GENERAL HANCOCK.

JOHN P. SHERBURNE,
Assistant Adjutant General.

OFFICIAL:
D. Popo
Bt Mg & A.D.C.,
Assistant Adjutant General.

HEAD QUARTERS, DEPARTMENT OF THE MISSOURI,

Saint Louis, Mo., Oct. 24, 1866.

GENERAL ORDERS, No. 13.

I...Before a General Court Martial, convened at Fort Laramie, Dacota Territory, August 11th, 1866, pursuant to Special Orders, No. 182, Par. I, First Series, 1866, from these Head Quarters, and of which Major JAMES VAN VOAST, 18th U. S. Infantry, is President, were arraigned and tried —

1. *Newton Davis,* Private of Co. "G," 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE — "Desertion."

Specification — "In this; that he, *Newton Davis,* Private of Co. 'G,' 1st Battalion 18th U. S. Infantry, having been duly enlisted in the service of the United States Army, did desert the said service on the seventeenth day of May, 1866, and did remain absent until arrested on the eighteenth day of May, 1866. All this at the camp of the 1st Battalion 18th U. S. Infantry, on Rock Creek, Colorado Territory, on or about the date above written."

To which charge and specification the prisoner pleaded as follows: "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the *Specification,* "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Newton Davis,* Private Co. "G," 1st Battalion 18th U. S. Infantry, "*To be confined at hard labor, under charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

Findings and sentence in the foregoing case are confirmed, except the wearing of ball and chain, which is in violation of orders of the War Department. On the recommendation of all the members of the Court, the sentence is hereby remitted, and the prisoner will be released from arrest and be returned to duty, making good the time lost by the desertion and all expenses incurred in his apprehension.

2. *Carlton Toman,* Private Co. 'G,' 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE—"Desertion."

Specification—"In this; that he, *Carlton Toman,* Private Co. 'G,' 1st Battalion 18th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the said service on the seventeenth day of May, 1866, and did remain absent until arrested on the eighteenth day of May, 1866." All this at the camp of the 1st Battalion 18th U. S. Infantry, on Rock Creek, Colorado Territory, on or about the date above written.

To which charge and specification the prisoner pleaded as follows: "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the *Specification,* "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Carlton Toman*, Private Co. 'G,' 1st Battalion 18th U. S. Infantry, "*To be confined at hard labor, under charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

Findings and sentence in the foregoing case are confirmed, except the wearing of ball and chain, which is in violation of orders of the War Department. On the recommendation of all the members of the Court, the sentence is hereby remitted and the prisoner will be released from arrest and returned to duty, making good the time lost by the desertion and all expenses incurred in his apprehension.

3. *Peter Howard*, Lance Corporal Co. "B," 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this; that he, *Peter Howard*, Lance Corporal Co, "B," 1st Battalion 18th U. S. Infantry, having been regularly detailed for guard, and duly placed on guard to guard the bridge across the Platte river, did become intoxicated before he was regularly relieved, and while on duty as Corporal of the Guard." All this at or near Denver City, Colorado Territory, on or about the 16th day of May, 1866.

To which charge and specification the prisoner pleaded as follows: "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, *Peter Howard*, Lance Corporal Co. "B," 1st Battalion 18th U. S. Infantry, as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore acquit him, the said *Peter Howard*, Lance Corporal Co. "B," 1st Battalion 18th U. S. Infantry.

The proceedings and findings are confirmed. The prisoner will be released from arrest and returned to duty.

4. *Edward W. House*, Private Co. "B," 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE—"Desertion."

Specification—"In this; that he, *Edward W. House*, Private Co. "B," 1st Battalion 18th U. S. Infantry, having been duly enlisted in the service of the United States Army, did desert the said service on or about the 18th day of May, 1866, and did remain absent therefrom until arrested on or about the 19th day of May, 1866." This at the camp of the 1st Battalion, 18th U. S. Infantry, on the march from Denver City, Colorado Territory, to Fort Laramie, Dacotah Territory, on or about the 18th day of May, 1866.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words, "did remain absent therefrom until apprehended."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, *Edward W. House*, Private Co. "B," 1st Battalion 18th U. S. Infantry, as follows:

Of the *Specification*, "Guilty," except the words, "did remain absent until apprehended."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Edward W. House*, Private Co. "B," 1st Battalion 18th U. S. Infantry, "*To be confined at hard labor, in charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

Findings and sentence in the foregoing case are confirmed, except the wearing of ball and chain, which is in violation of orders of the War Department. On the recommendation of all the members of the Court, the sentence is hereby remitted, and the prisoner will be released from arrest and returned to duty, making good the time lost by the desertion, and all expenses incurred in his apprehension.

5. *Samuel Maloy*, Private Co. "H," 2nd U. S. Cavalry, on the following charge and specification:

CHARGE—"Desertion."

Specification—"In this; that he, *Samuel Maloy*, Private of Co. "H," 2nd U. S. Cav'y, a duly enlisted soldier in the service of the United States, did, on or about the 25th day of March, 1866, absent himself from, and desert the service of the United States, at Pond's Creek Station, Smoky Hill Route, Kansas, and did remain so absent until arrested on or about the 26th day of March, 1866, at Grady Station, Colorado Territory, ninety miles west of Pond's Creek Station."

To which charge and specification the prisoner pleaded as follows: "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Samuel Maloy*, Private Co. "H," 2nd U. S. Cavalry, "*To be confined at hard labor, under the charge of the guard, for the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

Findings and sentence in the foregoing case are confirmed, except the wearing of ball and chain, which is in violation of orders of the War Department. On the recommendation of all the members of the Court, the sentence is hereby remitted, and the prisoner will be released from arrest and be returned to duty, making good the time lost by the deserrtion, and all expenses incurred in his apprehension.

6. *Frederick Darby*, Private Co. "H," 2nd U. S. Cavalry, on the following charge and specification:

CHARGE —"Desertion."

Specification—"In this; that he, *Frederick Darby*, Private Co. "H," 2nd U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 31st day of October, 1865, absent himself from, and desert the said service, and remained absent until arrested, on or about the 26th day of December, 1865." This at St. Louis, Missouri.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*, "Guilty," except the words "did desert said service."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the prisoner, *Frederick Darby*, Private Co. "H," 2nd U. S. Cavalry, as follows:

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Frederick Darby*, Private Co. "H," 2nd U. S. Cavalry, "*To be confined at hard labor, in charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

Findings and sentence in the foregoing case are confirmed, except the wearing of ball and chain, which is in violation of orders of the War Department. On the recommendation of all the members of the Court, the sentence is hereby remitted, and the prisoner will be released from arrest and returned to duty, making good the time lost by the desertion, and all expenses incurred in his apprehension.

7. *Frank D. Russell,* Lance Sergeant and Private Co. "B,' 1st Battalion U. S. Infantry, on the following charge and specification:

CHARGE—"Desertion."

Specification—"In this; that he, Lance Sergeant *Frank D. Russell*, Private Co. "B,' 1st Battalion 18th U. S. Infantry, having been duly enlisted in the service of the United States Army, did desert the said service on or about the eighteenth day of May, 1866, and did remain absent therefrom until arrested on or about the eighteenth day of May, 1866." This at the camp of the 1st Battalion 18th U. S. Infantry, on the march from Denver City, Colorado Territory, to Fort Laramie, Dacotah Territory, on or about the eighteenth day of May, 1866.

To which charge and specification the prisoner pleaded as follows: "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds

the prisoner, Lance Sergeant *Frank D. Russell,* Private Co. "B,' 1st Battalion 18th U. S. Infantry, as follows:

Of the *Specification,* "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Lance Sergeant *Frank D. Russell,* Private Co. "B," 1st Battalion 18th U. S. Infantry, "*To be reduced to the ranks as a private soldier, to be confined at hard labor, in charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged and drummed out of the service.*"

The findings and sentence in the foregoing case are confirmed, but owing to the previous good character of the accused, and his long confinement previous to trial, the sentence is hereby remitted, and the prisoner will be released from arrest and returned to duty, making good the time lost by the desertion and all expenses incurred in his apprehension.

8. *John Babb,* Corporal Co. "E," 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this; that he, *John Babb,* Corporal Co. "E," 1st Battalion 18th U. S. Infantry, being detailed as Corporal of the Guard, did become so drunk as to be totally unfit for duty." All this at or near Denver City, Colorado Territory, on or about the second day of June, 1866.

To which charge and specification the prisoner pleaded as follows: "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds

the prisoner, *John Babb*, Corporal Co. "E," 1st Battalion 18th U. S. Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *John Babb*, Corporal Co. "E," 1st Battalion 18th U. S. Infantry, "*To be reduced to the ranks of a private soldier, and to forfeit to the United States ten dollars ($10) of his monthly pay, for the period of two months.*

Findings and sentence are confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the Commanding Officer at Fort Laramie, Dacotah Territory.

9. *Charles Carroll*, Private Co. "H," 2nd U. S. Cavalry, on the following charge and specification:

CHARGE—"Desertion."

Specification—"In this; that he, the said *Charles Carroll*, Private Co. "H," 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 25th day of March, 1866, absent himself from, and desert the service of the United States, at Pond Creek Station, Smoky Hill Route, Kansas, and did remain so absent until arrested on or about the 26th day of March, 1866, at Grady Station, Colorado Territory, ninety miles west of Pond Creek Station.

To which charge and specification the prisoner pleaded as follows:

To the *Specification*.

To the CHARGE.

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, *Charles Carroll*, Private Co. "H," 2d U. S. Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Charles Carroll*, Private Co. "H," 2d U. S. Cavalry, "*To be confined at hard labor, in charge of the guard, during the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*"

The proceedings, findings and sentence in the foregoing case are disapproved. The record does not show that the prisoner made any plea.

10. *Charles Cook*, Lance Sergeant and Private of Co. "B," 1st Battalion 18th U. S. Infantry, on the following charge and specification:

CHARGE I—"Desertion."

Specification 1st—"In this; that he, *Charles Cook*, Lance Sergeant and Private Co. "B," 1st Battalion 18th U. S. Infantry, having been duly enlisted in the service of the United States Army, did desert the said service on or about the 18th day of May, 1866, and did remain absent therefrom until arrested on or about the 18th day of May, 1866." This at the camp of the 1st Battalion 18th U. S. Infantry, on the march from Denver City, Colorado Territory, to Fort Laramie, Dacotah Territory, on or about the 18th day of May, 1866.

To which charge and specification the prisoner pleaded as follows: "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Lance Sergeant Charles Cook*, Co. "B," 1st Battalion 18th U. S. Infantry, "*To be reduced to the ranks as a private soldier, to be confined at hard labor, in charge of the guard, for the remainder of his enlistment, with a ball and chain attached to his left leg, and to forfeit to the United States all pay that is or may become due him, and at the expiration of his enlistment to be dishonorably discharged the service.*."

Findings and sentence are confirmed. On the recommendation of all the members of the Court, the sentence is remitted, and the prisoner will be released from arrest and returned to duty.

II...The General Court Martial, convened by S. O. No. 182, First Series, 1876, from these Head Quarters, and of which Major JAS. VAN VOAST, 18th U. S. Infantry, is President, is dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,

Assistant Adjutant General.

OFFICIAL:

HEAD QUARTERS, DEPARTMENT OF THE MISSOURI.

ST. LOUIS, MO., *October 27th*, 1866.

GENERAL ORDERS, No. 14.

I.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, August 13th, 1866, pursuant to Special Orders, No. 188, Paragraph 1, Series 1, from these Head Quarters, and of which Captain and Brevet Lieutenant-Colonel LEWIS MERRILL, Second United States Cavalry, is President, were arraigned and tried:

I.....FRANK SMITH, private of Company B, Fourth United States Artillery, on the following charges and specifications:

CHARGE FIRST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Frank Smith*, private of Light Co. "B" 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, having been regularly detailed, and mounted as a member of his Company guard, did leave his guard at about 7 o'clock, A. M., on the 29th July, 1866, and proceeded to the city of Leavenworth, Kansas, with the intention of deserting the military service of the United States, when, having in some way been deprived of all his clothing, he was foiled in his purpose, and was, on the afternoon of the same day found in a state of perfect nudity, with the exception of a pair of shoes upon his feet, on the road between the above named place and Fort Leavenworth, Kansas, by a citizen named "McCarly," by whom his nakedness was covered, and he, when taken into custody and brought back to the last named place, where he was there arrested and confined by sergeant John C. Bartel, of Light Co. "B," 4th U. S. Artillery. This, at or near Fort Leavenworth, Kansas, on or about the 29th day of July, 1866."

CHARGE SECOND:

"*Theft.*"

SPECIFICATION: "In this, that he, *Frank Smith*, private of Light Co. "B," 4th U. S. Artillery, a duly enlisted soldier in the U. S. service, did, on or about the 29th day of July, 1866, feloniously steal, take and carry away two (2) grey blankets, valued at seven ($7) dollars each; one (1) great coat, valued at fourteen dollars and fifty cents ($14.50); one pair of boots, valued at four dollars ($4.00); one pair trowsers, valued at five dollars and ninety cents ($5.90); one pair stockings, valued at forty-eight cents ($0.48), government clothing, the property of private John Williams, of Light Co. "B," 4th U. S. Artillery; and one sabre, belt and plate, the property of the United States. This, at Fort Leavenworth, Kansas, on or about the 29th day of July, 1866."

CHARGE THIRD:

"*Selling, or otherwise unlawfully disposing of Government Clothing, issued to himself and others.*"

SPECIFICATION: "In this, that he, *Frank Smith*, private of Light Co. B, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did take from his company quarters a bundle, supposed to contain two (2) gray blankets, valued at seven dollars ($7); one great coat, valued at fourteen and a half dollars ($14.50); one pair of boots, valued at four dollars ($4); one pair of trowsers, valued at five dollars and ninety cents ($5.90), and one pair of stockings, valued at forty-eight cents, the property of private John Williams, of Light Co. B, 4th U. S. Artillery; also, one pair of trowsers, valued at five dollars and ninety cents ($5.90), the property of private Adolphus German, of the above-named company; also, one forage cap, valued at one dollar ($1); one pair of trowsers, valued at five dollars and ninety cents ($5.90); one shirt, valued at two dollars and thirty-two cents ($2.32); one pair of drawers, valued at one dollar and sixty cents ($1.60); one pair of boots, valued at four dollars (4); two pairs of stockings, valued at forty-eight cents each, and two stable frocks, valued at two dollars and ten cents ($2.10) each, issued to himself; and that he did sell, or otherwise unlawfully dispose of them for his own benefit. This at Fort Leavenworth, Kansas, on or about the 29th day of July, 1866."

CHARGE FOURTH:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION FIRST: "In this, that he, *Frank Smith*, private of Light Co. B, 4th U. S. Artillery, did, on the morning of the 29th of July, 1866, borrow one pair trowsers valued at five dollars and ninety cents ($5.90), the property of private Adolphus

German, of Light Co. B, 4th U. S. Artillery, and did sell, or otherwise unlawfully dispose of the same for his own use and benefit. This at Fort Leavenworth, Kansas, on or about the date above specified."

SPECIFICATION SECOND: "In this, that he, *Frank Smith*, private of Light Co. B, 4th U. S. Artillery, did appear in broad daylight, on the public highway, exposed to the view of all passers-by, in a state of perfect nudity, with the exception of a pair of shoes upon his feet. This at Fort Leavenworth, Kansas, on or about the 29th day of July, 1866.

ADDITIONAL CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Frank Smith*, private of Light Co. B, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert the same, whilst in confinement under general charges, and did remain absent until apprehended at Leavenworth City, on or about the 30th day of August, 1866. This at Fort Leavenworth, Kansas, on or about the 26th day of August, 1866."

To all of which charges and specifications the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner, FRANK SMITH, private of Light Company B, Fourth United States Artillery, as follows:

Of the specification, first charge, "*Not Guilty.*"

Of the charge first, "*Not Guilty.*"

Of the specification, second charge, "*Guilty*, except the words, 'one pair of boots valued at four ($4) dollars; one pair trowsers valued at five dollars and ninety cents ($5.90); one pair stockings valued at forty-eight cents ($0.48); and one sabre belt and plate, the property of the United States.'"

Of the charge, "*Guilty.*"

Of the specification, third charge, "*Not Guilty.*"

Of the charge, "*Not Guilty.*"

Of the first specification, fourth charge, "*Not Guilty.*"

Of the second specification, fourth charge, "*Not Guilty.*"

Of the charge, "*Not Guilty.*"

Of the specification to the additional charge, "*Guilty.*"

Of the additional charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, FRANK SMITH, private of Light Battery B, Fourth United States Artillery, *"to forfeit all pay and allowances that are now due, or that may become due him, up to the promulgation of this sentence; to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary, at such place as the General commanding the Department may direct, for the period of three (3) years."*

Findings and sentence are approved. Private FRANK SMITH, Light Battery B, Fourth United States Artillery, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, Jefferson City, Missouri. The commanding officer at Fort Leavenworth, Kansas, will cause the prisoner to be forwarded to Jefferson City, Missouri, and turned over to the Warden of the State Penitentiary, who at the same time will be furnished with a copy of this order.

II.....PETER WILLIAMS, private of Light Company B, Fourth United States Artillery, on the following charge and specification:

CHARGE:

"Sleeping on post."

SPECIFICATION: "In this, that he, *Peter Williams*, private of Light Co. B, 4th U. S. Artillery, being a member of the guard of Light Co. B, 4th U. S. Artillery, and having been duly posted as a sentinel over the Park of the said Battery, did sleep on his post. This at Fort Leavenworth, Kansas, on or about the evening of September 29th, 1866."

To which charge and specification the prisoner pleaded as follows: *"Guilty."*

FINDING:

The Court, having maturely considered the evidence, confirms the plea of the prisoner, and finds him as follows:

Of the specification, *"Guilty."*

Of the charge, *"Guilty."*

SENTENCE

And the Court does therefore sentence him, PETER WILLIAMS, private of Light Company B, United States Artillery, "*to be confined at hard labor, in charge of the guard, for six (6) months, and to forfeit ten dollars ($10) per month of his monthly pay for the same period.*"

Findings and sentence are approved. Upon the unanimous recommendation of the Court, based upon the previous good character of the prisoner, so much of the sentence as related to his confinement, is hereby remitted. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

III.....HENRY BECK, sergeant of Company K, Third United States Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Henry Beck*, a sergeant of Co. "K," 3rd U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 14th day of July, 1866, he being at the said time sergeant of the guard, regularly mounted that day, and did not return until the 22nd day of September, 1866, when he surrendered himself. This at Fort Leavenworth, Kansas, on or about the date above specified."

To which charge and specification, the prisoner pleaded as follows:

To the specification, "*Guilty.*"

To the charge, "*Not Guilty,*" but guilty of absence without leave.

FINDING:

The Court having maturely considered the evidence adduced, find him, HENRY BECK, sergeant Company K, Third United States Infantry, as follows:

Of the specification, (confirms the plea of the prisoner,) "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, HENRY BECK, sergeant Company K, Third United States Infantry, "*To be reduced to the*

ranks, to forfeit ten ($10) dollars per month of his monthly pay for the period of six months, and to be confined at hard labor for the period of six months."

Findings and sentence are approved. Upon the recommendation of a majority of the members of the Court, based upon the previous good character of the prisoner, so much of the sentence as relates to his confinement is hereby remitted. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the commanding officer of his post. The prisoner will be released from arrest and returned to duty.

IV.....AMMED GRITSNER, Second Class Musician of Band Third United States Infantry, on the following charges and specifications:

CHARGE FIRST:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, *Ammed Gritsner*, 2d class musician of Band, 3d U. S. Infantry, did, without leave of his commanding officer or proper authority, absent himself from his band and regiment, and visit the city of Leavenworth, Kansas. This at Fort Leavenworth, Kansas, on or about September 5th, 1866."

CHARGE SECOND:

"*Disobedience of orders.*"

SPECIFICATION FIRST: "In this, that he, *Ammed Gritsner*, 2d class musician of band 3d U. S. Infantry, while standing at a door connected with a drinking saloon, in the city of Leavenworth, Kansas, and when ordered by 2d Lieut. *Thos. S. Wallace*, 3d U. S. Infantry, Acting Regimental Adjutant, to come to him, did refuse to obey said order by running away."

SPECIFICATION SECOND: "In this, that he, *Ammed Gritsner*, 2d class musician of Band of 3d U. S. Infantry, while in the city of Leavenworth, Kansas, after being ordered by 2d Lieut. *Thos. S. Wallace*, 3d U. S. Infantry, acting regimental adjutant, 'to come here,' and again ordered by Brevet Captain *William Mitchell*, 1st Lieut. 3d U. S. Infantry, 'to halt,' did refuse to obey said order by running away. This at the city of Leavenworth, Kansas, on or about September 5th, 1866."

To all of which charges and specifications the prisoner pleaded as follows:

To the specification, charge first, "*Guilty.*"
To charge first, "*Guilty.*"
To first specification, charge second, "*Not Guilty.*"
To second specification, charge second, "*Not Guilty.*"
To charge second, "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds him, AMMED GRITSNER, second class musician of Band Third United States Infantry, as follows:

Of specification, charge first, confirms his plea, "*Guilty.*"
Of charge first, confirms his plea, "*Guilty.*"
Of specification first, charge second, "*Guilty.*"
Of specification second, charge second, "*Not Guilty.*"
Of charge second, "*Not Guilty.*"

SENTENCE:

And the Court does therefore sentence him, AMMED GRITSNER, second class musician of Band Third United States Infantry, "*to forfeit five dollars* ($5) *of his monthly pay for one month.*"

Findings and sentence are approved. The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

V.....SAMUEL JENKINS, private Light Company B, Fourth United States Artillery, on the following charges and specifications:

CHARGE FIRST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Samuel Jenkins*, private, Light Co. B, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert the same, and remain absent until apprehended by Lance Corporal Richard L. Tea, of Light Co. B, 4th U. S. Artillery. This at Fort Leavenworth, Kansas, on or about the 9th day of September, 1866."

CHARGE SECOND:

"*Theft.*"

SPECIFICATION: "In this, that *Samuel Jenkins*, private of Light Co. B, 4th U. S. Artillery, did steal, take and carry away from his company quarters, with intent to appropriate the same to his own use, one uniform overcoat, and one uniform jacket, the property of private Henry Spiese, of Light Co. B, 4th U. S. Artillery. Also, one rubber coat, the property of private John Willse, of Light Co. B, 4th U. S. Artillery. Also, one stable frock, the property of private Edward Hinterthur, of Light Co. B, 4th U. S. Artillery. Also, one pair of uniform trowsers, the property of private Alfred Thomas, of Light Co. B, 4th U. S. Artillery. This at Fort Leavenworth, Kansas, on or about the 9th day of September, 1866."

To all of which charges and specifications the prisoner pleaded as follows:

To the specification, first charge, "*Not Guilty.*"

To the first charge, "*Not Guilty.*"

To the specification, second charge, "*Guilty,*" except the words: "Also, one pair of trowsers, the property of private Alfred Thomas, of Light Co. B, 4th U. S. Artillery."

To the second charge, "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner, private SAMUEL JENKINS, of Light Company B, Fourth United States Artillery, as follows:

Of the specification, first charge, "*Not Guilty.*"

Of the first charge, "*Not Guilty.*"

Of the specification, second charge, "*Guilty.*"

Of the second charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, SAMUEL JENKINS, private of Light Company B, Fourth United States Artillery, "*to forfeit all pay now due or that may become due him; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Commanding General may direct, for the period of one year.*"

Findings and sentence are approved. Private SAMUEL JENKINS, of Light Company B, Fourth United States Artillery.

is hereby dishonorably discharged from the service of the United States. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, Jefferson City, Missouri. The commanding officer at Fort Leavenworth, Kansas, will cause the prisoner to be forwarded to Jefferson City, Missouri, and turned over to the Warden of the State Penitentiary, who, at the same time, will be furnished with a copy of this order.

VI.....WILLIAM FRIEND, private of Company G, Second United States Cavalry, on the following charge and specification:

CHARGE:

"Neglect of duty."

SPECIFICATION: "In this, that he, *William C. Friend*, private of Co. "G," 2nd U. S. Cavalry, having been regularly detailed for guard, and posted as a sentinel over prisoners on garrison fatigue duty, did permit one of them, named William Staley, private Co. "B," 18th U. S. Infantry, to escape. This at Fort Leavenworth, Kansas, on or about the 1st day of September, 1866."

To which charge and specification, the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, WILLIAM C. FRIEND, private Company G, Second United States Cavalry, as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, WILLIAM C. FRIEND, private of Company G, Second United States Cavalry, "*To break stones, under charge of the guard, daily from reveille to retreat (Sundays excepted), for the period of six months, allowing one hour at noon for dinner: and to forfeit to the United States ten ($10) dollars per month of his monthly pay for same period.*"

Findings and sentence are approved. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into effect under the direction of the commanding officer at Fort Leavenworth, Kansas.

VII.....MORRIS VANDERPOOL, private of Light Company B, Fourth United States Artillery, on the following charge and specification:

CHARGE:

"*Violation of the Twenty-third Article of War.*"

SPECIFICATION: "In this, that he, *Morris Vanderpool*, private of Light Co. "B," 4th U. S. Artillery, did advise and persuade Samuel Jenkins, private of Light Co. "B," 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, to desert the same. This at Fort Leavenworth, Kansas, on or about the 9th day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner, MORRIS VANDERPOOL, private of Light Company B, Fourth United States Artillery, as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does therefore acquit him, MORRIS VANDERPOOL, private of Light Company B, Fourth United States Artillery.

The proceedings and findings are approved. The prisoner will be released from arrest and returned to duty.

VIII.....JOHN FINN, private of Company C, Third United States Infantry, on the following charges and specifications:

CHARGE FIRST:

"*Attempt to kill.*"

SPECIFICATION: "In this that *John Finn*, private of Co. C, 3d U. S. Infantry, did fire and discharge a loaded rifle or musket at

private John Regan, of Co. C, 3d U. S. Infantry, with intent to kill, the ball grazing said Regan's hair; and did threaten and say, while he was being disarmed by 1st Sergeant Nicholas Harper, 'I kill you, Regan, anyhow;' whereupon he went to the Company's quarters, and did procure and load another musket or rifle. This at Fort Leavenworth, Kansas, on or about the 22d day of September, 1866."

CHARGE SECOND:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *John Finn*, private of Co. C, 3d U. S. Infantry, did refuse to deliver up his belts to First Sergeant Nicholas Harper, of Co. C, 3d U. S. Inf'ry, when ordered to do so by said Sergeant; also saying that he would not obey his orders. This at Fort Leavenworth, Kansas, on or about the 22d day of September, 1866.

To all of which charges and specifications the prisoner pleaded as follows: "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, JOHN FINN, private of Company C, Third United States Infantry, as follows:

Of specification, charge first, "*Not Guilty.*"
Of charge first, "*Not Guilty.*"
Of specification, charge second, "*Not Guilty.*"
Of charge second, "*Not Guilty.*"

And the Court does therefore acquit him, the said JOHN FINN, private of Company C, Third United States Infantry.

The proceedings and findings are approved. The prisoner, JOHN FINN, private of Company C, Third United States Infantry, will be released from arrest and returned to duty.

IX.....BURNHAM HOLMES, corporal of Company E, Second Battalion, Seventeenth United States Infantry, on the following charge and specification:

CHARGE:

"*Neglect of Duty.*"

SPECIFICATION: "In this, that he, *Burnham Holmes*, corporal of Co. "E," 2nd Bat. 17th U. S. Infantry, did, while acting sergeant

of the guard of the post at Fort Leavenworth, Kansas, permit a prisoner to escape from his charge. All this at the place above specified, and on the 17th day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, BURNHAM HOLMES, corporal of Company E, Second Battalion Seventeenth United States Infantry, as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does therefore acquit him, the said BURNHAM HOLMES, corporal of Company E, Second Battalion Seventeenth United States Infantry.

The proceedings and findings are approved. The prisoner will be released from arrest and returned to duty.

X.....JAMES WADDEL, private of Company D, Second Battalion, Eighteenth United States Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty.*"

SPECIFICATION: "In this, that he, *James Waddel*, private of Co. D, 2d Bat. 18th U. S. Infantry, having been regularly detailed and mounted for guard, and posted as a sentinel over two prisoners, privates Jones, Co. A, 2d Cavalry, and Samples, recruit 18th Infantry, did permit said prisoners to escape from him whilst they were performing garrison fatigue duty. This at Fort Leavenworth, Kansas, on or about the third day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds him, JAMES WADDEL, private of Company D, Second Battalion, Eighteenth United States Infantry, as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, JAMES WADDEL, private of Company D, Second Battalion, Eighteenth United States Infantry, "*to be kept in close confinement, on bread and water diet for seven* (7) *days: to break rock in charge of the guard from reveille till retreat each day (Sunday excepted), allowing one hour for dinner, for one month, and to forfeit ten dollars* ($10) *of his pay for three* (3) *months.*"

Findings and sentence are approved. That portion of the sentence relating to forfeiture of pay being expressed in vague terms, will be construed as to read, "to forfeit ten dollars ($10) of his pay." The stoppage of pay will be made by the proper officer. The remainder of his sentence will be carried into execution under the direction of the commanding officer at Fort Leavenworth, Kansas.

XI.....MICHAEL WALSH, private of Light Company B, Fourth United States Artillery, on the following charges and specifications:

CHARGE FIRST:

"*Desertion.*"

SPECIFICATION: "In this, that he, *Michael Walsh*, private of Light Co. B, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the 28th day of August, 1866, being apprehended at or near the 'Nine Mile House,' on the road between Leavenworth City and Easton, Kansas, on or about the day following, and this after private *Walsh* had delivered himself up as a double deserter at Fort Leavenworth, Kansas, on or about the 7th day of August, 1866. This at the places and on or about the times above specified."

CHARGE SECOND:

"*Theft.*"

SPECIFICATION: "In this, that he, *Michael Walsh*, private of Light Co. B, 4th U. S. Artillery, did feloniously steal, take, and carry away from the Company's quarters, with the intent to appropriate to his own use, one violin valued at thirty-five dollars, ($35.00), the property of Light Co. B, 4th U. S. Artillery. This at Fort Leavenworth, Kansas, on or about the 28th day of August, 1866."

CHARGE THIRD:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that *Michael Walsh*, private Light Co. B, 4th U. S. Artillery, a deserter from the military service of the United States, did forcibly resist his arrest, and did lift up and cast a stone at Sergeant John Gallagher, of Light Co. B, 4th U. S. Artillery, while he, Sergeant Gallagher, was in the execution of his office. This at or near the Nine Mile House, between Leavenworth City and Easton, Kansas, on or about the 29th of August, 1866."

To all of which charges and specifications the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner, MICHAL WALSH, private of Light Company B, 4th United States Artillery, as follows:

Of the specification, first charge, "*Guilty.*"
Of the first charge, "*Guilty.*"
Of the specification, second charge, "*Guilty.*"
Of the second charge, "*Guilty.*"
Of the specification, third charge, "*Guilty.*"
Of the third charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, MICHAEL WALSH, private of Light Company B, Fourth United States Artillery, "*to forfeit all pay or allowances that are or may become due him up to the promulgation of his sentence; to be dishonorably discharged from the service of the United States, and to be confined in the penitentiary at such place as the General Commanding the Department may direct for the period of three (3) years.*"

Findings and sentence are approved. Private MICHAEL WALSH, of Light Company B, Fourth United States Artillery, is hereby dishonorably discharged from the service of the United States. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, Jefferson City, Missouri. The commanding officer at Fort Leavenworth, Kansas, will cause

the prisoner to be forwarded to Jefferson City, Missouri, and turned over to the Warden of the State Penitentiary, who, at the same time, will be furnished with a copy of this order.

XII.....PATRICK COLLINS, private of Light Company B, Fourth United States Artillery, on the following charge and specification:

CHARGE:

"*Drunkeness on Duty.*"

SPECIFICATION: "In this, that he, *Patrick Collins*, of Light Co. "B," 4th U. S. Artillery, was, while on duty as a sentinel of the guard and posted on No. 1 post, drunk on duty and unable to perform said duty. All this at Fort Leavenworth, Kansas, on the 17th day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds him, PATRICK COLLINS, private of Light Company B, Fourth United States Artillery, as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, private PATRICK COLLINS, of Light Company B, Fourth United States Artillery, "*To be confined in the guard house at police labor for the period of one* (1) *month.*"

Findings and sentence are approved. The sentence will be carried into effect under the direction of the commanding officer at Fort Leavenworth, Kansas.

XIII.....DANIEL RADCLIFFE, recruit Fifth United States Infantry, on the following charge and specification:

CHARGE:

"Desertion."

SPECIFICATION: "In this, that *Daniel Radcliffe*, an unassigned recruit of the 5th U. S. Inf'y, did desert from a detachment of recruits of the 5th U. S. Inf'y, fifteen (15) miles west of Fort Riley, Kansas, on or about June 29th, 1866, while en route to join the regiment, and did remain absent until apprehended and delivered at Fort Leavenworth, Kansas, on or about July 5th, 1866, thirty dollars ($30) being paid for his apprehension.

To which charge and specification the prisoner pleaded as follows: *"Not Guilty."*

FINDING:

The Court having maturely considered the evidence adduced, finds him, DANIEL RADCLIFFE, recruit Fifth United States Infantry, as follows:

Of the specification, *"Not Guilty."*
Of the charge, *"Not Guilty."*

And the Court does therefore acquit him, the said DANIEL RADCLIFFE, recruit Fifth United States Infantry.

The proceedings and findings are disapproved. The evidence in this case clearly proves that the prisoner was absent without leave; he should have been found guilty and sentenced accordingly. As it is impracticable to re-convene the Court for reconsideration of the findings, the prisoner thereby escapes punishment. He will be released from arrest and returned to duty.

XIV.....HENRY KENNEDY, musician of Company B, Third United States Infantry, on the following charge and specification:

CHARGE:

"Desertion."

SPECIFICATION: "In this that he, *Henry Kennedy*, musician of Co. B, 3d U. S. Inf'y, being duly enlisted in the service of the United States, did desert said service, and did remain absent until he surrendered himself at Leavenworth City, Kansas, on or about the 30th day of August, 1866. This on or about the 15th day of July, 1866, at Fort Larned Kansas."

To which charge and specification the prisoner pleaded as follows:

To the specification, "*Guilty.*"
To the charge, "*Not Guilty,*" but guilty of absence without leave.

FINDING:

The Court, having maturely considered the case, finds the prisoner, musician HENRY KENNEDY, Company B, Third United States Infantry, as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, HENRY KENNEDY, musician Company B, Third United States Infantry, "*To be dishonorably discharged from the service of the United States.*"

The proceedings and findings are approved. The sentence is disapproved. It is not understood why this soldier should be discharged the service. He will make good the time lost by desertion and all expenses incurred in his apprehension, be released from arrest and returned to duty.

XV.....EDWARD W. BROWN, private Light Company B, Fourth United States Artillery, on the following charge and specification:

CHARGE:

"*Theft.*"

SPECIFICATION: "In this, that he, *Edward W. Brown*, private of Light Co. "B," 4th U. S. Artillery, did feloniously steal, take and carry away from the quarters of the above named Company, and did conceal with the intention of selling, or otherwise disposing of for his own benefit, one pair of boots, valued at four (4) dollars, the property of private Preston J. Swan, of Light Co. "B," 4th U. S. Artillery. This at Fort Leavenworth, Kansas, on or about the 12th day of August, 1866."

To which charge and specification the prisoner pleaded as follows: "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of specification, "*Guilty.*"
Of charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, the said EDWARD W. BROWN, private Light Company B, Fourth United States Artillery, *to forfeit all pay and allowances now due, and that may become due him, to be confined at hard labor in charge of the guard, for one calendar month, and then be dishonorably discharged the service of the United States, by drumming out of the Garrison, having attached to his back a placard bearing the word "Thief," in letters not less than six inches long.*

The proceedings, findings, and sentence are approved. The sentence will be carried into effect under the direction of the Commanding Officer at Fort Leavenworth, Kansas.

The General Court Martial convened by Special Order No. 188, current series, from these Headquarters, and of which Brevet Lieutenant Colonel LEWIS MERRILL, Captain Second United States Cavalry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Geo. W. Dixon
2d Lt. & A.D.C.

HEAD QUARTERS, DEPARTMENT OF THE MISSOURI,

ST. LOUIS, MO., *October 28th*, 1866.

GENERAL ORDERS, No. 15.

I.....Before a General Court Martial, convened at Jefferson Barracks, Missouri, September 24th, 1866, pursuant to Special Orders, No. 23, Paragraph 1, Current Series, from these Head Quarters, and of which Brevet Brigadier General B. L. E. BONNEVILLE, United States Army, is President, were arraigned and tried:

I.....JOSEPH ARCHAMBAULT, private of Company E, United States Engineer Battalion, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, private *Joseph Archambault*, of Company E, U. S. Engineer Battalion, having been duly enlisted in the service of the United States, did absent himself and desert the same, on or about the 11th of August, 1866, and remain absent until arrested on the 20th of September, 1866, at Carlinville, Ill.

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, JOSEPH ARCHAMBAULT, private of Company E, United States Engineer Battalion, "*to forfeit all pay and allowances which are, or may become due him, to be dishonorably discharged the service of the United States, and to be confined at hard labor for two years at Fort Jefferson, Florida.*"

Findings and sentence are approved. Private JOSEPH ARCHAMBAULT, of Company E, United States Engineer Battalion, is hereby dishonorably discharged the service of the United States. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. In compliance with instructions from the Adjutant General, United States Army, the sentence of imprisonment will be carried into effect at Fort Jefferson, Florida, to which place the prisoner will be sent, under a suitable guard, via New Orleans.

II.....HENRY LENING, private of Company E, United States Engineer Battalion, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, private *Henry Lening*, of Co. E, U. S. Engineer Battalion, did absent himself and desert the service of the United States, on or about the 11th of August, 1866, and did remain absent until on or about the 18th of September, the date of his voluntary surrender, at his Company. This at the Engineer Depot, Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, HENRY LENING, private of Company E, United States Engineer Battalion, "*to forfeit*

all pay and allowances, for the period of six months, and to be confined at hard labor, under charge of the guard at the Engineer Depot, at Jefferson Barracks, Missouri, for the same period." The Court is thus lenient in consideration of the voluntary surrender of the prisoner.

Findings and sentence are approved. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The sentence of imprisonment will be carried into effect under the direction of the commanding officer of the Engineer Depot, at Jefferson Barracks, Missouri.

III.....ORRIN D. OLNEY, private of Company E, United States Engineer Battalion, on the following charge and specification:

CHARGE:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, private *Orrin D. Olney*, of Company E, U. S. Engineer Battalion, was absent from his company without permission from proper authority, from July 14th, 1866, until September 16th, 1866, when he was returned to his company, after voluntarily giving himself up. This at the Engineer Depot, Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, ORRIN D. OLNEY, private Company E, United States Engineer Battalion, "*to forfeit all pay and allowances for the period of six months, and to be confined at hard labor under charge of the guard at the Engineer Depot, at Jefferson Barracks, Missouri, for the same period.*"

Findings and sentence are approved. The stoppage of pay will be made by the proper officer, deducting the just dues of

the laundress. The sentence of imprisonment will be carried into effect under the direction of the Commanding Officer of the Engineer Depot at Jefferson Barracks, Missouri.

IV.....ABNER PATTEE, private, Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, private *Abner Pattee*, of Co. E, U. S. Engineer Battalion, was absent from his company without permission from proper authority, from 8 o'clock P. M. on the 14th of August, 1866, until 6 o'clock A. M. on the 15th of August, 1866. This at the Engineer Depot, at Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Guilty.*"

FINDING:

The Court, having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, ABNER PATTEE, private Company E, United States Engineer Battalion, "*to forfeit thirteen dollars of his pay, and to be confined at hard labor under charge of the guard at the Engineer Depot, at Jefferson Barracks, Missouri, for thirty days.*"

Findings and sentence are approved. The stoppage of pay, of thirteen dollars for one month, will be made by the proper officer. The sentence of imprisonment will be carried into effect under the direction of the commanding officer of the Engineer Depot, at Jefferson Barracks, Missouri.

V.....CHARLES JOHNESE, private of Company E, United States Engineer Battalion, on the following charge and specification:

CHARGE:

"*Absence without leave.*"

SPECIFICATION: "In this, that he, private *Charles Johnese*, of Co. E, U. S. Engineer Battalion, was absent from his company without permission from proper authority, from 8 o'clock P. M. on the 14th of August, 1866, until 11 o'clock P. M. on the 15th of August, 1866. This at the Engineer Depot, at Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, CHARLES JOHNESE, private Company E, United States Engineer Battalion, as follows:

Of the specification, "*Not Guilty.*"
Of the charge, "*Not Guilty.*"

And the Court does therefore acquit him.

The proceedings and finding are approved. The prisoner will be released from arrest, and returned to duty.

VI.....EMERSON D. BABCOCK, Sergeant of Light Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, Sergeant *Emerson D. Babcock*, of Light Battery C, 3d U. S. Artillery, after having been refused a pass by the First Sergeant of the Battery, 1st Sergeant John McManus, did cause or permit his name to be inserted on a pass granted to another enlisted man, after its signature by the First Sergeant, and did, upon such pass, unauthorizedly leave his company and post for about twenty-four hours. This at Jefferson Barracks, Missouri, on or about the 22d day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence finds the prisoner, EMERSON D. BABCOCK, Sergeant of Light-Battery C, Third United States Artillery, as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, EMERSON D. BABCOCK, Sergeant of Light Battery C, Third United States Artillery, "*to forfeit ten* ($10) *dollars of his pay.*"

The Court is thus lenient in consideration of some misapprehension on the part of the prisoner in regard to the validity of the pass upon which he left his post.

Findings and sentence are approved. The stoppage of pay will be made by the proper officer, viz., ten dollars of his monthly pay for one month.

VII.....JOHN MILLER, private Light Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION: "In this, that he, private *John Miller*, of Light Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of June, 1866, absent himself from and desert said service, and remain absent until arrested on or about the 30th day of July, 1866. This at Jefferson Barracks, Missouri."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, private JOHN MILLER, of Light Battery C, Third United States Artillery:

Of the specification, "*Guilty,*" except the words, "*and desert.*"

Of the charge, "*Not Guilty,*" but "*Guilty of absence without leave.*"

SENTENCE:

And the Court does therefore sentence him, JOHN MILLER, private of Light Battery C, Third United States Artillery, "*to forfeit all pay and allowances now due him.*" The Court is thus lenient in consideration of the mental incompetency of the prisoner, and his evident inability to comprehend the nature of the offence committed by him, and accordingly recommends his discharge from the service.

Findings and sentence are approved. So much of the sentence as relates to the discharge of the prisoner is hereby remitted. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The prisoner will be released from arrest, and returned to duty.

VIII.....CHARLES FLYNN, private Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Disobeying the lawful command of his superior officer.*"

SPECIFICATION: "In this, that he, private *Charles Flynn*, of Light Battery C, 3d U. S. Artillery, having been ordered by his superior officer, Brevet Colonel H. G. Gibson, Captain 3d U. S. Artillery, at the payment of his Battery, to pay the Sutler the amount of his indebtedness, not exceeding one-half of his monthly pay, as prescribed by Par. 217, Army Regulations, 1863, did refuse and fail to do so. This at Jefferson Barracks, Missouri, on or about the 22d day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, CHARLES FLYNN, private of Light Battery C, Third United States Artillery, as follows:

Of the specification, "*Guilty.*' except the words 'not exceeding one-half his monthly pay, as prescribed by Paragraph 217, Army Regulations, 1863.' "

Of the charge, "*Not Guilty.*"

And the Court does therefore acquit him.

The proceedings and findings are disapproved. They are irregular in this, that the Court found the prisoner guilty of part of the specification, and omitted to state that it attached no criminality thereto. (See HOLT'S Digest, Page 106, Paragraph 2.) The prisoner will be released from arrest and returned to duty.

IX.....FRANCIS CLARKE, private of Light Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Francis Clarke*, private of Light Battery C, 3rd U. S. Artillery, did use abusive language towards Sergeant Henry Grieves, of same Company, saying: 'Damn you, what business had you to speak to me about my gloves at guard mounting? You have a spite against me, and you are no man if you don't come outside, and take it out of me,' or words to that effect; and on being ordered by Sergeant Henry Grieves, of same Company to stop his talk, did reply, 'I won't do it,' or words to that effect. This at Jefferson Barracks, Missouri, on or about the 31st day of July, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, having maturely considered the evidence adduced, finds the prisoner, FRANCIS CLARKE, Private of Light Battery C, Third United States Artillery:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, FRANCIS CLARKE, of Light Battery C, 3d U. S. Artillery, "*to forfeit twelve* ($12) *dollars of his pay, and to be confined at hard labor, under charge of the guard, for one month.*"

Findings and sentence are approved. The stoppage of pay will be made by the proper officer. The sentence of confinement will be carried into effect under the direction of the commanding officer at Jefferson Barracks, Missouri.

X.....JAMES B. MCDERMOTT, private Light Battery C, 3d United States Artillery, on the following charge and specifications:

CHARGE:

"*Conduct prejudicial to good order and military discipline.*"

SPECIFICATION FIRST: "In this, that he, *James B. McDermott*, private of Light Battery C, 3d U. S. Artillery, being drunk, and in the company's mess house at dinner time, did create a disturbance, and when ordered by Sergeant Asa Head, of same company, to keep quiet, did reply: 'I won't stop for you, or any son of a bitch in the company,' or words to that effect; the said Sergeant Head being in the execution of his duty. This at Jefferson Barracks, Missouri, on or about the 4th day of August, 1866."

SPECIFICATION SECOND: "In this, that he, *James B. McDermott*, private of Light Battery C, 3d U. S. Artillery, while being taken to the stable guard house at Jefferson Barracks, Missouri, by Sergeant Asa Head, of same company, did resist being so taken by force. This at Jefferson Barracks, Missouri, on or about the 4th day of August, 1866."

To all of which charge and specifications the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court, after maturely considering the evidence adduced, finds the prisoner, JAMES B. MCDERMOTT, private of Light Battery C, Third United States Artillery:

Of the first specification, "*Guilty,*" except the words, 'Being drunk, etc., and when ordered by Sergeant Asa Head, of same company, did reply, "I won't stop for you, or any son of a bitch in the company," or words to that effect; the said Sergeant Head being in the execution of his duty.' "

Of the second specification, "*Not Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, private JAMES B. MCDERMOTT, of Light Battery C, Third United States Artillery, "*to forfeit five dollars* ($5) *of his pay.*"

The proceedings in this case are disapproved, and the prisoner will be released from confinement and returned to duty.

XI.....CHARLES M. BRADLEY, private of Company C, Third United States Infantry, on the following charge and specifications:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION FIRST: "In this, that he, private *Charles M. Bradley*, Co. C, 3d U. S. Inf'y, being on duty at Head Quarters, Department of Missouri, as Orderly, did become so much under the influence of spirituous or intoxicating liquors as to be unable to perform the duties assigned him. This at Saint Louis, Mo., on or about the 17th of September, 1866."

SPECIFICATION SECOND: "In this, that he, private *Charles M. Bradley*, Co. C, 3d U. S. Inf'y, being on duty at Head Quarters, Department of the Missouri, as Orderly, did become so much under the influence of spirituous or intoxicating liquors, as to be unable to perform the duties assigned him. This at Saint Louis, Mo., on or about the 18th day of September, 1866."

To all of which charge and specifications the prisoner pleaded as follows: "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of specification first, "*Guilty*"
Of specification second, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, CHARLES M. BRADLEY, private Company C, Third United States Infantry, "*to forfeit ten dollars* ($10) *of his pay.*"

The proceedings and sentence are disapproved. Drunkenness on duty can only be punished with corporeal punishment. Vide 45th Article of War. The prisoner will be released from arrest and returned to duty.

XII.....JOHN HUNT, private Company C, Seventh United States Cavalry, on the following charge and specification:

CHARGE:

"*Conduct to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, JOHN HUNT, private Co. C, 7th U. S. Cav'y, being on duty as Clerk at Head Quarters, Department of the Missouri, did become so much under the influence of spirituous or intoxicating liquors as to be unable to perform properly any of the duties assigned to him. This at St. Louis, Mo., on or about the 18th day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Guilty.*"

FINDING:

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows:

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, JOHN HUNT, private of Company C, Seventh United States Cavalry, "*to forfeit eight* ($8) *dollars of his pay.*"

Proceedings and sentence are disapproved. Drunkenness on duty can only be punished by corporeal punishment. Vide 45th Article of War. The prisoner will be released from arrest and returned to duty.

XIII.....FENTON BAHEN, corporal of Light Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Neglect of duty to the prejudice of good order and military discipline.*"

SPECIFICATION: "In this, that he, *Fenton Bahen*, corporal of Light Battery C, 3d U. S. Artillery, being on duty as acting sergeant of the stable guard of his battery, did permit, through gross carelessness and negligence, two prisoners awaiting trial for serious offences to escape from his custody. This at Jefferson Barracks, Missouri, on or about the 26th day of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the prisoner, FENTON BAHEN, corporal of Light Battery C, Third United States Artillery, as follows:

Of the specification, "*Guilty.*"
Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, FENTON BAHEN, corporal of Light Battery C, Third United States Artillery, "*to be reduced to the ranks, he having his chevrons torn off in front of his company; to be confined at hard labor under charge of the guard,' for two months, and to forfeit all pay for the same period.*"

Findings and sentence are approved. The stoppage of pay will be made by the proper officer, deducting the just dues of the laundress. The sentence of imprisonment will be carried into effect under the direction of the commanding officer at Jefferson Barracks, Missouri; the remainder of the sentence under the direction of the commanding officer of the company.

XIV.....EDWARD KELLY, private Light Battery C, Third United States Artillery, on the following charge and specification:

CHARGE:

"*Drunkenness on duty.*"

SPECIFICATION: "In this, that he, *Edward Kelly*, private of Light Battery C, 3d U. S. Artillery, while on duty with his battery at St. Louis, Missouri, on or about the 8th day of September, 1866, became so drunk as to be unable to do the duties of a soldier."

To which charge and specification the prisoner pleaded as follows: "*Guilty.*"

FINDING :

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him :

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE :

And the Court does therefore sentence him, EDWARD KELLY, private of Light Battery C, Third United States Artillery, "*to be confined at hard labor under charge of the guard, for two months, and to forfeit all pay for the same period.*"

The proceedings and findings are confirmed. The sentence is approved, except so much of it as relates to the stoppage of pay, which is disapproved, being illegal (See 45th Article of War). The remainder of the sentence will be carried into effect under the direction of the commanding officer at Jefferson Barracks, Missouri.

XV.....Lance Sergeant JAMES D. SHEARER, of Company E, United States Engineer Battalion, on the following charge and specification :

CHARGE:

"*Drunkenness on duty.*"

SPECIFICATION: "In this, that he, Lance Sergeant *James D. Shearer*, of Co. E, U. S. Engineer Battalion, was drunk, while on duty with his company on drill, so as to be unable to perform his duties. This at Jefferson Barracks, Missouri, on the 24th of September, 1866."

To which charge and specification the prisoner pleaded as follows: "*Guilty.*"

FINDING :

The Court having maturely considered the case, confirms the prisoner's plea, and finds him :

Of the specification, "*Guilty.*"

Of the charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, JAMES D. SHEARER, Lance Sergeant of Company E, United States Engineer Battalion, "*to be reduced to the ranks; to be confined at hard labor under charge of the guard at the Engineer Depot, at Jefferson Barracks, Missouri, for the period of two months, and to forfeit all pay for the same time.*"

The proceedings and findings are confirmed. The sentence is approved, except so much of it as relates to the forfeiture of pay, which is disapproved, it being illegal. (See 45th Article of War.) The remainder of the sentence will be carried into effect under the direction of the commanding officer of the Engineer Depot, at Jefferson Barracks, Mo.

II.....Attention is called to the unnecessary use of words in the "charge" in the case of private FLYNN, Battery C, Third United States Artillery. "Disobedience of orders" covers the case.

III.....The General Court Martial convened by Special Orders, No. 23, Current Series, from these Headquarters, and of which Colonel and Brevet Brigadier General B. L. E. BONNEVILLE, United States Army, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 17th, 1866.

GENERAL ORDERS,
No. 21.

I.....Before a General Court Martial convened at Fort Leavenworth, Kansas, July 25th, 1866, pursuant to Special Orders, No. 166, Paragraph I, from these Headquarters, and of which Captain and Brevet Lieut. Colonel Lewis Merrill, Second United States Cavalry, is President, was arraigned and tried :

James McCrea, Private of Company K, Third United States Infantry, on the following Charge and Specification :

CHARGE.—*Drunk on Guard.*

Specification.—In this, that he, James McCrea, Private of Company K, Third United States Infantry, being a member of the guard duly mounted on the morning of the 12th day of July, 1866, did become so drunk as to be unable to perform the duties of a soldier properly.

This at Fort Leavenworth Kansas, on or about July 12th, 1866.

To which Charge and Specification the prisoner pleaded as follows : "*Guilty.*"

FINDING.

The Court having maturely considered the case, confirms the plea of the prisoner, and finds him as follows :

Of the Specification, - - - - - "*Guilty.*"
Of the Charge, - - - - - - - - "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private James McCrea, of Company K, Third Infantry, to be confined at hard labor, breaking stone from Reveille till Retreat each day (Sundays excepted,) and allowing one hour at noon each day for dinner, for four calendar months.

II.....The proceedings, findings and sentence in the above case are approved, but in consideration of his long confinement, the sentence is mitigated to sixty (60) days' confinement at hard labor, breaking stone

from Reveille till Retreat each day (Sundays excepted,) allowing one (1) hour each day for dinner.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 6th, 1866.

GENERAL ORDERS,
No. 27.

Before a General Court Martial which convened at Jefferson Barracks, Mo., Nov. 5th, 1866, pursuant to Special Orders No. 55, from these Headquarters, and of which Col and Bvt. Brig. General Pitcairn Morrison, U. S. A., is President, were arraigned and tried:

CASE I.

James B. Sheldon, Corporal of Light Battery "C" 3d U. S. Artillery, on the following charge and specification.

CHARGE.—*Quitting his Guard.*

SPECIFICATION:—In this, that he, James B. Sheldon, Corporal of Light Battery "C" 3d Artillery, having been regularly detailed as Corporal of the Stable Guard of Light Battery "C" 3d Artillery, did, without leave from his superior officer, quit his guard and remain absent therefrom, from on or about the morning of the 25th of October, 1866, until on or about the morning of the 26th of October, 1866.

To which charge and specification the accused pleaded as follows:

To the Specification.....*"Not Guilty."*

To the Charge.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused and finds him as follows:

Of the Specification.....*"Not Guilty."*

Of the Charge.....*"Not Guilty."*

And the Court does therefore acquit him.

The proceedings and findings in the foregoing case are confirmed. The prisoner will be released from arrest and restored to duty.

CASE II.

Charles Johnese, Private Co. "E" U. S. Engineer Batt., on the following charge and specification:

CHARGE.—*Desertion.*

SPECIFICATION.—In this, that he, Charles Johnese, Private of Co. "E" U. S. Engineer Batt., an enlisted man in the service of the United States, did absent himself from, and desert said service, by escaping from confinement at Engineer Depot, Jefferson Barracks, Mo., on or about the night of the 26th and 27th of September, 1866, and did remain absent until arrested at or near St. Louis, Mo., on or about the 2d of October, 1866.

To which charge and specification the prisoner pleaded as follows:

To the Specification,..... ...."*Not Guilty.*"
To the Charge,......"*Not Guilty.*"

FINDING

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the Specification,....."*Guilty.*"
Of the Charge,....."*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Charles Johnese, Private of Co. "E" U. S. Engineer Batt., to forfeit to the United States all pay and allowances now due him, or that may become due him, to be confined at hard labor for two (2) years, at such place as the Commanding General may direct, and, at the end of that time, to be dishonorably discharged from the service.

The proceedings, findings and sentence in the foregoing case are confirmed. The stoppage of pay will be made by the proper officer, except so much as will satisfy the just dues of the laundress. The sentence of imprisonment will be carried into effect at the Missouri State Penitentiary, at Jefferson City, Missouri. The Commanding officer at Jefferson Barracks, Mo., will cause the within named prisoner, Charles Johnese, Private of Co. "E" U. S. Engineer Battalion, to be taken to Jefferson City, Mo., and turned over to the Warden of the State Penitentiary, who will be furnished at the same time with a copy of this order.

CASE III.

James Sullivan, Private, Permanent party select, Newport Barracks, Kentucky, on the following charge and specification:

CHARGE—*Desertion.*

SPECIFICATION:—In this, that he, Private James Sullivan, Permanent party select, Newport Barracks, Kentucky, a duly enlisted soldier in the service of the United States, did desert and absent himself from the same, on or about the 8th day of August, 1866, at Newport, Kentucky, and did remain absent until he voluntarily surrendered himself at Jefferson Barracks, Mo., on or about August 16th, 1866.

To which charge and specification the prisoner pleaded as follows:

To the Specification....."*Guilty,*" *except the words* "*desert and.*"
To the Charge,..... ....."*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner James Sullivan, Private, Permanent party select, Newport Barracks, Kentucky, as follows:

Of the Specification,....."*Guilty,*" *except the words* "*desert and.*"
Of the Charge,....."*Not Guilty,*" *but guilty of* "*absence without leave.*"

SENTENCE.

And the Court does therefore sentence him, Private James Sullivan, Permanent party select, Newport Barracks, Kentucky, to forfeit to the United States ten ($10) dollars of his monthly pay for one (1) month.

The proceedings, findings and sentence in the foregoing case are confirmed. The stoppage of pay will be charged on his descriptive roll by the Commanding officer at Jefferson Barracks, Mo. The prisoner will be forwarded under charge of a non-commissioned officer to Newport Barracks, Kentucky, and turned over to the Commanding officer at that Post. The prisoner will be released from arrest and restored to duty.

CASE IV.

Henry Schmidt, Private of Light Battery "C" 3d U. S. Artillery, on the following charge and specification:

CHARGE.—"*Absence without leave*."

SPECIFICATION:—In this, that he, Henry Schmidt, Private of Light Battery "C" 3d U. S. Artillery, did absent himself from his Company and quarters, without proper authority, on or about the 16th day of October, 1866, and did remain absent until on or about 9 o'clock on the night of the 18th day of October, 1866.

This at Jefferson Barracks, Mo.

To which charge and specification the prisoner, Henry Schmidt, Private of Light Battery "C" 3d U. S. Artillery, pleaded as follows:

To the Specification..... "*Guilty.*"
To the Charge..... "*Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Henry Schmidt, Private of Light Battery "C" 3d U. S. Artillery, as follows:

Of the Specification..... "*Guilty.*"
Of the Charge..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Henry Schmidt, Private of Light Battery "C" 3d U. S. Artillery, to forfeit ten ($10) dollars of his monthly pay for one (1) month, and to be confined at hard labor in the Post Guard House at Jefferson Barracks, Mo., for thirty days.

The proceedings, findings and sentence in the foregoing case are confirmed. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into execution under the direction of the Commanding officer of the Post at which the prisoner may be stationed.

CASE V.

John Rambone, Private of Co. "C" 2d Batt. 16th U. S. Infantry, on the following charge and specification:

CHARGE.—*Desertion.*

SPECIFICATION.—In this, that he, John Rambone, Private of Co. "C" 2d Batt. 16th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert and absent himself from said service, on or about August 19th, 1866,

near Memphis, Tennessee, and did remain absent until apprehended at St. Louis, Mo., on or about September 4th, 1866. Thirty dollars reward paid for his apprehension.

To which charge and specification the prisoner, John Rambone, Private of Co. "C" 2d Batt. 16th U. S Infantry, pleaded as follows:

To the Specification,..... "*Guilty.*"
To the Charge,..... "*Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, John Rambone, Private of Co. "C" 2d Batt. 16th U. S. Infantry, as follows:

Of the Specification,..... "*Guilty.*"
Of the Charge,..... "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private John Rambone, Co. "C" 2d Batt. 16th U. S Infantry, to forfeit all pay and allowances now due him, or to become due him from the United States. To be dishonorably discharged from the service, and to be confined at hard labor in charge of the Guard, and at such place as the Commanding General may direct, for the term of two (2) years.

The proceedings and findings are approved. So much of the sentence as directs that the prisoner be dishonorably discharged the service is remitted. The remainder of the sentence will be carried into execution under the direction of the Commanding officer at Jefferson Barracks, until such time as he can be sent to the post where his Company may be stationed. The stoppage of pay will be made by the proper officer, except so much as will satisfy the just dues of the laundress.

CASE VI.

William Ireton, Private of Co. "E" U. S. Engineer Battalion, on the following charge and specifications.

CHARGE.—*Mutinous and insubordinate conduct.*

SPECIFICATION 1st.—In this, that he, Private William Ireton, Co. "E" U. S. Engineer Battalion, did approach his superior officer, Lieut. James C. Post, U. S. Eng. Batt., in a threatening manner, (the said Lt Post being in the execution of his office,) saying: "God damn it, I am a going to see fair play,—I am not a going to see any man abused," or words to that effect.

This at Engineer Depot, Jefferson Barracks, Mo., on or about the 29th of October, 1866.

SPECIFICATION 2d.—In this, that he, Private William Ireton, Co. "E" U. S. Engineer Battalion, upon being seized hold of by his superior officer, Lt. James C. Post, U. S. Engineer Battalion, for the purpose of arresting him, (the said Lt. James C. Post being in the execution of his office,) did, in a threatening manner endeavor to release himself, at the same time saying: "Let go of me, I will go with you, if you treat me decently," or words to that effect.

This at Engineer Depot, Jefferson Barracks, Mo., on or about the 29th of October, 1866.

To which charge and specifications the prisoner, Private William Ireton, Co. "E" U. S. Engineer Battalion, pleaded as follows :

To the Specification 1st,.....*"Not Guilty."*
To the Specification 2d,.....*"Not Guilty."*
To the Charge,.....*"Not Guilty."*

FINDING

The Court having maturely considered the evidence adduced, finds the prisoner, Private William Ireton, of Co. "E" U. S. Engineer Batt., as follows :

Of the Specification 1st,.....*"Guilty."*
Of the Specification 2d,.....*"Guilty."*
Of the Charge, ...*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, Private William Ireton, Co "E" U. S. Engineer Battalion, to forfeit ten ($10) dollars per month of his monthly pay for six (6) months, and to be confined at hard labor for the same period at the Post Guard House at Jefferson Barracks. Mo.

The proceedings, findings and sentence in the foregoing case are approved. The stoppage of pay will be made by the proper officer. The remainder of the sentence will be carried into execution under the direction of the prisoner's Commanding officer.

CASE VII.

George Chadwick, Private of Co "E" U. S. Engineer Batt., on the following charge and specification.

CHARGE.—*Desertion.*

SPECIFICATION:—In this, that he, Private George Chadwick, of Co. "E" U. S. Eng. Batt., did absent himself from his Company without permission from proper authority on or about the 19th of October, 1866, and did remain absent until returned to his Company on or about the 1st of November, 1866, after having voluntarily given himself up at Memphis, Tennessee.

This at Jefferson Barracks, Mo.

To which charge and specification the prisoner, Private George Chadwick, of Co. "E" U. S. Engineer Battalion, pleaded as follows :

To the Specification,.....*"Not Guilty."*
To the Charge,.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private George Chadwick, of Co. "E" U. S. Engineer Battalion, as follows:

Of the Specification,.....*"Guilty."*
Of the Charge,.....*"Not Guilty." but guilty of "Absence without leave."*

SENTENCE

And the Court does therefore sentence him, Private George Chadwick· Co. "E" U S. Engineer Battalion, to forfeit five ($5) dollars of his monthly pay for one (1) month.

The findings and sentence in the foregoing case are disapproved. The sentence is inadequate to the offence, and the Court inconsistent in its

findings. In other cases where men have been absent a much shorter time, it has awarded sentences much more severe. The ends of justice can never be subserved by such proceedure. It is impossible to see how cases which are almost identical, both in the charge, and in the evidence adduced, can be awarded such a variety of degrees of punishment The prisoner will be released from arrest and returned to duty.

CASE VIII.

William Walsh, Private of Light Battery "C" 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st.—*Desertion.*

SPECIFICATION 1st.—In this, that he, Private William Walsh of Light Battery "C" 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert, or attempt to desert the same, on or about the 9th day of October, 1866.

This at Jefferson Barracks, Mo.

CHARGE 2d.—*Theft.*

SPECIFICATION 1st.—In this, that he, Private William Walsh, of Light Battery "C" 3d U. S. Artillery, did feloniously steal, take and carry away, one (1) pair of pantaloons (cavalry) of the value of $5.90, the property of one William Brown, Private of same Company, with the intent to appropriate the same to his own use and benefit.

This at Jefferson Barracks, Mo., on or about the 9th day of October. 1866.

SPECIFICATION 2d.—In this, that he, Private William Walsh, of Light Battery "C" 3d U. S. Artillery, did feloniously steal take and carry away, with the intent to appropriate the same to his own use and benefit, two (2) Pants (citizen) of the value of $7.00, one (1) vest (citizen) of the value of $1.00, three (3) shirts of the value of $3,00, one (1) Carpet Bag of the value of $2.50, the property of William Grimes, Private of same Campany and Regiment.

This at Jefferson Barracks, Mo., on or about the 9th day of October. 1866.

To which charges and specifications the prisoner, Private William Walsh, of Light Battery "C" 3d U. S. Artillery, pleaded as follows:

To the 1st Specification, 1st Charge,.....*"Not Guilty."*
To the 1st Charge,.....*"Not Guilty."*
To the 1st Specification, 2d Charge,.....*"Not Guilty."*
To the 2d Specification, 2d Charge,.....*"Not Guilty."*
To the 2d Charge,.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, Private William Walsh, of Light Battery "C" 3d U. S. Artillery, and finds him as follows:

Of the 1st Specification, 1st Charge,.....*"Not Guilty."*
Of the 1st Charge,.....*"Not Guilty."*
Of the 1st Specification, 2d Charge,.....*"Not Guilty."*
Of the 2d Specification, 2d Charge,.....*"Not Guilty."*
Of the 2d Charge,.....*"Not Guilty."*

And the Court does therefore acquit him, Private William Walsh, of Light Battery "C" 3d U. S. Artillery.

The proceedings, findings and sentence in the foregoing case are confirmed. The prisoner will be released from arrest and restored to duty.

CASE IX.

John A. Emerick, Artificer, of Co. "E" U. S. Engineer Battalion, on the following charge and specifications:

CHARGE.—*Conduct to the prejudice of good order and military discipline.*

SPECIFICATION 1st.—In this, that he, John A. Emerick, Artificer of Co. "E" U. S. Engineer Battalion, being drunk, and ordered by Corporal John McDermott Co. "E" U. S Engineer Batt., Corporal of the Guard, to go in the Guard House, did willfully refuse to obey said order, replying that "the whole guard could not put him in," or words to that effect.

This at Jefferson Barracks, Mo., on or about the 31st of October, 1866.

SPECIFICATION 2d.—In this, that he, John A. Emerick, Co. "E" U. S. Engineer Battalion, being in the Guard House and attempting to escape, did, when prevented by Corporal John McDermott, Co. "E" U. S. Engineer Battalion, attempt to stab said Corporal with a knife which he had in his hand, cutting said Corporal McDermott's clothes and hand.

This at Engineer Depot, Jefferson Barracks, Mo., on or about the 31st of October, 1866.

To which charge and specifications the prisoner, John A. Emerick, Co. "E" U. S. Engineer Battalion, pleaded as follows:

To the 1st Specification,.....*"Not Guilty."*
To the 2d Specification,.....*"Not Guilty."*
To the Charge,.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, John A. Emerick, Co. "E" U. S. Engineer Battalion, as follows:

Of the 1st Specification,.....*"Guilty."*
Of the 2d Specification,.....*"Guilty" except the words: "Attempt to stab said Corporal McDermott with a knife."*
Of the Charge,.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, John A. Emerick, Artificer of Co. "E" U. S. Engineer Battalion, to forfeit fifteen ($15) dollars per month of his monthly pay for three (3) months, and to be confined at hard labor in charge of the Engineer guard at Jefferson Barracks, Mo. for the same period.

The proceedings, findings and sentence in the foregoing case are approved. The stoppage of pay will be made by the proper officer. The

remainder of the sentence will be carried into execution by the prisoner's Commanding officer.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

~~Acting Judge Advocate.~~

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 10th, 1866.

GENERAL ORDERS,
No. 29.

Before a General Court Martial which convened at Fort Leavenworth, Kansas, Nov. 19th, 1866, pursuant to Special Orders, No. 69, paragraph V, C. S., from these Headquarters, and of which Bvt. Col. Robert Nugent, Captain 13th U. S. Infantry, is President, was arraigned and tried:

CASE I.

1st Lieut. P. E. Sloan, 19th U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Disobedience of Orders.*

SPECIFICATION.—In this, that he, 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, did absent himself from Company Drills on the morning and afternoon of October 26th, 1866, without authority, this being in violation of General Order, No. 50, dated Headquarters Post of Fort Leavenworth, Kansas, Oct. 14th, 1866.

This at or near Fort Leavenworth, Kansas.

CHARGE 2d.—*Neglect of Duty.*

SPECIFICATION 1st.—In this, that he, 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, did fail to attend Company Drill on the 26th day of October, 1866, and did remain absent until sent for by his Company Commander.

This at or near Fort Leavenworth, Kansas.

SPECIFICATION 2d.—In this, that he, 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, did absent himself without proper authority, from Retreat and Tattoo Roll Calls on the 26th of October, 1866.

All this at or near Fort Leavenworth, Kansas, October 26th, 1866.

To which charges and specifications the accused pleaded as follows:

To the Specification of 1st Charge,.....*"Not Guilty," except the words "and afternoon."*

To the 1st Charge,.....*"Not Guilty."*

To the 1st Specification, of the 2d Charge,.....*"Not Guilty."*

To the 2d Specification, of the 2d Charge,.....*"Not Guilty," except the words "and Tattoo"*

To the 2d Charge,.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, as follows:

Of the Specification, of the 1st Charge,.....*"Not Guilty."*
with the exception of the words "and afternoon."
Of the 1st Charge,.....*"Guilty."*
Of the 1st Specification, of the 2d Charge,.....*"Not Guilty."*
Of the 2d Specification, of the 2d Charge,.....*"Guilty."*
Of the 2d Charge.....*"Guilty."*

SENTENCE.

And the Court does therefore sentence him, the said 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, to be reprimanded by the Commanding General of the Department.

The proceedings in the foregoing case having been laid before the Major General Commanding, the following are his orders thereon:

1st.—The Court, in sustaining the objection of the accused to the evidence proving the 1st Specification of the 1st Charge, to which he had pleaded "Guilty," was in error; (see Holt's Digest, p. 179, par. 2)

2d.—The Surgeon of the Post is the proper person to apply to, to be excused from duty in case of sickness, and no officer can set up such a plea as an excuse from absence from duty, when the proper medical officer can be consulted, and has not been. It is not therefore considered that Lieut. Corbin was an important witness in the case, or that the court would have been warranted in granting the delay asked for, or that necessary for his appearance.

3d.—It is considered that the sentence is inadequate to the offence. Had the accused, 1st Lieut. Sloan, been inexperienced, and ignorant of the regulations of the service, governing such action, there might have been extenuation. But as it appears that this officer is a graduate of the Military Academy, there can be no valid excuse for his conduct.

He appears to have forgotten that it is the highest duty of an officer to obey the lawful orders of his military superior, and that it is considered imperative by all good officers never to neglect a duty without sufficient warrant therefor. An officer who acquires the character of negligence and inattention will never rise in the confidence and estimation of his superiors; and at some time he may find that the want of such confidence will be a bar to his future promotion or success.

It is hoped that this admonition will be sufficient, and that Lieut. Sloan will in future so conduct himself, as to meet with the approbation, and not the censure, of his military superiors.

The findings and sentence are confirmed. 1st Lieut. P. Elmendorf Sloan, 19th U. S. Infantry, will be released from arrest, and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W. W. Wilson
Capt. and A. D. C.
~~Capt. 3d U. S. Infantry,~~
~~Acting Judge Advocate.~~

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 12th, 1866.

GENERAL ORDERS,
No. 30.

I.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, December 10th, 1866, pursuant to Special Orders, No. 89, paragraph 3, current series, from these Headquarters, and of which Lieutenant Colonel Silas Hunter, 57th U. S. Colored Troops, is President, was arraigned and tried:

Private Robert Evans, Company B, 57th U. S. Colored Troops, on the following charge and specification:

CHARGE.—*Violation of the 9th Article of War.*

SPECIFICATION.—In this, that he, Private Robert Evans, Company B, 57th U. S. Colored Troops, did strike 1st Sergeant William Porter, Company B, 57th U. S. Colored Troops, and otherwise offer violence against him, he being in the execution of his office: and did disobey the lawful command of said 1st Sergeant William Porter, and say, when ordered to the Guard House, "By God, I am going no where, I'll fight Jesus Christ first," or words to that effect.

This at Fort Union, New Mexico, on or about the 4th day of October, 1866.

To which charge and specification the prisoner pleaded as follows:

To the Specification,.....*"Not Guilty."*
To the Charge,.....*"Not Guilty."*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Evans, Company B, 57th U. S. Colored Troops, as follows:

Of the Specification,.....*"Not Guilty."*
Of the Charge,.....*"Not Guilty."*

And the Court does therefore acquit him. Private Robert Evans, Company B, 57th U. S. Colored Troops.

II.....The proceedings and findings in the foregoing case are approved. The prisoner will be released from arrest and returned to duty.

III.—The General Court Martial convened by Special Order, No. 89, Current Series, from these Headquarters, and of which Lieutenant Colo-

nel Silas Hunter, 57th U. S. Colored Troops, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W. P. Wilson
A. D. C.

G. C. M.

1. John Davis, Private Co. K, 3d Batt., 19th U. S. Infantry.
2. John Keller, Drum Major 3d U. S. Infantry.
3. Peter Thobabin, Leader of the Band, 3d U. S. Infantry.
4. Charles Einloth, Private Co. D, 3d U. S. Infantry.
5. John Welsh, Private Co. C, 3d Batt., 19th U. S. Infantry.
6. Charles W. Brotherhead, Bugler Light Co. B, 4th U. S. Artillery.
7. John McCoy, Lance Corporal Co. K, 3d Batt., 19th U. S. Infantry.
8. Patrick Byrnes, Private Co. K, 3d Batt., 19th U. S. Infantry.
9. Wm. McNamara, Private Co. I, 1st Batt., 13th U. S. Infantry.
10. William Henry, Private Co. K, 3d Batt., 13th U. S. Infantry.
11. John Williams, Private Light Co. B, 4th U. S. Artillery.
12. Edmund Friedel, Private Co. I, 3d Batt., 13th U. S. Infantry.
13. William Hasselrass, Private Co. I, 1st Batt., 13th U. S. Infantry.
14. Patrick Donnelly, Private Co. K, 1st Batt., 13th U. S. Infantry.
15. John McCarthy, Lance Sergeant Co. I, 13th U. S Infantry.
16. Michael Hafford, Private Co. C, 3d Batt., 19th U. S. Infantry.
17. James Smith, Private Co. I, 1st Batt., 13th U. S. Infantry.
18. Robert Mitchell, Private Co. G, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 29, 1866.

GENERAL ORDERS,
No. 34.

I.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, November 19th, 1866, pursuant to Special Order, No. 69, Paragraph 5, Current Series, from these Headquarters, and of which Brevet Colonel Robert Nugent, Captain 13th U. S. Infantry, is President, were arraigned and tried:—

1st.—John Davis, Private of Company K, 3d Battalion, 19th U. S. Infantry, on the following charge and specifications:

CHARGE—*Mutiny.*

Specification 1st.—In this, that he, John Davis, Private K Company, 3d Battalion, 19th U. S. Infantry, an enlisted man in the service of the United States, did offer, in violation of the 9th Article of War, violence against 2d Lieutenant H. M. Karples, 19th Regiment U. S. Infantry, while in the execution of his office, by attempting to lay hands on him, and attempting to strike the said 2d Lieutenant H. M. Karples. All this at quarters of K Company, 3d Battalion, 19th Regiment U. S. Infantry, on or about the 6th day of November, 1866.

Specification 2d.—In this, that he, John Davis, Private K Company, 3d Battalion, 19th U. S. Infantry, an enlisted man in the service of the United States, did, when ordered by his commanding officer, 2d Lieutenant H. M. Karples, 19th Regiment U. S. Infantry, to keep quiet, continue creating a disturbance, by raising loud and threatening language, viz: "If he puts me in the guard house, it will be the last time he does it." "I will get square with him." "I am a man of my word, and he knows it, too;" or words to that effect. All this at quarters of K Company, 3d Battalion, 19th Regiment U. S. Infantry, on or about the 6th day of November, 1866.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John Davis, Company K, 3d Battalion, 19th Regiment U. S. Infantry, as follows:

Of the 1st specification,.....*Guilty.*
Of the 2d specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private John Davis, Company K, 3d Battalion, 19th Regiment U. S. Infantry, to be confined at hard labor, under charge of the guard, breaking stones, from Reveille until Retreat, with an intermission of one hour each day for dinner, for a period of six (6) months, and to forfeit ten (10) dollars of his monthly pay, for the same period.

2d.—John Keller, Drum Major 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, John Keller, Drum Major 3d U. S. Infantry, did appear in the quarters of the band, 3d U. S. Infantry, in a state of gross intoxication.

CHARGE 2d—*Violation of the 9th Article of War.*

Specification.—In this, that he, John Keller, Drum Major 3d U. S. Infantry, when ordered to go to his quarters under arrest, by 2d Lieut. Thos. S. Wallace, 3d U. S. Infantry, Post Adjutant, did resist, and attempt to strike his superior officer, 2d Lieut. Thos. S. Wallace, 3d U. S. Infantry, Post Adjutant, he, the said Lieut. Wallace, being then in the proper execution of his office.

CHARGE 3d—*Disrespect towards his superior officer.*

Specification.—In this, that he, John Keller, Drum Major 3d U. S. Infantry, when ordered to go to his quarters under arrest, by 2d Lieut. Thomas S. Wallace, 3d U. S. Infantry, did use insulting and profane language, viz: "you son of a bitch," or words to that effect, towards his superior officer, 2d Lieut. Thomas S. Wallace, 3d U. S. Infantry, Post Adjutant, he, the said Lieut. Wallace, being then and there in the proper execution of his office. This at Fort Leavenworth, Kansas, on or about the 28th day of October, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, John Keller, Drum Major 3d U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*
Of the specification of the 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said John Keller, Drum Major 3d U. S. Infantry, to be reduced to the ranks, and to forfeit one (1) month's pay, already accrued as Drum Major.

3d.—Peter Thobabin, leader of the band, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness while on duty.*

Specification.—In this, that he, Peter Thobabin, Band Leader 3d U. S. Infantry, did appear on the parade ground at Fort Leavenworth, Kansas, at dress parade on Sunday evening, the 4th of November, 1866, in a state of intoxication, to the great scandal and disgrace of the military service of the United States.

CHARGE 2d—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, Peter Thobabin, Band Leader 3d U. S. Infantry, did appear at the office of the Post Commander, on Monday forenoon, the 5th of November, 1866, in a state of intoxication. This at Fort Leavenworth, Kansas, on or about the dates above specified.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Peter Thobabin, Band Leader 3d U. S. Infantry, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Peter Thobabin, Band Leader 3d U. S. Infantry, to be confined at hard labor for the period of one (1) month, under charge of the Post Guard, and to forfeit to the United States ten (10) dollars per month of his monthly pay for four (4) months.

4th.—Charles Einloth, Private of Company D, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Charles Einloth, Company D, 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of July, 1866, absent himself from, and desert the said service at Fort Larnard, Kansas, and remained absent until delivered at Jefferson Barracks, Mo., on or about the 2d day of September, 1866, by Eugene Stump, who received thirty (30)

dollars for his apprehension as a deserter. This on or about the dates above specified.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Guilty.*

To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, the said Private Charles Einloth, Company D, 3d U. S. Infantry, as follows:

Of the specification, ... *Guilty.*

Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Charles Einloth, Co. D, 3d U. S. Infantry, to forfeit to the United States all pay and allowances that are, or may become due, up to the promulgation of the sentence, except the just dues of the laundress and sutler, to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary, at such place as the Commanding General may direct, for the period of one year.

5th.—John Welsh, Private Co. C, 3d Battalion, 19th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private John Welsh, Co. C, 3d Battalion, 19th U. S. Infantry, did absent himself from his company quarters, without proper authority, from the 25th day of October, 1866, to the 2d day of November, 1866. This at or near Fort Leavenworth, Kansas.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private John Welsh, Company C, 3d Battalion, 19th U. S. Infantry, did wilfully steal the following articles of uniform clothing, to wit: one great coat of the value of twelve (12) dollars, one blanket of the value of seven (7) dollars, one dress coat of the value of twelve and a half (12½) dollars, one pair of trowsers of the value of four dollars and seventy-five cents, (4¾,) the same being the property of one George Boille, Private of Company C, 3d Batt. 19th U. S. Infantry; also one pair of stockings, and one pair of flat-irons, owners unknown. This at or near Fort Leavenworth, Kansas, on or about November 2d, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge, ... *Not Guilty.*

To the 1st charge, ... *Guilty.*

To the specification of the 2d charge, ... *Not Guilty.*

To the 2d charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John Welsh, Company C, 3d Battalion, 19th U. S. Infantry, as follows:

Of the specification of the 1st charge.....*Guilty.*

Of the 1st charge,.....*Guilty.*

Of the specification of the 2d charge,.....*Guilty, with the exception of the words "and one pair of flat irons."*

Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said John Welsh, Private of Company C, 3d Battalion, 19th U. S. Infantry, to forfeit to the United States, all pay and allowances which are, or may become due him, up to the promulgation of this sentence, except the just dues of the laundress and sutler. To be placed in solitary confinement on bread and water, for seven days; to be indelibly marked on the left hip with the letter "T," one and one-half inches in length, and three days thereafter to be drummed out of the service, wearing at the time, a board on his back and breast with the word "Thief" written thereon in characters three inches in length.

6th.—Charles W. Brotherhead, Bugler of Light Company B, 4th U. S. Artillery, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Bugler Charles W. Brotherhead, of Light Company B, 4th U. S. Artillery, did take one great-coat,—not his own—from the bunk of Recruit David A. Crutchfield, of Light Company B, 4th U. S. Artillery, with the purpose to appropriate the same to his own use and benefit. This at Fort Leavenworth, Kansas, on or about the 12th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Bugler Charles W. Brotherhead, of Light Company B, 4th U. S. Artillery, as follows:

Of the specification,.....*Not Guilty.*

Thus confirming his plea.

Of the charge,.....*Not Guilty.*

Thus confirming his plea.

And the Court does therefore acquit him, the said Bugler Charles W. Brotherhead, of Light Company B, 4th U. S. Artillery.

7th.—John McCoy, Lance Corporal of Company K, 3d Battalion, 19th U. S. Infantry, on the following charge and specification.

CHARGE—*Desertion.*

Specification.—In this, that he, John McCoy, Lance Corporal K Company, 3d Battalion, 19th U. S. Infantry, an enlisted man in the service of the United States, did desert his Company and Regiment on the 7th day of November, 1866, and did remain absent until apprehended by Corporal Bowers, Light Company B, 4th U. S. Artillery, on the 7th day of November, 1866. All this at Fort Leavenworth, Kansas, on or about the 6th day of November, 1866. Thirty dollars reward paid for his apprehension.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, John McCoy, Lance Corporal of Company K, 3d Battalion, 19th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*

Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Lance Corporal John McCoy, Company K, 3d Battalion, 19th U. S. Infantry, to forfeit to the United States all pay and allowances that are, or may become due him, (except the just dues of the laundress and sutler,) at the promulgation of his sentence, to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary, at such place as the Commanding General may direct, for the period of two (2) years.

8th.—Patrick Byrnes, Private of Company K, 3d Battalion, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Patrick Byrnes, Private K Company, 3d Battalion, 19th U. S. Infantry, an enlisted man in the service of the United States, did desert his Company and Regiment on or about the 7th day of November, 1866, and did remain absent until apprehended by Corporal Bowers, Light Company B, 4th U. S. Artillery. All this at Fort Leavenworth, Kansas, on or about the 6th day of November, 1866. Thirty dollars reward paid for his apprehension.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING

The Court having maturely considered the evidence adduced, finds the accused, Private Patrick Byrnes, Company K, 3d Battalion, 19th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*

Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Patrick Byrnes, Company K, 3d Battalion, 19th U. S. Infantry, to forfeit to the United States all pay and allowances that are, or may become due him, (except the just dues of the laundress and sutler,) at the promulgation of this sentence, to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary, at such place as the Commanding General may direct, for the period of two (2) years.

9th.—Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while a member of the guard on duty, leave the Post of Fort Leavenworth, Kansas, and go to the city of Leavenworth, Kansas, about 9 o'clock A. M., November 16th, 1866, and did remain absent from said Post, and his guard, until arrested in said city of Leavenworth, by a patrol for such purpose.

CHARGE 2d—*Violation of the 45th Article of War.*

Specification.—In this, that he, Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while a member of the guard of the Post of Fort Leavenworth, Kansas, become so drunk as to be totally unfit for duty. This at or near Fort Leavenworth, Kansas, on or about the 16th day of November, 1866.

CHARGE 3d—*Violation of the 46th Article of War.*

Specification.—In this, that he, Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while placed as a sentinel in charge of two prisoners of the guard, viz: Private McLaughlin, Company G, 2d U. S. Cavalry, and Private Brown, Company B, 4th U. S. Artillery, leave the Post of Fort Leavenworth, Kansas, and go to the city of Leavenworth, Kansas, on or about the 16th day of November, 1866.

CHARGE 4th—*Violation of the 23d Article of War.*

Specification.—In this, that he, Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while a sentinel in charge of

two prisoners of the guard, advise or persuade them, Private McLaughlin, Company G, 2d Cavalry, and Private Brown, Company B, 4th Artillery, to desert from the Post of Fort Leavenworth, Kansas, and go to the city of Leavenworth, Kansas, on or about the 16th day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*
To the specification of the 4th charge,.....*Not Guilty.*
To the 4th charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Wm. McNamara, Private Company I, 1st Battalion, 13th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Not Guilty, but guilty of "absence without leave"*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*
Of the specification of the 4th charge,.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Wm. McNamara, Private of Company I, 1st Battalion, 13th U. S. Infantry, to be confined at hard labor in charge of the guard, for the period of one year, the first fourteen (14) days of each month, of the first six (6) months in solitary confinement on bread and water, and to forfeit all pay and allowances that are, or may become due him, up to the expiration of this sentence, except the necessary fatigue clothing, and the just dues of the laundress.

10th.—William Henry, Private of Company K, 3d Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, William Henry, Private, then Lance Corporal, of K Company, 3d Battalion, 13th U. S. Infantry, did become so intoxicated as to be totally unfit for duty, and whilst in that

condition was guilty of riotous and disorderly conduct, to the prejudice of good order and military discipline. All this in barracks at or near Fort Leavenworth, on or about the 6th day of November, 1866.

Specification 2d.—In this, that he, William Henry, Private, then Lance Corporal, K Company, 3d Battalion, 13th U. S. Infantry, did make use of abusive and disrespectful language towards Lance Sergeant Coulter, of the same Company and Regiment, whilst he, the said Lance Sergeant Coulter, was in the performance of his duty, calling him a "Dutch son of a bitch," or words to that effect, and did threaten to take the life of him, the said Lance Sergeant Coulter, whenever opportunity offered. All this at or near Fort Leavenworth, Kansas, on or about the 6th day of November, 1866.

Specification 3d.—In this, that he, William Henry, Private, then Lance Corporal, K Company, 3d Battalion, 13th U. S. Infantry, did point a loaded musket at the head of Private McGee, of the same Company and Regiment, and threaten to take the life of him, the said Private McGee. All this in barracks at or near Fort Leavenworth, Kansas, on or about the 6th day of November, 1866.

CHARGE 2d—*Disrespect to a superior officer.*

Specification.—In this, that he, William Henry, Private K Company, 3d Battalion, 13th U. S. Infantry, did, when ordered to the guard house by Lieutenant Ward, of the 13th Infantry, and whilst in charge of the guard, make use of disrespectful and abusive language, calling him, the said Lieutenant Ward, a "God damn son of a bitch," or words to that effect. All this at or near Fort Leavenworth, Kansas, on or about the 6th day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge,.....*Guilty.*
To the 2d specification of the 1st charge,.....*Guilty.*
To the 3d specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st specification of the 1st charge,.....*Guilty.*
Of the 2d specification of the 1st charge, ...*Guilty.*
Of the 3d specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said William Henry, Private Company K, 3d Battalion, 13th U. S. Infantry, to be confined at hard labor, for the period of six (6) months, and to forfeit ten dollars ($10) per month, of his monthly pay, for the same period.

11th.—John Williams, Private of Light Company B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Absent without leave.*

Specification.—In this, that he, Private John Williams, of Light Company B, 4th U. S. Artillery, did absent himself from his company quarters without leave from proper authority, and did visit the city of Leavenworth, Kansas. This at Fort Leavenworth, Kansas, on or about the 18th day of November, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private John Williams, of Light Company B, 4th U. S. Artillery, did call 1st Sergeant Andrew McBride, of his Company, "a damned son of a bitch," and "you are no man," or words to that effect, and did dare him to come out and fight him, and did attempt to assault him, the said 1st Sergeant Andrew McBride. This at Fort Leavenworth, Kansas, on or about the 18th day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, John Williams, Private Light Company B, 4th U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said John Williams, Private of Light Company B, 4th U. S. Artillery, to be confined, in charge of the guard, for six (6) months, the first fourteen (14) days of each month in solitary confinement on bread and water, the remainder of the time at hard labor, and to forfeit to the United States ($10) ten dollars per month of his monthly pay, for six (6) months.

12th.—Edmund Friedel, Private of Company I, 3d Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification.—In this, that he, Edmund Friedel, Private of Company I, 3d Battalion, 13th U. S. Infantry, being a member of the guard, and having been regularly posted as a sentinel in charge of a prisoner at work, viz: Private Porter, of the 7th U. S. Cavalry, did allow, or failed to prevent the escape of said prisoner. All this at Fort Leavenworth, Kansas, on or about the 18th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,..... *Not Guilty.*

To the charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Edmund Friedel, Private Company I, 3d Battalion, 13th U. S. Infantry, as follows:

Of the specification of the charge,..... *Guilty,* with the exception of the words "allow or," but attach no criminality thereto.

Of the charge,..... *Guilty,* but attach no criminality thereto.

And the Court does therefore acquit him, the said Edmund Friedel, Private Company I, 3d Battalion, 13th U. S. Infantry.

13th.—William Hasselrass, Private of Company I, 1st Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Neglect of duty as a sentinel.*

Specification.—In this, that he, William Hasselrass, Private of Company I, 1st Battalion, 13th U. S. Infantry, being a member of the guard, and having been regularly posted as a sentinel over two prisoners at work, with orders from the Sergeant of the same guard to keep them constantly together, did allow them to work apart from each other, placing one beyond his control. All this at or near Fort Leavenworth, Kansas, on or about the 23d day of October, 1866.

CHARGE 2d—*Allowing a prisoner to escape.*

Specification.—In this, that he, William Hasselrass, Private of Company I, 1st Battalion, 13th U. S. Infantry, being a member of the guard, and having been regularly posted as a sentinel over Private Kinkade, Company L, 2d U. S. Cavalry, a prisoner, did allow the same prisoner to escape. All this at or near Fort Leavenworth, Kansas, on or about the 23d day of October, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private William Hasselrass, Company I, 1st Battalion, 13th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty* of the facts set forth, but attach no criminality thereto.
Of the 1st charge,.....*Guilty,* but attach no criminality thereto.
Of the specification of the 2d charge,.....*Guilty,* but attach no criminality thereto.
Of the 2d charge,.....*Guilty,* but attach no criminality thereto.

And the Court does therefore acquit him, the said Private William Hasselrass, Company I, 1st Battalion, 13th U. S. Infantry.

14th.—Patrick Donnelly, Private Company K, 1st Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification.—In this, that he, Patrick Donnelly, Private of Company K, 1st Battalion, 13th U. S. Infantry, having been duly detailed for, and mounted as a member of the guard, did, while posted as a sentinel in rear of the guard house, at post No. 2, suffer two prisoners to escape from the guard house. This at or near Fort Leavenworth, Kansas, on or about the 16th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Patrick Donnelly, Private of Company K, 1st Battalion, 13th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said Patrick Donnelly, Private of Company K, 1st Battalion, 13th U. S. Infantry.

15th.—John McCarthy, Lance Sergeant, Company I, 13th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification.—In this, that he, Lance Sergeant John McCarthy, Company I, 13th U. S. Infantry, having been regularly detailed as Acting-Sergeant of the Post Guard, and in charge of prisoners at the Post guard house, did neglect his duty as such by failing to properly fasten the door of the prison room, thereby allowing two prisoners, named Mooney, Company D, 3d U. S. Infantry, and Durfey, Company L, 7th U. S. Cavalry, to escape. This at Fort Leavenworth, Kansas, on or about the 17th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Lance Sergeant John McCarthy, Company I, 13th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*

Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Lance Sergeant John McCarthy, Company I, 13th U. S. Infantry, to be reduced to the ranks, and confined at hard labor for the period of two (2) months, and to forfeit to the United States ten ($10) dollars per month of his monthly pay, for the same period.

16th.—Michael Hafford, Private of Company C, 3d Battalion, 19th U. S. Infantry, on the following charges and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, Private Michael Hafford, Company C, 3d Battalion, 19th U. S. Infantry, did engage in a hand-to-hand fight with Sergeant Axel M. Day, Company C, 3d Battalion, 19th U. S. Infantry, and did bite off a piece of the ear of the said Sergeant Day. This on or about the 23d day of November, 1866, at or near Fort Leavenworth, Kansas.

Specification 2d.—In this, that he, Private Michael Hafford, Company C, 3d Battalion, 19th U. S. Infantry, did offer violence to Sergeant Axel M. Day, Company C, 3d Battalion, 19th U. S. Infantry, by striking him with his clenched fist. This on or about November 23d, 1866, at or near Fort Leavenworth, Kansas.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Guilty.*

To the 2d specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Michael Hafford, Company C, 3d Battalion, 19th U. S. Infantry, as follows:

Of the 1st specification,.....*Guilty* of the facts set forth in this specification, but attach *no* criminality thereto.

Of the 2d specification,.....*Guilty* of the facts set forth in this specification, but attach *no* criminality thereto.

Of the charge,.....*Guilty*, but attach *no* criminality thereto.

And the Court does therefore acquit him, the said Michael Hafford, Private of Company C, 3d Battalion, 19th U. S. Infantry.

17th.—James Smith, Private Company I, 1st Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, James Smith, Private Company I, 1st Battalion, 13th U. S. Infantry, did appear in his company quarters in a state of intoxication. This at Fort Leavenworth, Kansas, on or about the 29th day of November, 1866.

CHARGE 2d—*Disrespect to his superior officer.*

Specification.—In this, that he, James Smith, Private, of Company I, 1st Battalion, 13th U. S. Infantry, did say, when ordered by 2d Lieut. Fred. M. Lynde, 22d U. S. Infantry, to the guard house, "God damn your soul to hell," or words to that effect; and while on the way to the guard house, did turn around towards the said Lieut. Fred. M. Lynde, and say: "you damned son of a bitch," or words to that effect. This at Fort Leavenworth, Kansas, on or about the 29th day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*

To the 1st charge,.....*Not Guilty.*

To the specification of the 2d charge,.....*Not Guilty.*

To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, James Smith, Private Company I, 1st Battalion, 13th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*

Of the 1st charge,.....*Guilty.*

Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said James Smith, Private Company I, 1st Battalion, 13th U. S. Infantry, to be confined at hard labor, breaking stones, under charge of the guard, from Reveille until Retreat, for the period of six (6) months, allowing one hour each day for dinner, and to forfeit to the United States ten dollars ($10) per month, of his monthly pay, for the same period.

18th.—Robert Mitchell, Private Company G, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Robert Mitchell, Private Company G, 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of September, 1866, absent himself from and desert said service, and remained absent until on or about the 28th day of September, 1866, when he voluntarily surrendered himself. This at Fort Leavenworth, Kansas, on or about the dates above specified.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty,*
except the words "and desert."
To the charge,.....*Not Guilty,*
but guilty of absence without leave.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Robert Mitchell, Private Company G, 3d U. S. Infantry, as follows:

Of the specification,.....*Guilty,*
with the exception of the words "and desert," and substituting for the dates 22d and 28th of September, the 12th and 22d September respectively.
Of the charge,.....*Not Guilty,*
but guilty of absence without leave.

SENTENCE.

And the Court does therefore sentence him, the said Robert Mitchell, Private Company G, 3d U. S. Infantry, to be confined at hard labor, under charge of a guard, for the period of one (1) month, and to forfeit eight (8) dollars per month, of his monthly pay, for two (2) months.

II.....The findings and sentences in the cases of John Keller, Drum Major, (principal musician,) 3d U. S. Infantry, Privates John Davis, Com-

pany K, 3d Battalion, 19th U. S. Infantry, William McNamara, Company I, 1st Battalion, 13th U. S. Infantry, Wm. Henry, Company K, 3d Battalion, 13th U. S. Infantry, John Williams, Light Company B, 4th U. S. Artillery, James Smith, Company I, 1st Battalion, 13th U. S. Infantry, Robert Mitchell, Company G, 3d U. S. Infantry, are approved. The sentences will be duly executed.

The findings and sentence in the case of Peter Thobabin, leader of the band, 3d U. S. Infantry, are confirmed, except so much as relates to hard labor, which is remitted, it being contrary to the spirit of the Regulations and to the customs of the service in such cases. Non-commissioned officers are not to be confined, as such, with other prisoners; and the leader of a band, it is considered, has the same relative position among non-commissioned officers, as Ordnance Sergeants and Hospital Stewards, who cannot be reduced to the ranks. That portion of the sentence is therefore not approved. The remainder of the sentence will be duly executed.

The findings and sentence in the case of Private Charles Einloth, Company D, 3d U. S. Infantry, are approved, except so much as refers to confinement in the Penitentiary, such being in violation of Gen'l Orders, No. 95, War Department, December 10th, 1866, is mitigated to confinement at hard labor, under charge of a guard, for one year. The Court having recommended the prisoner to the clemency of the Major General Commanding, owing to his ignorance of the English language and the short time he has been in the service, so much of the sentence as refers to hard labor, confinement, and dishonorable discharge, is hereby remitted. The remainder of the sentence will be duly executed. The prisoner will be released from confinement and returned to duty.

The findings and sentence in the case of Private John Welch, Company C, 3d Battalion, 19th U. S. Infantry, are confirmed, except so much as requires him to be "indelibly marked," such being in violation of General Orders No. 95, War Department, Dec. 10th, 1866, is remitted. The remainder of the sentence will be duly executed.

The findings in the cases of Bugler Charles W. Brotherhead, Light Company B, 4th U. S. Artillery, Privates Edmund Friedel, Company I, 3d Battalion, 13th U. S. Infantry, William Hasselrass, Company I, 1st Battalion, 13th U. S. Infantry, Patrick Donnelly, Company K, 1st Battalion, 13th U. S. Infantry, and Michael Hafford, Company C, 3d Battalion, 19th U. S. Infantry, are approved. The prisoners will be released from confinement and returned to duty.

The findings and sentences in the cases of Lance Corporal John McCoy, Company K, 3d Battalion, 19th U. S. Infantry, and Private Patrick Byrnes, Company K, 3d Battalion, 19th U. S. Infantry, are confirmed, except so much as relates to confinement in the Penitentiary, such being

in violation of General Orders No. 95, War Department, Dec. 10th, 1866, is mitigated to confinement at hard labor, under charge of a guard, for the period of one year; at the end of which time they will be dishonorably discharged the service of the United States. The sentences will be duly executed.

The findings and sentence in the case of Lance Sergeant John McCarthy, Company I, 13th U. S. Infantry, are approved. Although the prisoner is recommended to the clemency of the Major General Commanding, he does not feel that he would, in this case, be justified in extending it. In view of the responsible position the accused held at the time, as Sergeant of the Guard, having entrusted to his keeping many prisoners, the interests of the service demand that an example should be made, in order that others may realize the responsibilities, and exercise that care, attention and vigilance, necessary to a proper execution of the duties required in such positions.

By command of Major General HANCOCK:

W S Mutheee

Captain and Acting Assistant Adjutant General.

OFFICIAL:

Assistant Adjutant General.

G. C. M.

1. James O'Neil, Private Co. E, 3d U. S. Infantry.
2. George Tyler, Private Co. A, 7th U. S. Cavalry.
3. Lewis Miller, Private Co. E, 3d U. S. Infantry.
4. George Williams, Bugler Co. I, 7th U. S. Cavalry.
5. Frank Reynolds, Private Co. I, 7th U. S. Cavalry.
6. Anthony Cross, Private Troop K, 7th U. S. Cavalry.
7. John W. Bower, Corporal Co E, 7th U. S. Cavalry.
8. Levi Weaver, Private Co. L, 7th U. S. Cavalry.
9. Franklin McKinney, Sergeant Co. D, 7th U. S. Cavalry.
10. John McMillian, Sergeant Co. D, 7th U. S. Cavalry.
11. Frank Penniman, Private Troop C, 7th U. S. Cavalry.
12. Franklin Green, Private Troop C, 7th U. S. Cavalry.
13. William Gearhart, Private Co. I, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 29, 1866.

GENERAL ORDERS,
No. 35.

I.....Before a General Court Martial, convened at Fort Riley, Kansas, November 28th, 1866, pursuant to Special Orders, No. 74, Paragraph 2, Current Series, from these Headquarters, and of which Brevet Major General Alfred Gibbs, Major 7th U. S. Cavalry, is President, were arraigned and tried:—

1st.—Private James O'Neil, Company E, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, the said Private James O'Neil, Company E, 3d U. S. Infantry, a duly enlisted soldier in the service of the

United States, being regularly detailed as a member of the Post Guard at Fort Riley, Kansas, and duly posted as a sentinel over the stable where the horses of the band of the 2d U. S. Cavalry were kept, did desert his post and the service of the United States, and did remain absent therefrom until apprehended near the town of Manhattan, Kansas, on the night of the 20th of June, 1866, by a party sent in pursuit. This at Fort Riley, Kansas, on or about the 20th day of June, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, the said Private James O'Neil, Company E, 3d U. S. Infantry, did steal a U. S. horse, from the stable where the horses of the band of the 2d U. S. Cavalry were kept, and did retain the same horse in his possession until he was apprehended on the horse by a party sent in pursuit, after having deserted from his proper post. This at Fort Riley, Kansas, on or about the 20th day of June, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the prisoner, Private James O'Neil, Company E, 3d U. S. Infantry, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
except the words following "until."
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James O'Neil, Company E, 3d U. S. Infantry, to forfeit all pay and allowances that are or may become due him, and to be confined in such State Prison or Penitentiary, as the Commanding General of the Department may direct, for the period of two years.

2d.—Private George Tyler, Company A, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Striking a non-commissioned officer while in the discharge of his duty.*

Specification 1st.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, while under the influence of intoxicating liquor, and when ordered to the guard house, did strike the 1st Sergeant

of his Company, Henry Hall, while said 1st Sergeant was enforcing his lawful orders. This in A company quarters, at Fort Riley, Kansas, on or about the 1st day of October, 1866.

Specification 2d.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, when taken to the guard house and turned over to Sergeant John A. Mather, Company A, 7th U. S. Cavalry, Sergeant of the Guard, did strike the said Sergeant Mather while he was confining him. This at Fort Riley, Kansas, on or about October 1st, 1866.

Specification 3d.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, did kick Sergeant Frank Houben, Company A, 7th U. S. Cavalry, while the said Sergeant was assisting to arrest him. This in the company quarters of the 7th U. S. Cavalry, at Fort Riley, Kansas, on or about October 1st, 1866.

Specification 4th.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, did kick Sergeant John A. Mather, Company A, 7th U. S. Cavalry, Sergeant of the Guard, while the said Sergeant was confining him. This at the guard house, Fort Riley, Kansas, on or about October 1st, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, when ordered to the guard house by the 1st Sergeant of his Company, did say to him, "go to hell, you son of a bitch," or words to that effect. This at Fort Riley, Kansas, on or about October 1st, 1866.

CHARGE 3d—*Drunkenness.*

Specification.—In this, that he, the said Private George Tyler, Company A, 7th U. S. Cavalry, was so much under the influence of liquor as to conduct himself in a riotous and mutinous manner in his company quarters, and at the Post guard house. This at Fort Riley, Kansas, on or about the 1st October, 1866.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge,.....*Not Guilty.*
To the 2d specification of the 1st charge,.....*Not Guilty.*
To the 3d specification of the 1st charge,.....*Not Guilty.*
To the 4th specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Guilty.*
To the 3d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private George Tyler, Company A, 7th U. S. Cavalry, as follows:

Of the 1st specification of the 1st charge,.....*Not Guilty.*
Of the 2d specification of the 1st charge, ...*Not Guilty.*
Of the 3d specification of the 1st charge,.....*Not Guilty.*
Of the 4th specification of the 1st charge, ...*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge, confirm the plea of the accused and find him .....*Guilty.*
Of the 3d charge, confirm the plea of the accused, and find him.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private George Tyler, Company A, 7th U. S. Cavalry, to be confined at hard labor, in charge of the Post Guard, for the period of one (1) calender month, and to forfeit ten (10) dollars of his monthly pay, for the same period.

3d.—Private Lewis Miller, Company E, 3d U. S. Infantry, on the following charge ond specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Lewis Miller, Company E, 3d U. S. Infantry, did enter the quarters of Asst. Surgeon W. H. Forwood, U. S. A., and there secretly and stealthily search through his private trunk, boxes, drawers, &c., and did take therefrom a gold ring, some silver coin, valuable mineral specimens, and other articles, the property of W. H. Forwood, and appropriate the same to his own use, without the knowledge or consent of the owner. All this at Fort Riley, Kansas, on or about the first week in October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Lewis Miller, Company E, 3d U. S. Infantry, as follows:
Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Lewis Miller, Company E, 3d U. S. Infantry, to forfeit to the United States all pay

and allowances that are or may become due him, except the just dues of the laundress and sutler, and to be confined in such State Prison or Penitentiary, as the Commanding Officer of the Department may direct, for the period of one year.

4th.—Bugler George Williams, Company I, 7th U. S Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Bugler George Williams, Company I, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same, from the camp of the 7th U. S. Cavalry, near Fort Riley, Kansas, on or about the 8th day of October, 1866, absenting himself until brought back under a guard on or about the 24th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the prisoner and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Bugler George Williams, of Company I, 7th U. S. Cavalry, to forfeit all pay and allowances now due him, to make good the time lost by desertion, to forfeit ten (10) dollars of his monthly pay for six (6) months, and to walk a ring twenty (20) feet in diameter, in front of the guard house, from Reveille until Retreat, carrying a log of wood on his shoulder, weighing ten (10) pounds, two hours on and one off, for one month.

5th.—Private Frank Reynolds, Company I, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Frank Reynolds, Private of Company I, 7th U. S. Cavalry, a duly enlisted man in the service of the United States, did desert the same, from the camp of the 7th U. S. Cavalry, near Fort Riley, Kansas, on or about the 8th day of October, 1866, absenting himself until brought back under guard on or about the 24th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Frank Reynolds, Company I, 7th U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, and to be confined at such State Prison, or Penitentiary, as the Commanding General of the Department may designate, for three years.

6th.—Private Anthony Cross, Troop K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private Anthony Cross, of Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same from the camp of the 7th U. S. Cavalry, near Fort Riley, Kansas, on or about the 8th day of October, 1866, absenting himself until brought back under guard, on or about the 24th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Anthony Cross, Troop K, 7th U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, and to be confined in such State Prison or Penitentiary as the Commanding General of the Department may direct, for three years.

7th.—John W. Bower, Corporal Company E, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Corporal John W. Bower, Company E, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same, at Fort Riley, Kansas, on the 22d

day of September, 1866, and did remain absent until apprehended in Shawnee County, Kansas, on the 5th day of October, 1866. This at or near Fort Riley, Kansas, on or about the date above mentioned.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge, ...*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, Corporal John W. Bower, Company E, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,. .....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Corporal John W. Bower, Company E, 7th U. S. Cavalry, to be reduced to the ranks, to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, and to be confined for the period of three years in such State Prison or Penitentiary as may be designated by the Commanding General of the Department.

8th.—Levi Weaver, Private Company L, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Levi Weaver, Company L, 7th U. S. Cavalry, duly enlisted in the service of the United States, did desert the same on or about the 11th day of October, 1866, and did remain absent, until apprehended at or near Fort Leavenworth, Kansas, on or about the 15th day of October, 1866. This at Fort Riley, Kansas, on or about the 11th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.. .....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, Private Levi Weaver, Company L, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Levi Weaver, Company L, 7th U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler,

and to be confined in such State Prison or Penitentiary as the Commanding General of the Department may designate, for three years.

9th.—Franklin McKinney, Sergeant Company D, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification.—In this, that he, the said Sergeant Franklin McKinney, Company D, 7th U. S Cavalry, did, while on duty, as Sergeant of the guard at the pontoon bridge across the Republican river, near Fort Riley, Kansas, become so drunk as to be unable to properly perform his duties. This at or near Fort Riley, Kansas, on or about the 2d day of November, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, the said Sergeant Franklin McKinney, Company D, 7th U. S. Cavalry, did, while on duty as Sergeant in charge of the guard at the pontoon bridge across the Republican river, near Fort Riley, Kansas, give whisky to the privates of his guard, and allow the privates of his guard to drink whisky, while on duty. This at or near Fort Riley, Kansas, on or about the 2d day of November, 1866.

Specification 2d.—In this, that he, the said Sergeant Franklin McKinney, Company D, 7th U. S. Cavalry, while on duty in charge of the guard at the pontoon bridge across the Republican river, near Fort Riley, Kansas, and having been instructed to prevent all soldiers, without passes, from crossing said bridge, did allow soldiers from the garrison at Fort Riley, Kansas, without passes, to cross the bridge and return. This at or near Fort Riley, Kansas, on or about the 2d day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the 1st specification of the 2d charge,.....*Not Guilty*
To the 2d specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Sergeant Franklin McKinney, Company D, 7th U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification of the 2d charge,.....*Guilty.*
Of the 2d specification of the 2d charge,.....*Guilty,*
except the words "and return."
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Sergeant Franklin McKinney, Company D, 7th U. S. Cavalry, to be reduced to the ranks, to have his chevrons cut from his sleeves in front of the Battalion, to forfeit ten (10) dollars of his monthly pay for six months, and to be confined at hard labor, in charge of the post guard, for one month, each alternate day to walk a ring twenty (20) feet in diameter, carrying a log of wood weighing fifteen (15) pounds, from daylight until retreat, one hour on and one hour off.

10th.—John McMillian, Sergeant Company D, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Breach of arrest.*

Specification.—In this, that he, Sergeant John McMillian, Company D, 7th U. S. Cavalry, did, (while under arrest,) leave his quarters and post without authority from his commanding officer, after Retreat, on or about the 23d day of November, 1866, and did go to Junction City, Kansas, and did remain absent until the 24th day of November, 1866. This at Fort Riley, Kansas, on or about the 23d day of November, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, Sergeant John McMillian, Company D, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge, ...*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Sergeant John McMillian, Company D, 7th U. S. Cavalry, to forfeit ten (10) dollars of his monthly pay for three months, to be confined at hard labor in charge of the guard for one month, alternate days, during the month, to walk a ring twenty feet in diameter in front of the guard house, from Reveille until Retreat, one hour on and one hour off, carrying a log of wood on his shoulder weighing fifteen (15) pounds.

11th.—Frank Penniman, Private Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private Frank Penniman, Troop C, 7th U. S. Cavalry, having been duly enlisted into the service of

the United States, did desert the same, and did absent himself from his Troop and Regiment, until apprehended and brought back by a guard, on or about October 24th, 1866. All this on or about the 21st day of October, 1866, at or near Fort Riley, Kansas.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, Private Frank Penniman, Troop C, 7th U. S. Cavalry, and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Frank Penniman, Troop C, 7th U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, and to be confined in such State Prison or Penitentiary as the Commanding General may designate, for the period of three years.

12th.—Franklin Green, Private of Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Franklin Green, Private of Troop C, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same, and did absent himself from his Troop and Regiment until apprehended and brought back by a guard, on or about October 24th, 1866. All this on or about the 21st day of October, 1866, at or near Fort Riley, Kansas.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirmed the plea of the accused, Private Franklin Green, of Troop C, 7th U. S. Cavalry, and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Franklin Green, Troop C, 7th U. S. Cavalry, to forfeit all pay and allowances that are or

may become due him, except the just dues of the laundress and sutler, and to be confined for three years in such State Prison or Penitentiary as the Commanding General of the Department may designate.

13th.—William Gearhart, Private Company I, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty as sentinel.*

Specification.—In this, that he, the said Private William Gearhart, Company I, 3d U. S. Infantry, a member of the post guard, regularly detailed for the same, and duly posted as a sentinel on No. 1 at the guard house, over the prisoners, did grossly neglect his duty by allowing a prisoner under his charge, viz: Private Kelley, Company I, 3d U. S. Infantry, to escape. This at Fort Riley, Kansas, on or about July 26th, 1866.

To which charge and specification the accused pleaded as follows;

To the specification,.....*Not Guilty.*

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private William Gearhart, Company I, 3d U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*

Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said William Gearhart, Private of Company I, 3d U. S. Infantry.

II.....The proceedings, findings, and sentences, in the foregoing cases of Corporal John W. Bower, Company E, 7th U. S. Cavalry, Privates James O'Neil, Company E, 3d U. S. Infantry, Frank Reynolds, Company I, 7th U. S. Cavalry, Anthony Cross, Troop K, 7th U. S. Cavalry, Levi Weaver, Company L, 7th U. S. Cavalry, Frank Penniman, Troop C, 7th U. S. Cavalry, and Franklin Green, Troop C, 7th U. S. Cavalry, are approved, except so much as relates to confinement in the Penitentiary, such being in violation of General Orders No. 95, War Department, December 10th, 1866. The sentences are mitigated as follows: To confinement at hard labor, under charge of the guard, for the period of one year, to forfeit to the United States all pay and allowance, except the just dues of the laundress, and necessary fatigue clothing, for the same period. The sentences will be duly executed.

The proceedings, findings, and sentence in the case of Private George Tyler, Company A, 7th U. S. Cavalry, are approved. The sentence will be duly executed.

The proceedings, findings, and sentences, in the cases of Sergeant Franklin McKinney, Company D, 7th U. S. Cavalry, and Bugler George Wil-

liams, Company I, 7th U. S. Cavalry, are approved, except so much as relates to "walking a ring," and "carrying a log of wood," which is mitigated to ordinary hard labor in charge of a guard, for the same period. The remainder of the sentences will be duly executed.

The proceedings, findings, and sentence, in the case of Private Lewis Miller, Company E, 3d U. S. Infantry, are approved. The Penitentiary at Jefferson City, Missouri, is designated as the place of confinement. The prisoner is hereby dishonorably discharged from the service of the United States, and will be conveyed under a suitable guard to the Penitentiary at Jefferson City, Mo., and turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order. The commanding officer at Fort Riley, Kansas, is charged with the execution of the above order.

The proceedings, findings, and sentence, in the case of Sergeant John McMillian, Company D, 7th U. S. Cavalry, are confirmed, except so much as requires him to be "confined at hard labor, under charge of a guard," and "walking a ring." It is considered contrary to the spirit and tenor of the regulations to confine a non-commissioned officer, unless he is first reduced to the ranks. The position is an honorable one, and should not be thus degraded. It is not deemed practical to re-convene the Court. As it is, the remainder of the sentence, though inadequate to the offence, will be duly executed. The prisoner escapes from a punishment he justly deserves. The offence being breach of arrest, he should have been reduced to the ranks. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private William Gearhart, Company I, 3d U. S. Infantry, are confirmed. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial of which Brevet Major General Alfred Gibbs, Major 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Missouri.

(1st Series.)

1867.

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Doherty, John 100
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Gaynor, Peter 24
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Hackey, James 110
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McMahon, John 95
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Miller, Lewis 75
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Meehan, Patrick 24
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Murphy, Dennis 38
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Ransom, Thomas 17, 49
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Voss, Charles 107

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G. C. M.

1. Private Daniel McKenna, Co. D, 3d U. S. Cavalry.
2. Private Joseph Huot, Co. D, 3d U. S. Cavalry.
3. Private William Baker, Co. D, 3d U. S. Cavalry.
4. Private Lafayette Slocum, Co. L, 3d U. S. Cavalry.
5. Private Daniel Kalbeck, Co. L, 3d U. S. Cavalry.
6. Private John May, Co. L, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 2d, 1867.

GENERAL ORDERS,
No. 2.

I.....Before a General Court Martial, which convened at Fort Union, New Mexico, November 20th, 1866, pursuant to Special Orders, No. 56, Par. I, Series of 1866, from these Headquarters, and of which Brevet Major General George Sykes, Lieutenant Colonel 5th U. S. Infantry, is President, were arraigned and tried:—

1st.—Daniel McKenna, Private of Co. D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification.—In this, that he, Daniel McKenna, Private of Co. D, 3d U. S. Cavalry, while on Garrison Guard at Fort Marcy, New Mexico, on or about the 19th day of October, 1866, after having been duly posted as a sentinel at 2 o'clock A. M., did quit his post, without being regularly relieved, and did remain absent until Reveille on the 20th day of October, 1866. This at Fort Marcy, New Mexico, on or about the 20th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Daniel McKenna, Private of Co. D, 3d U. S. Cavalry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

Thus confirming his plea.

SENTENCE.

And the Court does therefore sentence him, Private Daniel McKenna, Co. D, 3d U. S. Cavalry, to forfeit to the United States fifteen dollars per month of his pay for four months, to be kept at hard labor, in charge of guard, for the same period, and during that time to attend stable duty.

2d.—Joseph Huot, Private Co. D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, Private Joseph Huot, Co. D, 3d U. S. Cavalry, did, while a member of the Guard at Fort Marcy, N. M., and forming one of the patrol, was ordered to patrol the town of Santa Fe, N. M., become so drunk as to be unable to perform the duties required of said patrol. This at Fort Marcy, Santa Fe, N. M., on or about the night of the 29th day of September, 1866.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Joseph Huot, Co. D, 3d U. S. Cavalry, as follows:

Of the specification of the charge, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

Thus confirming his plea.

And the Court does therefore acquit him, the said Private Joseph Huot, Co. D, 3d U. S. Cavalry.

3d.—William Baker, Private of Co. D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that he, Private William Baker, Co. D, 3d U. S. Cavalry, did, while a member of the Guard at Fort Marcy, N. M., and forming one of the patrol, was ordered to patrol the town of Santa Fe, N. M., become so drunk as to be unable to perform the duties required of said patrol. This at Fort Marcy, Santa Fe, N. M., on or about the night of the 29th day of September, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private William Baker, Co. D, 3d Regt. U. S. Cavalry, while on guard at Fort Marcy, Santa Fe, N. M., did absent himself from said guard, and did enter the house of a Mexican woman, a resident of the town of Santa Fe, N. M., and take therefrom one pair of shoes, the property of said Mexican woman. This at Santa Fe, N. M., on or about the night of the 29th day of September, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private William Baker, Co. D, 3d Regt. U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge, ...*Not Guilty.*
Of the specification of the 2d charge, confirms his plea and finds him *Guilty.*
Of the 2d charge, confirms his plea and finds him .....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Baker, of Co. D, 3d Regt. U. S. Cavalry, to be confined at hard labor for two months, in charge of the guard, and to forfeit to the United States twelve dollars of his pay per month, for that period.

4th.—Lafayette Slocum, Private Co. L, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Lafayette Slocum, Private of Co. L, 3d U. S. Cavalry, having been duly posted as a sentinel, did desert said post and the service of the United States, and did remain absent from said service until apprehended and delivered as a prisoner at Fort Craig, N. M., on or about September 25th, 1866. This at Albuquerque, N. M., on or about the 17th day of September, 1866.

CHARGE 2d—*Grand Larceny.*

Specification.—In this, that he, Lafayette Slocum, Private of Co. L, 3d U. S. Cavalry, having been duly posted as a sentinel, did desert said post and the service of the United States, taking with him one (1) horse, and a complete set of arms, accoutrements and equipments, the property of the United States. This at Albuquerque, N. M., on or about the 17th day of September, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty*, except deserting his post, and being apprehended and delivered up at Fort Craig, N. M., as a prisoner.

To the charge,.....*Guilty*.

To the specification of the 2d charge,.....*Guilty*.

To the 2d charge,.....*Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Lafayette Slocum, Private of Co. L, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty*, except deserting post, and being apprehended and delivered up at Fort Craig, N. M., as a prisoner.

Of the 1st charge,.....*Guilty*.

Of the specification of the 2d charge, confirms his plea, except the words "having been duly posted as a sentinel, did desert said post," and finds him .....*Guilty*.

Of the 2d charge, confirms his plea, and finds him.....*Guilty*.

SENTENCE.

And the Court does therefore sentence him, Private Lafayette Slocum, of Co. L, 3d Regt. U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, to be confined at hard labor, in charge of the guard, for six months, wearing a ball and chain on his left leg, weighing thirty (30) pounds, and a board on his back with the word "thief" on it, and at the expiration of his confinement to have his head shaved, and be drummed out of the service.

5th.—Daniel Kalbeck, Private of Co. L, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Daniel Kalbeck, Private of Co. L, 3d U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended at Fort Craig, N. M., on or about September 25th, 1866. This at Albuquerque, N. M., on or about September 17th, 1866.

CHARGE 2d—*Grand Larceny.*

Specification.—In this, that he, Daniel Kalbeck, Private of Co. L, 3d U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, taking with him one (1) horse, and a complete set of equipments, arms and accoutrements, the property of the United States. This at Albuquerque, N. M., on or about the 17th day of September, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty*, except the words "and remain absent therefrom until apprehended at Fort Craig, N. M."

To the 1st charge, ...*Guilty*.

To the specification of the 2d charge,.....*Guilty*.

To the 2d charge,.....*Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Daniel Kalbeck, Private of Co. L, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge, confirms his plea and finds him *Guilty*.

Of the 1st charge, confirms his plea and finds him.....*Guilty*.

Of the specification of the 2d charge, confirms his plea and finds him *Guilty*.

Of the 2d charge, confirms his plea and finds him .....*Guilty*.

SENTENCE.

And the Court does therefore sentence him, Daniel Kalbeck, Private of Co. L, 3d U. S. Cavalry, to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, to be confined at hard labor, in charge of the guard, for six months, wearing a ball and chain on his left leg, weighing thirty (30) pounds, and a board on his back with the word "thief" on it, and at the expiration of his confinement to have his head shaved, and be drummed out of the service.

6th.—John May, Private of Co. L, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification.—In this, that he, John May, Private of Co. L, 3d U. S. Cavalry, having been properly posted as a sentinel, was found by the Officer of the Day, Captain James R. Kemble, 3d U. S. Cavalry, lying down on the ground by his post, in a sound sleep. This at Albuquerque, N. M., on the morning of September 9th, 1866.

To which charge and specification the accused pleaded as follows:

To the specification of the charge,.....*Not Guilty*.

To the charge,.....*Not Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, John May, Private of Co. L, 3d U. S. Cavalry, as follows:

Of the specification of the charge,.....*Guilty*.

Of the charge,.....*Guilty*.

SENTENCE.

And the Court does therefore sentence him, Private John May, Co. L, 3d U. S. Cavalry, to forfeit to the United States thirteen dollars ($13.00) of his monthly pay for the period of six months, and to be confined,

under charge of the guard, at hard labor, for the same period, with a ball and chain attached to his leg, weighing twenty (20) pounds.

II.....The proceedings, findings and sentences in the cases of Privates Daniel McKenna and William Baker, both of Co. D, 3d U. S. Cavalry, are approved. The sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates Lafayette Slocum, Daniel Kalbeck and John May, all of Co. L, 3d U. S. Cavalry, are approved, except so much as relates to wearing a ball and chain, which being in violation of General Orders No. 95, War Department, December 10th, 1866, is remitted. The remainder of the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private Joseph Huot, Co. D, 3d U. S. Cavalry, are approved. The prisoner will be released from confinement, and returned to duty.

III.....The General Court Martial of which Brevet Major General George Sykes, Lieutenant Colonel 5th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

J. W. Dixon
2d Lt *Acting Assistant Adjutant General.*

G. C. M.

1. JOSEPH TRAYNOR, Private Co. "H," 3rd U. S. Infantry.
2. JOHN LUMB, Hospital Steward, U. S. A.

GENERAL ORDERS, No. 4. } HDQR'S DEP'T. OF THE MISSOURI, FORT LEAVENWORTH, KANSAS, January 9th, 1867.

I.....Before a General Court Martial, which convened at Fort HARKER, KANSAS, December 5th, 1866, pursuant to Special Orders, No. 78, Series of 1866, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22nd U. S. Infantry, is President, were arraigned and tried—

1. *Joseph Traynor*, Private, Company "H," 3rd U. S. Infantry, on the following charge and specifications:

CHARGE. "Conduct to the prejudice of good order and military discipline."

SPECIFICATION. "In this; that he, Private Joseph Traynor, Company "H," 3rd U. S. Infantry, did wilfully and maliciously strike and kick, corporal and acting 1st sergeant Henry Care, company "H," 3rd U. S. Infantry, while on the march from Fort Riley, Kansas, to Fort Ellsworth, Kansas. This near Saline, Kansas, July 1st, 1866,"

To which charge and specification, the accused pleaded as follows:

To the *Specification*, "*Not Guilty.*"
To the CHARGE, "*Not Guilty.*"

FINDING: The court having maturely considered the evidence adduced, finds the accused, Private *Joseph Traynor*, company "H," 3rd U. S. Infantry, as follows:

Of the *Specification*, "*Not Guilty.*"
Of the CHARGE, "*Not Guilty.*"

And the Court does therefore *acquit* him, the said Private *Joseph Traynor*, Company "H," 3rd U. S. Infantry.

2. *John Lumb*, Hospital Steward, U. S. A. on the following charges and specifications:

CHARGE 1st. "Drunkenness."

SPECIFICATION 1st. "In this; that he, Hospital Steward John Lumb, U. S. A. did, on or about the 10th day of April, 1866, become so drunk, as to entirely unfit him for the performance of his duties, This while on board the steamer "H. S. Turner," en-route from St Louis, Mo. to Fort Leavenworth, Kansas."

SPECIFICATION 2nd. "In this; that he, Hospital Steward John Lumb, U. S. A. did, on or about the 10th day of June, 1866, become so drunk as to be entirely unfit for the performance of his duties. This at Fort Ellsworth, Kansas, on or about the 10th day of June, 1866."

CHARGE 2nd. "Conduct to the prejudice of good order and military dicipline."

SPECIFICATION 1st. "In this; that he, Hospital Steward John Lumb, U. S. A. did, on or about the 16th day of June, 1866, steal and appropriate to his own use, and give to the Hospital attendants, who were under his orders, some bottles of porter belonging to the Hospital Department, U. S. A. and which were at the time they were stolen, entrusted to his care for safe keeping. This at Fort Ellsworth, Kansas, on or about the 16th day of June, 1866."

SPECIFICATION 2nd. "In this; that he, Hospital Steward John Lumb, U, S. A. did steal, or assist in stealing, two bottles of brandy belonging to the Hospital Department, U. S. A. at Fort Ellsworth, Kansas. This at Fort Ellsworth, Kansas, on or about the evening of July 4th, 1866."

SPECIFICATION 3rd. "In this; that he, Hospital Steward John Lumb, U. S. A. did steal, take for his own use, or give away, four blankets, two sheets, and one pillow, belonging to the Hospital Department of the U. S. A. at Fort Ellsworth, Kansas. This at Fort Ellsworth, Kansas, on or about the 9th day of May, 1866."

SPECIFICATION 4th. "In this; that he, Hospital Steward John Lumb, U. S. A. did steal and appropriate to his own use, or give away a bottle of wine or other liquor, belonging to the Hospital Department U. S. A. This at Fort Ellsworth, Kansas, on or about the 9th day of May, 1866."

To all of the charges and specifications the prisoner pleaded as follows: *"Not Guilty."*

FINDING: The court having maturely considered the evidence adduced, finds the prisoner *John Lumb*, Hospital Steward U. S. A. as follows:

Of the 1st *Specification* of 1st CHARGE,	*"Guilty."*
Of the 2nd *Specification* of 1st CHARGE,	*"Guilty."*
Of the 1st CHARGE,	*"Guilty."*
Of the 1st *Specification* of the 2nd CHARGE,	*"Not Guilty."*
Of the 2nd *Specification* of 2nd CHARGE,	*"Not Guilty."*
Of the 3rd *Specification* of 2nd CHARGE,	*"Guilty."*
Of the 4th *Specification* of 2nd CHARGE,	*"Guilty."*
Of the 2nd CHARGE,	*"Guilty."*

SENTENCE. And the court does therefore sentence him, Hospital Steward, *John Lumb*, U. S. A. to forfeit to the United States all pay and allowances which are now, or may become due, excepting the just dues of the laundress, and that he be dishonorably dismissed the service of the United States.

II. . . . . The proceedings, and findings, in the case of Private *Joseph Traynor*, Company "H," 3rd U. S. Infantry, are confirmed. The prisoner will be released from confinement and returned to duty.

The proceedings, in the case of Hospital Steward *John Lumb*, U. S. A. having been laid before the Major General Commanding, the following is his action thereon:— the 1st charge, drunkenness,

alone, is not a military offence. Had the charge been "Drunkenness to the prejudice of good order and military discipline," it would have been a proper one. The findings to the third (3) and fourth (4) specifications are not believed to be supported by the evidence. The finding on the 2nd charge is therefore not approved, nor is the sentence.

III.....The General Court Martial convened by Special Orders No. 78, Series 1866, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22nd U. S. Infantry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

W. G. MITCHELL.
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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G. C. M.

1. Cornelius Cutler, Private Co. K, 3d Battalion, 13th U. S. Infantry.
2. Braxton Sanders, Recruit 10th U. S. Cavalry.
3. Joseph Waters, Private Co. K, 3d Battalion, 13th U. S. Infantry.
4. C. H. Daniels, Private Co. I, 1st Battalion, 13th U. S. Infantry.
5. John Kuhn, Private Co. C, 37th U. S. Infantry.
6. John Burns, Corporal Co. C, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 10, 1867.

GENERAL ORDERS,
No. 5.

I.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, December 18th, 1866, pursuant to Special Orders No. 95, paragraph 6, series of 1866, from these Headquarters, and of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, were arraigned and tried:

1st.—Cornelius Cutler, Private Company K, 3d Battalion, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification.—In this, that he, Private Cornelius Cutler, Company K, 3d Battalion, 19th U. S. Infantry, did, while on duty as a sentinel, and while posted over Edward Friedel, Private Company I, 3d Battalion, 13th U. S. Infantry, and John Smith, Private Company K, 3d Battalion, 13th U. S. Infantry, prisoners, allow said prisoners to effect their escape. This at Fort Leavenworth, Kansas, on or about the 23d day of November, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Cornelius Cutler, Private Company K, 3d Battalion, 19th U. S. Infantry, as follows:

Of the specification,.....*Guilty,*
but attach no criminality thereto.
Of the charge,.....*Not Guilty.*
And the Court does therefore acquit him, Private Cornelius Cutler, Co. K, 3d Battalion, 19th U. S. Infantry.

2d.—Braxton Sanders, Recruit 10th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Braxton Sanders, Recruit 10th U. S. Cavalry, did, on or about the night of November 20th, 1866, absent himself from his quarters, without leave, and go to the city of Leavenworth, Kansas. This at the Attache Barracks, Fort Leavenworth, Kansas, on or about the time above specified.

CHARGE 2d.—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, Braxton Sanders, a Recruit 10th U. S. Cavalry, did return from Leavenworth City, on or about the night of November 20th, 1866, drunk and disorderly, and did refuse to obey the non-commissioned officers of his regiment, when ordered by them to keep quiet and go to bed. This at the Attache Barracks, Fort Leavenworth, Kansas, on or about the dates above specified.

Specification 2d.—In this, that he, Braxton Sanders, a Recruit 10th U. S. Cavalry, was, on or about the morning of November 21st, 1866, noisy and quarrelsome, wanting to fight with every man in the quarters. This at the Attache Barracks, Fort Leavenworth, Kansas, on or about the time above specified.

Specification 3d.—In this, that he, Braxton Sanders, a Recruit 10th U. S. Cavalry, did, on or about the morning of November 21st, 1866, attack all men in the quarters with a razor, and drive them out of the quarters, and did also attack Corporal Taylor with the same, abusing and swearing at the non-commissioned officers placed over him, and did refuse to obey all orders given him by them. This at the Attache Barracks, Fort Leavenworth, Kansas, on or about the time above specified.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the 1st specification of the 2d charge,.....*Not Guilty.*
To the 2d specification of the 2d charge, ... *Not Guilty.*
To the 3d specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Braxton Sanders, a Recruit 10th U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification of the 2d charge,.....*Guilty,* except the words "from Leavenworth City," and the words "and did refuse to obey the non-commissioned officers of his regiment when ordered by them to keep quiet and go to bed."
Of the 2d specification of the 2d charge,.....*Guilty,* except the word "noisy," and the words "with every man in the quarters."
Of the 3d specification of the 2d charge,.....*Guilty,* except the words "attack all men in the quarters with a razor and drive them out of the quarters," and the words "with the same, abusing and swearing at the non-commissioned officers placed over him."
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Braxton Sanders, Recruit 10th U. S. Cavalry, to be confined at hard labor under charge of the guard, for six months, and to forfeit his monthly pay for the same period.

3d.—Joseph Waters, Private of Company K, 3d Battalion, 13th U. S. Infantry, on the following charge and specification:

CHARGE—*Leaving his post, while a sentinel, in violation of the 46th Article of War.*

Specification.—In this, that he, Private Joseph Waters, Company K, 3d Battalion, 13th U. S. Infantry, having been duly posted as a sentinel on the night of December 6th, 1866, did leave his post without having been regularly relieved therefrom. All this at or near Fort Leavenworth, Kansas, on or about the 6th day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, Private Joseph Waters, Company K, 3d Battalion, 13th U. S. Infantry, and find him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Joseph Waters, Company K, 3d Battalion, 13th U. S. Infantry, to be kept in solitary confinement, on bread and water, ten days in each month, for the period of three months, putting in the remaining days of each month for three months at hard labor, in charge of the guard, and to forfeit all pay for the same period of three months.

4th.—Charles H. Daniels, Private Company I, 1st Battalion, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness.*

Specification.—In this, that he, Charles H. Daniels, Private Company I, 1st Battalion, 13th U. S. Infantry, did appear in his company quarters in a state of intoxication. This at Fort Leavenworth, Kansas, on or about the 8th day of December, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, Charles H. Daniels, Private Company I, 1st Battalion, 13th U. S. Infantry, did, when ordered to the guard house by 2d Lieut. I. M. Lynde, 22d U. S. Infantry, under charge of Corporal James Oswald and Private William Sensel, both of Company I, 1st Battalion, 13th U. S. Infantry, openly defy said guard, in the following language, viz: "*me* go with *those men;* they *can't take* me to the guard house," or words to that effect, and when taken hold of by said Corporal James Oswald, and Private William Sensel, did resist, violently throwing them off. This at Fort Leavenworth, Kansas, on or about the 8th day of December, 1866.

Specification 2d.—In this, that he, Charles H. Daniels, Private of Company I, 1st Battalion, 13th U. S. Infantry, did say to Lawritz M. Lange, Lance 1st Sergeant Company I, 1st Battalion, 13th U. S. Infantry, "I will get rid of you, you damned Dutch son of a bitch," or words to that effect. This at Fort Leavenworth, Kansas, on or about the 8th day of December, 1866.

CHARGE 3d—*Disrespect to his superior officer.*

Specification 1st.—In this, that he, Charles H. Daniels, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while Lieut. I. M. Lynde,

22d U. S. Infantry, was enforcing his order for said Private Charles H. Daniels to go to the guard house, call said Lieut. I. M. Lynde, "a damned son of a bitch," or words to that effect. This at Fort Leavenworth, Kansas, on or about the 8th day of December, 1866.

Specification 2d.—In this, that he, Charles H. Daniels, Private of Company I, 1st Battalion, 13th U. S. Infantry, did, while Lieut. I. M. Lynde, 22d U. S. Infantry, was writing the order for his confinement, say, "Lieutenant Lynde, you will be *sick* of me," and "you'll get enough of me before you get *through* with me," or words to that effect. This at Fort Leavenworth, Kansas, on or about the 8th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the 1st specification of the 2d charge,.....*Not Guilty.*
To the 2d specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the 1st specification of the 3d charge,.....*Not Guilty.*
To the 2d specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Charles H. Daniels, Private Company I, 1st Battalion, 13th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification of the 2d charge,.....*Guilty.*
Of the 2d specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the 1st specification of the 3d charge,.....*Guilty.*
Of the 2d specification of the 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Charles H. Daniels, Private Company I, 1st Battalion, 13th U. S. Infantry, to be confined in solitary confinement, on bread and water, for the period of fourteen (14) days in each month, for three months, to be kept at hard labor in charge of the guard the remaining days of the same three months, and to forfeit all pay for the period of three months.

5th.—John Kuhn, Private Company C, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, John Kuhn, Private Company C, 37th U. S. Infantry, did, without authority, absent himself from his company, during the night of December 17th, 1866, to December 18th, 1866, and did remain so absent until shortly before Reveille roll-call on December 18th, 1866. All this at Fort Leavenworth, Kansas, on or about the 18th day of December, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, John Kuhn, Private Company C, 37th U. S. Infantry, did steal from the company clothing chest, of Company C, 37th U. S. Infantry, seven (7) flannel shirts, to the value of two dollars and thirty-two cents each ($2.32), and five (5) pairs of Infantry bootees, to the value of two dollars and seventy cents ($2.70) each, and did secrete said shirts in the garret of the quarters of C Company, 37th U. S. Infantry, and did dispose of said Infantry bootees. All this at or near Fort Leavenworth, Kansas, on or about the 17th day of December, 1866.

Specification 2d.—In this, that he, John Kuhn, Private Company C, 37th U. S. Infantry, did, in company with one John Burns, Corporal Company C, 37th U. S. Infantry, pawn a revolver, worth twenty dollars, for eight (8) dollars: five (5) dollars in cash, and the balance to be paid in cash, knowing the said revolver to have been stolen from 1st Sergeant Jacob Drumm, Company C, 37th U. S. Infantry. All this at or near Fort Leavenworth, Kansas, on or about December 17th, 1866.

Specification 3d.—In this, that he, John Kuhn, Private Company C, 37th U. S. Infantry, did, while in the quarters of 1st Sergeant Drumm, Company C, 37th U. S. Infantry, for the purpose of getting a pass signed, take the keys of the company clothing chest from the mantel-piece, and did take said keys away with him, subsequently unlocking said clothing chest with said keys, and stealing therefrom certain articles of clothing, viz: two pair of shoes, valued at $13.50, and seven flannel shirts, valued at $16.24. All this at Fort Leavenworth, Kansas, on or about the 17th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the 1st specification of the 2d charge,.....*Guilty,* except the words "and five (5) pairs of Infantry bootees, to the value of two dollars and seventy cents ($2.70) each," and "and did dispose of said Infantry bootees."

To the 2d specification of the 2d charge,.....*Guilty.*
except the words, "knowing the said revolver to have been stolen from 1st Sergeant Jacob Drumm, Company C, 37th U. S. Infantry."

To the 3d specification of the 2d charge,.....*Guilty.*
except the words, "five pairs of shoes, valued at $13.50."

To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private John Kuhn, Company C, 37th U. S. Infantry, as follows:

Of the specification of the 1st charge,..... *Guilty.*

Of the 1st charge,.....*Guilty.*

Of the 1st specification of the 2d charge,.....*Guilty,*
except the words, "and five pairs of Infantry bootees, to the value of two dollars and seventy cents," and the words "and did dispose of said Infantry bootees."

Of the 2d specification of the 2d charge,.....*Guilty,*
except the words, "knowing the said revolver to have been stolen from 1st Sergeant Jacob Drumm, Company C, 37th Infantry."

Of the 3d specification of the 2d charge,.....*Guilty.*
except the words, "five pairs of shoes, valued at $13.50, and."

Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private John Kuhn, Company C, 37th U. S. Infantry, to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Commanding General of the Department may direct, for the period of one year.

6th.—John Burns, Corporal Company C, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, John Burns, Corporal Company C, 37th U. S. Infantry, did, without authority, absent himself from his company, during the night of December 17th, 1866, to December 18th, 1866, and did remain absent until shortly before Reveille roll-call on December 18th, 1866. All this at Fort Leavenworth, Kansas, on or about the 18th day of December, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, John Burns, Corporal Company C, 37th U. S. Infantry, did steal from the room of 1st Sergeant Drumm, Company C, 37th U. S. Infantry, a revolver, valued at twenty dollars, and did, in company with one John Kuhn, Private Company C, 37th U. S. Infantry,

pawn said revolver for eight (8) dollars—five dollars cash, and the balance to be paid in cash, knowing said revolver to be the property of 1st Sergeant Drumm, Company C, 37th U. S. Infantry. All this at Fort Leavenworth, Kansas, on or about the 17th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Corporal John Burns, Company C, 37th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Corporal John Burns, Company C, 37th U. S. Infantry, to be reduced to the ranks, and to forfeit to the United States his monthly pay for the period of one month.

II.....The proceedings and findings in the case of Cornelius Cutler, Private Company K, 3d Battalion, 13th U. S. Infantry, are approved. The prisoner will be released from confinement and returned to duty.

The proceedings, findings, and sentences, in the cases of Corporal John Burns, Company C, 37th U. S. Infantry, Private Joseph Waters, Company K, 3d Battalion, 13th U. S. Infantry, and Braxton Sanders, Recruit 10th U. S. Cavalry, are approved. The sentences will be duly executed.

The proceedings, findings, and sentence, in the case of Private Charles H. Daniels, Company I, 1st Battalion, 13th U. S. Infantry, having been laid before the Major General Commanding, the following is his action thereon. Drunkenness, alone, is not a military offence. The proceedings and findings on that charge are therefore disapproved. The Court having found the prisoner guilty of the remaining specifications and charge, and the punishment being deemed proper for the offences alleged and proved, the sentence is approved, and will be duly executed.

The proceedings, findings and sentence, in the case of Private John Kuhn, Company C, 37th U. S. Infantry, are approved. The Penitentiary at Jefferson City, Missouri, is designated as the place of confinement, to which place the prisoner will be conveyed under suitable guard, and

turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order. The commanding officer at Fort Leavenworth, Kansas, is charged with the execution of the above order.

The General Court Martial, of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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JAMES CARTY, Recruit, 10th U. S. Cavalry.

GENERAL ORDERS, No. 6. } HDQR'S DEP'T. OF THE MISSOURI, FORT LEAVENWORTH, KANSAS, January 10th, 1867.

I.....Before a General Court Martial, which convened at Fort LEAVENWORTH, KANSAS, November 19th 1866, pursuant to Special Orders No. 69, Par. 5, S. 1866, from these Headquarters, and of which Brevet Colonel ROBERT NUGENT, Captain 13th U. S. Infantry, is President, and which re-convened January 3rd, 1867, pursuant to Special Order No. 107, Par. 2, S. 1866, from these Headquarters, was arraigned and tried:—

James Carty, Recruit, 10th U. S. Cavalry, on the following charge and specifications:

CHARGE. "Conduct prejudicial to good order and military discipline."

SPECIFICATION 1st. "In this; that he, JAMES CARTY, Recruit, 10th U. S. Cavalry, did, on or about the 28th day of October, 1866, without authority, sell to a citizen of Leavenworth City, Kansas, the following articles of government property, issued to him for his own use, viz. one cavalry overcoat, valued at $14,50, one blanket, valued at $7, and one pair of cavalry trowsers, valued at $5,90, the proceeds of which, he, the said JAMES CARTY, Recruit, 10th U. S. Cavalry, did appropriate to his own use."

SPECIFICATION 2nd. "In this; that he, JAMES CARTY, Recruit 10th U. S. Cavalry, did, on or about the 28th day of October, 1866, without authority, convey or carry away from the quarters of said regiment, two cavalry overcoats, one belonging to Private Charles Dougherty, and the other to Private Henry Evans, 10th U. S. Cavalry,, which he, the said JAMES CARTY, Recruit, 10th U. S. Cavalry, sold to a citizen of Leavenworth City, Kansas, and appropriated the proceeds to his own use. Said overcoats being new, and worth $14,50 each. All this at or near Fort Leavenworth, Kansas, on or about October 30, 1866."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification* of the Charge, "*Not Guilty.*"
To the 2nd *Specification* of the Charge, "*Not Guilty.*"
To the CHARGE, "*Not Guilty.*"

FINDING: The Court having maturely considered the evidence adduced, find the accused, *James Carty*, Recruit, 10th U. S. Cavalry, as follows:

Of the 1st *Specification*, "*Guilty*," with the exception of the words "issued to him for his own use, viz: one blanket valued at $7, and one pair of cavalry trowsers valued at $5,90."

Of the 2nd *Specification*, "*Guilty*," with the exception of the words, "two Cavalry overcoats, one belonging to Private Charles Dougherty, and the other to Private Henry Evans, 10th U. S. Cavalry," also excepting the words "said overcoats being new and worth $14,50 each," and substituting therefor, respectively for these sentences, the words, "one cavalry overcoat, belonging to Private Charles Dougherty, 10th U. S. Cavalry," and "said overcoat being new and worth $14,50."

Of the CHARGE, "*Guilty.*"

SENTENCE: And the Court do therefore sentence him, the said *James Carty*, Private 10th U. S. Cavalry, to be confined at hard labor for the period of two (2) months, and to forfeit to the United States eight (8) dollars per month of his monthly pay for three (3) months.

II..... The proceedings, findings, and sentence, in the case of *James Carty*, 10th U. S. Cavalry, are approved;—The sentence will be duly executed.

III..... The Court of which Brevet Colonel ROBERT NUGENT, Captain 13th U. S. Infantry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

W. G. MITCHELL.
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 10, 1867.

GENERAL ORDERS,
No. 7.

I.....Before a General Court Martial, convened at Fort Leavenworth, Kansas, December 18th, 1866, pursuant to Special Orders No. 95, paragraph 6, series of 1866, from these Headquarters, and of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, wsa arraigned and tried:

1st Lieutenant John Pulford, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, the said John Pulford, 1st Lieutenant 19th U. S. Infantry, being directed by Captain Robert Ayers, 19th U. S. Infantry, in the absence of the Adjutant and commanding officer, to report the result of Reveille and Tattoo roll calls of his company to the senior officer present, did refuse to report as directed by Capt. Ayers, he, Capt. Ayers, being in the execution of his office, and say to Capt. Ayers when directed to report, "I will take the matter into consideration," or words to that effect. This at Fort Leavenworth, Kansas, on or about the 22d of November, 1866.

Specification 2d.—In this, that he, the said John Pulford, 1st Lieutenant 19th U. S. Infantry, being directed by Captain Robert Ayers, 19th U. S. Infantry, to report the result of Reveille and Tattoo roll calls of his company, in the absence of the Adjutant and commanding officer, to the senior officer present, did fail to report the result of Tattoo roll call of his company to the senior officer present, Captain Ayers, at Tattoo on the 22d, 23d, and 24th of November, 1866. This at Fort Leavenworth, Kansas, on or about the dates above specified.

Specification 3d.—In this, that he, the said John Pulford, 1st Lieutenant 19th U. S. Infantry, did, when called upon three times by Captain Ayers, pass on, affecting not to hear, and did, when an enlisted man of Company H, 3d Battalion, 19th U. S. Infantry, was sent to him with a message, presenting Captain Ayers' compliments, and desiring to see him, return by the messenger to Captain Ayers, the following verbal message: "Give my compliments to Captain Ayers, and tell him if he wants to see

me, to come where I am," Captain Ayers being in the execution of his office. This at Fort Leavenworth, Kansas, on or about the 24th of November, 1866.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that he, the said John Pulford, 1st Lieutenant 19th U. S. Infantry, when told by Captain Robert Ayers, that he, Captain Ayers, wished to see him officially, did reply: "If you wish to see me, come here," or words to that effect; and upon Captain Ayers ordering Lieut. Pulford to come to him as desired, he, Lieut. Pulford, did positively refuse to do so, saying: "Sir, I positively refuse, and if you wish to see me, come here," or words to that effect; and when Captain Ayers requested Lieutenant Jones, 19th U. S. Infantry, to take notice of Lieutenant Pulford's conduct, he, Lieut. Pulford, did say: "Yes, Mr. Jones, take notice of it," or words to that effect. All this at Fort Leavenworth, Kansas, on or about the 24th of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge, the accused entered a special plea, as follows:

And now comes the accused and respectfully asks this honorable Court that he be not required to plead to this specification, for that there is no allegation therein showing Captain Ayers to have been in command of the Regiment or Battalion, or in any way authorized to issue such orders to Lieut. Pulford; and for the further reason, that if sufficiently specific, it does not support the charge, it being a specification to a charge of "Disobedience of orders," which is a capital offence, so declared by the 9th Article of War, and not cognizable under the charge of "Conduct to the prejudice of good order and military discipline," as set forth in the 99th Article of War. (See Holt's Digest, page 26.)

The Court was cleared for deliberation, and upon re-opening the doors, it was announced that the Court decided to receive the plea to this specification, in bar, so far as it does not allege that Capt. Ayers was the senior officer present. The Court also decided the 1st specification under charge 1st, faulty, in this, that it alleges two distinct offences.

To the 2d specification of the 1st charge, the accused entered the following special plea:

And now comes the accused, and objects to being required to plead to the 2d specification under charge 1st, for that there is a material alteration made in said specification since being served with a copy of charges and specifications, of which he had no notice until called upon to plead.

The Court was cleared for deliberation, and upon re-opening the doors it was announced that the Court decide that the objection offered by the accused to pleading to the 2d specification, 1st charge, will *not* be sus-

tained; and that if the accused desires additional time in which to plead to said specification, the Court will grant it, and a true copy of the charges upon which the accused is arraigned will be furnished him at once.

The accused stated that one hour delay would be sufficient: whereupon the Court directed the Judge Advocate to furnish a copy of the charges and specifications upon which the accused was arraigned, to be furnished during the recess, to the accused, and then the Court took a recess for one hour.

Upon the re-assembling of the Court, the accused being required to plead to the 2d specification under charge 1st, offered the following:

And now comes the accused and objects to being required to plead to any charges and specifications that differ from the copy furnished to the accused, which copy he now offers the Court, together with the letter of transmittal, and asks that the same be spread upon the record; for that if the copy furnished to the accused be not correct, he has been arraigned and required to plead to charges and specifications of which he has had no notice, and has not been served with a copy. (See Benet, page 103. Also Holt's Digest, page 122, par. 3.)

The Court overruled the objection of the accused to pleading to this specification, but granted the request that the copy of the charges and specifications, and the letter of transmittal, which were furnished the accused, should be spread upon the record.

The accused then pleaded:

To said 2d specification of the 1st charge,.....*Not Guilty.*

To the 3d specification of the 1st charge, the accused entered the following special plea:

And the accused further asks this honorable Court, that he be not required to plead to 3d specification of the 1st charge, for that so much of the specification as alleges that Lieutenant Pulford did pass on, affecting not to hear, when called three times by Captain Ayers, does not support the charge, for there is no allegation that he did hear, when called, or did intend any disobedience or disrespect, and without which there can no criminality attach, and which must be alleged to authorize a Court to take cognizance of it as an offence. (See Benet, page 101–2.) And to the remainder of the specification he asks that he be not required to plead, and that it be stricken out, for that he, as a commissioned officer, is not required to take official cognizance of verbal orders, transmitted through an enlisted man. And further, that he be not required to plead to the whole or any part of this specification, for that there is no allegation showing Captain Ayers to have been in command of the Regiment or Battalion, and authorized to issue such orders. The Court cannot presume, from an allegation, that a line officer, "being in the execution of his office," is authorized to issue orders and receive reports from company

commanders, unless supported by further allegations of authority. And further, that this specification should have been laid under a charge under the 9th, and not under the 99th Article of War, as referred to in objection to specification 1st. And further, that the specification is objectionable for duplicity.

The Court was cleared for deliberation, and upon re-opening the doors it was announced that the Court decide that the objection offered by the accused to pleading to the 3d specification, 1st charge, be *sustained*, for the reasons only, that the said specification does not allege that Captain Ayers was the commanding officer of the Battalion or Regiment at the time the alleged offence was committed; and that the accused be not required to make a further plea to said specification.

To the 1st charge,.....*Not Guilty.*

To the specification of the 2d charge, the accused offered the following special plea:

And the accused further asks this honorable Court, that so much of the first part of the specification to 2d charge, as follows, to wit: "when told by Captain Ayers, 19th Infantry, that he, Captain Ayers, wished to see him officially, did reply: 'if you wish to see me, come here,' or words to that effect," and so much of the latter part of the same as follows, to wit: "And when Captain Ayers requested Lieutenant Jones, 19th U. S. Infantry, to take notice of Lieutenant Pulford's conduct, he, Lieutenant Pulford, did say: 'Yes, Mr. Jones, take notice of it,' or words to that effect," be stricken out, for that they are not necessary to, and do not support the charge. And further, that he be not required to plead to this specification, in whole or in part, for that there is no allegation showing Captain Ayers to have had authority to so order Lieutenant Pulford. And further, that this specification should also contain an allegation that Captain Ayers was at the time "in the execution of his office." (See Holt's Digest, 9th Art. of War, par. 2.)

The Court was cleared for deliberation, and upon re-opening the doors, it was announced that the Court decide that the objection to pleading to this charge and specification, offered by the accused, be SUSTAINED, for the reasons, and on the grounds, that the said specification does not allege that Captain Ayers was the commanding officer of the Battalion or Regiment, at the time of the alleged offence; and further, that the specification does not set forth or allege that Captain Ayers was in the execution of his office, at the time the alleged offence was committed.

To the 2d charge, the accused was not required to plead.

FINDING.

The Court was then cleared for deliberation. The pleas in bar to the 1st and 3d specifications of charge 1st, and to charge 2d, having been

admitted by the Court, no evidence was introduced on those charges and specifications, and they were not considered by the Court.

After mature deliberation upon the evidence adduced, the Court finds the accused, 1st Lieutenant John Pulford, 19th U. S. Infantry, guilty of the facts set forth in the 2d specification of the 1st charge, but attach no criminality thereto.

Of the 1st charge,.....*Not Guilty.*

And the Court does therefore acquit him, 1st Lieutenant John Pulford, 19th U. S. Infantry.

II.....The proceedings and findings in the foregoing case having been laid before the Major General Commanding, the following is his action thereon:

It is believed in order to have brought the accused, Lieutenant John Pulford, 19th U. S. Infantry, to a proper accountability for refusing to obey the orders of his superior officer, as alleged in the 1st and 3d specifications of the 1st charge, he should have been tried under the 9th Article of War. At the same time, it is considered an offence triable under the 99th Article of War, to have used the language alleged in these specifications, and as far as these allegations are concerned, it does not seem necessary that the Court should have accepted the pleas in bar of trial, submitted by the accused. Captain Ayers was a superior officer of the same Regiment as Lieutenant Pulford, and known to him as such, and therefore Lieutenant Pulford had no right to question his authority, before yielding obedience to the same. Whether Captain Ayers had the authority to give the order, was a matter for after consideration. Had he exceeded his authority, he could have been held accountable. Captain Ayers being the senior officer present on parade, had a right to give an order of the nature in question; and to have exonerated Lieutenant Pulford from a disobedience of the order, it was certainly necessary for him to show that Captain Ayers was not the senior present. The 9th Article of War does not require that an officer should be in command of his Regiment or Battalion, to enable him to give a legal order; the senior officer present has a right to give an order when he deems the interests of the service require it. The regulations also require that all the duties of the permanent commander shall devolve on the temporary commander.

In regard to the 2d specification, which was tried, it was found by the Court that the accused had disobeyed a peremptory order he had received, to report the roll calls of his company to the senior officer present, but in the findings it attaches no criminality thereto. It is not understood how the Court could have arrived at this conclusion from the facts proved, and it is difficult to understand how discipline is to be maintained among troops, when juniors are permitted to treat with contempt the orders of

their superiors; and it is not believed that it is a safe rule for juniors to be guided by the decisions of this Court, in this case. It is believed, however, that this specification should have been tried under the 9th Article of War, and not under the 99th.

In regard to the 2d charge and its specification, the ruling of the Court in admitting the plea in bar of trial, is disapproved. The charge "Disobedience of orders," was eminently proper—and under the 9th Article of War. The fact of Captain Ayers saying to the accused, "I wish to see you officially," is a sufficient expression to intimate that he was in "the execution of his office," and fully legalizes the specification. If the Court had proceeded to try on this charge and specification, (which they should have done,) and sentenced the accused to be dismissed the service, it would have been approved at these Headquarters.

The accused, 1st Lieutenant John Pulford, 19th U. S. Infantry, will be released from arrest and returned to duty.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. John Schupack, 2d class Private, Detachment of Ordnance.
2. Patrick F. Leonard, Private Co. E, U. S. Engineer Battalion.
3. Henry Bush, Private Battery C, 3d U. S. Artillery.
4. Benjamin E. Thompson, Private Co. E, U. S. Engineer Battalion.
5. William H. Cozzens, Recruit 38th U. S. Infantry.
6. John O'Donoghue, 2d class Private, Detachment of Ordnance.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 11, 1867.

GENERAL ORDERS,
No. 8.

I.....Before a General Court Martial which convened at Jefferson Barracks, Mo., pursuant to Special Order No. 55, paragraph III, Series 1866, from these Headquarters, and of which Brevet Brig. General P. Morrison, Colonel U. S. Army, is President, and which re-convened pursuant to Special Orders No. 89, paragraph X, Series 1866, from these Headquarters, were arraigned and tried:—

1st.—John Schupack, 2d class Private of the Detachment of Ordnance at St. Louis Arsenal, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, John Schupack, a 2d class Private of the Detachment of Ordnance, stationed at St. Louis, Mo., a duly enlisted soldier in the service of the United States, did absent himself from and desert the said service, on or about the 1st day of July, 1866, and did remain absent therefrom till apprehended and brought back on the evening of the 25th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, John Schupack, 2d class Private of the Ordnance Detachment; as follows:

Of the specification,.....*Guilty.*
Of the charge, ...*Guilty.*

SENTENCE.

And the Court does therefore sentence him, 2d class Private John Schupack, of the Detachment of Ordnance at St. Louis Arsenal, to forfeit all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, to be confined at hard labor for six (6) months, at such place as the Commanding General of the Department may direct.

2d.—Patrick F. Leonard, Private of Company E, U. S. Engineer Battalion, on the following charges and specifications:

CHARGE 1st—*Drunkenness.*

Specification.—In this, that he, Private Patrick F. Leonard, of Company E, U. S. Engineer Battalion, was drunk in ranks at Tattoo on the evening of the 29th of October, 1866. This at the Engineer Depot, Jefferson Barracks, Mo.

CHARGE 2d—*Mutinous and insubordinate conduct.*

Specification 1st.—In this, that he, Private Patrick F. Leonard, of Company E, U. S. Engineer Battalion, having been ordered by the Sergeant of the guard, Sergeant Charles Smith, of Company E, U. S. Engineer Battalion, to go with him to the guard house, did refuse, offering at the same time violence, and using insulting language toward said Sergeant of the guard. This at Jefferson Barracks, Mo., on or about October 29th, 1866.

Specification 2d.—In this, that he, Private Patrick F. Leonard, of Company E, U. S. Engineer Battalion, having been ordered by his superior officer, Lieutenant James C. Post, U. S. Engineer Battalion, to go with the Sergeant of the guard and be quiet, (the said Lieut. Post being in the execution of his office,) did attempt to take off his coat, and seize hold of the said Lieut. Post, saying at the same time, "God damn you, I am a better man than you are," or words to that effect. This at the Engineer Depot, Jefferson Barracks, Mo., on or about the 29th of October, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*

To the 1st charge,.....*Guilty.*
To the 1st specification of the 2d charge,.....*Not Guilty.*
To the 2d specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Patrick F. Leonard, of Company E, U. S. Engineer Battalion, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification of the 2d charge,.....*Guilty.*
Of the 2d specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court do therefore sentence him, Private Patrick F. Leonard, of Company E, U. S. Engineer Battalion, to forfeit ten (10) dollars of his monthly pay per month, for six months, and to be confined at hard labor for the same period.

3d.—Henry Bush, Private Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Henry Bush, of Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert or attempt to desert the same, on or about the 9th day of October, 1866. This at Jefferson Barracks, Mo.

CHARGE 2d—*Theft.*

Specification 1st.—In this, that he, Private Henry Bush, of Light Battery C, 3d U. S, Artillery, did feloniously steal, take, or carry away, one (1) pantaloon (Cav.) of the value of $5.90, the property of William Brown, Private of same company, with the intent to appropriate the same to his own use and benefit. This at Jefferson Barracks, Missouri, on or about the 9th day of October, 1866.

Specification 2d.—In this, that he, Private Henry Bush, of Light Battery C, 3d U. S. Artillery, did feloniously steal, take, and carry away, with the intent to appropriate the same to his own use and benefit, two (2) pants (citizen) of the value of $7.00, one (1) vest (citizen) of the value of $1 00, three (3) shirts of the value of $3.00, one (1) carpet bag of the value of $2.50, the property of William Grimes, Private of same company and regiment. This at Jefferson Barracks, Mo., on or about the 9th of October, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the 1st specification of the 2d charge,.....*Not Guilty.*
To the 2d specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Henry Bush, Light Battery C, 3d U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification of the 2d charge,.....*Guilty.*
Of the 2d specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court do therefore sentence him, Private Henry Bush, Light Battery C, 3d U. S. Artillery, to be dishonorably discharged from the U. S. service, to forfeit all pay and allowances now due him, or to become due him from the United States Government, and to be confined at hard labor for three (3) years, at such place as the Commanding General of the Department may designate.

4th.—Benjamin E. Thompson, Private Company E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Deserting his guard.*

Specification.—In this, that he, Private Benjamin E. Thompson, Company E, U. S. Engineer Battalion, did, after having been duly posted as a sentinel, desert his post, and remain absent therefrom until after the time at which he should have been duly relieved. This at the Engineer Depot, Jefferson Barracks, Mo., on the morning of the 5th of November, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, Benjamin E. Thompson, Private Company E, U. S. Engineer Battalion, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court do therefore sentence him, Private Benjamin E. Thompson, Company E, U. S. Engineer Battalion, to be confined at hard labor, in charge of the Engineer guard, for six (6) months.

5th.—William H. Cozzens, Recruit 38th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Mutinous conduct.*

Specification.—In this, that he, Recruit William Cozzens, 38th U. S. Infantry, did forcibly and threateningly resist, and use insubordinate language toward Hospital Steward Charles Swallow, U. S. A., while he, (Steward Swallow,) was in the discharge of his duty. This at Jefferson Barracks, Mo., October 20th, 1866.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that he, Recruit William Cozzens, 38th U. S. Infantry, after being repeatedly ordered by Hospital Steward Charles Swallow, U. S. A., to be quiet, did refuse to obey, but continued to talk and use language prejudicial to good order and military discipline. This at Jefferson Barracks, Mo., October 20th, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge, ...*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the accused, and find him, William H. Cozzens, Recruit 38th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,..... .....*Not Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

And the Court do therefore acquit him, the said William H. Cozzens, Recruit 38th U. S. Infantry.

6th.—John O'Donoghue, 2d class Private of a Detachment of Ordnance, stationed at St. Louis Arsenal, Mo., on the following charge and specification:

CHARGE—*Larceny.*

Specification.—In this, that he, John O'Donoghue, a 2d class Private of the Ordnance Detachment, stationed at St. Louis Arsenal, Mo., did felo-

niously steal, take, and carry away from the repair-shop at said Arsenal, one (1) Colt's Army Pistol, valued at nineteen dollars and thirty-one cents, ($19.31) with intent to appropriate the same to his own use. Said pistol being taken from about his person soon after. This at St. Louis Arsenal, Missouri, on the 15th day of November, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the prisoner, and find him, John O'Donoghue, 2d class Private of the Ordnance Detachment at St. Louis Arsenal, as follows:

Of the specification, ...*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court do therefore sentence him, 2d class Private John O'Donoghue, of the Ordnance Detachment stationed at St. Louis Arsenal, to be confined at hard labor for sixty (60) days, in charge of the guard at the St. Louis Arsenal.

II.....The proceedings, findings, and sentence in the case of 2d class Private John Schupack, Detachment of Ordnance, are approved. That portion of the sentence which relates to "be dishonorably discharged," will read as follows: "to be dishonorably discharged at the expiration of his confinement." The guard house at Jefferson Barracks, Missouri, is designated as the place of confinement. The prisoner, with his descriptive roll, will be turned over to the commanding officer at Jefferson Barracks, Missouri, who is charged with the execution of the above order.

The proceedings, findings, and sentences, in the cases of Private Patrick F. Leonard, Company E, U. S. Engineer Battalion, Private Benjamin E. Thompson, Company E, U. S. Engineer Battalion, and 2d class Private John O'Donoghue, Detachment of Ordnance, are approved. The sentences will be duly executed.

The proceedings, findings, and sentence in the case of Private Henry Bush, Light Battery C, 3d U. S. Artillery, are approved. The Penitentiary at Jefferson City, Missouri, is designated as the place of confinement, to which place the prisoner will be conveyed under suitable guard, and turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order. The commanding officer at Jefferson Barracks, Missouri, is charged with the execution of the same.

The proceedings and findings in the case of Recruit William H. Cozzens, 38th U. S. Infantry, are confirmed. The prisoner will be released from confinement and returned to duty.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

JOHN LUMB, Hospital Steward U. S. A.,

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, *January 16th*, 1867.

GENERAL ORDERS,)
No. 9.)

I.....Before a General Court Martial which convened at Fort Harker, Kansas, January 3rd, 1867, pursuant to Special Orders, No. 105, Paragraph 4, Series, 1866, from these Headquarters, and of which Brevet Major General A. GIBBS, Major 7th U. S. Cavalry, is President, was arraigned and tried:

JOHN LUMB, Hospital Steward U. S. A., on the following charge and specification:

CHARGE:

"Breach of arrest."

SPECIFICATION: "In this; that he, Hospital Steward JOHN LUMB, U. S. A., having been duly placed in arrest, did, on or about the night of September 23rd, 1866, break his arrest, and remain absent until on or about the morning of September 25th, this at Fort Ellsworth, Kansas, on or about the night of September 23rd, 1866."

To which charge and specification the prisoner pleaded as follows:

To the Specification, *"Guilty."*
To the Charge, *"Guilty."*

FINDING:

The Court having maturely considered the evidence adduced, confirm the plea of the prisoner, and find him, Hospital Steward JOHN LUMB, U. S. A., as follows:

Of the Specification, *"Guilty."*
Of the Charge, *"Guilty."*

SENTENCE:

And the Court does therefore sentence him, Hospital Steward *John Lumb*, U. S. A., to be dishonorably dismissed the service of the United States, with loss of all pay and allowances now due or that may become due him, except the just dues of the laundress and sutler.

II. . . . . The proceedings, findings, and sentence, in the case of Hospital Steward JOHN LUMB, U. S. Army, are confirmed. So much of said sentence as requires forfeiture of all pay, and allowances now due, or to become due, is hereby remitted.

It is not thought to be correct to use the words "dismissed" or "dishonorably dismissed" when it is intended to discharge any person from the service who is not a Commissioned Officer, but as in this case, the intention of the sentence is clear, the prisoner will be *discharged* the service of the United States.

By command of MAJOR GENERAL HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. WILLIAM CONNALLY, Private, Co. "K," 37th U. S. Infantry.
2. THOMAS COWLEY, Private, Co. "K," 37th U. S. Infantry.
3. STEPHEN PARKS, Private, Co. "A," 3rd U. S. Cavalry.
4. PATRICK CARNEY, Private, Co. "C," 37th U. S. Infantry.
5. HENRY L. ADKINS, Private, Musician 3rd U. S. Infty. Band.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, *January* 22nd, 1867.

GENERAL ORDERS, No. 11.

I.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, January 10th, 1867, pursuant to Special Orders No. 5, Paragraph 3, Current Series, from these Headquarters, and of which Brevet Brigadier General FRED. MYERS, Major and Q. M. U. S. Army, is President, were arraigned and tried:

1..... *William Connally*, Private, Co. "K," 37th U. S. Infantry, on the following charge and specification:

CHARGE:

"Neglect of duty as a sentinel."

SPECIFICATION: "In this; that he, Private William Connally, Company "K," 37th U. S. Infantry, while on duty as a guard and posted over Private John Kuhn Co. "C," 37th U. S. Infantry, a prisoner awaiting sentence, did suffer said prisoner Kuhn, to effect his escape. This at Fort Leavenworth, Kansas, on the 27th day of December, 1866."

To which charge and specification, the accused pleaded as follows:

To the Specification, *"Guilty."*
To the Charge, *"Guilty."*

FINDING:

The Court having maturely considered the evidence adduced,

find the accused Private *William Connally*, Company "K," 37th U. S. Infantry, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *William Connally*, Company "K," 37th U. S. Infantry, to forfeit ten (10) dollars per month of his monthly pay for two months, and to be confined at hard labor, in charge of a guard, for one month.

2. ... *Thomas Cowley*, Private Co. "K," 37th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Neglect of duty as a sentinel.*"

SPECIFICATION: "In this; that he, Private Thomas Cowley, Company "K," 37th U. S. Infantry, being a member of the guard, regularly mounted, and having been duly placed as a sentinel in charge of certain prisoners, did carelessly and negligently suffer and permit one of said prisoners, Private Williams of Co. "E," 3rd Cavalry, to make his escape and desert the service of the United States. This at Fort Leavenworth, Kansas, on or about the 24th day of December, 1866 "

To which charge and specification the accused pleaded as follows:

To the Specification, "*Guilty.*"
To the Charge, "*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, find the accused, Private *Thomas Cowley*, Company "K," 37th U. S. Infantry, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *Thomas Cowley*, Company "K," 37th U. S. Infantry, to forfeit ten (10) dollars per month, of his monthly pay for two months, and to be confined at hard labor under charge of a guard for one month.

3..... *Stephen Parks*, Private, Company "A," 3rd U. S. Cavalry, on the following charge and specifications:

CHARGE:

"*Desertion.*"

SPECIFICATION 1st, "In this; that he, Private Stephen Parks, Company "A," 3rd U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at or near Vanburen Arks., on or about the 6th day of May, 1866, and did remain ab-

sent until apprehended, on or about the 10th day of May, 1866."

SPECIFICATION 2nd, "In this; that he, Private Stephen Parks, Company "A" 3rd U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at or near Shawnee Town, Indian Territory, on or about the 20th day of July. 1866, and did remain absent until apprehended and delivered to the Commanding Officer at Fort Smith, Arkansas, on or about the 30th day of July, 1866.

To which charge and specifications the accused pleaded as follows:

To the 1st Specification,	"*Guilty.*"
To the 2nd Specification,	"*Guilty.*"
To the Charge,	"*Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, find the accused Private *Stephen Parks*, Company "A," 3rd U. S. Cavalry, as follows:

Of the 1st Specification,	"*Guilty.*"
Of the 2nd Specification,	"*Guilty.*"
Of the Charge,	"*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *Stephen Parks*, Company "A," 3rd U. S. Cavalry, to forfeit all pay and allowances now due, or that may become due, (except the just dues of the sutler and laundress,) to be confined at hard labor, breaking stones at the Guard House at Fort Leavenworth, Kansas, under charge of a sentinel, daily for one (1) year, (sundays excepted) from Reveille to Retreat, one hour being allowed for dinner each day. To be kept on bread and water during the first fourteen days of each month of the last six months of his punishment, and then to be drummed out of service.

4..... *Patrick Carney*, Private Company "C," 37th U. S. Infantry, on the following charge and specification:

CHARGE:

"*Desertion.*"

SPECIFICATION; "In this; that he, Private Patrick Carney, Company "C," 37th U. S. Infantry, (late 3rd Battalion, 19th U. S. Infantry,) a duly enlisted soldier in the service of the United States did desert the same on or about the 8th day of December, 1866, and did surrender himself on or about December 25th, 1866. All this at or near Fort Leavenworth, Kansas."

To which charge and specification the accused pleaded as follows:

To the Specification, "*Not Guilty.*"

To the Charge, "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, find the accused Private *Patrick Carney*, Company "C," 37th U. S. Infantry, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *Patrick Carney*, Company "C," 37th U. S. Infantry, to forfeit all pay and allowances, now due, or that may become due, (except the just dues of the sutler and laundress,) to be confined at hard labor, breaking stones at the Guard House at Fort Leavenworth, Kansas, under charge of a sentinel, daily for one (1) year, (Sundays excepted,) from Reveille to Retreat, one hour being allowed for dinner each day. To be kept on bread and water during the first fourteen days of each month of the last six months of his punishment, and then to be drummed out of the service.

5. . . . . *Henry L. Adkins*, Private, Musician 3rd U. S. Infantry Band, on the following charge and specification:

CHARGE:

"*Disobedience of Orders.*"

SPECIFICATION: "In this; that he, Private Henry L. Adkins, Musician 3rd U. S. Infantry Band, having been ordered by his commanding officer, 2nd Lieutenant S. W. Bonsall, 3rd U. S. Infantry, Acting Adjutant, with other musicians of the Band to perform at an officers Ball on the night of the 4th of January, 1867, did fail and neglect to be present and to obey said order. This at Fort Leavenworth, Kansas, on or about the 4th day of January, 1867."

To which charge and specification the accused pleaded as follows:

To the Specification, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, find the accused Private *Henry L. Adkins*, Musician 3rd U. S. Infantry Band, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *Henry L. Adkins*, Musician 3rd U. S. Infantry Band, to forfeit to the United

States ten (10) dollars per month of his monthly pay for one month and to be held in solitary confinement on bread and water for fourteen (14) days, at the Post Guard House at Fort Leavenworth, Kansas.

II... The proceedings, findings, and sentences, in the cases of Privates *William Connally*, Company "K," 37th U. S. Infantry, *Thomas Cowley*, Company "K," 37th U. S. Infantry, *Stephen Parks*, Company "A," 3rd U. S. Cavalry, and *Patrick Carney*, Company "C," 37th U. S. Infantry, are approved. The sentences will be duly executed.

The findings, and sentence in the case of Private *Henry L. Adkins*, Musician, Band 3rd U. S. Infantry, are disapproved. There is not sufficient evidence to prove the prisoner guilty of disobedience of orders. He was directed to play on a particular night, and there is no evidence to show that he was not ready and willing to play on that night; and it is clearly shown that the Band was not called on to play on that occasion. Again it is proven that on the next night Friday, when the Band did play the prisoner did not receive any orders from any source whatever, and from the fact of the Adjutant telling him to take charge on Thursday, and General Hoffman ordering another man to take charge on Friday night, it is a fair inference that they were separate and distinct affairs; and there is nothing in the proceedings to show a wilful intent on the part of the prisoner to disobey an order.

The prisoner will be released from confinement and restored to duty.

By command of MAJOR GENERAL HANCOCK:

W. G. MITCHELL.
Captain and Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. Lafayette Baker, Private Co. I, 7th U. S. Cavalry.
2. Albert Gordon, Private Co. H, 7th U. S. Cavalry.
3. Patrick Kindlen, Private Co. D, 7th U. S. Cavalry.
4. Patrick Maney, Private Co. D, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 24, 1867.

GENERAL ORDERS,
No. 14.

I.....Before a General Court Martial, which convened at Fort Riley, Kansas, January 8th, 1867, pursuant to Special Orders No. 5, paragraph I, Current Series, from these Headquarters, and of which Brevet Major General G. A. Custer, Lieut. Colonel 7th U. S. Cavalry, is President, were arraigned and tried:

1st.—Lafayette Baker, Private Company I, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Lafayette Baker, Private Company I, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same at Fort Riley, Kansas, on or about the 9th day of October, 1866, and did remain absent until apprehended and brought back to Fort Riley, Kansas, December 7th, 1866. Thirty (30) dollars paid for his apprehension. This at or near Fort Riley, Kansas, on or about the 9th day of October, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Lafayette Baker, Private Company I, 7th U. S. Cavalry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Lafayette Baker, Company I, 7th U. S. Cavalry, to be confined at hard labor for the period of one (1) year in the guard-house, at such Posts as his company may be serving during that time, and to forfeit all pay and allowances now due, or that may become due during the period of his punishment, except the just dues of the sutler and laundress.

2d.—Albert Gordon, Private Company H, 7th U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, the said Private Albert Gordon, H Company, 7th U. S. Cavalry, did wilfully strike Sergeant Henry Dalton, Quartermaster Sergeant of H Company, 7th U. S. Cavalry, said Sergeant Henry Dalton being then in the discharge of his duty. This at Fort Riley, Kansas, on or about the 2d day of December, 1866.

Specification 2d.—In this, that he, the said Private Albert Gordon, H Company, 7th U. S. Cavalry, did use threatening and indecent language towards Sergeant Henry Dalton, Quartermaster Sergeant of H Company, 7th U. S. Cavalry, saying: "Dalton, I will remember this against you," or words to that effect; also: "Sergeant Dalton, you shall suffer for this," or words to that effect. The said Private Albert Gordon also called the said Sergeant Henry Dalton "a God damned son of a bitch," and "a cock sucker," or words to that effect. This at Fort Riley, Kansas, on or about the 2d day of December, 1866.

To which charge and specifications the accused pleaded as follows:

To the 1st specification, ... *Guilty.*
To the 2d specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Albert Gordon, Company H, 7th U. S. Cavalry, as follows:

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Albert Gordon, Company H, 7th U. S. Cavalry, to forfeit all pay and allowances now due, except the just dues of the laundress. To forfeit fourteen (14) dollars per month of his monthly pay for three (3) months, and be confined for the same period at hard labor, under charge of the Post or Regimental guard, the last fourteen (14) days of his confinement to be placed in *solitary* confinement on bread and water.

3d.—Patrick Kindlen, Private Company D, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Patrick Kindlen, of Company D, 7th U. S. Cavalry, did assist in taking two horses, saddles and bridles complete, the property of the United States, and for which Brevet Captain E. R. Wells, 1st Lieutenant 2d U. S. Cavalry, is responsible, from the company stables, without permission from his commanding officer, and did sell or otherwise dispose of them to a citizen living near Fort Riley, Kansas, with the intention of defrauding the United States of said property. This at Fort Riley, Kansas, on or about the evening of December 15th, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Patrick Kindlen, Company D, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty,*
with the exception of the words: "and sell or otherwise."
Of the charge,.....*Guilty,*

SENTENCE.

And the Court does therefore sentence him, the said Private Patrick Kindlen, of Company D, 7th U. S. Cavalry, to forfeit all pay and allowances now due him, except the just dues of the laundress and sutler, to be confined at hard labor, under charge of the guard, at such post as his Regiment or company may be serving, for the period of five (5) months, to forfeit fourteen ($14) dollars per month of his monthly pay during this period, and to be placed in solitary confinement, on bread and water, for the last fourteen (14) days of his confinement.

4th.—Patrick Maney, Private Company D, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Patrick Maney, Company D, 7th U. S. Cavalry, did assist in taking two horses, saddles and bridles complete, the property of the United States, and for which Brevet Captain E. R. Wells, 1st Lieutenant 2d U. S. Cavalry, is responsible, from the company stables, without permission from his commanding officer, and did sell or otherwise dispose of them to a citizen living near Fort Riley, Kansas, with the intention of defrauding the United States of said property. This at Fort Riley, Kansas, on or about the evening of December 15th, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, find the accused, Private Patrick Maney, Company D, 7th U. S. Cavalry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said Private Patrick Maney, Company D, 7th U. S. Cavalry.

II.....The proceedings, findings and sentences in the cases of Privates Lafayette Baker, Company I, 7th U. S. Cavalry, Albert Gordon, Company H, 7th U. S. Cavalry, and Patrick Kindlen, Company D, 7th U. S. Cavalry, are confirmed. The sentences will be duly executed.

The proceedings and findings in the case of Patrick Maney, Company D, 7th U. S. Cavalry, are approved. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial, of which Brevet Major General G. A. Custer, Lieutenant Colonel 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

J. W. Dixon
2d Lieut. 9.

G. C. M.

George Butchofsky, member of Co. I, 8th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 24, 1867.

GENERAL ORDERS,
No. 15.

I.....Before a General Court Martial, which convened at Fort Bliss, Texas, December 20th, 1866, pursuant to Special Orders No. 78, paragraph 3, Series 1866, from these Headquarters, and of which Lieutenant Colonel Alex. Duncan, 125th U. S. C. T., is President, was arraigued and tried:

George Butchofsky, a member of Company I, 8th U. S. Infantry, on the following charge and specifications:

CHARGE—*Desertion.*

Specification 1st.—In this, that he, George Butchofsky, a member of Company I, 8th U. S. Infantry, and a duly enlisted soldier in the service of the United States, did desert said service. This at or near Fort Bliss, Texas, on or about the 29th of March, 1861.

Specification 2d.—In this, that he, George Butchofsky, a member of Company I, 8th U. S. Infantry, and a duly enlisted soldier in the service of the United States, did desert, leave or abandon said service against the commands of his superior and commanding officer. This at or near Fort Bliss, Texas, on or about the 29th of March, 1861.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, George Butchofsky, a member of Company I, 8th U. S. Infantry, as follows:

Of the 1st specification,..... *Guilty.*
Of the 2d specification,..... *Guilty,*
with the exception of the words "against the command of his superior and commanding officer."
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, George Butchofsky, a member of Company I, 8th U. S. Infantry, to forfeit all pay and allowances now due or that may become due him from the United States, except the amount of the just dues of the sutler and laundress, and to be dishonorably discharged the service of the United States.

II.....The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed.

III.....The General Court Martial, of which Lieutenant Colonel Alexander Duncan, 125th U. S. C. T., is President, is hereby dissolved.

By command of Major General HANCOCK:

W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:

J. W. Dixon

Acting Assistant Adjutant General.

G. C. M.

1. William V. Thomas, Private Co. E, 2d Batt. 17th U. S. Infantry.
2. Thomas Ransom, Private Co. A, 3d U. S. Cavalry.
3. Benjamin Hodge, Private Co. E, 3d U. S. Cavalry.
4. Morgan Finncan, Private Co. I, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, January 29, 1867.

GENERAL ORDERS,
No. 17.

1.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, January 10th, 1867, pursuant to Special Orders, No. 5, Par. 3, Current Series, from these Headquarters, of which Brevet Brigadier General Fred. Myers, Major and Q. M. U. S. Army, is President, and which re-convened January 21st, 1867, pursuant to Special Orders, No. 17, Par. 2, Current Series, from these Headquarters, were arraigned and tried:—

1st.—William V. Thomas, Private Co. E, 2d Batt. 17th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private William V. Thomas, Co. E, 17th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at Fort Leavenworth, Kansas, on or about the 7th day of November, 1866, and did remain absent until apprehended and delivered to the commanding officer at Fort Leavenworth, Kansas, on or about the 15th day of November, 1866. Thirty ($30) dollars paid for his apprehension.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty*,
but guilty of "absence without leave."
To the charge,.....*Not Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private William V. Thomas, Co. E, 2d Batt. 17th U. S. Infantry, as follows:
Of the specification, ...*Guilty*,
except the words "did desert."
Of the charge,.....*Not Guilty*,
but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private William V. Thomas, Co. E, 17th U. S. Infantry, to forfeit ten (10) dollars per month of his monthly pay for four months, and to be confined at hard labor, under charge of a guard, for two (2) months.

2d.—Thomas Ransom, Private Co. A, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Thomas Ransom, Co. A, 3d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at or near Scullyville, Indian Territory, on or about the 13th day of June, 1866, and did remain absent until apprehended and delivered to the commanding officer of Fort Smith, Arkansas, on or about the fifth day of July, 1866.

To which charge and specification the accused pleaded as follows:
To the specification,.....*Not Guilty*.
but guilty of "absence without leave."
To the charge,.....*Not Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Thomas Ransom, Company A, 3d U. S. Cavalry, as follows:
Of the specification,.....*Guilty*,
except the words, "did desert."
Of the charge,.....*Not Guilty*,
but "guilty of absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private Thomas Ransom, Company A, 3d U. S. Cavalry, to forfeit ten (10) dollars per month of his monthly pay for four months, and to be confined at hard labor under charge of a guard for two (2) months.

3d.—Benjamin Hodge, Company E, 3d U. S. Cavalry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, Private Benjamin Hodge, Company E, 3d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at or near Scullyville, Indian Territory, on or about the 12th day of June, 1866, and did remain absent until apprehended at or near Fort Smith, Arkansas, on or about the 30th day of June, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty,*
but guilty of "absence without leave."

To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Benjamin Hodge, Company E, 3d U. S. Cavalry, as follows:

Of the specification,.....*Guilty,*
except the words "did desert."

Of the charge,.....*Not Guilty,*
but guilty of "ab ence without leave."

SENTENCE.

And the Court does therefore sentence him, Private Benjamin Hodge, Company E, 3d U. S. Cavalry, to forfeit ten (10) dollars per month of his monthly pay for four (4) months and to be confined at hard labor under charge of a guard for two (2) months.

4th.—Morgan Finnean, Private Company I, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Morgan Finnean, Company I, 37th U. S. Infantry, did behave in a disorderly manner and make use of violent and improper language towards Private John Jones, Company I, 37th U. S. Infantry, with the intention and purpose of provoking said Jones to strike him, said Finnean, to wit: That while said Jones was at supper in the Company mess-room, said Private Finnean did go into the Company kitchen and bring out a large butcher knife, endeavering to conceal it behind him, and then addressed said Jones thus: "Get up and strike me; you are a white-livered (or Welch) son of a bitch," or words to that effect, and did continue to curse said Jones, calling him a Welch son of a bitch, or words to that effect, until said Jones had left the mess-room. This all at Fort Leavenworth, Kansas, on or about the 23d day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Morgan Finncan, Company I, 37th U. S. Infantry, as follows:
Of the specification,.....*Guilty,*
except the words: "endeavoring to conceal it behind him."
Of the charge,.....*Not Guilty,*
but guilty of a violation of the twenty-fourth Article of War.

SENTENCE.

And the Court does therefore sentence him, Morgan Finncan, Company I, 37th U. S. Infantry, to be reprimanded by his company commander.

II.....The proceedings, findings, and sentences in the cases of Privates William V. Thomas, Company E, 2d Battalion, 17th U. S. Infantry, and Thomas Ransom, Company A, 3d U. S. Cavalry, are approved. The sentences will be duly executed.

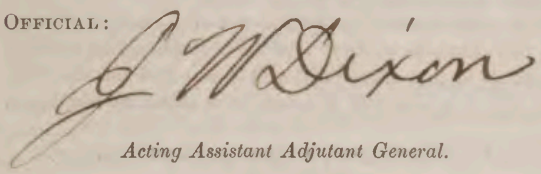
The proceedings, findings, and sentence in the case of Private Benjamin Hodge, Company E, 3d U. S. Cavalry, are approved. The Court having recommended the prisoner to the clemency of the Major General Commanding, the sentence is hereby remitted, and the prisoner will be released from confinement and returned to duty.

The proceedings, findings, and sentence in the case of Private Morgan Finncan, are disapproved. Although the Court was re-convened to correct its proceedings, and its attention called to the 24th Article of War, under which it now finds the prisoner guilty, it has entirely overlooked the punishment prescribed by it. This want of attention is considered quite inexcusable, and in consequence of it, the offender must go unpunished. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial, of which Brevet Brigadier General Fred. Myers, Major and Q. M. U. S. Army, is President, is hereby dissolved.

By command of Brevet Major General WM. HOFFMAN:
W. G. MITCHELL,
Captain and Acting Assistant Adjutant General.

OFFICIAL:



Acting Assistant Adjutant General.

G. C. M.

1. Bos Pierre, Private of Co. G, 5th U. S. Infantry.
2. Joseph Jerrard, Private Regt. Band, 5th U. S. Infantry.
3. Joseph Papoin, Private Regt. Band, 5th U. S. Infantry.
4. Antonio Large, Private Co. G, 5th U. S. Infantry.
5. John McGinness, Private Co. E, 3d U. S. Cavalry.
6. Louis Bauman, Private Co. E, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 4, 1867.

GENERAL ORDERS,
No. 18.

I.....Before a General Court Martial which convened at Fort Sumner, New Mexico, January 3d, 1867, pursuant to Special Orders No. 93, paragraph I, Series 1866, from these Headquarters, and of which Brevet Lieut. Colonel John V. DuBois, Captain 3d U. S. Cavalry, is President, were arraigned and tried:—

1st.—Bos Pierre, Private of Company G, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Bos Pierre, a Private of Company G, 5th Regt. U. S. Infantry, and a duly enlisted soldier in the service of the United States, did desert said service. This at Fort Sumner, New Mexico, on or about the 4th day of November, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Bos Pierre, Private of Company G, 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Bos Pierre, Company G, 5th U. S. Infantry, to be confined at hard labor, in charge of the guard, for the period of six (6) calendar months, to wear a ball attached to his left leg by a chain three (3) feet long for the same period, and to forfeit to the United States fourteen ($14.00) dollars of his monthly pay for the period of three (3) months.

2d.—Joseph Jerrard, Private Regimental Band, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Joseph Jerrard, Regimental Band, 5th U. S. Infantry, having duly enlisted in the service of the United States, did desert the same at Fort Sumner, New Mexico, on or about the 3d day of November, 1866, and did remain absent until apprehended and brought back on or about the 6th day of November, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Joseph Jerrard, Private Regimental Band 5th U. S. Infantry, as follows:

Of the specification, ...*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Joseph Jerrard, Regimental Band 5th U. S. Infantry, to be confined at hard labor, in charge of the guard, for the period of six (6) calendar months, to wear a ball attached to his left leg by a chain three (3) feet long, for the same period, and to forfeit to the United States fourteen ($14.00) dollars of his monthly pay for three (3) months.

3d.—Joseph Papoin, Private Regimental Band 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Joseph Papoin, Regimental Band 5th U. S. Infantry, having duly enlisted in the service of the United States, did desert the same at Fort Sumner, New Mexico, on or about the 3d day of November, 1866, and did remain absent until apprehended and brought back on or about the 6th day of November, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Joseph Papoin, Private Regimental Band 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Joseph Papoin, Private Regimental Band 5th U. S. Infantry, to be confined at hard labor, in charge of the guard, for the period of six (6) calendar months, to wear a ball attached to his left leg by a chain three (3) feet long, for the same period, and to forfeit to the United States fourteen ($14.00) dollars of his monthly pay for the period of three (3) months.

4th.—Antonio Large, Private of Company G, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Antonio Large, Private of Company G, 5th U. S. Infantry, and a duly enlisted soldier in the service of the United States, did desert said service. This at Fort Sumner, New Mexico, on or about the 4th day of November, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Antonio Large, Private of Company G, 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Antonio Large, Private of Company G, 5th U. S. Infantry, to be confined at hard labor, in charge of the guard, for the period of six (6) calendar months, to wear a ball attached to his left leg by a chain three (3) feet long, for the same period, and to forfeit to the United States fourteen ($14.00) dollars of his monthly pay for the period of three (3) months.

5th.—John McGinness, Private Company E, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification—In this, that he, John McGinness, Private Company E, 3d U. S. Cavalry, being detailed from picket to look for a stray horse, did go to Chase's Ranche and there get so drunk as to be unable to ride properly or do any other duty. This at Chase's Ranche, New Mexico, on or about the 19th day of September, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, John McGinness, Private Company E, 3d U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John McGinness, Company E, 3d U. S. Cavalry, to be confined at hard labor, in charge of the guard, for the period of three months, to be turned over to his company commander for all drills and company duties during this period of confinement.

6th.—Louis Bauman, Private Company E, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification—In this, that he, Louis Bauman, Private Company E, 3d Regt. U. S. Cavalry, being detailed from picket to look for a stray horse, did go to Chase's Ranche, and there got so drunk as to be unable to ride properly or to do other duty. This at Chase's Ranche, New Mexico, on or about the 19th day of September, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Louis Bauman, Private Company E, 3d U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Louis Bauman, Company E, 3d U. S. Cavalry, to be confined at hard labor, in charge of the guard, for the period of three months, to be turned over to his company commander for all drills and company duties during this period of confinement.

II.....The proceedings and findings in the cases of Privates Bos Pierre, Company G, 5th U. S. Infantry, Antonio Large, Company G, 5th U. S. Infantry, Joseph Papoin and Joseph Jerrard, Regimental Band 5th U. S. Infantry, are approved, and the sentences confirmed, except so much as relates to wearing a "ball and chain," which being in violation of General Orders No. 95, War Department, December 10th, 1866, is remitted. The prisoners having been recommended to the clemency of the Commander of the Department by the members of the Court, on the ground of their not understanding the English language, or the obligation of the oath of enlistment, the Brevet Major General Commanding is pleased to remit one-half the period of confinement and one-half the stoppage of pay, in each of these cases; though he is not satisfied that to accept such an excuse for the offence of desertion, is a good precedent. The remainder of the sentences will be duly executed.

The proceedings in the cases of Privates John McGinness, Company E, 3d U. S. Cavalry, and Louis Bauman, Company E, 3d U. S. Cavalry, are disapproved. The sentences are not in conformity with the 45th Article of War, which limits the punishment for "drunkenness on duty," to "corporeal punishment." The confinement must be incidental to the corporeal punishment, and not part of the sentence, as hard labor, carrying a loaded knapsack, &c., &c., the prisoner being necessarily in charge of a guard during the execution of the sentence. The prisoners will accordingly be released from confinement and returned to duty.

III.....The General Court Martial of which Brevet Lieut. Colonel John V. DuBois, Captain 3d U. S. Cavalry, is President, is hereby dissolved.

By command of Brevet Major General WM. HOFFMAN:

CHAUNCEY McKEEVER,

Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

Peter Joachim, Private, Light Battery "C," 3d U. S. Artillery.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, February 14th, 1867.

GENERAL ORDERS, NO. 21.

I. . . . . Before a General Court Martial, convened at Jefferson Barracks, Missouri, November 5th, 1866, pursuant to Special Orders, No. 55, Paragraph III, Series, 1866, from these Headquarters, and which reconvened pursuant to Special Orders No. 89, Paragraph X, Series 1866, from these Headquarters, and of which Brevet Brigadier General P. MORRISON, Colonel U. S. Army, is President, was arraigned and tried:

Peter Joachim, Private of Light Battery "C," 3d U. S. Artillery, on the following charge and specification:

CHARGE—"*Desertion.*"

Specification.—"In this; that he, *Peter Joachim*, Private of Light Battery "C," 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did absent himself from, and desert the same at Jefferson Barracks, Missouri, on or about the 15th day of November, 1866, and did remain absent till apprehended, on or about the 19th day of November, 1866, at East Saint Louis, Illinois. Thirty dollars reward paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the Specification, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, find the prisoner, Private *Peter Joachim*, Light Battery

"C," 3d U. S. Artillery, as follows:

Of the Specification,	*"Guilty."*
Of the Charge,	*"Guilty."*

SENTENCE:

And the Court does therefore sentence him, Private *Peter Joachim*, Light Battery "C," 3d U. S. Artillery, to forfeit ten (10) dollars per month of his monthly pay for six months, and to be confined at hard labor for the same period, at such place as the Commanding General of the Department may direct.

II. . . . . The proceedings, findings, and sentence in the case of Private *Peter Joachim*, Light Battery "C," 3d U. S. Artillery, are approved. The Guard House at Jefferson Barracks, Missouri, is designated as the place of confinement, and the sentence will be duly executed there.

III. . . . . The General Court Martial of which Brevet Brigadier General P. MORRISON, Colonel U S. Army, is President, is hereby dissolved.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. James O'Brien, Private, Company "E," 3d U. S. Infantry,
2. Michael Mullen, Private, Troop "B," 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, February 14th, 1867.

GENERAL ORDERS, NO. 22.

I. . . . . Before a General Court Martial, which convened at Fort Lyon, Colorado Territory, December 27th, 1866, pursuant to Special Orders, No. 92, Paragraph I, Series 1866, from these Headquarters, and of which Captain W. P. ROBESON, 7th U. S. Cavalry, is President, were arraigned and tried:

1st.—*James O'Brien*, Private, Company "E," 3d U. S. Infantry, on the following charge and specification:

CHARGE—"*Desertion.*"

Specification.—"In this; that he, Private *James O'Brien*, Company "E," 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did on or about the 18th day of September, 1866, absent himself from and desert said service, and did remain absent until apprehended (in citizens clothes) on or about the 20th day of September, 1866. This at Camp near Junction City, Kansas."

To which charge and specification the accused pleaded as follows:

To the Specification, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private *James O'Brien*, Company "E," 3d U. S. Infantry, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE.

And the Court does therefore sentence him, Private *James O'Brien*, Company "E," 3d U. S. Infantry, to be confined for six Calendar months, to forfeit all pay and allowances which are now or may become due him, until the expiration of that period, except the just dues of the laundress and sutler, and then to be dishonorably discharged the service.

2.—*Michael Mullen*, Private, Troop "B," 7th U. S. Cavalry, on the following charge and specification:

CHARGE.—"*Desertion.*"

Specification.—"In this: that he, *Michael Mullen*, Private, Troop "B," 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did absent himself and desert the same on or about the 30th day of November 1866, and remain absent until arrested, on or about the 1st day of December, 1866, some ten (10) miles from Fort Lyon, Colorado Territory, (where his troop was stationed,) concealed in a train returning to Fort Leavenworth, Kansas, by an armed party of Cavalry, sent in pursuit. This at Fort Lyon, Colorado Territory, on or about the 30th day of November, 1866."

To which charge and specification the accused pleaded as follows:

To the Specification, "*Not Guilty.*"
To the Charge, "*Not Guilty.*"

FINDING:

The Court having maturely considered the evidence adduced, finds the accused, Private *Michael Mullen*, Troop "B," 7th U. S. Cavalry, as follows:

Of the Specification, "*Guilty.*"
Of the Charge, "*Guilty.*"

SENTENCE:

And the Court does therefore sentence him, Private *Michael Mullen*, Troop "B," 7th U. S. Cavalry, to be confined for six Calendar months, and to forfeit all pay and allowances, (except the just dues of the laundress and sutler,) for the same period.

II. . . . . The proceedings, findings, and sentences in the foregoing cases of Privates *James O'Brien*, Company "E," 3d U. S. Infantry, and *Michael Mullen*, Company "B," 7th U. S. Cavalry, are approved. The sentences will be duly executed.

III. . . . . The General Court Martial, of which Captain W. P. ROBESON, 7th U. S. Cavalry, is President, is hereby dissolved.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. James F. Wilson, Private Company D, 3d U. S. Cavalry.
2. Daniel J. Sheehan, Private Company D, 3d U. S. Cavalry.
3. Michael Sullivan, Private Company D, 3d U. S. Cavalry.
4. Henry E. Fisher, Private Company D, 3d U. S. Cavalry.
5. Alfred B. Smith, Private Company D, 3d U. S. Cavalry.
6. Patrick Meehan, Private Company C, 5th U. S. Infantry.
7. James Stevens, Musician Company C, 5th U. S. Infantry.
8. Michael Leonard, Private Company C, 5th U. S. Infantry.
9. Peter Gaynor, Private Company C, 3d U. S. Cavalry.
10. John J. Lewis, Private Company D, 3d U. S. Cavalry.
11. James Dowd, Private Company C, 5th U. S. Infantry.
12. John Kelly, Artificer Company C, 5th U. S. Infantry.
13. James Trainor, Corporal Company C, 5th U. S. Infantry.
14. Ernest Snyder, Private Company I, 5th U. S. Infantry.
15. Frederick Mather, Private Company B, 3d U. S. Cavalry.
16. Hugh Burke, Private Company A, 3d U. S. Cavalry.
17. Max Kirker, Private Company A, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 18, 1867.

GENERAL ORDERS,
No. 24.

I.....Before a General Court Martial, which convened at Fort Marcy, New Mexico, January 7th, 1867, pursuant to Special Orders, Number 93, Paragraph 2, Series 1866, from these Headquarters, and of which Brevet Colonel Henry C. Bankhead, Captain 5th U. S. Infantry, is President, were arraigned and tried:

1st.—James F. Wilson, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, James F. Wilson, a Private of D Company, 3d Regiment of Cavalry, did absent himself from "Water," "Stable" and "Drill" Calls of company, and did remain absent until arrested in the town of Santa Fe, New Mexico, by 1st Sergeant Louis Plaiss, Company D, 3d U. S. Cavalry, he, said James F. Wilson, Private of Company and Regiment aforesaid, being at the time a Sergeant of Company D, 3d U. S. Cavalry. This at Fort Marcy, Santa Fe, New Mexico, on or about the 5th day of October, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, James F. Wilson, Private Company D, 3d Regiment U. S. Cavalry, did, while under arrest, escape from the guard placed over him, and go into the town of Santa Fe, New Mexico, and did remain absent until arrested, in citizen's clothing, by Sergeant Major James Mahedy, 3d Regiment U. S. Cavalry. This at Fort Marcy, New Mexico, on or about the 5th day of October, 1866.

CHARGE 3d—*Desertion.*

Specification.—In this, that he, Private James F. Wilson, Company D, 3d Regiment U. S. Cavalry, while in confinement in the guard-house at Fort Marcy, New Mexico, did desert the service of the United States, by breaking out of the guard-house aforesaid, on or about the morning of the twenty-fourth day of October, 1866, and did remain absent until about the thirty-first day of October, 1866, when he, said Private James F. Wilson, voluntarily surrendered himself. This at Fort Marcy, Santa Fe, New Mexico, on or about the 24th day of October, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*
To the specification of the 3d charge,.....*Guilty,*
except the words "did desert the service of the United States."
To the 3d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private James F. Wilson, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge, confirms his plea, and finds him .....*Guilty.*
Of the 1st charge, confirms his plea and finds him.....*Guilty.*

Of the specification of the 2d charge, confirms his plea and finds him ..... *Guilty.*
Of the 2d charge, confirms his plea and finds him..... *Guilty.*
Of the specification of the 3d charge,..... *Guilty.*
Of the 3d charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James F. Wilson, Company D, 3d U. S. Cavalry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, in charge of the guard, for the period of six (6) months, to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period.

2d.—Daniel J. Sheehan, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1*st*—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Daniel J. Sheehan, Company D, 3d U. S. Cavalry, did go into the town of Santa Fe, New Mexico, and while in a state of intoxication, enter the store of T. H. Hopkins, Post Sutler, and did use violent and threatening language to said T. H. Hopkins, and did break and injure part of the furniture of the above named store. This at Santa Fe, New Mexico, on or about the 7th day of October, 1866.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Private Daniel J. Sheehan, Company D, 3d U. S. Cavalry, while in confinement in the guard-house at Fort Marcy, New Mexico, (the station of his company,) did desert the service of the United States, by breaking out of said guard-house, on or about the 24th day of October, 1866, and did remain absent until about the 31st day of October, 1866, when he, said Private Daniel J. Sheehan, voluntarily surrendered himself. This at Santa Fe, New Mexico, on or about the 24th day of October, 1866.

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge,..... *Guilty.*
To the 1st charge,..... *Guilty.*
To the specification of the 2d charge,..... *Guilty,* except the words "desert the service of the United States."
To the 2d charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Daniel J. Sheehan, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge, confirms his plea, and finds him ..... *Guilty.*
Of the 1st charge, confirms his plea, and finds him ..... *Guilty.*
Of the specification of the 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Daniel J. Sheehan, Company D, 3d U. S. Cavalry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, in charge of the guard, for the period of six (6) months, forfeiting to the United States twelve (12) dollars per month of his monthly pay for the same period.

3d.—Michael Sullivan, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Michael Sullivan, Company D, 3d U. S. Cavalry, did absent himself without proper authority, from "Reveille," "Water," "Stable," and "Drill" Calls of his company, on or about the 5th day of October, 1866, and did remain absent until arrested in the town of Santa Fe, New Mexico, by 1st Sergeant Louis Plaiss, Company D, 3d Regiment U. S. Cavalry, he, the said Private Michael Sullivan, being at the time a Corporal of Company D, 3d U. S. Cavalry. This at Santa Fe, New Mexico, on or about the 5th day of October, 1866.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Private Michael Sullivan, Company D, 3d U. S. Cavalry, while in confinement in the guard-house at Fort Marcy, New Mexico, did desert the service of the United States, by breaking out of said guard-house, on or about the morning of the twenty-fourth day of October, 1866, and did remain absent until about the thirty-first day of October, 1866, when he, said Private Michael Sullivan, voluntarily surrendered himself. This at Fort Marcy, Santa Fe, New Mexico, on or about the 24th day of October, 1866.

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification of the 2d charge, ... *Guilty,*
except the words "did desert the service of the United States."
To the 2d charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Michael Sullivan, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge, confirms his plea and finds him.....*Guilty.*
Of the 1st charge, confirms his plea and finds him.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Michael Sullivan, Company D, 3d U. S. Cavalry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and the sutler, and to be confined at hard labor, in charge of the guard, for the period of six (6) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

4th.—Henry E. Fisher, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Henry E. Fisher, Private Company D, 3d U. S. Cavalry, did absent himself from "Water," "Stable," "Retreat," and "Tattoo" Roll Calls of his company, without proper permission. This at Fort Marcy, New Mexico, on or about the 6th day of October, 1866.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Henry E. Fisher, Private Company D, 3d U. S. Cavalry, while in confinement in the guard-house at Fort Marcy, New Mexico, (the station of his company,) did desert the service of the United States, by breaking out of said guard-house, on or about the morning of the 24th day of October, 1866, and did remain absent until about the 31st day of October, 1866, when he voluntarily surrendered himself.

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty,*
except the words "did desert the service of the United States."
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Henry E. Fisher, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge, confirms his plea, and finds him.....*Guilty.*
Of the 1st charge, confirms his plea, and finds him.....*Guilty.*

Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Henry E. Fisher, Company D, 3d U. S. Cavalry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, in charge of the guard, for the period of six (6) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

5th.—Alfred B. Smith, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Alfred B. Smith, Company D, 3d Regiment U. S. Cavalry, did absent himself from his company and post, and did go into the town of Santa Fe, New Mexico, after "Taps," on or about the night of the seventeenth day of October, 1866, without proper permission, in direct violation of Post Orders, No. 7, dated Headquarters Post of Fort Marcy, Fort Marcy, New Mexico, September 30th, 1866, he, said Private Alfred B. Smith, being at the time a Corporal of D Company, 3d Regiment U. S. Cavalry.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Private Alfred B. Smith, Company D, 3d Regiment U. S. Cavalry, while in confinement in the guard-house at Fort Marcy, New Mexico, (the station of his company,) did desert the service of the United States, by breaking out of the guard-house aforesaid, on or about the morning of the twenty-fourth day of October, 1866, and did remain absent until about the thirty-first day of October, 1866, when he voluntarily surrendered himself.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty,*
except the words "did desert the service of the United States."
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Alfred B. Smith, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*

Of the specification of the 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Alfred B. Smith, Company D, 3d U. S. Cavalry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of his desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, in charge of the guard, for the period of five (5) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

6th.—Patrick Meehan, Private Company C, 5th U. S. Infantry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, Private Patrick Meehan, Company C, 5th Infantry, U. S. A., having been duly enlisted into the service of the United States, did desert the same. This at or near Fort Wingate, New Mexico, on or about the 12th day of December, 1866.

To which charge and specification the accused pleaded as follows:
To the specification,..... *Not Guilty.*
To the charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Patrick Meehan, Company C, 5th U. S. Infantry, as follows:
Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Patrick Meehan, Company C, 5th U. S. Infantry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, in charge of the guard, for the period of five (5) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

7th.—James Stevens, Musician Company C, 5th Infantry U. S. Army, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Musician James Stevens, Company C, 5th Infantry U. S. Army, having been duly enlisted into the service of the United States, did desert the same. This at or near Fort Wingate, New Mexico, on or about the 12th day of December, 1866.

CHARGE 2d—*Stealing public property.*

Specification.—In this, that he, Musician James Stevens, Company C, 5th Infantry U. S. Army, a deserter from the service of the United States, did feloniously take from the Post of Fort Wingate, New Mexico, a Musician's sword, the property of the United States. This at or near Fort Wingate, New Mexico, and on or about the 12th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Musician James Stevens, Company C, 5th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge, confirms his plea, and finds him .....*Guilty.*
Of the 2d charge, confirms his plea, and finds him.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Musician James Stevens, Company C, 5th U. S. Infantry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and the sutler, and to be confined at hard labor, in charge of the guard, for the period of five (5) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

8th.—Michael Leonard, Private Company C, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Michael Leonard, Company C, 5th Infantry U. S. Army, having been duly enlisted as a soldier in the service of the United States, did desert the same. This at or near Fort Wingate, New Mexico, on or about the 12th day of December, 1866.

CHARGE 2d—*Stealing public property.*

Specification.—In this, that he, Private Michael Leonard, Company C, 5th Infantry U. S. Army, a deserter from the service of the United States, did feloniously take from the Post of Fort Wingate, New Mexico, a musket, the property of the United States. This at or near Fort Wingate, New Mexico, on or about the 12th day of December, 1866.

CHARGE 3d—*Enticing soldiers to desert the service of the United States.*

Specification.—In this, that he, Private Michael Leonard, Company C, 5th Infantry U. S. Army, did entice Musician James Stevens and Patrick Meehan, of Company C, 5th Infantry U. S. Army, to desert the service of the United States, stating, among other things, that he (Leonard) "knew the road to Texas, and that they could find work there." This at or near Fort Wingate, New Mexico, on or about the 2d day of December, 1866, and on or about the 12th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Michael Leonard, Company C, 5th U. S. Infantry, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge, ...*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Michael Leonard, Company C, 5th U. S. Infantry, to make good the time lost by desertion, to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and the sutler; and to be confined at hard labor, under charge of the guard, for the period of five (5) months, forfeiting to the United States ten (10) dollars per month of his monthly pay for the same period.

9th.—Peter Gaynor, Private Company C, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Peter Gaynor, Company C, 3d U. S. Cavalry, a prisoner in charge of the guard, did strike and kick Corporal James Trainor, of Company C, 5th Infantry, U. S. Army, knocking him senseless and cutting him seriously. This at Fort Wingate, New Mexico, on or about the 24th day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Peter Gaynor, Company C, 3d U. S. Cavalry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, said Private Peter Gaynor, Company C, 3d U. S. Cavalry.

10th.—John J. Lewis, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 23d section of the Act of Congress, approved March 3d, 1863, for enrolling, and calling out the national forces and for other purposes.*

Specification.—In this, that he, Private John J. Lewis, Company D, 3d U. S. Cavalry, did sell, barter, exchange or pledge clothing, furnished by the United States to Private James Stanton, Company D, 3d U. S. Cavalry. This at Santa Fe, New Mexico, on or about the 25th day of December, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private John J. Lewis, Company D, 3d U. S. Cavalry, did, on or about the night of the 25th of December, 1866, steal from the company quarters at Fort Marcy, New Mexico, a lot of clothing belonging to Private James Stanton, of the same company, and which had been issued to him (Stanton) as a part of his military equipment, and he, the said Lewis, did sell, barter, and pawn the said clothing in the town of Santa Fe, New Mexico, on or about the 25th of December, 1866, and did appropriate the proceeds of said sale, barter or pawn, to his own use.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John J. Lewis, Company D, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John J. Lewis, Company D, 3d U. S. Cavalry, to be kept in solitary confinement, on bread and water, for fourteen (14) days, and in addition, to be confined at hard labor, in charge of the guard, for two (2) months; forfeiting to the United States eight (8) dollars per month of his monthly pay, for the same period.

11th.—James Dowd, Private Company C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private James Dowd, Company C, 5th U. S. Infantry, did, without provocation, strike Corporal James Trainor, of Company C, 5th Infantry, U. S. Army, did threaten to kill the said Corporal James Trainor, and did take a musket from his quarters, as he stated, for that purpose. This at Fort Wingate, New Mexico, on or about the 24th of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private James Dowd, Company C, 5th U. S. Infantry, as follows:

Of the specification, ...*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Private James Dowd, Company C, 5th U. S. Infantry.

12th.—John Kelly, Artificer, Company C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Artificer John Kelly, Company C, 5th Infantry, U. S. Army, did, without any provocation, go behind Corporal James Trainor, of Company C, 5th U. S. Infantry, as the latter was stooping to get something from under his bunk, and did kick the said Corporal Trainor in the chest, and threaten to kill the said Corporal Trainor,

of Company C, 5th Infantry, U. S. Army. This at Fort Wingate, New Mexico, on or about the 27th day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Artificer John Kelly, Company C, 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Artificer John Kelly, Company C, 5th U. S. Infantry, to be confined at hard labor, under charge of the guard, for the period of three (3) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period.

13th.—James Trainor, Corporal Company C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Assault with intent to kill.*

Specification.—In this, that he, James Trainor, Corporal Company C, 5th U. S. Infantry, did twice shoot with a pocket revolving pistol, Private Jeremiah Scannell of Company C, 5th Infantry, U. S. Army, inflicting upon the said Scannell two dangerous wounds, one of which was capable of causing death. This at Fort Wingate, New Mexico, on or about the 24th day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty,*
except the words: "with intent to kill."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal James Trainor, Company C, 5th U. S. Infantry, as follows:

Of the specification, confirm his plea and finds him.....*Guilty.*
Of the charge, confirm his plea and finds him.....*Guilty,*
of conduct to the prejudice of good order and military discipline.

SENTENCE.

And the Court does therefore sentence him, Corporal James Trainor, Company C, 5th U. S. Infantry, to be reduced to the ranks as a private

sentinel, to be kept in solitary confinement, on bread and water, for fourteen (14) days, and in addition to be confined at hard labor, in charge of the guard, for six (6) months, forfeiting to the United States thirteen (13) dollars per month of his monthly pay for the same period.

14th.—Ernest Snyder, Private Company I, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, Ernest Snyder, Private Company I, 5th U. S. Infantry, having been detailed and in charge of the Post Bakehouse at Fort Union, New Mexico, did, in violation of the orders of the Post Treasurer and Superintendent of the Bakehouse, sell bread, being savings of flour accruing to Bakehouse, without his knowledge or authority, and did fail to render any account of said sales. This at Fort Union, New Mexico, on or about the 7th and 8th days of November, 1866.

Specification 2d.—In this, that he, Private Ernest Snyder, Company I, 5th U. S. Infantry, being detailed and on duty in charge of the Post Bakehouse at Fort Union, New Mexico, did draw from the Commissary Department, eight hundred and sixty-six pounds of flour, being savings accruing to the Bakehouse for the month of September, 1866, and did in a fraudulent manner dispose of said flour, and failed to account to the Post Treasurer and Superintendent of Bakehouse for the same. All this at Fort Union, New Mexico, on or about the 1st to 10th days of October, 1866, inclusive.

Specification 3d.—In this, that he, Private Ernest Snyder, Company I, 5th U. S. Infantry, being detailed and on duty in charge of the Post Bakehouse at Fort Union, New Mexico, did sell bread, being savings of flour accruing to the Bakehouse, and failed to turn over the amount received to the Superintendent of the Post Bakehouse, or to account to him for the same, but converted the proceeds to his own use. All this at Fort Union, New Mexico, on or about the 7th and 8th days of November, 1866.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the 3d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Ernest Snyder, Company I, 5th U. S. Infantry, as follows:

Of the 1st specification,.....*Not Guilty.*

Of the 2d specification,.....*Guilty*, except the words: "in a fraudulent manner dispose of said flour and," but attach no criminality thereto.

Of the 3d specification,.....*Not Guilty.*

Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Private Ernest Snyder, Company I, 5th U. S. Infantry.

15th.—Frederick Mather, Private Company B, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Frederick Mather, Company B, 3d U. S. Cavalry, did, on the 3d day of November, 1866, desert his company at Fort Craig, New Mexico, and did not return until apprehended on or about the 6th day of November, 1866, at Fort Seldon, New Mexico.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*

To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Frederick Mather, Company B, 3d U. S. Cavalry, as follows:

Of the specification, confirm his plea and finds him.....*Guilty.*

Of the charge, confirm his plea and finds him.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Frederick Mather, Company B, 3d U. S. Cavalry, to make good the time lost by desertion; to forfeit to the United States all pay and allowances due him at the time of desertion, except the just dues of the laundress and sutler, and to be confined at hard labor, under charge of the guard, for the period of five (5) months, forfeiting to the United States ten (10) dollars per month of his monthly pay, for the same period.

16th.—Hugh Burke, Private Company A, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Hugh Burke, Company A, 3d U. S. Cavalry, did desert his company and did not return until apprehended. This at or near Fort Bascom, New Mexico, on or about the 16th day of September, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Hugh Burke, Company A, 3d U. S. Cavalry, did desert his company and feloniously take away one pistol, the property of the United States, in possession of a fellow soldier. All this at or near Fort Bascom, New Mexico, on or about the 16th day of September, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,. .....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Hugh Burke, Company A, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty,* except the word "desert," substituting therefor the words "absent himself without leave from."

Of the 1st charge,.....*Not Guilty,* but guilty of absence without leave.

Of the specification of the 2d charge,.....*Guilty,* excepting the words: "desert his company and."

Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Hugh Burke, Company A, 3d U. S. Cavalry, to be confined at hard labor, under charge of the guard, for the period of two (2) months, and to forfeit to the United States twelve (12) dollars per month of his monthly pay for the same period.

17th.—Max Kircher, Private Company A, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Max Kircher, Company A, 3d U. S. Cavalry, did desert his company, and did not return until apprehended. All this at or near Fort Bascom, New Mexico, on or about the 16th of September, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Max Kircher, Company A, 3d U. S. Cavalry, did desert his company, and feloniously take away one pistol, the property of the United States, in possession of a fellow-soldier. All this at or near Fort Bascom, New Mexico, on or about the 16th day of September, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Max Kircher, Company A, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Guilty,* except the word "desert," and substituting therefor the words "absent himself without leave from."

Of the 1st charge,.....*Not Guilty,* but guilty of "absence without leave."

Of the specification of the 2d charge,.....*Guilty,* excepting the words "desert his company and."

Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Max Kircher, Company A, 3d U. S. Cavalry, to be confined at hard labor, under charge of the guard, for the period of two (2) months, and to forfeit to the United States twelve (12) dollars per month of his monthly pay for the same period.

II.....The proceedings, findings, and sentences, in the cases of Privates James F. Wilson, Company D, 3d U. S. Cavalry, Daniel J. Sheehan, Company D, 3d U. S. Cavalry, Michael Sullivan, Company D, 3d U. S. Cavalry, Henry E. Fisher, Company D, 3d U. S. Cavalry, Alfred B. Smith, Company D, 3d U. S. Cavalry, Patrick Meehan, Company C, 5th U. S. Infantry, Musician James Stevens, Company C, 5th U. S. Infantry, Private Michael Leonard, Company C, 5th U. S. Infantry, Artificer John Kelly, Company C, 5th U. S. Infantry, Privates Frederick Mather, Company B, 3d U. S. Cavalry, Hugh Burke, Company A, 3d U. S. Cavalry, and Max Kircher, Company A, 3d U. S. Cavalry, are approved. The sentences will be duly executed.

The proceedings and findings, in the cases of Privates Peter Gaynor, Company C, 3d U. S. Cavalry, James Dowd, Company C, 5th U. S. Infantry, and Ernest Snyder, Company I, 5th U. S. Infantry, are confirmed. The prisoners will be released from confinement, and returned to duty.

In the case of John J. Lewis, Private of Company D, 3d U. S. Cavalry, it is believed that the specification to the 1st charge should not have been laid as a violation of section 23, of the Act of Congress, approved March 3d, 1863, as it is considered that this law was intended for a different purpose. It is believed it might have been properly laid under

the 99th Article of War. It is thought, from the evidence, that the prisoner should have been found guilty of the specification of the 2d charge, and of the 2d charge. The proceedings are therefore disapproved. The prisoner will be released from confinement, and returned to duty.

In the case of James Trainor, Corporal Company C, 5th U. S. Infantry, the finding to the specification is approved. It would have been proper for the Court to have expressed, in direct terms, that they found the prisoner not guilty of the 2d charge, but guilty of "conduct to the prejudice of good order and military discipline." The intention of the Court appearing to correspond thereto, their findings are confirmed, and Corporal James Trainor, Company C, 5th U. S. Infantry, will be reduced to the ranks as a private soldier. The remainder of the sentence will be duly executed.

III.....The General Court Martial of which Brevet Colonel Henry C. Bankhead, Captain 5th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

J. W. Dixon

Acting Assistant Adjutant General.

C

G. C. M.

1. John P. Walker, 2d Lieutenant 22d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 19, 1867.

GENERAL ORDERS,
No. 25.

I.....Before a General Court Martial, convened at Fort Leavenworth Kansas, January 22, 1867, pursuant to Special Orders, Number 16, Paragraph 5, Current Series, from these Headquarters, and of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, was arraigned and tried:

1st.—Second Lieutenant John P. Walker, 22d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct unbecoming an officer and a gentleman.*

Specification 1st.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, did, in the billiard-room at the sutler's store, begin and engage in a quarrel and fight with Uriah Graff, a citizen employed in the Quartermaster's Department, and did, after having been separated from the said Uriah Graff, by parties present, without provocation renew the quarrel with said Uriah Graff, or other parties. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

Specification 2d.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, did, in the billiard-room at the sutler's store, without provocation, make use of insulting and abusive language to 1st Lieutenant G. W. Graham, 10th U. S. Cavalry, calling him a "God damned nigger son of a bitch," or something to that effect, and did, at the same time, attempt to assault the said Lieutenant Graham, and did afterwards continue to address grossly abusive and insulting language to the said Lieu-

tenant Graham. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

Specification 3d.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, did, after the occurrences recited in the preceding specification, again, without provocation, address grossly insulting and abusive language to, or towards, the said Lieutenant Graham, and did with violence, assault him, and having been separated from the said Lieutenant Graham, by officers and others present, did repeatedly renew, or try to renew, the assault; all this without provocation, and in a manner unbecoming an officer and a gentleman. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 2d—*Disobedience of the orders of his superior officer.*

Specification.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, having engaged in a quarrel, or fray, in the billiard-room at the sutler's store, and having in consequence been repeatedly ordered by his superior officer, Captain and Brevet Brigadier General W. H. Penrose, 3d U. S. Infantry, being in the execution of his office, to desist from said quarrel, or fray, and to remain quiet, did disobey, and persist in disobeying said order. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 3d—*Violation of the 27th Article of War.*

Specification.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, having engaged in a quarrel, or fray, in the billiard-room at the sutler's store, and having in consequence been ordered by his superior officer, Captain and Brevet Brigadier General W. H. Penrose, 3d U. S. Infantry, to his quarters in arrest, did refuse to obey said order, and did say to the said General Penrose, in reply: "What the hell have you to do with me? I 'll be damned if I do," or words to that effect. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 1st—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, 2d Lieutenant John P. Walker, 22d U. S. Infantry, did enter the billiard-room at the sutler's store, in the presence of officers and citizens, while in a state of intoxication. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge, the accused pleads in bar of trial as follows:—that the specification, if proved, will not sustain the charge, and therefore prays the Court to reject it for defect in being laid under that charge. It is questionable whether a quarrel with a citizen

can at any time be regarded as a military offence, for it is certain that if it result in injury to the citizen he has prompt remedy in the civil courts; but if it be allowed that in the present instance a military offence was committed, it seems certain that the facts set forth in this specification, since they allege no conduct affecting the honor of the accused, can only sustain a charge laid under the 99th Article of War. It will be noticed that the specification does not state that the accused, at any time, during the progress of the alleged quarrel with Uriah Graff, a citizen employed "in the Quartermaster's Department," behaved himself in a manner unbecoming an officer and a gentleman,—hence the gist of the offence must be supposed to lie in his having quarreled with a citizen employed in the Quartermaster's Department. As this is an incident likely to arise at almost any time in the experience of almost every officer of the service, thrown into contact with men not subject to discipline, it would be a most dangerous admission to concede that such an act constituted a dishonorable or infamous offence.

To sustain this plea, the accused refers to the decisions of the Judge Advocate General. See Holt's Digest, page 44, Chave, Art. I.

The Court being cleared, after mature deliberation, sustained the plea of the accused, and rejected the 1st specification of the 1st charge.

To the 2d specification of the 1st charge, the accused pleads in bar of trial upon the specification, a want of specification as to matter which is of prejudice to the rights of the accused, and therefore prays the Court to reject it as defective. The specification alleges that the accused called 1st Lieutenant G. W. Graham, 10th U. S. Cavalry, a "God damned nigger son of a bitch," or something to that effect. Now, there is nothing to that effect except the creature described in those words. Other words may be used to describe the same creature, and hence it is admissible in specifications to use the phrase "or words to that effect," which leaves the accused certain as to what fact is to be proved against him; but admitting the term "something to that effect," where there is nothing else to that effect, is opening the door to any epithet which may be imagined and which the accused cannot anticipate; and further, it is alleged that the accused "did afterwards continue to address grossly abusive and insulting language to the said Lieutenant Graham." This is manifestly inadmissible, since it leaves the accused no knowledge of the language he is expected to disprove; moreover, it is proper for him to know what was this language, or its effect, since, if recited, it might be competent for him to plead in bar of trial that it was not "grossly abusive and insulting;" and finally, the accused is entitled to know what was this language in order that he may be able to plead an *autrefois* convict, or acquit, if again arraigned for any portion of it, as he is liable to be while it is left thus indefinite.

The Court being cleared, after mature deliberation, sustained the plea of the accused, and the 2d specification of the 1st charge was therefore rejected.

To the 3d specification of the 1st charge, the accused pleads in bar of trial upon this specification, want of specification as to matter, to the prejudice of the rights of the accused, and therefore prays the Court to reject it as defective. The phrase "did after the occurrences recited in the preceding specification, again," is of course inadmissible, since the preceding specification supposed to have been referred to, has been rejected and thrown out by the Court; and every specification should be complete in itself. The phrase "address grossly insulting and abusive language to, or towards, the said Lieutenant Graham, and did with violence assault him," etc., etc., through the specification, is also inadmissible, as shown in the exceptions taken to the 2d specification of the 1st charge. The accused claims the right to know exactly, or to what effect, was the language used, and also in what manner he did with violence assault: first, to enable him to plead in bar of trial to said language, or to such manner of assault, if competent, or, second, to disprove the alleged language, and manner of assault, and third, to plead "*autrefois* convict, or acquit," if again arraigned for the same language or manner of assault.

The Court being cleared, after mature deliberation, sustained the plea of the accused, and the 3d specification of the 1st charge was therefore rejected.

To the 1st charge the accused pleads in bar of trial upon the charge, that there is no specification to sustain it, and therefore prays the Court to reject it.

The Court, without being cleared, sustained the plea of the accused, and the 1st charge was therefore rejected.

To the specification of the 2d charge, and to the 2d charge, the accused pleads in bar of trial upon this specification and charge, multiplication of charges, to the prejudice of the accused, and therefore prays the Court to reject the specification and the charge as defective. The specification of the 3d charge, and the 3d charge, manifestly cover all misconduct that could have taken place in the alleged efforts of Captain and Brevet Brigadier General Penrose to quell the alleged disorder, and the effort to detach portions of such alleged misconduct to form the ground-work of different charges, is evidently contrary to the spirit of justice. If a quarrel had taken place, each particular word and gesture during its progress, might, under this theory, be laid under separate charges. It is not considered necessary to place this in a clearer light. (See Holt's Digest, Charge II.)

The Court being cleared, after mature deliberation, declined to sustain the plea of the accused.

The accused then pleaded as follows:

To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*
To the specification of the 4th charge,.....*Not Guilty.*
To the 4th charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 2d Lieutenant John P. Walker, 22d U. S. Infantry, as follows:

Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*
Of the specification of the 4th charge,.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence the said 2d Lieutenant John P. Walker, 22d U. S. Infantry, to forfeit his pay proper for one (1) month. The Court is thus lenient in consideration of the loose manner, as appears from the evidence, in which Brevet Brigadier General Penrose gave his orders.

The Court directed the following to be made a part of its record:

The Court, in justice to itself, desires to invite the attention of the Major General Commanding the Department, to the extraordinary course pursued by the commanding officer of this Post, in reference to important papers called for by the Court. It is not the province of the Court to comment on this matter, as it feels that the Major General Commanding knows best how to protect the dignity and rights of a Court Martial convened by himself.

II.....The proceedings in the foregoing case having been laid before the Major General Commanding the Department of the Missouri, the following is his decision thereon:

The action of the Court in sustaining the plea of the accused in bar of trial to the 1st specification of the 1st charge, is not believed to have been in accordance with the law in the case. In the plea, it is contended that the specification, if proved, would not sustain the charge. But it would have been admissible under present decisions of the Court to have found the accused, if the specification were proved, not guilty of the charge under the 83d Article of War, but guilty of "conduct to the prejudice of good order and military discipline," under the 99th Article of War. The

question is also raised, the combat occurring with a citizen, whether this be a military offence. In this case, Mr. Graff is a military employee, and as such is subject to the Rules and Articles of War the same as if he were commissioned, and cannot be considered a citizen in that light. But even if the fray occurred with a citizen, the conduct of an officer towards him might be unbecoming an officer and a gentleman, as well as if the party were in the military service, or prejudicial to good order and military discipline, especially at a military post; and the officer might, if his conduct were suffered to pass unnoticed, be privileged to commit such offences with impunity upon this class of individuals. It is not considered that the conduct of an officer should necessarily affect his honor to make him subject to a charge laid under the 83d Article of War. An officer may be guilty, in the heat of passion, of conduct properly laid under this Article, without affecting his honor. The term "honorable," seems to relate to offences of an entirely different character. Although dishonorable conduct is "conduct unbecoming an officer and a gentleman," the converse of the proposition is not always true. It is not necessary that it should have been stated in direct terms, in the specification, that the accused behaved himself in a manner unbecoming an officer and a gentleman, when the facts stated are sufficient, if proved, to cover that charge. It is believed in this case, that the facts stated are sufficient to bring the specification under that charge. See Holt's Digest, p. 20. Benet on Courts Martial, p. 275. O'Brien on Courts Martial, p. 159. Decision of Judge Advocate General Holt, of November 15th, 1866, on question referred to him from Headquarters Department of the Missouri, November 7th, 1866. DeHart on Courts Martial, pp. 373, 374.

In the case of the plea in bar of trial, of the accused, to the 2d specification of the 1st charge, the action of the Court in sustaining the plea, is not held to be in accordance with the law in the case.

The specification seems to have been made as specific, in describing the language used by the accused, as such language could be described and recollected by persons surrounding the parties, in the heat of excitement. And there is sufficient in the specification, if proved, to make it an offence under the 83d Article of War. The onus of proving certain language is with the prosecution, and it would have been for the Court to decide after the evidence, whether the allegations were proved, or whether "something to that effect" was sufficiently proved to sustain the offensive words alleged in the specification. The authorities admit that the use of the phrase "or words to that effect," to define an offence in connection with the use of certain language, is sufficiently accurate for a specification; and it is believed that the use of the words "or something to that effect," in this case, was appropriate. See O'Brien on Courts Martial, p. 249,

paragraph beginning: "Perhaps a fair criterion," &c. DeHart on Courts Martial, p. 294.

The 3d specification should have been complete in itself, in which case the phrase "after the occurrences recited in the preceding specification" would not have become a question when the preceding specification was ruled out. The use of those words had reference only to the order in which certain events occurred, and constituted no part of the offence alleged in the specification, and might have been thrown out by the Court without affecting the validity of the specification. It is believed that the use of "grossly insulting and abusive language" towards an officer may be an offence, and could have been tried, although the exact terms in which the insult is given, be not recited. The onus of proving the words rests with the prosecution. Even had the Court thrown this out for generality, there was still sufficient left in the specification, of a specific character, to constitute an offence if proven. It is deemed better for Courts Martial to enter into the merits of a question before them, through evidence rather than to refuse to entertain charges on the ground of doubtful questions of law. It is not expected that the same accuracy should prevail military as in civil courts, and it is better to have an officer tried upon in the merits of the case, than to allow it to go by default, unless it is clear that injustice would be done the accused if tried upon the allegations as presented.

It appears in this case, that the Judge Advocate did not contest the pleas of the accused in bar of trial to the specifications above referred to. It is therefore presumed that he was either not satisfied that the specifications were correctly drawn, or that he preferred the Court to decide the questions of law, without giving advice. The Judge Advocate, in support of the former supposition, also states that he did not feel authorized to alter or amend the charges for certain reasons alleged. If the Judge Advocate believed the specifications correctly drawn, it would seem to have been an appropriate time for him to have contested the pleas of the accused. It was particularly an appropriate occasion for advice, and as there were abundant authorities on the subject, it only required time to prepare a reply, which could have been asked for, as it is well known the Judge Advocate was equal to such an occasion. The authorities are so clear that the Judge Advocate has a right to alter and amend the charges previous to arraignment, so as to make them, in his opinion, technically correct, either with or without reference to the authority ordering the Court, that it seems unnecessary to pursue the subject farther than to refer to the decisions supporting this opinion. See Benet on Courts Martial, p. 102. Holt's Digest, p. 122. O'Brien, p. 231.

In reference to the remarks made by the Court, concerning the refusal of the commander of the Post of Fort Leavenworth, who was also tempo-

rarily commanding the Department of the Missouri, to produce certain papers which were ascertained to have been in his possession, and which he had been formally summoned by the Court to produce, it is considered that the views of the Court were just and correct, and the papers called for should have been laid before them. It is believed to have been clearly established that the papers were official papers, but even if they were not, they were not of that class of papers denominated "privileged communications." The interests of the accused may or may not have been impaired by the production of these papers. The object of getting at these papers appears to have been, on the part of the accused, to question the consistency, if not indeed the veracity, of some of the witnesses for the prosecution, and in this view might have exercised an important bearing upon the defence. Although parole evidence could have been taken after the refusal to produce these papers, it would not have met the purpose of the defence, and could not have been as satisfactory as the production of the communications themselves. These papers were the statements of persons upon which the charges were based, and who were witnesses for the prosecution.

In civil courts the preliminary investigations of inferior courts are frequently used to prove conflicting evidence of witnesses, in the same case at different times. As a rule, unless it is clear that some injury to the public service may be done by producing papers, it is better that Courts Martial should be allowed the latitude as to whether papers should be produced on their summons, than that their decision should be resisted, probably to the detriment of the interests of the accused For, as a Military Court is the highest tribunal known in the service, it is better for them to protect the interests of the service, as well as the rights of the parties before them, than to permit this power to be assumed by any officer, however high may be his rank. Although conceding the facts the accused desired to prove by these papers not produced, it is still believed that sufficient was established before the Court to sustain their findings.

The finding and sentence are therefore approved. The sentence will be duly executed, and the accused, 2d Lieutenant John P. Walker, 22d U. S. Infantry, will be released from arrest and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Assistant Adjutant General.

G. C. M.

1. Charles Ball, unassigned Recruit, 38th U. S. Infantry.
2. Andrew Jackson, unassigned Recruit, 38th U. S. Infantry.
3. Sylvester Kehoe, Private Co. K, 1st U. S. Infantry.
4. Adolph Leadendorff, Private Co. C, 2d U. S. Cavalry.
5. John Riley, Recruit, 7th U. S. Cavalry.
6. Adolph Osmer, Private, Light Battery C, 3d U. S. Artillery.
7. Joseph Hennessey, 2d class Private of Detachment of Ordnance.
8. John Kennady, 2d class Private of Detachment of Ordnance.
9. James M. Gillett, Private Light Battery C, 3d U. S. Artillery.
10. Charles Schoeffter, Private Light Battery C, 3d U. S. Artillery.
11. Franklin Dustin, 2d class Private of Detachment of Ordnance.
12. Henry Tally, Lance Corporal, unassigned Recruit, 38th U. S. Infty.
13. Samuel Keith, unassigned Recruit, 38th U. S. Infantry.
14. Joseph Hennessey, 2d class Private of Detachment of Ordnance.
15. Henry Grieves, Corporal, Light Battery C, 3d U. S. Artillery.
16. Andrew Parrish, unassigned Recruit, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 20, 1867.

GENERAL ORDERS,
No. 26.

I.....Before a General Court Martial, which convened at Jefferson Barracks, Missouri, January 14th, 1867, pursuant to Special Order No. 5, Paragraph 2, Current Series, from these Headquarters, and of which Brevet Brigadier General P. Morrison, Colonel U. S. Army, is President, were arraigned and tried:

1st.—Charles Ball, unassigned Recruit for the 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Charles Ball, unassigned Recruit for the 38th Regiment U. S. Infantry, while absent without leave from his detachment, and in the city of St. Louis, Missouri, did obtain goods of the value of thirty-five ($35) dollars, more or less, under false pretences, and did, with the intention of converting the same to his own use, refuse and fail to return the goods, or any part of them, to their rightful owners. This on or about the 13th day of December, A. D. 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Charles Ball, unassigned Recruit for the 38th U. S. Infantry, as follows:

Of the specification,.....*Guilty,*
with exception of the words: "while absent without leave from his detachment."
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Charles Ball, unassigned Recruit for the 38th U. S. Infantry, to be confined, in the charge of the guard for six calendar months, at hard labor, and to forfeit to the United States ten dollars of his monthly pay on every month during the same time.

2d.—Andrew Jackson, unassigned Recruit, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Andrew Jackson, unassigned Recruit, 38th U. S. Infantry, did unlawfully obtain possession of a pair of leather gloves, the property of C. Hudson, unassigned Recruit for the same regiment, and did barter, or exchange them away for value rendered, to Private Richard Moore, unassigned Recruit for the same regiment. This at or near Jefferson Barracks, Missouri, on or about the 12th day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, unassigned Recruit Andrew Jackson, 38th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, unassigned Recruit Andrew Jackson, 38th U. S. Infantry, to be confined for thirty days, in charge of the guard, at hard labor, and to forfeit to the United States ten dollars of his monthly pay for one month.

3d.—Sylvester Kehoe, Private Company K, 1st U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Sylvester Kehoe, Company K, 1st U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert and absent himself therefrom at Jackson Barracks, Louisiana, on or about the 8th of June, 1866, and did remain absent until his voluntary surrender at Jefferson Barracks, Missouri, on or about the 8th of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Sylvester Kehoe, Company K, 1st U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Sylvester Kehoe, Company K, 1st U. S. Infantry, to be confined at hard labor, in charge of the guard, for six calendar months, and to forfeit to the United States sixteen dollars of his monthly pay on every month during the same time.

4th.—Adolph Leadendorff, Private Company C, 2d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Desertion.*

Specification 1st.—In this, that he, Private Adolph Leadendorff, Company C, 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at Monrovia, Md., on or about August 14th, 1865, and did remain absent until arrested at Jefferson Barracks, Mo., on or about October 20th, 1866.

Specification 2d.—In this, that he, Private Adolph Leadendorff, Company C, 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did enlist in Battery C, 3d U. S. Artillery, at Jefferson Barracks, Mo., September 4th, 1866.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Guilty.*
To the 2d specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirm the plea of the prisoner and finds him, Private Adolph Leadendorff, Company C, 2d U. S. Cavalry, as follows:

Of the 1st specification,.....*Guilty.*
Of the 2d specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Adolph Leadendorff, Company C, 2d U. S. Cavalry, to be confined at hard labor, in charge of the guard, for six calendar months, and to forfeit to the United States all pay which may be due him, or which may become due him during said term of six months.

5th.—John Riley, Recruit for the 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, John Riley, Recruit for the 7th U. S. Cavalry, did, while attached to Light Battery C, 3d U. S. Artillery, steal, take and carry away one (1) pair of cavalry trowsers, out of the store room of Light Battery C, 3d U. S. Artillery. This at Jefferson Barracks, Missouri, on or about the 31st day of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, John Riley, Recruit for the 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the aforesaid John Riley, Recruit for the 7th U. S. Cavalry, to be dishonorably discharged the service of the United States, and to forfeit to the United States all pay and allowances now due, or that may become due him, and to be confined in such Penitentiary as the Commanding General of the Department may designate, for the term of one year.

6th.—Adolph Osmer, Private Battery C, 3d U. S. Artillery, on the following charge and specification:

CHARGE—*Neglect of Duty.*

Specification.—In this, that he, Private Adolph Osmer, Battery C, 3d U. S. Artillery, in charge of four prisoners as guard, or sentinel, did allow two of said prisoners to escape. This at Jefferson Barracks, Missouri, on or about the 26th of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Adolph Osmer, Private Battery C, 3d U. S. Artillery, as follows:

Of the specification, ...*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Private Adolph Osmer, Battery C, 3d U. S. Artillery.

7th.—Joseph Hennessey, 2d class Private of detachment of Ordnance, stationed at St. Louis Arsenal, Missouri, on the following charge and specification:

CHARGE—*Absence without leave.*

Specification.—In this, that he, Joseph Hennessey, 2d class Private of detachment of Ordnance, stationed at St. Louis Arsenal, St. Louis, Missouri, was absent without permission from proper authority, from tattoo on the 18th of December, 1866, till three o'clock P. M., on the 20th of December, 1866. This at St. Louis Arsenal, St. Louis, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, Joseph Hennessey, 2d class Private of detachment of Ordnance, as follows:

Of the specification, ... *Guilty.*

Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, 2d class Private Joseph Hennessey, in U. S. Ordnance Department, to be confined for fifteen days in charge of the guard, and to forfeit five dollars of his monthly pay for one month.

8th.—John Kennady, 2d class Private of detachment of Ordnance, stasioned at United States Arsenal, near St. Louis, Missouri, on the following charge and specification:

CHARGE.—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, John Kennady, 2d class Private of Ordnance, stationed at St. Louis Arsenal, St. Louis, Missouri, did, between the hours of seven and eight o'clock on the evening of the 16th day of December, 1866, whilst drunk, and in one of the rooms used as company quarters, create a disturbance and conduct himself in a very disorderly manner. This at St. Louis Arsenal, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*

To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 2d class Private John Kennady, U. S. Ordnance Department, as follows:

Of the specification, ... *Not Guilty.*

Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him, John Kennady, 2d class Private of detachment of Ordnance, stationed at St. Louis, Missouri.

9th.—James M. Gillett, Private Light Battery C, 3d U. S. Artillery, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private James M. Gillett, of Light Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert the same on or about the 16th day of November, 1866, and remain absent until arrested on or about the 7th day of January, 1867. This at Jefferson Barracks, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, James M. Gillett, Light Battery C, 3d U. S. Artillery, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the aforesaid James M. Gillett, to be dishonorably discharged the service of the United States, and to forfeit to the United States all pay now due him, and to become due him, and to have his head shaved, and to be drummed out of garrison.

10th.—Charles Schoeffter, Private Light Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Charles Schoeffter, of Light Battery C, 3d U. S. Artillery, did absent himself from his company and quarters without proper authority, on or about the 10th day of December, 1866, and did remain absent until on or about the 13th day of December, 1866. This at Jefferson Barracks, Missouri.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Charles Schoeffter, of Light Battery C. 3d U. S. Artillery, did steal, take and carry away, one (1) cavalry overcoat, valued at $14.50, the property of Private James Hammond of same Battery; that he did sell or otherwise unlawfully dispose of the same for his own benefit. This at Jefferson Barracks, Missouri, on or about the 10th day of December, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Charles Schoeffter, Light Battery C, 3d U. S. Artillery, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge, ...*Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Charles Schoeffter, of Light Battery C, 3d U. S. Artillery, to be confined for one calendar month in charge of the guard, and to forfeit to the United States ten dollars of his monthly pay for one month.

11th.—Franklin Dustin, 2d class Private U. S. Ordnance Department, on the following charge and specification:

CHARGE—*Disorderly conduct, to the prejudice of good order and military discipline.*

Specification.—In this, that he, Franklin Dustin, 2d class Private of Ordnance, stationed at St. Louis Arsenal, St. Louis, Missouri, did, between the hours of seven and eight o'clock, on the evening of the 16th day of December, 1866, whilst drunk, and in one of the rooms used as company quarters, did create a disturbance, and conduct himself in a very disorderly manner, to the prejudice of good order and military discipline. This at St. Louis Arsenal, St. Louis, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification,... .....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 2d class Private Franklin Dustin, U. S. Ordnance Department, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, 2d class Private Franklin Dustin, U. S. Ordnance Department.

12th—Lance Corporal Henry Tally, unassigned recruit of 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Lance Corporal Henry Tally, unassigned recruit for the 38th U. S. Infantry, duly enlisted into the military service of the United States, did desert therefrom on or about the 25th day of December, 1866, and did remain absent until the 31st day of the same month, when he voluntarily surrendered himself. This at or near Jefferson Barracks, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification, ...*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Lance Corporal Henry Tally, unassigned recruit 38th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Lance Corporal Henry Tally, unassigned Recruit, 38th U. S. Infantry.

13th.—Samuel Keith, unassigned Recruit for the 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty to the prejudice of good order and military discipline.*

Specification.—In this, that he, Samuel Keith, an unassigned Recruit for the 38th U. S. Infantry, a duly posted sentinel of the Post guard at Jefferson Barracks, Missouri, did, through gross carelessness, allow James Gibson, unassigned Recruit for the 38th U. S. Infantry, to escape from confinement in the guard house at that Post. This at Jefferson Barracks, Missouri, on or about the 18th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Samuel Keith, unassigned Recruit 38th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Samuel Keith, unassigned Recruit 38th U. S. Infantry.

14th.—Joseph Hennessey, 2d class Private U. S. Ordnance Department, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Joseph Hennessey, a 2d class Private of the Ordnance Department, stationed at St. Louis Arsenal, St. Louis, Missouri, a duly enlisted soldier in the service of the United States, did, whilst under charge of the guard, and awaiting trial by Court Martial, escape from the guard, and desert said service, between the hours of one and two p. m. on the 14th day of January, 1867, and did remain absent until apprehended and brought back between the hours of eleven a. m.

and one p. m. on the 15th day of January, 1867. This at St. Louis Arsenal, St. Louis, Missouri.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Joseph Hennessey, 2d class Private U. S. Ordnance Department, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Joseph Hennessey, U. S. Ordnance Department, to be confined at hard labor, under charge of the guard, for six calendar months, and to forfeit to the United States ten dollars of his monthly pay, on every month during such term.

15th.—Henry Grieves, Corporal Light Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification.—In this, that he, Corporal Henry Grieves, Light Battery C, 3d U. S. Artillery, while on duty as Corporal of the police, did become so drunk as to be unable to perform his duty. This at Jefferson Barracks, Missouri, on or about the 18th day of January, 1867.

CHARGE 2d—*Absent without leave.*

Specification.—In this, that he, Corporal Henry Grieves, Light Battery C, 3d U. S. Artillery, did absent himself from his company and quarters without proper authority, from stable call (11 o'clock a. m.) and tattoo. This at Jefferson Barracks, Missouri, on or about the 19th day of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal Henry Grieves, of Light Battery C, 3d U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the aforesaid Corporal Henry Grieves, to be reduced to the ranks, and to be confined at hard labor, under charge of the guard, for one calendar month, and to forfeit ten dollars of his monthly pay during the same term.

16th.—Andrew Parrish, unassigned Recruit 38th U. S. Infantry, on the following charge and specification:

CHARGE.—*Neglect of duty.*

Specification.—In this, that he, unassigned Recruit Andrew Parrish, 38th U. S. Infantry, while on duty as a sentinel in charge of the prison room of the main guard-house at Jefferson Barracks, Missouri, did, through gross carelessness and negligence, allow a prisoner, Henry Bush, Private Light Battery C, 3d U. S. Artillery, to escape. All this at Jefferson Barracks, Missouri, on or about the 17th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Andrew Parrish, unassigned Recruit 38th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said Andrew Parrish, unassigned Recruit 38th U. S. Infantry.

II.....The proceedings, findings, and sentences in the cases of unassigned Recruits Charles Ball, 38th U. S. Infantry, Andrew Jackson, 38th U. S. Infantry, Privates Sylvester Kehoe, Company K, 1st U. S. Infantry, Adolph Leadendorff, Company C, 2d U. S. Cavalry, 2d class Private Joseph Hennessey, Detachment of Ordnance, in both cases of the last named man, Private Charles Schœffter, Light Battery C, 3d U. S. Artillery, and Corporal Henry Grieves, Light Battery C, 3d U. S. Artillery, are approved. The sentences will be duly executed, under the direction of the prisoners' commanding officer.

The proceedings, findings, and sentence in the case of Recruit John Riley, 7th U. S. Cavalry, are approved. The Penitentiary at Jefferson

City, Missouri, is designated as the place of confinement, to which place the prisoner will be conveyed under suitable guard, and turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order. The commanding officer at Jefferson Barracks, Missouri, is charged with the execution of the above order.

The proceedings and findings in the cases of Private Adolph Osmer, Light Battery C, 3d U. S. Artillery, 2d class Privates John Kennady, Detachment of Ordnance, Franklin Dustin, Detachment of Ordnance, unassigned Recruit Henry Tally, Lance Corporal 38th U. S. Infantry, unassigned Recruits Samuel Keith, 38th U. S. Infantry, and Andrew Parrish, 38th U. S. Infantry, are confirmed. The prisoners will be released from confinement and returned to duty.

The proceedings, findings, and sentence in the case of Private James M. Gillett, Light Battery C, 3d U. S. Artillery, are approved, except so much as relates to "having his head shaved," which is remitted. The remainder of the sentence will be duly executed.

III.....The General Court Martial, of which Brevet Brigadier General P. Morrison, Colonel U. S. Army, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. Zebleen Gray, Private Company F, 7th U S. Cavalry.
2. Shannon Wilson, Private Company F, 7th U. S. Cavalry.
3. Samuel Pounds, Private Company E, 37th U. S. Infantry.
4. Daniel O'Simmonds, Private Company E, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 20, 1867.

GENERAL ORDERS,
No. 27.

I.....Before a General Court Martial, which convened at Fort Harker, Kansas, January 3d, 1867, pursuant to Special Orders, No. 105, Par. 4, Series 1866, from these Headquarters, and of which Brevet Major General A. Gibbs, Major 7th U. S. Cavalry, is President, were arraigned and tried:—

1st.—Zebleen Gray, Private Company F, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Zebleen Gray, Company F, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same at Fort Riley, Kansas, on the 17th day of September, 1866, and did remain absent until apprehended and brought back on the 26th day of September, 1866. This at or near Fort Riley, Kansas, on or about the dates above mentioned.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Zebleen Gray, Company F, 7th U. S. Cavalry, to forfeit all pay and allowances that are due, or may become due him, (except such clothing as may be authorized by the commanding officer of the Post, and except the just dues of the laundress and sutler,) to be confined at hard labor in charge of the guard for six months, and then to be dishonorably discharged and trumpeted out of the service.

2nd.—Shannon Wilson, Private Company F, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Shannon Wilson, Company F, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same on the 17th day of September, 1866, and did remain absent until apprehended and brought back, September 26th, 1866.

This at or near Fort Riley, Kansas, on or about the dates above mentioned.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Shannon Wilson, Company F, 7th U. S. Cavalry, to forfeit all pay and allowances now due or that may become due him, (except such clothing as may be authorized by the commanding officer of the Post, and except the just dues of the laundress and sutler,) to be confined at hard labor in charge of the guard, for six months, and then to be dishonorably discharged and trumpeted out of the service.

3d.—Samuel Pounds, Private Company E, 37th U. S. Infantry, (formerly Company E, 3d Battalion, 19th U. S. Infantry,) on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification.—In this, that he, the said Samuel Pounds, Private Company E, 37th U. S. Infantry, who was duly detailed as a camp guard, and duly posted as a sentinel over the camp and wagons of a detachment of the 19th U. S. Infantry, was found under a wagon asleep, by 1st Lieutenant F. D. Baldwin, 37th U. S. Infantry, between the hours of two and four A. M., on or about the 7th day of November, 1866, while en route from Fort Riley, Kansas, to Fort Ellsworth, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Samuel Pounds, Company E, 37th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Samuel Pounds, Company E, 37th U. S. Infantry, to be confined at hard labor, in charge of the guard, for three months, and to forfeit fifteen (15) dollars of his monthly pay for the same period.

4th.—Daniel O'Simmonds, Private Company E, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private Daniel O'Simmonds, Company E, 37th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the sixth day of September, 1866, and did remain absent until the 8th day of September, 1866, when apprehended within twenty-five or thirty miles of Jacksonport, Arkansas. This at or near Jacksonport, Arkansas, on or about the dates above mentioned.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Daniel O'Simmonds, Company E, 37th U. S. Infantry, did, on or about the sixth day of September, 1866, take from the government stable at Post Jacksonport, Arkansas, one mule, saddle and bridle, the property of the United States, and for which 1st Lieutenant F. D. Baldwin, 19th U. S. Infantry, was responsible.

This at or near Jacksonport, Arkansas, on or about the dates above mentioned.

To which charges and specifications the prisoner pleaded as follows:
To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Daniel O'Simmonds, Company E, 37th U. S. Infantry, (formerly Company E, 3d Battalion, 19th U. S. Infantry,) as follows:
Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge, confirms the plea of the prisoner and finds him.....*Guilty.*
Of the 2d charge, confirms the plea of the prisoner and finds him *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Daniel O'Simmonds, Company E, 37th U. S. Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundress and sutler, and at the expiration of his sentence to be discharged and drummed out of service.

II.....The proceedings, findings and sentences in the cases of Privates Zebleen Gray, Company F, 7th U. S. Cavalry, Shannon Wilson, Company F, 7th U. S. Cavalry, Samuel Pounds, Company E, 37th U. S. Infantry, and Daniel O'Simmonds, Company E, 37th U. S. Infantry, are approved. The sentences will be duly executed.

III.....The General Court Martial, of which Brevet Major General A. Gibbs, Major 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. Private Josephus Shaw, Co. D, 3d U. S. Cavalry.
2. Private Daniel Coughlin, Co. D, 3d U. S. Cavalry.
3. Private Henry Schloss, Co. D, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 20, 1866.

GENERAL ORDERS,
No. 28.

I.....Before a General Court Martial which convened at Fort Marcy, New Mexico, January 27th, 1867, pursuant to Special Orders, No. 8, Par. 7, current series, and of which Brevet Colonel Herbert M. Enos, Capt. A. Q. M., U. S. A., is President, were arraigned and tried:—

1st.—Josephus Shaw, Private Company D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE — *Violation of the 46th Article of War.*

Specification.—In this, that he, Josephus Shaw, a Private of Company D, 3d Regiment U. S. Cavalry, being at the time a sentinel, posted at the Post corral, Fort Marcy, New Mexico, was found sleeping on his post. All this at Fort Marcy, New Mexico, on the night of the 15th day of December, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification of the charge,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirmed the plea of the prisoner, and finds him as follows:

Of the specification to the charge, ... *Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Josephus Shaw, Company D, 3d U. S. Cavalry, to be confined at hard labor in charge of the guard, for the period of six months, fourteen days of which time he is to be in solitary confinement on bread and water; and to forfeit thirteen dollars per month, of his monthly pay for the period of six months.

2d.—Daniel Coughlin, Private Co. D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, Daniel Coughlin, a Private of Company D, 3d Regiment U. S. Cavalry, did, while a member of the guard, at Fort Marcy, New Mexico, become so drunk as to be totally unfit to perform his duty. All this at Fort Marcy, New Mexico, on or about the 5th day of December, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification of the charge,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

And the Court after maturely considering the evidence adduced, confirmed the plea of the prisoner, and finds him as follows:

Of the specification to the charge, ... *Guilty.*
Of the charge,..... .....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Daniel Coughlin, of Company D, 3d U. S. Cavalry, to be confined in charge of the guard, for the period of six months, fourteen days in each alternate month of which time, he shall be in solitary confinement on bread and water. The Court is thus lenient on account of the conduct of the Sergeant of the guard, as appears in evidence.

3d.—Henry Schloss, Private Co. D, 3d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that Private Henry Schloss, Company D, 3d U. S. Cavalry, did, during the month of October, 1866, steal, or otherwise improperly get possession of, one revolving pistol belonging to the United States, and did pawn the said pistol with a pawnbroker in the town of Santa Fe, New Mexico.

Specification 2d.—In this, that Private Henry Schloss, Company D, 3d U. S. Cavalry, while performing the duty of company clerk of his company, did steal, or otherwise improperly get possession of, three revolving pistols belonging to the United States, and did pawn, or procure to be

pawned, the said pistols. This at Santa Fe, New Mexico, between the 1st and 31st of December, 1866.

To which charge and specifications the prisoner pleaded as follows:

To the 1st specification of the charge,.....*Guilty*, except the word "steal."

To the 2d specification of the charge,.....*Guilty*. except the word "steal."

To the charge,.....*Not Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner as follows:

Of the 1st specification of the charge, confirms his plea and finds him.....*Guilty*, except the word "steal."

Of the 2d specification of the charge, confirms his plea and finds him.....*Guilty*, except the word "steal."

Of the charge,.....*Guilty*.

SENTENCE.

And the Court does therefore sentence him, Private Henry Schloss, Company D, 3d U. S. Cavalry, to be confined at hard labor under charge of the guard, for the period of six months, of which time fourteen days of each alternate month shall be solitary confinement on bread and water; and to forfeit fourteen dollars per month, of his monthly pay during the period of his confinement.

II.....The proceedings, findings, and sentences in the cases of Privates Josephus Shaw, Co. D, 3d U. S. Cavalry, Daniel Coughlin, Co. D, 3d U. S. Cavalry, and Henry Schloss, Co. D, 3d U. S. Cavalry, are approved. The sentences will be duly executed.

III.. ...The General Court Marital of which Brevet Colonel Herbert M. Enos, Capt. A. Q. M., U. S. A., is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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John B. Guthrie, 2d Lieutenant 13th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 26, 1867.

GENERAL ORDERS,
No. 30.

I.....Before a General Court Martial, convened at Fort Leavenworth Kansas, January 22, 1867, pursuant to Special Orders, Number 16, Paragraph 5, Current Series, from these Headquarters, and of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, was arraigned and tried:

Second Lieutenant John B. Guthrie, 13th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct unbecoming an officer and a gentleman.*

Specification 1st.—In this, that he, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, did, in the billiard-room at the sutler's store, begin and engage in a quarrel and fight with Uriah Graff, a citizen employed in the Quartermaster's Department, and did strike the said Uriah Graff on the head several times, with a billiard cue, repeating the blows until the cue was broken, to the serious injury of the said Uriah Graff; and having been separated from the said Uriah Graff, by officers, and others present, did, without provocation, renew the assault, and continue it until forcibly required to desist by parties present. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

Specification 2d.—In this, that he, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, after the occurrences recited in the preceding specification, did, without provocation, make use of grossly insulting and abusive language to, or towards 1st Lieutenant G. W. Graham, 10th U. S. Cavalry,

and the said Uriah Graff, and did continue to do so for some ten or fifteen minutes; and did further, on the return of the said Lieutenant G. W. Graham, to the room, after a few minutes absence, encourage and incite 2d Lieutenant John P. Walker, 22d U. S. Infantry, to attack said Lieutenant G. W. Graham, and did take part, or try to take part, in said assault. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 2d—*Disobedience of the orders of his superior officer.*

Specification.—In this, that he, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, having engaged in a quarrel, or fray, in the billiard-room at the sutler's store, and having in consequence been repeatedly ordered by his superior officer, Captain and Brevet Brigadier General W. H. Penrose, 3d U. S. Infantry, being in the execution of his office, to desist from said quarrel, or fray, and to remain quiet, did disobey, and persist in disobeying said order. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 3d—*Violation of the 27th Article of War.*

Specification.—In this, that he, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, having engaged in a quarrel, or fray, in the billiard-room at the sutler's store, and having in consequence been ordered by his superior officer, Captain and Brevet Brigadier General W. H. Penrose, 3d U. S. Infantry, to his quarters in arrest, did refuse to obey said order. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

CHARGE 4th—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, did enter the billiard-room at the sutler's store, in the presence of officers and citizens, while in a state of intoxication. This on or about the night of the 16th of January, 1867, at Fort Leavenworth, Kansas.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge, the accused pleads in bar of trial upon this specification, that the specification, if proved, will not sustain the charge, and therefore prays the Court to reject it for defect in being laid under that charge. It is questionable whether a quarrel with a citizen can at any time be regarded as a military offence, for it is certain that if it result in injury to the citizen he has prompt remedy in the civil courts; but if it be allowed that in the present instance a military offence was committed, it seems certain that the facts set forth in this specification, since they allege no conduct affecting the honor of the accused, can only sustain a charge laid under the 99th Article of War. The gist of the

offence must be supposed to lie in the fact that the accused quarreled with a citizen employed in the Quartermaster's Department. As this is an incident likely to arise at almost any time in the experience of almost every officer in the service, thrown into contact with men not subject to discipline, it would be a most dangerous admission to concede that such an act constituted a dishonorable or infamous offence.

The Court sustained the plea of the accused.

To the 2d specification of the 1st charge, the accused pleads in bar of trial upon this specification, want of specification as to matter to the prejudice of the rights of the accused, and therefore prays the Court to reject it as defective.

The phrase "did, after the occurrences recited in the preceding specification," is of course inadmissible, since the preceding specification is rejected; and every specification should be complete in itself. And the phrases: "did, without provocation make use of grossly abusive and insulting language to or towards 1st Lieutenant G. W. Graham, 10th U. S. Cavalry, and the said Uriah Graff," and "did continue to do so for some ten or fifteen minutes," and "did further, on the return of the said Lieutenant Graham to the room, after a few minutes' absence, encourage and incite 2d Lieutenant J. P. Walker, 22d U. S. Infantry, to attack said Lieutenant Graham, and take part, or try to take part, in said assault," are also inadmissible. The accused claims the right to know exactly, or to what effect, was the language used, and also in what manner he did incite 2d Lieutenant J. P. Walker, 22d U. S. Infantry, to attack said Lieutenant G. W. Graham; first, to plead in bar of trial to such language, or to such manner of inciting to assault, if competent; second, to disprove the alleged language, and manner of inciting to assault; and, third, to plead *autrefois convict*, or *acquit*, if again arraigned for the same language or manner of inciting to assault.

The Court sustained the plea of the accused.

To the 1st charge the accused pleads in bar of trial upon this charge, that there is no specification to sustain it, and therefore prays the Court to reject it.

The Court sustained the plea of the accused.

To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*
To the specification of the 4th charge,.....*Not Guilty.*
To the 4th charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, as follows:

Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*
Of the specification of the 4th charge,.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said 2d Lieutenant John B. Guthrie, 13th U. S. Infantry, to forfeit his monthly pay proper for one (1) month. The Court is thus lenient on account of the loose manner, as shown by the evidence, in which the order to desist from the affray, was given to the accused.

II.....The proceedings in the foregoing case having been laid before the Major General Commanding the Department of the Missouri, the following is his decision thereon:

The two specifications to the 1st charge: "conduct unbecoming an officer and a gentleman," are similar in character to those which supported the same charge laid against Lieutenant J. P. Walker, 22d U. S. Infantry, tried before this Court. The accused pleads in bar of trial to the specifications, and to the charge, substantially the same pleas as those made by Lieutenant Walker, and the ruling of the Department Commander, upon the pleas made in his case, apply with equal force to the case now under consideration.

Having the fate of the charge and specifications against Lieutenant Walker, which were ruled out by the Court, before him, the Judge Advocate failed to amend the charges and specifications against Lieutenant Guthrie, before proceeding to trial, although the same objections held in the latter, as in the former case—nor did he make any defence against the pleas, nor remarks concerning them. It is presumed that the reasons therefor, were that he believed he had no right to amend the charges, after he had received them from the authority convening the Court, as set forth in his statement in the case of Lieutenant Walker.

As the remarks in Lieutenant Walker's case had not been published, previous to the trial of Lieutenant Guthrie, it need only be said in this connection, that, as the Judge Advocate was the public prosecutor, it is difficult to understand why, when he knew that similar specifications were rejected by the Court in Lieutenant Walker's case, for want of specification, he could have allowed the specifications in the case of Lieutenant

Guthrie to be laid before the Court, without transmitting them to the Headquarters of the Department, from which he received them, calling attention to their defects if he so considered, and believed that he himself had no authority to modify them, so as to make them technically correct.

The findings upon the charges tried by the Court are approved. The sentence is approved, and will be duly executed.

III.....The General Court Martial, of which Brevet Major General D. S. Stanley, Colonel 22d U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, February 28, 1867.

GENERAL ORDERS,
No. 33.

The action of the following Garrison Courts Martial having been laid before the Major General commanding, the following are his actions thereon:

I.....The proceedings, findings, and sentence in the case of Sergeant Frederick Bowers, Company I, 3d U. S. Infantry, tried for "Disobedience of orders," by a Garrison Court Martial, convened at Fort Lyon, Colorado Territory, by virtue of Special Orders, No. 96, are disapproved. General Courts Martial alone have the power to try under this charge. (See Benet, page 42, Art. 9.) The accused will be restored to his position as Sergeant.

II.....The proceedings in the case of Bugler Alfred Latham, Company B, 3d U. S. Cavalry, tried by a Garrison Court Martial, convened at Fort Craig, New Mexico, by virtue of Special Orders, No. 6, for "Theft," are disapproved. This charge cannot be tried by a Garrison Court. The charge should have been: "Conduct prejudicial to good order and military discipline," and tried before a General Court, as if the theft had been proven. A Garrison Court could not have given an adequate punishment. The acquittal is approved.

III.....The proceedings and findings in the case of Ned Dorsey, unassigned Recruit, 38th U. S. Infantry, tried before a Garrison Court Martial, convened at Jefferson Barracks, Missouri, by virtue of Special Orders No. 16, are null and void, the record not showing that the Court was "duly" sworn. (See Holt's Digest, page 237.)

IV.....The proceedings, findings, and sentences in the cases of the following named men, tried by a Garrison Court Martial, convened at Fort Leavenworth, Kansas, in pursuance of General Orders, No. 55, are fatally defective, the Court having failed to complete the record in each case:

Case 2. Private Lawrence Kennedy, Co. C, 19th U. S. Infantry.
Case 4. Private James Donoghue, Light Co. B, 4th U. S. Artillery.

Case 5. Lance Corporal Thomas C. Cosgrove, Co. K, 1st Batt., 13th U. S. Infantry.

Case 6. Private John T. Gordon, Co. I, 3d Batt., 19th U. S. Infantry.

Case 7. Private Henry D. Smithurst, Co. I, 19th U. S. Infantry.

Case 8. Private John Smith, Light Co. B, 4th U. S. Artillery.

Case 9. Private Selig Freitag, Co. H, 3d Batt., 19th U. S. Infantry.

Case 10. Private Benjamin F. Chase, Co. I, 3d Batt., 13th U. S. Infantry.

Case 12. Private William Bishop, Co. K, 3d Batt., 19th U. S. Infantry.

Case 13. Private James Reilly, Co. K, 3d Batt., 19th U. S. Infantry.

Case 14. Private Francis McCoy, Co. K, 3d Batt., 19th U. S. Infantry.

Case 16. Private Robert R. Low, Co. I, 1st Batt., 13th U. S. Infantry.

Case 17. Lance Sergeant John W. Elliott, Co. I, 1st Batt., 13th U. S. Infantry.

Case 18. Lance Corporal William H. Mott, Co. I, 1st Batt., 13th U. S. Infantry.

Case 19. Lance Sergean: Frederick S. Morgan, Co. K, 3d Batt., 19th U. S. Infantry.

Case 20. Private John Henry, Co. K, 1st Batt., 13th U. S. Infantry.

Case 21. Private Martin Hart, Co. H, 3d Batt., 19th U. S. Infantry.

Case 22. Private Owen Cummings, Co. H, 3d Batt., 19th U. S. Infantry.

Case 23. Private Jerry Marley, Co. H, 3d Batt., 19th U. S. Infantry.

Case 24. Private Charles Patoin, Co. I, 3d Batt., 13th U. S. Infantry.

Case 25. Lance Corporal James Cook, Co. I, 3d Batt., 13th U. S. Infantry.

Case 26. Private Michael Curley,, Co. I, 3d Batt., 13th U. S. Infantry.

Case 27. Private John Bourke, Co. C, 3d Batt., 19th U. S. Infantry.

Case 28. Sergeant Axel M. Day, Co. C, 3d Batt., 19th U. S. Infantry.

Case 29. Private John Scott, Co. C, 3d Batt., 19th U. S. Infantry.

Case 30. Private Thomas Kelly, Co. C, 3d Batt., 19th U. S. Infantry.

Case 31. Private Philip Murphy, Co. I, 3d Batt., 19th U. S. Infantry.

Case 33. Lance Sergeant Henry Oakland, Co. I, 3d Batt., 19th U. S. Infantry.

Case 35. Private Gottfried Schuman, Co. A, 3d Batt., 19th U. S. Infantry.

Case 37. Private Edward Murray, Co. H, 3d Batt., 19th U. S. Infantry.

Case 38. Private John Hubert, Co. H, 3d Batt., 19th U. S. Infantry.

The following errors occur in the record, which Judge Advocate General Holt, in his digest, designates as fatal to the proceedings: it does not

show how many members were present and took part in the trial. Page 202, par. 9. The record merely states "the Court being in session proceeded," &c.; it does not sufficiently set forth the organization of the Court. Par. 10. The record in several of the days of trial shows only that the Court "met and proceeded with the trial," &c., without setting forth how many members were present at the opening of the Court. Par. 11. The record does not show that the Court convened pursuant to the order constituting it, nor how many and what members were present. These defects cannot be supplied by a reference to the record of another case, tried earlier on the same day, from which it *does* appear that the Court was once properly organized on that day. *Each record must be complete in itself.* Par. 12.

The sentences of the above named men are therefore inoperative, null and void, and are hereby revoked.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, March 1st, 1867.

GENERAL ORDERS, }
No. 34. }

Upon the recommendation of their Company and Post Commanders, the unexpired portion of the sentences in the cases of Lance Corporal John McCoy and Private Patrick Byrnes of Company "K," 3rd Battalion 19th U. S. Infantry, promulgated in General Orders No. 34 from these Headquarters, dated December 29th, 1866, is hereby remitted. They will be released from confinement, and returned to duty.

The Major General Commanding trusts that the leniency thus shown these prisoners, will hereafter deter them from a repetition of like offences during their term of service.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

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1. John Evans, Private Co. I, 5th U. S. Infantry.
2. Daniel Gillen, Sergeant Co. I, 5th U. S. Infantry.
3. Charles McBeth, Corporal Co. I, 5th U. S. Infantry.
4. George Self, Private Co. I, 5th U. S. Infantry.
5. John Remmington, Corporal Co. I, 5th U. S. Infantry.
6. Frederick Stanley, Private Co. D, 3d U. S. Cavalry.
7. John Fisher, Private Co. G, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 8, 1867.

GENERAL ORDERS,
No. 36.

I.....Before a General Court Martial, which convened at Fort Union, New Mexico, January 25th, 1867, pursuant to Special Orders No. 8, Paragraph 8, Current Series, from these Headquarters, and of which Brevet Colonel E. G. Marshall, Major 5th U. S. Infantry, is President, were arraigned and tried:

1st.—John Evans, Private Company I, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private John Evans, Company I, 5th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same, while en route to New Mexico, on or about the 7th day of July, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, John Evans, Private Company I, 5th U. S. Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Evans, Company I, 5th U. S. Infantry, to be confined at hard labor, under charge of the guard, for six (6) months, to forfeit all pay and allowances that are or may become due him, except the just dues of the sutler and laundress, and at the end of the six months to be branded on the left hip with the letter "D" one and a half inches long, and be drummed out of the service.

2d.—Sergeant Daniel Gillen, Company I, 5th U. S. Infantry, on the following charge and specification:

CHARGE.—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Sergeant Daniel Gillen, Company I, 5th U. S. Infantry, Acting Quartermaster Sergeant, Fort Union, New Mexico, did, without permission from proper authority, attempt to take from the Post at Fort Union, New Mexico, one team, the property of the United States, and for which 2d Lieutenant Granville Lewis, 5th U. S. Infantry, Acting Assistant Quartermaster, is responsible. All this at or near Fort Union, New Mexico, on or about the 5th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Sergeant Daniel Gillen, Company I, 5th U. S. Infantry, Acting Quartermaster Sergeant, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Sergeant Daniel Gillen, Company I, 5th U. S. Infantry, Acting Quartermaster Sergeant, to be reduced to the ranks as a private sentinel.

3d.—Corporal Charles McBeth, Company I, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Disobedience of orders.*

Specification.—In this, that he, Corporal Charles McBeth, of Company I, 5th U. S. Infantry, being properly detailed for guard by his 1st Ser-

geant, Jacob Shanks, Company I, 5th U. S. Infantry, did positively refuse to go on guard, and stated that "he would not mount guard with Corporal Koziele," or words to that effect, the said Corporal Koziele belonging to Company I, 5th U. S. Infantry. All this at Fort Union, New Mexico, on or about the 8th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Corporal Charles McBeth, Company I, 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Corporal Charles McBeth, Company I, 5th U. S. Infantry, to be reduced to the ranks as a private sentinel, and to be confined, in charge of the guard, for the period of three (3) months, forfeiting to the United States twelve (12) dollars of his monthly pay per month, for the same period.

4th.—George Self, Private Company I, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he Private George Self, Company I, 5th U. S. Infantry, did, forcibly or otherwise, enter a store-room and abstract therefrom certain articles of clothing, camp and garrison equipage, for which 2d Lieutenant Granville Lewis, 5th U. S. Infantry, A. A. Q. M., is responsible. This at or near Fort Union, New Mexico, on or about the 5th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, George Self, Private Company I, 5th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said George Self, Private Company I, 5th U. S. Infantry.

5th.—Corporal John Remmington, Company I, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, Corporal John Remmington, of Company I, 5th U. S. Infantry, did, while in a state of intoxication, forcibly enter the house of Patrick Wan, a citizen employed in the Subsistence Department at Fort Union, New Mexico, and by his violent conduct compel the inmates to leave the premises for safety. All this at Fort Union, New Mexico, on or about the 22d of December, 1866.

Specification 2d.—In this, that he, Corporal John Remmington, of Company I, 5th U. S. Infantry, did, while in a state of intoxication, commit an assault on Corporal Lewis Gensler, of Company I, 5th U. S. Infantry, by knocking him down and kicking him. This at Fort Union, New Mexico, on or about the 1st day of January, 1866.

Specification 3d.—In this, that he, Corporal John Remmington, of Company I, 5th U. S. Infantry, did use disrespectful language towards his commanding officer, Brevet Colonel Henry C. Bankhead, Captain 5th U. S. Infantry, in words, to wit: "Colonel Bankhead is a damned fool to appoint a theif as Quartermaster Sergeant." This at Fort Union, New Mexico, on or about the 22d day of December, 1866.

To which charge and specifications the accused pleaded as follows:

To the 3d specification,..... *Not Guilty.*

To the 2d specification,..... *Not Guilty.*

To the 1st specification,..... *Guilty.*

except the words "forcibly," "and by his violent conduct compel the inmates to leave the premises."

To the charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal John Remmington, Company I, 5th U. S. Infantry, as follows:

Of the 1st specification,..... *Guilty.*

except the words: "forcibly," and "violent conduct."

Of the 2d specification,..... *Guilty.*

Of the 3d specification,..... *Guilty.*

Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Corporal John Remmington, Company I, 5th U. S. Infantry, to be reduced to the ranks as a private sentinel, to be confined at hard labor, under charge of the guard, for two (2) months, and to forfeit to the United States ten (10) dollars of his monthly pay for two (2) months.

6th.—Frederick Stanley, Private Company D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Frederick Stanley, a Private of D Company, 3d U. S. Cavalry, did, while absent on detached service, and while away on duty from his detachment, get so intoxicated as to be unfit for duty. This on or about the 17th day of January, 1867, while escorting a government train en route from Fort Sumner, New Mexico, to Fort Union, New Mexico.

To which charge and specification the accused pleaded as follows:

To the specification,..... *Not Guilty.*
To the charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Frederick Stanley, Private Company D, 3d U. S. Cavalry, as follows:

Of the specification, ... *Not Guilty.*
Of the charge,..... *Not Guilty.*

And the Court does therefore acquit him, the said Frederick Stanley, Private Company D, 3d U. S. Cavalry.

7th.—John Fisher, Private Company G, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification.—In this, that he, Private John Fisher, Company G, 3d U. S. Cavalry, having been detailed for detached service, with Sergeant Walter Armstrong, Company G, 3d U. S. Cavalry, was so drunk as to be unfit to perform the duties of a soldier.

CHARGE 2d—*Conduct prejudicial to good order and military discipline, in violation of the 99th Article of War.*

Specification.—In this, that he, the said Private John Fisher, Company G, 3d U. S. Cavalry, did strike with his fist, and otherwise abuse Sergeant Walter Armstrong, while he, the said Sergeant Armstrong, was in the execution of his duty as a non-commissioned officer. All this at or near the Post of Fort Union, New Mexico, on or about the 22d day of November, 1866.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,..... *Not Guilty.*
To the 1st charge,..... *Not Guilty.*
To the specification of the 2d charge,..... *Not Guilty.*
To the 2d charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private John Fisher, Company G, 3d U. S. Cavalry, as follows:

Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said John Fisher, Private Company G, 3d U. S. Cavalry.

II.....The proceedings, findings and sentences in the foregoing cases of Sergeant Daniel Gillen, Corporal John Remmington, and Corporal Charles McBeth, all of Company I, 5th U. S. Infantry, are approved and confirmed, and will be carried into effect. The words "reduced to the ranks," are sufficiently explicit, without adding the words "as a private sentinel."

In the cases of Privates George Self, Company I, 5th U. S. Infantry, Frederick Stanley, Company D, 3d U. S. Infantry, and John Fisher, Company G, 3d U. S. Infantry, the proceedings and findings are approved. The prisoners will be released from confinement and returned to duty.

These cases, as shown by the record, seem to have been very loosely tried. The Judge Advocate should, in every case, have examined critically the charges and specifications sent to him for trial, and if incorrect in form, or deficient in any way, he should have corrected them before the arraignment of the prisoner; he should also be assured that he had sufficient evidence, on the part of the prosecution, to make a case, before he proceeds to trial.

In the case of Private John Evans, Company I, 5th U. S. Infantry, the proceedings, finding and sentence are disapproved. The record does not contain a copy of the order convening the Court, which is fatal to the validity of the sentence; and that part of the sentence which refers to branding, is illegal and void, not being in conformity with General Orders No. 4, War Department, Adjutant General's Office, of January 14th, 1867. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial, of which Brevet Colonel E. G. Marshall, Major 5th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W. Chandler.

Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, March 12th, 1867.

GENERAL ORDERS,
NO. 37.

The unexpired portion of the sentence in the case of *William Babcock*, late private Company "K," 10th United States Infantry, promulgated in General Orders No. 42, Headquarters Department of the Missouri, 1st Series of 1866, is hereby remitted: he will be released from confinement at the *Penitentiary*, Jefferson City Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W. S. Mitchell
Capt. *Acting Assistant Adjutant General.*

G. C. M.

1. James Donoghue, Private Battery B, 4th U. S. Artillery.
2. Alonzo McDugal, Private Battery B, 4th U. S. Artillery.
3. Dennis Murphy, Private Battery B, 4th U. S. Artillery.
4. George E. Kingston, Sergeant Co. G, 37th U. S. Infantry.
5. Henry Bellard, Private Co. G, 37th U. S. Infantry.
6. Daniel Barrett, Private Co. A, 37th U. S. Infantry.
7. Joshua Lewis, Private Co. I, 13th U. S. Infantry.
8. Patrick Pearce, Private Co. K, 31st U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 12, 1867.

GENERAL ORDERS,
No. 38.

I.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, February 20th, 1867, pursuant to Special Orders No. 37, Paragraph 1, Current Series, from these Headquarters, and of which Captain R. S. LaMotte, 13th U. S. Infantry, is President, were arraigned and tried:

1st.—James Donoghue, Private Battery B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private James Donoghue, Battery B, 4th U. S. Artillery, being Acting Corporal of the Battery guard of his company, did become so much intoxicated as to be unable to perform his duty. All this at Fort Leavenworth, Kansas, on or about the 10th day of January, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, the said Private James Donoghue, Battery B, 4th U. S. Artillery, having had his belts removed by Sergeant R.

L. Tea, (Sergeant of the Guard,) did, in the absence of said Sergeant Tea, commit an assault on Private George Gografe, a member of the guard, by knocking him down, beating him upon the head and body with a stick of wood, and kicking him in the face and upon the head, thereby severely wounding him and endangering his life. All this at Fort Leavenworth, Kansas, on or about the 10th day of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea, and finds the accused, Private James Donoghue, Battery B, 4th U. S. Artillery, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Donoghue, Battery B, 4th U. S. Artillery, to forfeit to the United States ten dollars of his monthly pay for three months, and to be confined at hard labor, under charge of the Post guard, for the period of three months, the first ten days of each month in solitary confinement on bread and water.

2d.—Alonzo McDugal, Private Battery B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st —*Violation of the 21st Article of War.*

Specification.—In this, that he, the said Private Alonzo McDugal, Battery B, 4th U. S. Artillery, did, without proper authority, absent himself from his company, from about 9 o'clock A. M. until about 4 o'clock P. M. on the same day. All this at Fort Leavenworth, Kansas, on or about the 21st day of January, 1867.

CHARGE 2d—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private Alonzo McDugal, Battery B, 4th U. S. Artillery, being on patrol duty, was found so drunk as to be unfit to discharge his duties as a soldier. All this at Fort Leavenworth, Kansas, on or about the 21st day of January, 1867.

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge,.....*Not Guilty.*

To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Alonzo McDugal, Private Battery B, 4th U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Alonzo McDugal, Private Battery B, 4th U. S. Artillery, to be confined at hard labor, in charge of the stable guard of his company, for three months, and to forfeit to the United States ten dollars of his monthly pay for the same period.

3d.—Dennis Murphy, Private Battery B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Violation of the 21st Article of War.*

Specification.—In this, that he, the said Private Dennis Murphy, Battery B, 4th U. S. Artillery, did, without proper authority, absent himself from his company from about 9 o'clock A. M. until about 4 o'clock P. M., January 21st, 1867. All this at Fort Leavenworth, Kansas, on or about January 21st, 1867.

CHARGE 2d—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private Dennis Murphy, Battery B, 4th U. S. Artillery, being on patrol duty, on the evening of January 21st, 1867, was found so drunk as to be unfit to discharge the duties of a soldier. All this at Fort Leavenworth, Kansas, on or about January 21st, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty,*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Dennis Murphy, Battery B, 4th U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*

Of the 1st charge,..... *Guilty*, confirming his plea.
Of the specification of the 2d charge,..... *Guilty*.
Of the 2d charge,..... *Guilty*.

SENTENCE.

And the Court does therefore sentence him, Private Dennis Murphy, Battery B, 4th U. S. Artillery, to be confined at hard labor, in charge of the stable guard of his Battery, for three months, and to forfeit to the United States ten dollars of his monthly pay for the same period.

4th.—Sergeant George E. Kingston, Company G, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification.—In this, that he, Sergeant George E. Kingston, Company G, 37th U. S. Infantry, having been regularly detailed for Sergeant of the Post Guard, did wilfully neglect to appear for guard mount on the morning of the 7th of February, 1867. All this at Fort Leavenworth, Kansas, on or about the 7th day of February, 1867.

CHARGE 2d—*Absence without leave.*

Specification.—In this, that he, Sergeant George E. Kingston, Company G, 37th U. S. Infantry, did absent himself from the garrison, without proper authority, from 7 o'clock until 10 o'clock A. M. of the 7th of February, 1867, knowing that he had been detailed for Sergeant of the Post Guard. All this at Fort Leavenworth, Kansas, on or about the 7th day of February, 1867.

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge,..... *Guilty*.
To the 1st charge,..... *Guilty*.
To the specification of the 2d charge,..... *Guilty*.
To the 2d charge,..... *Guilty*.

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Sergeant George E. Kingston, Company G, 37th U. S. Infantry, as follows:
Of the specification of the 1st charge,..... *Guilty*.
Of the 1st charge,..... *Guilty*.
Of the specification of the 2d charge,..... *Guilty*.
Of the 2d charge,..... *Guilty*, thus confirming his plea.

SENTENCE.

And the Court does therefore sentence him, Sergeant George E. Kingston, Company G, 37th U. S. Infantry, to be reduced to the ranks, and to

be confined at hard labor, in charge of the Post guard, for three months, and to forfeit to the United States ten dollars of his monthly pay for the same period.

5th.—Henry Bellard, Private Company G, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Henry Bellard, Company G, 37th U. S. Infantry, being regularly detailed as teamster in the Post Quartermaster Department, at Fort Leavenworth, Kansas, did absent himself from said Department from on or about the 1st day of February, until on or about the 7th day of February, 1867, without permission from proper authority. All this at Fort Leavenworth, Kansas, on or about the time specified.

CHARGE 2d—*Neglect of Duty.*

Specification.—In this, that he, Private Henry Bellard, Company G, 37th U. S. Infantry, being regularly detailed as teamster in the Post Quartermaster Department, Fort Leavenworth, Kansas, and being responsible for the care of one mule, the property of the United States, did neglect to feed and water said mule from on or about the 1st day of February until on or about the 7th day of February, 1867. All this at Fort Leavenworth, Kansas, on or about the dates above specified.

CHARGE 3d—*Disobedience of orders.*

Specification.—In this, that he, Private Henry Bellard, Company G, 37th U. S. Infantry, being regularly detailed as teamster in the Post Quartermaster Department, Fort Leavenworth, Kansas, did, on or about the 7th day of February, 1867, call at the office of the Post Quartermaster and request to be relieved from extra duty in said Department, and being ordered by Brevet Captain W. Mitchell, 3d U. S. Infantry, Post Quartermaster, to go back to the stable and attend to his duties, he, the said Bellard, did disobey said order. All this at Fort Leavenworth, Kansas, on or about the 7th day of February, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*
To the specification of the 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Henry Bellard, Company G, 37th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty,*
confirming his plea.
Of the specification of the 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Henry Bellard, Company G, 37th U. S. Infantry, to be confined at hard labor, breaking stones, for the period of three months, under charge of the Post guard, from Reveille until Retreat, Sundays excepted, allowing one hour for dinner, and to forfeit to the United States ten dollars of his monthly pay for three months.

6th.—Daniel Barrett, Private Company A, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification.—In this, that he, private Daniel Barrett, Company A, 37th U. S. Infantry, a duly enlisted soldier in the service of the United States, being regularly detailed as a member of the Post guard, at Fort Leavenworth, Kansas, and being duly posted as a sentinel in rear of the barracks of the 37th U. S. Infantry, was found absent from his post, between the hours of 12 M. and 1 o'clock A. M., when visited by the officer of the day, making the grand rounds. All this at Fort Leavenworth, Kansas, on or about the 12th day of February, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Daniel Barrett, Company A, 37th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Daniel Barrett, Company A, 37th U. S. Infantry, to forfeit to the United States ten dollars of his monthly pay for one month.

7th.—Joshua Lewis, Private Company I, 13th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Private Joshua Lewis, Company I, 13th U. S. Infantry, did, when ordered by 1st Sergeant Lange, of said company, while in the execution of his office, to leave the 1st Sergeant's quarters, positively refuse to do so, saying that he would be God damned if he did; he would not leave before he was ready to do so, or words to that effect. This at or near Fort Leavenworth, Kansas, on or about the 29th day of January, 1867.

Specification 2d.—In this, that he, Private Joshua Lewis, Company I, 13th U. S. Infantry, did, when ordered by 1st Sergeant Lange, of said company, while in the execution of his office, to leave the 1st Sergeant's quarters, reply as follows: "you God damned son of a bitch, if you speak to me again, I will knock the teeth down your throat," or words to that effect. This at or near Fort Leavenworth, Kansas, on or about the 29th day of January, 1867.

To which charge and specifications the accused pleaded as follows:

To the 1st specification,.....*Guilty.*
To the 2d specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Joshua Lewis, Company I, 13th U. S. Infantry, as follows:

Of the 1st specification,.....*Guilty.*
Of the 2d specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Joshua Lewis, Company I, 13th U. S. Infantry, to be confined at hard labor, under charge of the Post guard, for the period of three months.

8th.—Patrick Pearce, Private Company K, 31st U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Patrick Pearce, Private K Company, 31st U. S. Infantry, did, on or about the 13th day of January, 1867, on the road between Fort Leavenworth and Leavenworth city, in company with two other men, viz: Thomas Roach, Private 2d U. S. Cavalry, and Charles Hogan, Private K Company, 31st U. S. Infantry, attack two colored soldiers, viz: Samuel Johnson, Private Company A, 10th U. S. Cavalry, and John Wilson, Private 10th U. S. Cavalry, and demand their money, and by threats and blows compel them to turn their pockets inside

out for the purpose of robbing them of their valuables. All this at or near Fort Leavenworth, Kansas, on or about the 13th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Patrick Pearce, Company K, 31st U. S. Infantry, as follows:

Of the specification,.....*Guilty,* except the words "and demand their money, and by threats and blows compel them to turn their pockets inside out, for the purpose of robbing them of their valuables."
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Patrick Pearce, Company K, 31st U. S. Infantry, to be confined at hard labor, under charge of the Post guard, for the period of one month, the first seven days in solitary confinement on bread and water.

II.....The proceedings, findings and sentences in the cases of Privates Alonzo McDugal and Dennis Murphy, both of Battery B, 4th U. S. Artillery, are approved. The prisoners will be turned over to their Battery commander, who will execute the sentences.

In the case of Private James Donoghue, of Battery B, 4th U. S. Artillery, the proceedings and findings are approved; but that portion of the sentence which relates to confinement under charge of the Post guard, and solitary confinement on bread and water, is mitigated to confinement at hard labor in charge of the stable guard of his company for three (3) months. The remainder of the sentence is approved. The prisoner will be turned over to his company commander, who will execute the sentence.

In the case of Sergeant George E. Kingston, Company G, 37th U. S. Infantry, the proceedings, findings and sentence are approved. The prisoner will be reduced to the ranks, and the remainder of the sentence duly executed.

The proceedings, findings and sentences in the cases of Privates Joshua Lewis, Company I, 13th U. S. Infantry, and Patrick Pearce, Company K, 31st U. S. Infantry, are approved. The sentences will be duly executed.

In the case of Private Henry Bellard, Company G, 37th U. S. Infantry, the proceedings and findings are approved. That portion of the sentence

relating to "breaking stones," is remitted. Under a sentence of confinement at hard labor, prisoners can be placed at the stone-pile at any time when there is no more important labor to be performed. The remainder of the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private Daniel Barrett, Company A, 37th U. S. Infantry, are disapproved. The charge must enunciate some one general crime provided against by the Article under which it is drawn. The 46th Article refers to two distinct offences: that of sleeping on post, and leaving it before being regularly relieved. The prisoner is found guilty of both of these offences, whereas the specification charges him with having been found absent from his post. He will be released from confinement and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1st Lieutenant John Pulford, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 14, 1867.

GENERAL ORDERS,
No. 40.

I.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, February 21st, 1867, pursuant to Special Orders No. 39, Paragraph 3, Current Series, from these Headquarters, and of which Brevet Major General John W. Davidson, Major 2d U. S. Cavalry, is President, was arraigned and tried:

1st Lieutenant John Pulford, 37th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct unbecoming an officer and a gentleman.*

Specification 1st.—In this, that he, the said John Pulford, 1st Lieutenant, 37th U. S. Infantry, did call 2d Lieutenant James W. Dixon, 3d U. S. Cavalry, "a damned son of a bitch" and a "God damned puppy," and did strike, and pull by the hair, the said 2d Lieutenant James W. Dixon, 3d U. S. Cavalry.

All this at the Commercial Billiard Hall, Leavenworth City, Kansas, on or about the 4th day of February, 1867.

Specification 2nd.—In this, that he, the said John Pulford, 1st Lieutenant 37th U. S. Infantry, did, upon the refusal of 2d Lieutenant Henry M. Karples, 37th U. S. Infantry, to walk with him, call the said 2nd Lieutenant Henry M. Karples, 37th U. S. Infantry, "a damned son of a bitch," and did strike and knock him down, thereby creating a great disturbance, and causing the arrest by the police of several officers.

All this on the corner of Delaware and Third streets, Leavenworth City, Kansas, on or about the evening of the 4th day of February, 1867.

To which charge and specifications the accused pleaded as follows:

To the 1st specification of the charge,.....*Not Guilty.*
To the 2d specification of the charge,.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 1st Lieutenant John Pulford, 37th U. S. Infantry, as follows:

Of the 1st specification.....*Guilty,*
except the words "call 2d Lieutenant James W. Dixon, 3d U. S. Cavalry, 'a damned son of a bitch,' and 'a God damned puppy,' and did strike and," but attach no criminality thereto.

Of the 2d specification,.....*Guilty,*
except the words "upon the refusal of 2d Lieutenant Henry M. Karples, 37th U. S. Infantry, to walk with him, call the said Henry M. Karples, 37th U. S. Infantry, 'a damned son of a bitch,'" and "great."

Of the charge,.....*Not Guilty,*
but guilty of conduct to the prejudice of good order and military discipline.

SENTENCE.

And the Court does therefore sentence him, the said 1st Lieutenant John Pulford, 37th U. S. Infantry, to be reprimanded by the Commanding General of the Department.

II.....The proceedings, findings and sentence in this case are approved; but it by no means appears from the evidence that the other officers referred to, as parties in the specifications, were not also deserving of equal censure. It is not thought just to punish this officer alone, when whatever discredit which attaches to the service, resulting from this difficulty, is due to others equally with himself.

The sentence is therefore remitted. Lieutenant Pulford will be released from arrest and returned to duty.

III.....The General Court Martial, of which Brevet Major General John W. Davidson, Major 2d U. S. Cavalry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. William F. Claudius, Corporal Co. G, 3d U. S. Infantry.
2. James J. McCormick, unassigned Recruit, 5th U. S. Inf.
3. Hugh Ingraham, Private Co. K, 31st U. S. Infantry.
4. Thomas Dougherty, Private Co. C, 37th U. S. Infantry.
5. Edward W. Gray, Private Co. K, 31st U. S. Infantry.
6. John Wilford, Private Co. K, 31st U. S. Infantry.
7. Thomas Flannigan, Private Co. D, 29th U. S. Infantry.
8. John Mullen, Private Co. K, 31st U. S. Infantry.
9. Alexander Evans, Recruit, 10th U. S. Cavalry.

HEADQUARTERS DEPARTMENT of the MISSOURI,
Fort Leavenworth, Kansas, March 20th, 1867.

GENERAL ORDERS,
No. 44.

1.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, February 20th, 1867, pursuant to Special Orders No. 37, Paragraph 1, Current Series, from these Headquarters, and of which Captain R. S. La Motte, 13th U. S. Infantry, is President, were arraigned and tried:

1st.—Corporal William F. Claudius, Company G, 37th U. S. Infantry, on the following charge and specifications:

Charge—*Desertion.*

Specification.—In this, that he, the said William F. Claudius, Corporal Company G, 37th U. S. Infantry, (late 3d Battalion,

19th U. S. Infantry,) a duly enlisted soldier in the service of the United States, did desert the same, at or near Little Rock, Arkansas, on or about the 4th day of August, 1866, and did remain absent until he surrendered himself up as a deserter, at or near Paraclifta, Arkansas, on or about the 15th day of September, 1866.

To which charge and specification the accused pleaded as follows:

To the specification.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal William F. Claudius, Company G, 37th U. S. Infantry, late 3d Battalion, 19th U. S. Infantry, as follows:

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Corporal William F. Claudius, Company G, 37th U. S. Infantry, late 3d Battalion 19th U. S. Infantry, to be reduced to the ranks, to forfeit all pay and allowances now due or which may become due him during his confinement, except the just dues of the sutler and laundress, and to be confined at hard labor for the period of six months, at such military prison as the Commanding General may direct.

2d.—James J. McCormick, unassigned Recruit, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private James J. McCormick, unassigned Recruit, 5th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at or near Fort Leavenworth, Kansas, on or about the 9th day of June, 1866, and did remain absent until or about the 8th day of January, 1867, at which time he volun-

tarily surrendered himself to the commanding officer at Fort Leavenworth, Kansas.

To which charge and specification the accused pleaded as follows:

To the specification.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private James J. McCormick, unassigned recruit 5th U. S. Infantry, as follows:

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private James J. McCormick, unassigned recruit 5th U. S. Infantry, to forfeit to the United States all pay and allowances now due or which may become due during his confinement, except the just dues of the sutler and laundress, and to be confined at hard labor for the period of six months, at such military prison as the Commanding General may direct.

3d.—Hugh Ingraham, Private, Company K, 31st U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, Private Hugh Ingraham, Company K, 31st U. S. Infantry, while in the kitchen of said company, did make use of the following words or language, or words or language to the same effect, to wit: "I would suffer ten years imprisonment in the Penitentiary to have one minutes' satisfaction to cut 1st Sergeant Edward Coulter's, Corporal John Hallenbeck's and Corporal Edward McGuire's (all of Company K, 31st U. S. Infantry,) guts out. I, myself, will kill Sergeant Edward Coulter, Corporal John Hallenbeck and Corporal Edward McGuire (all of Company K, 31st U. S. Infantry). I can get men enough in this company to put Sergeant Edward

Coulter, Corporal John Hallenbeck, and Corporal Edward McGuire (all of Company K, 31st U. S. Infantry) out of the way." This at Fort Leavenworth, Kansas, in or about the 16th day of January, 1867."

Specification 2d.—In this, that he, Private Hugh Ingraham, Company K, 31st U. S. Infantry, while in the barracks of said company, did maliciously and without cause or provocation, cut at Corporal Edward McGuire, Company K, 31st U. S. Infantry, with a razor, with intent to kill said McGuire. This at Fort Leavenworth, Kansas, on or about December 4th, 1866.

Specification 3d.—In this, that he, Private Hugh Ingraham, Company K, 31st U. S. Infantry, while in the kitchen of said company, did maliciously and without cause or provocation cut at Private William Seymour, Company K, 31st U. S. Infantry, with a razor, with intent to take the life of said Seymour. This at Fort Leavenworth, Kansas, on or about the 7th day of January, 1867.

To which charge and specifications the accused pleaded as follows:

To the 1st specification of the charge.....*Not Guilty.*
To the 2d specification of the charge..... .....*Not Guilty.*
To the 3d specification of the charge..... .....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Hugh Ingraham, Company K, 31st U. S. Infantry, as follows:

Of the 1st specification of the charge.....*Guilty,* except the words "to cut guts out" and "I myself will kill Sergeant Edward Coulter, Corporal John Hallenbeck and Corporal Edward McGuire. I can get men enough in this company to put Sergeant Edward Coulter, Corporal John Hallenbeck and Corporal Edward McGuire out of the way."
Of the 2d specification of the charge.....*Guilty,* except the words "with intent to kill said McGuire."
Of the 3d specification of the charge.....*Not Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Hugh Ingraham, Private Company K, 31st U. S. Infantry, to be confined under charge of the Post Guard for the period of three months, breaking stones from reveille until retreat, Sundays excepted, allowing one hour for dinner, and to forfeit to the United States ten dollars of his monthly pay for three months.

4th.—Thomas Dougherty, Private, Company C, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Private Thomas Dougherty, of Company C, 37th U. S. Infantry, did steal from the bunk of Sergeant Henry Ortlepp, of Company C, 37th U. S. Infantry, one infantry great coat, valued at twelve dollars ($12.00), and one pair of infantry bootees valued at two dollars and seventy cents ($2.70), the property of said Sergeant Ortlepp. All this at Fort Leavenworth, Kansas, on or about the 12th day of February, 1867.

To which charge and specification the accused pleaded as follows:

To the specification..... .....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Thomas Dougherty, Company C, 37th U. S. Infantry, as follows:

Of the specification.....*Guilty,* except the words "and one pair of infantry bootees valued at two dollars and seventy cents ($2.70), the property of said Sergeant Ortlepp."
Of the charge..... .....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Thomas Dougherty, Company C, 37th U. S. Infantry, to be con-

fined in charge of the Post Guard for the period of two months, during which time to carry a knapsack weighing fifty pounds, from reveille until retreat, Sundays excepted, allowing one hour for dinner; to carry a placard on his breast, with the word "thief" inscribed thereon, in letters six inches in length; at the expiration of his confinement to be drummed out of service, with placard as above described on breast and back, and to forfeit to the United States all pay and allowances now due or that may become due up to that time, except the just dues of the sutler and laundress.

5th.—Edward W. Gray, Private Company K, 31st U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Private Edward W. Gray, Company K, 31st U. S. Infantry, did enter the barracks of his company, being at the time detailed on guard duty, and did behave in an exceedingly disorderly manner, using the following language: "I will not rest until I have taken the life of 1st Sergeant Coulter and Corporal McGuire; I have the weapons to do it with; as long as I am a soldier, I will never ask permission of a commissioned or non-commissioned officer to go anywhere. You must not think I am drunk, for I am not; I mean every word I say. I will have your life," (speaking to Sergeant Coulter,) or words to this effect. All this at Fort Leavenworth, Kansas, on or about the 16th day of January, 1867.

Specification 2d—In this, that he, Private Edward W. Gray, Company K, 31st U. S. Infantry, did, while in the barracks of said company, behave in a very disorderly manner, saying to Corporal McGuire: "You God damned son of a bitch, I will have your life; I take nothing back." All this at Fort Leavenworth, Kansas, on or about the 17th day of January, 1867.

CHARGE 2d—*Absence without leave.*

Specification—In this, that he, Private Edward W. Gray, Company K, 31st U. S. Infantry, did absent himself from his company without proper authority, and did remain so absent

from 9 o'clock A. M. until 4 o'clock P. M., January 17th, 1867. All this at Fort Leavenworth, Kansas, on or about the 17th day of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the 1st specification of the 1st charge.....*Not Guilty.*
To the 2d specification of the 1st charge..... .....*Not Guilty.*
To the first charge.....*Not Guilty.*
To the specification of the 2d charge.....*Guilty.*
To the 2d charge.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, private Edward W. Gray, Company K, 31st U. S. Infantry, as follows:

Of the 1st specification of the 1st charge..... ....*Guilty.*
Of the 2d specification of the 1st charge.....*Guilty.*
Of the 1st charge.....*Guilty.*
Of the specification of the 2d charge.....*Guilty.*
Of the 2d charge..... ....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Edward W. Gray, Company K, 31st U. S. Infantry, to be confined in charge of the Post Guard, for the period of sixty days; to carry a log, weighing thirty pounds, in front of the guard house, daily, from reveille until retreat, Sundays excepted, allowing one hour for dinner; to forfeit to the United States all pay and allowances now due or which may become due up to the expiration of this sentence, except the just dues of the sutler and laundress, and at the expiration of his confinement to have his head shaved and to be drummed out of service. The Court is thus severe on account of facts elicited on this case, and the trials of other men of the same company, showing the existence in K company, 31st U. S. Infantry, of an organization subversive of the discipline and detrimental to the efficiency of the command.

6th.—John Wilford, Private Company K, 31st U. S. Infantry, on the following charges and specifications.

CHARGE 1st—*Violation of the 50th Article of War.*

Specification—In this, that he, Private John Wilford, Company K, 31st U. S. Infantry, having been duly detailed as a member of the Post Guard, did leave the guard house without permission, after the said guard had been duly mounted and entered upon its duties, and did go to the quarters of his company. All this at Fort Leavenworth, Kansas, on or about the 12th day of January, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Private John Wilford, Company K, 31st U. S. Infantry, did enter the cook house of his company, and did seize by the throat, in a threatening manner, without provocation, Corporal John Hallenbeck, Company K, 31st U. S. Infantry. All this at Fort Leavenworth, Kansas, on or about the 12th day of January, 1867.

Specification 2d—In this, that he, Private John Wilford, Company K, 31st U. S. Infantry, upon being reproved by the 1st Sergeant of the company, Edward Coulter, did say to said 1st Sergeant Edward Coulter, "You are a drunken son of a bitch, and I will kill you the first chance I get," or words to that effect. All this at Fort Leavenworth, Kansas, on or about the 12th day of January, 1867.

CHARGE 3*d*—*Drunkenness on duty.*

Specification—In this, that he, Private John Wilford, Company K, 31st U. S. Infantry, having been duly detailed as a member of the Post Guard, did, after the said guard had been duly mounted and entered upon its duties, become so drunk as to be unable to perform his duties as a member of said guard. All this at Fort Leavenworth, Kansas, on or about the 12th day of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge.....*Guilty.*

To the 1st charge.....*Guilty.*
To the 1st specification of the 2d charge.....*Not Guilty.*
To the 2d specification of the 2d charge.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*
To the specification of the 3d charge.....*Not Guilty.*
To the 3d charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced finds the accused, Private John Wilford, Company K, 31st U. S. Infantry, as follows:

Of the specification of the 1st charge.....*Guilty.*
Of the 1st charge.....*Guilty.*
Of the 1st specification of the 2d charge.....*Guilty.*
Of the 2d specification of the 2d charge.....*Guilty,* except the words: "And I will kill you the first chance I get."
Of the 2d charge.....*Guilty.*
Of the specification of the 3d charge.....*Guilty.*
Of the 3d charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Wilford, Company K, 31st U. S. Infantry, to be confined at hard labor, under charge of the guard, for the period of six months, the first ten (10) days of each month in solitary confinement on bread and water, and to forfeit to the United States all pay and allowances for the same period, except the just dues of the sutler and laundress.

7th.—Thomas Flannigan, Private Company D, 29th U. S. Infantry, late 3d Battalion 11th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Thomas Flannigan, Company D, 29th U. S. Infantry, late 3d Battalion 11th U. S. Infantry, a duly enlisted man in the service of the United States, did desert said service at Camp Grant, near Richmond.

Virginia, on or about the 15th day of August, 1866, and did remain absent until on or about the 4th day of January, 1867, when he voluntarily surrendered himself as a deserter to the City Marshal of St. Joseph, Missouri. Thirty dollars paid for his apprehension and delivery. All this at or near Richmond, Virginia, on or about the 15th day of August, 1866.

To which charge and specification the accused pleaded as follows:

To the specification.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Thomas Flannigan, Private, Company D, 29th U. S. Infantry, late 3d Battalion 11th U. S. Infantry, as follows:

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Thomas Flannigan, Private, Company D, 29th U. S. Infantry, late 3d Battalion 11th U. S. Infantry, to be confined under the charge of the guard for the period of three months; to make good to the United States the time lost by desertion, viz: From August 15th 1866, until January 4th, 1867; to forfeit to the United States all pay and allowances for that time, and to make good to the United States thirty dollars paid for his delivery.

8th.—John Mullen, Private, Company K, 31st U. S. Infantry, on the following charge and specification:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Private John Mullen, Company K, 31st United States Infantry, did, while in the barracks of his company, draw a case knife on, and rush towards 1st Sergeant Edward Coulter, Company K, 31st U. S. Infantry, saying: "You God damned son of a bitch, I will jab this

knife in your heart," or words to that effect, at the same time attempting to cut said 1st Sergeant Coulter. All this at Fort Leavenworth, Kansas, on or about the 17th day of January, 1867.

CHARGE 2d—*Absence without leave.*

Specification—In this, that he, Private John Mullen, Company K, 31st U. S. Infantry, did absent himself without permission from proper authority, and did remain absent from 9 o'clock A. M. until 4 o'clock P. M., the same day. All this at Fort Leavenworth, Kansas, on or about the 17th day of January, 1867

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification of the 2d charge.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private John Mullen, Company K, 31st U. S. Infantry, as follows:

Of the specification of the 1st charge.....*Not Guilty.*
Of the 1st charge.....*Not Guilty.*
Of the specification of the 2d charge.....*Not Guilty.*
Of the 2d charge.....*Not Guilty.*

And the Court does therefore acquit him, the said Private John Mullen, Company K, 31st U. S. Infantry.

9th.—Alexander Evans, Recruit, 10th U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline*

Specification 1st—In this, that he, Recruit Alexander Evans, 10th U. S. Cavalry, did, without cause or provocation, attack Recruit Samuel Brown, 10th U. S. Cavalry, with a shovel. All this at Fort Leavenworth, Kansas, on or about the 18th day of January, 1867.

Specification 2d—In this, that he, Recruit Alexander Evans, 10th U. S. Cavalry, did threaten to cut Recruit Samuel Brown, 10th U. S. Cavalry, with a knife, saying "I will cut his damned heart out," or words to that effect. All this at Fort Leavenworth, Kansas, on or about the 18th day of January, 1867.

Specification 3d—In this, that he, Recruit Alexander Evans, 10th U. S. Cavalry, did attach and cut at acting First Sergeant John Taylor, 10th U. S. Cavalry, with a knife. All this at Fort Leavenworth, Kansas, on or about the 18th day of January, 1867.

To which charge and specifications the accused pleaded as follows:

To the 1st specification.. ..... *Not Guilty.*
To the 2d specification..... *Not Guilty.*
To the 3d specification..... *Not Guilty.*
To the charge..... *Not Guilty.*

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Recruit Alexander Evans, 10th U. S. Cavalry, as follows:

Of the 1st specification..... *Guilty.*
Of the 2d specification..... *Guilty.*
Of the 3d specification..... *Guilty.*
Of the charge ..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Recruit Alexander Evans, 10th U. S. Cavalry, to be confined under charge of the Post Guard for one month, during that time to carry a knapsack weighing thirty pounds, from reveille until retreat, allowing one hour for dinner, Sundays excepted, and to forfeit to the United States five dollars of his monthly pay for one month.

II.....In the case of Corporal William F. Claudius, Company G, 37th U. S. Infantry, the proceedings and findings are approved. So much of the sentence relating to confinement at

hard labor for six months, at such military prison as the Commanding General directs, is mitigated to confinement at hard labor for six months at the Guard House of the Post where his company may be stationed, or such other prison as the District Commander may indicate. The sentence as mitigated will be carried into effect.

The proceedings, findings and sentence in the case of Private Thomas Dougherty, Company C, 37th U. S. Infantry, are disapproved. The evidence is entirely circumstantial and hearsay, and altogether insufficient to sustain the finding. There is no testimony whatever, as shown by the record, that the prisoner was guilty of the theft. The testimony of Colonel Moale is based entirely on information received from the First Sergeant of his Company, and is hearsay throughout. The First Sergeant was not called before the Court to give evidence, as he should have been.

In cases of this nature the proof should be so clear and conclusive that there can be no doubt of guilt; otherwise they should not be tried. Such findings have a tendency to create distrust in military law, and furnish ample grounds for fault finding with military courts. The prisoner will be released from confinement and returned to duty.

In the cases of Privates Hugh Ingraham, Company K, 31st U. S. Infantry; John Wilford, Company K, 31st U. S. Infantry; Thomas Flanniga,n Company D, 29th U. S. Infantry and Alexander Evans, Recruit 10th U. S. Cavalry, the proceedings, findings and sentences are approved. The sentences will be duly executed.

The proceedings and findings in the case of Private James J. McCormick, unassigned Recruit 5th U. S. Infantry, are approved. The Court having unanimously recommended the prisoner to the clemency of the Major General Commanding, his decision is as follows: So much of the sentence as imposes a loss of all pay and allowances now due, is approved and will be duly executed. So much of the sentence as imposes a forfeiture of all pay and allowances, *which may become due during*

his confinement, and confinement at hard labor for the period of six months at such military prison as the Commanding General may direct, is mitigated to a forfeiture of ten dollars per month of his monthly pay for the period of six months.

The prisoner will be sent to Fort Riley, Kansas, with a view to his being sent to join his Company at the earliest practicable date.

In the case of Private Edward Gray, Company K, 31st U. S. Infantry, the proceedings and findings are approved. The remarks by the Court as to the severity of the punishment in this case, conveys the idea that ample justice has been done. But if facts were elicited on the trial, showing clearly the existence in this Company of an organization subversive of discipline and detrimental to the service, and of which organization the prisoner was a member, the sentence is entirely inadequate. He should have been dishonorably discharged, and sentenced to the Penitentiary for the balance of his term of enlistment.

The severity of the sentence, as imposed by the Court, consists in shaving his head and drumming out of service, the former of which is inoperative by General Order No. 4, War Department, 1867, and cannot be carried into effect, and the latter a consummation probably wished for by the prisoner. The mere drumming out of service, after a confinement of sixty days, carrying a log, would rather furnish an inducement to others of like character to commit similar offenses whereby they might be discharged the service.

Believing that the prisoner is a fit subject for discipline *in* the service, that portion of the sentence which refers to his head being shaved and being drummed out of service, is disapproved. The remainder of the sentence will be duly executed.

In the case of Private John Mullen, Company K, 31st U. S. Infantry, the proceedings and findings are approved. The officer preferring these charges and the Judge Ad-

vocate should have known what facts could have been proved, before the case was brought to trial. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial, of which Captain R. S. La Motte, 13th U. S. Infantry, is President, is hereby dissolved.

By Command of Major General HANCOCK,

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Assistant Adjutant General.

G. C. M.

Second Lieutenant H. G. CAVENAUGH, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, March 21st, 1867.

GENERAL ORDERS, No. 46.

I. . . Before a General Court Martial, which convened at Fort Leavenworth, Kansas, March 20th, 1867, pursuant to Special Orders No. 62, Paragraph 3, Current Series, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22d U. S. Infantry, is President, was arraigned and tried:

2d Lieutenant H. G. Cavenaugh, 37th U. S. Infantry, on the following charge and specifications:

CHARGE—*Neglect of duty, to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, 2d Lieutenant H. G. Cavenaugh, 37th U. S. Infantry, being on duty as officer of the guard, and having in his charge the guard and prisoners at the main guard-house, did suffer a number of the prisoners to behave in a very disorderly manner, by fighting, singing, and battering the doors of the cells, and did fail to put an immediate stop to these disorders. This at Fort Leavenworth, Kansas, on or about the evening of the 18th day of March, 1867.

Specification 2d.—In this, that he, 2d Lieutenant H. G. Cavenaugh, of the 37th U. S. Infantry, being on duty as officer of the guard, and having in his charge the guard and prisoners at the main guard-house, did suffer three of said prisoners, viz: Privates Francis McCoy, of Company K, 37th U. S. Infantry, Hugh Ingraham, of Company K, 31st U. S. Infantry, and Charles H. Daniels, of Company I, 13th U. S. Infantry, to break and destroy the stove, bunks and window sash of the room in which they were confined, and did fail to take such measures as would have prevented, or put a stop to this destruction of public property. This at Fort Leavenworth,

Kansas, on or about the evening of the 18th day of March, 1867.

To which charge and specifications the accused pleaded as follows:

To the 1st specification ..... *Not Guilty.*
To the 2d specification ..... *Not Guilty.*
To the charge ..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 2d Lieutenant H. G. Cavenaugh, 37th U. S. Infantry, as follows:

Of the 1st specification ..... *Not Guilty.*
Of the 2d specification ..... *Not Guilty.*
Of the charge ..... *Not Guilty.*

And the Court does therefore honorably acquit him, 2d Lieutenant H. G. Cavenaugh, 37th U. S. Infantry.

II. . . It is a very unusual circumstance, when the officer of the guard is present, to permit such destruction of property, without its being stopped.

The evidence in this case shows that the officer of the guard was absent from the guard-house when this disturbance and destruction of property took place. The wisdom is therefore shown of adhering to the rule of requiring the officer of the guard to remain at the guard-house during his tour of duty. His meals can be sent to him by his servant.

The proceedings, findings and sentence in this case are approved. Lieutenant Cavenaugh will be released from arrest and returned to duty.

III. . . The General Court Martial of which Brevet Major General D. S. STANLEY, Colonel 22d U. S. Infantry, is President, is hereby dissolved.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. Thomas L. King, Corporal Battery C, 3d U. S. Artillery.
2. Michael Sweet, Private Co. E, U. S. Engineer Battalion.
3. William Meier, Private Battery C, 3d U. S. Artillery.
4. John Henson, Private Co. E, U. S. Engineer Battalion.
5. Henry Clay Evans, unassigned Recruit, 38th U. S. Infantry.
6. James Campbell, Recruit, 38th U. S. Infantry.
7. Turner Crossway, Recruit, 38th U. S. Infantry.
8. Henry G. Maitland, Corporal Battery C, 3d U. S. Artillery.
9. William White, Private Battery C, 3d U. S. Artillery.
10. Alexander Mitchell, unassigned Recruit, 38th U. S. Infantry.
11. Richard Brown, unassigned Recruit, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 22, 1867.

GENERAL ORDERS,
No. 47.

I.....Before a General Court Martial, convened at Jefferson Barracks, Missouri, February 22d, 1867, pursuant to Special Orders No. 38, Paragraph 1, Current Series, from these Headquarters, and of which Brevet Major General C. Grover, Lieutenant Colonel 38th U. S. Infantry, is President, were arraigned and tried:

1st.—Thomas L. King, Corporal Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Willful disobedience of orders.*

Specification.—In this, that he, Corporal Thomas L. King, Battery C, 3d U. S. Artillery, having asked permission to visit the city of Carondolet, Missouri, from his superior officer, 2d Lieutenant J. B. Burbank, 3d Artillery, U. S. Army, and being refused, did visit the said city with-

out permission from any authority whatever. This on or about the 8th day of February, 1867.

CHARGE 2d—*Absence without leave.*

Specification.—In this, that he, Corporal Thomas L. King, Battery C, 3d U. S. Artillery, did absent himself from his company and station, without permission from proper authority, from about 11 o'clock A. M. of February 8th, 1867, till about 5 o'clock on the same day. This at or near Jefferson Barracks, Missouri.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty,*
except the word "willful."
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal Thomas L. King, Battery C, 3d U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Corporal Thomas L. King, Battery C, 3d U. S. Artillery, to be reduced to the ranks, and to forfeit to the United States all pay and allowances that may be due him at the date of the promulgation of this sentence.

2d.—Michael Sweet, Private Company E, U. S. Engineer Battalion, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that he, Private Michael Sweet, Company E, U. S. Engineer Battalion, while on duty as a sentinel at Engineer Depot, Jefferson Barracks, Missouri, was drunk. This at Engineer Depot, Jefferson Barracks, Missouri, on or about the 17th of January, 1867.

CHARGE 2d—*Violation of the 46th Article of War.*

Specification.—In this, that he, Michael Sweet, Private Company E, U. S. Engineer Battalion, having been duly posted as a sentinel, did leave his post without being regularly relieved, and visit the company street, and did also visit the post of the guard without his musket. This at Engineer Depot, Jefferson Barracks, Missouri, on or about the 17th day of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Michael Sweet, Company E, U. S. Engineer Battalion, as follows:

Of the specification of the 1st charge, ...*Guilty.*
Of the 1st charge, ...*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Michael Sweet, Company E, U. S. Engineer Battalion, to be confined at hard labor, in charge of the guard, and to forfeit to the United States ten (10) dollars of his monthly pay per month, for the period of six months each.

3d.—William Meier, Private Battery C, 3d U. S. Artillery, on the following charge and specification:

CHARGE—*Sleeping on post.*

Specification.—In this, that he, Private William Meier, Battery C, 3d U. S. Artillery, being a member of the Post guard at Jefferson Barracks, Missouri, and having been duly posted as a sentinel over certain prisoners in the Post Guard House, did go to sleep on his post, and did remain asleep until awakened by the officer of the day. This at Jefferson Barracks, Missouri, between the hours of 11 o'clock P. M. and 1 o'clock A. M., on or about the 11th and 12th days of December, 1866.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private William Meier, Battery C, 3d U. S. Artillery, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Meier, Battery C, 3d U. S. Artillery, to be confined at hard labor, in charge of

the guard, for six (6) months, and to forfeit ten (10) dollars per month of his monthly pay to the United States for the same period.

4th.—John Henson, Private Company E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Violation of the 99th Article of War.*

Specification.—In this, that he, Private John Henson, Company E, U. S. Engineer Battalion, did stab with a knife Private James J. Bird, Company E, U. S. Engineer Battalion, and did therewith inflict several wounds upon the said Private James J. Bird, saying at the same time, that "I will cut your heart out; I'd as soon cut your throat as any other man's," or words to that effect. This at Engineer Depot, Jefferson Barracks, Missouri, on or about the 1st of February, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,... .....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, John Henson, Private Company E, U. S. Engineer Battalion, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Henson, Company E, U. S. Engineer Battalion, to be confined at hard labor for the term of one year, and to forfeit to the United States ten (10) dollars of his monthly pay during each month of the same term.

5th.—Henry Clay Evans, unassigned Recruit for the 38th U. S. Infantry, on the following charges and specifications;

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Henry Clay Evans, unassigned Recruit for the 38th Regiment of United States Infantry, having been duly enlisted into the military service of the United States, did desert therefrom, and did not return until he was brought to Jefferson Barracks, Missouri, with a squad of recruits for the 10th U. S. Cavalry. This at or near Jefferson Barracks, Missouri, on or about the 8th day of January, A. D. 1867.

CHARGE 2d—*Re-enlisting without a discharge.*

Specification.—In this, that he, Henry Clay Evans, unassigned Recruit for the 38th U. S. Infantry, then being enlisted into the military service of the United States, in the Regiment aforesaid, did, without having been

discharged therefrom, enlist for the 10th Regiment U. S. Cavalry. This at or near the city of St. Louis, Missouri, on or about the 15th day of January, A. D. 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Henry Clay Evans, unassigned Recruit for the 38th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, unassigned Recruit Henry Clay Evans, 38th Regiment U. S. Infantry, to be confined at hard labor, in charge of the guard, for six months, to forfeit all pay and allowances that are or may be due him, and to forfeit ten dollars per month of his monthly pay for six months.

6th.—James Campbell, Recruit 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification.—In this, that he, James Campbell, Recruit 38th U. S. Infantry, while a member of the Post guard at Jefferson Barracks, Missouri, did quit said guard at about 9 o'clock A. M., January 25th, 1867, without leave or urgent necessity, and did not return to it during its tour. This at Jefferson Barracks, Missouri, on or about the 25th day of January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, James Campbell, Recruit 38th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Not Guilty,*
but guilty of "quitting his guard without leave or urgent necessity."

SENTENCE.

And the Court does therefore sentence him, Recruit James Campbell, 38th U. S. Infantry, to be confined at hard labor for three (3) months, and to forfeit ten (10) dollars of his monthly pay per month for the same period.

7th.—Turner Crossway, Recruit 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification.—In this, that he, Turner Crossway, unassigned Recruit of the 38th U. S. Infantry, a duly posted sentinel of the Post guard at Jefferson Barracks, Missouri, did allow, through gross carelessness, James Gibson, unassigned Recruit of the 38th U. S. Infantry, to escape from his confinement at this Post. This at Jefferson Barracks, Missouri, on or about the 18th day of January, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Turner Crossway, unassigned Recruit of the 38th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Recruit Turner Crossway, 38th U. S. Infantry, to be confined at hard labor for three (3) months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period.

8th.—Corporal Henry G. Maitland, Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Corporal Henry G. Maitland, of Light Battery C, 3d U. S. Artillery, being in charge of a party of prisoners at work, did permit said party to procure liquor and get drunk. This at Jefferson Barracks, Missouri, on or about the 18th day of January, 1867.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Corporal Henry G. Maitland, of Light Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did absent himself without authority, and attempt to desert

the said service, on the evening of the 18th of February, 1867. This at Jefferson Barracks, Missouri.

CHARGE 3d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Corporal Henry G. Maitland, of Light Battery C, 3d U. S. Artillery, did steal, take and carry away, one (1) pair of shoes, (value $3.00,) the property of Corporal Charles McMullen of same Battery. Also one (1) pair of boots, (value $4.00,) the property of the United States. This at Jefferson Barracks, Missouri, on or about the 18th day of February, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification of the 3d charge,.....*Guilty.*
To the 3d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Corporal Henry G. Maitland, of Light Battery C, 3d U. S. Artillery, as follows:

Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*
Of the specification of the 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Corporal Henry G. Maitland, Battery C, 3d U. S. Artillery, to be reduced to the ranks, and to have his chevrons torn off in the presence of his Company, to be confined at hard labor for four (4) calendar months, and to forfeit all pay for the same period.

9th.—William White, Private of Light Battery C, 3d U. S. Artillery, on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, William White, Private of Light Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did absent himself without authority, and attempt to desert the said service, on the evening of on or about the 18th day of February, 1867. This at Jefferson Barracks, Missouri.

CHARGE 2d.—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, William White, Private of Light Battery C, 3d U. S. Artillery, did aid and abet Corporal Henry G. Maitland, same Battery, in stealing, taking and carrying away one (1) pair shoes, (valued $3.00,) the property of Corporal Charles McMullen, of Light Battery C. 3d U. S. Artillery, also one (1) pair boots, (valued $4.00), the property of the United States. This at Jefferson Barracks, Missouri, on or about February 18th, 1867

To which charges and specifications the accused pleaded as follows:
To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty*

FINDING

The Court having maturely considered the evidence adduced, finds the accused, William White, Private of Light Battery C, 3d U. S. Artillery, as follows:
Of the specification of the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification of the 2d charge.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty*

And the Court does therefore acquit him, William White, Private of Light Battery C, 3d U. S. Artillery.

10th.—Alexander Mitchell, unassigned Recruit, 38th U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Disobedience of orders.*

Specification.—In this, that he, unassigned Recruit Alexander Mitchell, 38th U. S. Infantry, having been detailed by the commanding officer of his detachment as a nurse in the small-pox ward of the Post Hospital, and ordered by such commanding officer not to visit the quarters of his detachment, or mingle with the men quartered therein, did disobey such order, and repeatedly visit such quarters. This at or near Jefferson Barracks, Missouri, on or about the 5th and 14th day of January, A. D. 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, unassigned Recruit Alexander Mitchell, 38th U. S. Infantry, did, while at Post Hospital, Jefferson Barracks, Missouri, appropriate for his own use and purposes various articles of clothing belonging to other patients of the Post Hospital, namely: 2 shirts, each valued at $2.50, 1 hat-cord for hat, (Engineer,) value 25 cts, and

various other articles. This at Post Hospital, Jefferson Barracks, Missouri, during the month of January, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Alexander Mitchell, unassigned Recruit 38th U. S. Infantry, as follows:

Of the Specification of the 1st charge,.....*Guilty.*
Of the 1st charge.....*Guilty.*
Of the specification of the 2d charge.....*Guilty,* except the words "various" "1 Hat-cord, (Engineer) valued 25 cts., and various other articles."
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, unassigned Recruit Alexander Mitchell, 38th U. S. Infantry, to be confined at hard labor for the period of six months, and to forfeit all pay now due or that may become due to the date of the expiration of his sentence.

11th.—Richard Brown, Recruit 38th U. S. Infantry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, Richard Brown, unassigned Recruit 38th U. S. Infantry, having been duly enlisted into the military service of the United States, did absent himself therefrom and did desert the same, and remain absent without authority or permission, until he was arrested and brought back to his detachment, at Jefferson Barracks, Missouri. This at or near the said Barracks, on or about the 14th January, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Richard Brown, unassigned Recruit 38th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Richard Brown, unassigned Recruit 38th U. S. Infantry, to be confined at hard labor for one year, and to forfeit all pay now due him, or that may become due him for the same period.

II.....The proceedings and findings in the case of Corporal Thomas L. King, Battery C, 3d U. S. Artillery, are approved. The Court having recommended him to clemency, the sentence is remitted. He will be released from arrest and returned to duty.

The proceedings and findings in the cases of Privates Michael Sweet, Company E, U. S. Engineer Battalion, William Meier, Battery C, 3d U. S. Artillery, John Henson, Company E, U. S Engineer Battalion, James Campbell, Henry Clay Evans, Richard Brown, Turner Crossway and Alexander Mitchell, Recruits of the 38th U. S. Infantry, and Corporal Henry G. Maitland, Battery C, 3d U S. Artillery, are approved. No places of confinement being designated in the sentences of each of these prisoners, they will be confined at hard labor, in charge of the Guard, at the Posts where their respective companies may be stationed, for the periods mentioned in their sentences. The remainder of their sentences will be duly executed.

In the case of Private William White, Battery C, 3d U. S. Artillery, the proceedings and findings are approved. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial, of which Brevet Major General C. Grover, Lieutenant Colonel 38th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler

Acting Assistant Adjutant General.

G. C. M.

1. William Jones, second class Private, Ordnance Detachment, Leavenworth Arsenal, Kansas.
2. James Moore, second class Private, Ordnance Detachment, Leavenworth Arsenal, Kansas.
3. Joseph Cusack, second class Private, Ordnance Detachment, Leavenworth Arsenal, Kansas.
4. William Kearney, Private Co. H, 37th U. S. Infantry.
5. William F. King, Private Co. A, 37th U. S. Infantry.
6. Ira Chamberlain, Private Battery B, 4th U. S. Artillery.
7. John Adams, Private Co. H, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 23, 1867.

GENERAL ORDERS,
No. 48.

I.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, March 16th, 1867, pursuant to Special Orders No. 59, Paragraph 1, Current Series, from these Headquarters, and of which Captain R. S. LaMotte, 13th U. S. Infantry, is President, were arraigned and tried:

1st.—Second class Private William Jones, of the Ordnance Detachment stationed at Leavenworth Arsenal, Kansas, on the following charge and specification:

CHARGE—*Quitting his guard in violation of the 50th Article of War.*

Specification.—In this, that he, second class Private William Jones, of the Ordnance Detachment stationed at Leavenworth Arsenal, Kansas, having been duly detailed and mounted for guard at the Leavenworth Arsenal on the 9th day of March, 1867, did quit his guard without permission on the afternoon of the same day, and did not return until after the guard had been released on the following day.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, second class Private William Jones, Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, to forfeit ten dollars per month of his monthly pay for three months, and to be confined at hard labor, under charge of such guard as the Commanding General may direct, for the period of four months.

2d.—Second class Private James Moore, Ordnance Detachment stationed at Leavenworth Arsenal, Fort Leavenworth, Kansas, on the following charge and specification:

CHARGE—*Quitting his guard in violation of the 50th Article of War.*

Specification.—In this, that he, second class Private James Moore, of the Detachment of Ordnance stationed at the Leavenworth Arsenal, Kansas, having been duly detailed, and mounted for guard at the Leavenworth Arsenal on the 7th day of March, 1867, did quit his guard without permission on the afternoon of the same day, and did not return until the next day.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, second class Private James Moore, Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, said second class Private James Moore, Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, to forfeit to the United States ten dollars per month of his monthly pay for three months, and to be confined at hard labor for four months, under charge of such guard as the Commanding General shall direct.

3d.—Second class Private Joseph Cusack, Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, on the following charge and specification:

CHARGE—*Absent without leave.*

Specification.—In this, that he, second class Private Joseph Cusack, of the Ordnance Detachment stationed at Leavenworth Arsenal, Kansas, did leave his post, without permission from his commanding officer, on the afternoon of the 9th day of March, 1867, and did remain so absent until the evening of the 11th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, second class Private Joseph Cusack, of Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, second class Private Joseph Cusack, Ordnance Detachment, Leavenworth Arsenal, Fort Leavenworth, Kansas, to be confined at hard labor, under charge of the Post guard, Fort Leavenworth, Kansas, for the period of one month, and to forfeit his pay for the same period, except the just dues of the sutler and laundress.

4th.—William Kearney, Private Company H, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Absence without leave.*

Specification.—In this, that he, Private William Kearney, Company H, 37th U. S. Infantry, being a duly enlisted man in the service of the United States, did absent himself from the same on or about the 3d day of March, 1867, and did remain absent until he was apprehended by Sergeant Joseph H. Duval, Company H, 37th U. S. Infantry, in the city of Leavenworth, Kansas, on the 8th day of March, 1867. Thirty dollars paid for apprehension. All this at Fort Leavenworth, Kansas, on or about the 3d day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him, Private William Kearney, Company H, 37th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Kearney, Company H, 37th U. S. Infantry, to forfeit to the United States ten dollars per month of his monthly pay for three months, and to be confined at hard labor, under charge of the Post guard, Fort Leavenworth, Kansas, for the same period.

5th.—William F. King, Private Company A, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, the said Private William F. King, Company A, 37th U. S. Infantry, did absent himself from his company and quarters without permission from proper authority, on or about the night of the 26th of February, 1867, and did remain absent until after Reveille on the morning of the 27th of February, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, the said Private William F. King, Company A, 37th U. S. Infantry, did steal a revolver from Private Walter Brown, Company A, 37th U. S. Infantry, and did sell, pawn, or in some way dispose of the said revolver, on or about the night of the 26th of February, 1867. All this at or near Fort Leavenworth, Kansas, on or about the 26th day of February, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification of the 2d charge,.....*Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William F. King, Company A, 37th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William F. King, Company A, 37th U. S. Infantry, to forfeit to the United States ten dollars of his monthly pay for one month, and to break stone, under charge of the Post guard, Fort Leavenworth, Kansas, every day, Sundays excepted, allowing one hour for dinner, from Reveille to Retreat, for two months.

6th.—Ira Chamberlain, Private Battery B, 4th U. S. Artillery, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that the said Private Ira Chamberlain, Battery B, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on or about the 2d day of December, 1866, and did remain absent until brought back under custody on the 16th day of March, 1867. Thirty dollars ($30) reward paid for his apprehension. This at Fort Leavenworth, Kansas, on or about the dates specified.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner and finds him, Private Ira Chamberlain, Battery B, 4th U. S. Artillery, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Ira Chamberlain, Battery B, 4th U. S. Artillery, to forfeit all pay to the United States that is now due him or which may become due him, except the just dues of the laundress and sutler, for the period of six months, and to break stone under charge of the Post guard, Fort Leavenworth, Kansas, every day from Reveille to Retreat, for the same period, Sundays excepted, allowing one hour for dinner each day.

7th.—John Adams, Private Company H, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Drunkenness, to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private John Adams, H Company, 37th U. S. Infantry, having been regularly detailed on duty in the Post Hospital as Cook, did become so drunk by the use of intoxicating liquors, as to be unable to perform his proper duties. This at Fort Leavenworth, Kansas, during the 15th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, Private John Adams, Company H, 37th U. S. Infantry as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Adams, Company H, 37th U. S. Infantry, to be confined in charge of the Post guard at Fort Leavenworth, Kansas, at hard labor, for the period of fifteen days.

II.....The proceedings, findings and sentences in the foregoing cases of Privates William F. King, Company A, 37th U. S. Infantry, William Kearney, Company H, 37th U. S. Infantry, and Ira Chamberlain, Battery B, 4th U. S. Artillery, are approved. The sentences will be duly executed.

In the case of Private John Adams, Company H, 37th U. S. Infantry, the proceedings and findings are approved. The sentence will be carried into execution under charge of his Regimental guard; and the prisoner will be turned over to his Regimental Commander for that purpose.

The proceedings, findings and sentences in the cases of second class Privates William Jones and James Moore, of the Detachment of Ordnance at Leavenworth Arsenal, are approved. The prisoners will be confined under charge of the guard at the Leavenworth Arsenal, and the sentences duly executed.

In the case of second class Private Joseph Cusack, of the Ordnance Detachment at Leavenworth Arsenal, the proceedings and findings are approved. The prisoner will be confined at hard labor under charge of the guard at Leavenworth Arsenal, and the remainder of the sentence will be duly executed.

III.....The General Court Martial, of which Captain R. S. LaMotte, 13th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, March 23rd, 1867.

GENERAL ORDERS, }
No. 49. }

Upon the recommendation of the Post Commander, so much of the unexpired portion of the sentence of Private *Thomas Ransom*, Company "A," 3rd U. S. Cavalry, promulgated in General Orders No. 17, Current Series, from these Headquarters, as confines him for two (2) months at hard labor, in charge of a guard, is hereby remitted.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: R. Chandler.
Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, March 25th, 1867.

GENERAL ORDERS, }
No. 50. }

Upon the recommendation of his post commander, the unexpired portion of the sentence in the case of Private *William McNamara*, Company "I," 13th U. S. Infantry, promulgated in General Orders, No. 34, Series of 1866, from these Headquarters, is hereby remitted.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.
Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, March 25th 1867.

GENERAL ORDERS,
No 51.

The unexpired portion of the sentence in the case of *Taylor Lawson*, late unassigned recruit, 13th U. S. Infantry, promulgated in General Orders No. 40, 1st Series of 1866, from these Headquarters, is hereby remitted: he will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: R. Chandler,
Acting Assistant Adjutant General.

G. C. M.

1. Thomas E. Green, Private Company C, 24th U. S. Infantry.
2. Charles Schoeffier, Private Light Battery C, 3d U. S. Artillery.
3. Abner Pattee, Private Company E, U. S. Engineer Battalion.
4. Franklin Irvine, Musician Company E, U. S. Engineer Battalion.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 29, 1867.

GENERAL ORDERS,
No. 56.

I.....Before a General Court Martial, which convened at Jefferson Barracks, Missouri, March 16th, 1867, pursuant to Special Orders No. 57, Paragraph IV, Current Series, from these Headquarters, and of which Brevet Colonel H. G. Gibson, Captain 3d U. S. Artillery, is President, were arraigned and tried:

1st.—Thomas E. Green, Private of Company C, 24th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Thomas E. Green, Private of Company C, 24th U. S. Infantry, being duly enlisted in the service of the United States, did desert the same on or about the 12th day of February, 1867. This at camp of 24th U. S. Infantry, Vicksburg, Mississippi.

To which charge and specification the prisoner pleaded as follows:

To the specification,..... *Guilty.*

To the charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Thomas E. Green, Private Company C, 24th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Thomas E. Green, Company C, 24th U. S. Infantry, to be confined at hard labor for six calendar months, and to forfeit to the United States all pay for the same period.

2d.—Charles Schoeffter, Private Light Battery C, 3d U. S. Artillery, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Charles Schoeffter, of Light Battery C, 3d U. S. Artillery, a duly enlisted soldier in the service of the United States, did, while a prisoner under charge of the Stable Guard, escape from his sentry and desert the service at Jefferson Barracks, Missouri, on or about the 29th day of January, 1867, and did remain absent until apprehended at Saint Louis, Missouri, on or about the 18th day of February, 1867. Thirty dollars reward paid for his apprehension. This on or about the time above specified.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, Private Charles Schoeffter, Light Battery C, 3d U. S. Artillery, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Charles Schoeffter, of Light Battery C, 3d U. S. Artillery, to be confined at hard labor for six calendar months, and to forfeit all pay to the United States for the same period.

3d.—Abner Pattee, Private Company E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Absence without leave.*

Specification.—In this, that he, Private Abner Pattee, of Company E, U. S. Engineer Battalion, was absent from his Company, without permission from proper authority, from 5 o'clock P. M. on or about the 21st of February, 1867, until 5 o'clock P. M. on or about the 23d of February, 1867. This at Engineer Depot, Jefferson Barracks, Missouri.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, Private Abner Pattee, Company E, U. S. Engineer Battalion, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Abner Pattee, Company E, U. S. Engineer Battalion, to forfeit to the United States ten dollars of his monthly pay for one calendar month.

4th.—Franklin Irvine, Musician Company E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Musician Franklin Irvine, Company E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert the same on or about the 16th day of November, 1866, and remain absent until arrested and returned to his Company, on or about the 22d of January, 1867. This at Engineer Depot, Jefferson Barracks, Missouri.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, confirms the plea of the prisoner, and finds him, Musician Franklin Irvine, Company E, U. S. Engineer Battalion, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Musician Franklin Irvine, Company E, U. S. Engineer Battalion, to be confined at hard labor for six calendar months, and to forfeit all pay to the United States for the same period.

II.....The proceedings, findings and sentences in the cases of Private Charles Schoeffter, Light Battery C, 3d U. S. Artillery, and Musician Franklin Irvine, Company E, U. S. Engineer Battalion, are approved.

The prisoners will be confined at hard labor, under charge of the guard of the Post where their Companies may be stationed, for the periods mentioned, and the remainder of their sentences will be duly executed.

In the case of Private Thomas E. Green, Company E, 24th U. S. Infantry, the proceedings and findings are approved. The stoppage of pay will be made by the proper officer, and the prisoner will be confined at hard labor, under charge of the guard, at Jefferson Barracks, until such time as he can be sent to the Post where his Company may be serving.

In the case of Private Abner Pattee, Company E, U. S. Engineer Batalion, the proceedings and findings are approved. The sentence will be duly executed.

III.....The General Court Martial, of which Brevet Colonel H. G. Gibson, Captain 3d U. S. Artillery, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler

Acting Assistant Adjutant General.

G. C. M.

1. George Barnard, Recruit, attached to Company B, 5th U. S. Infantry.
2. James Daley, Private Company E, 5th U. S. Infantry.
3. James Martin, Private Company B, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, March 30, 1867.

GENERAL ORDERS,
No. 57.

I.....Before a General Court Martial which convened at Fort Bayard, New Mexico, February 12th, 1867, pursuant to Special Orders No. 8, Paragraph VI, Current Series, from these Headquarters, and of which Lieutenant Colonel Alexander Duncan, 125th U. S. C. Troops, is President, were arraigned and tried:

1st.—George Barnard, Recruit, attached to Company B, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that Recruit George Barnard, attached to Company B, 5th U. S. Infantry, having been duly mounted as a member of the main guard, did desert his guard and company, and remain absent until the 15th day of November, 1866. This at Fort Bayard, New Mexico, between the 11th day of November, 1866, and the 15th day of November, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Recruit George Barnard, attached to Company B, 5th U. S. Infantry, who deserted from the camp at Fort Bayard, New Mexico, on or about the morning of the 11th day of November, 1866, did, without permission, take or steal from the Post Quartermaster's picket line, one grey horse, with which horse he was absent until the 15th

day of November, 1866. This at Fort Bayard, New Mexico, between the 11th day of November, 1866, and the 15th day of November, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, George Barnard, Recruit, attached to Company B, 5th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Recruit George Barnard, attached to Company B, 5th U. S. Infantry, to forfeit to the United States all pay or emoluments which are now or may become due him, except just dues of the laundress and sutler, and then to be drummed out of the camp of his company, and dishonorably discharged the service of the United States.

2d.—James Daley, Private Company E, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, Private James Daley, Company E, 5th U. S. Infantry, being a member of the guard, and regularly posted as a sentinel over certain tents containing Ordnance stores, was so drunk as to be unable to perform the duties of a sentinel in a proper manner. This at Fort Bayard, New Mexico, on or about the 7th of November, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, James Daley, Private Company E, 5th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
except the words "and regularly posted as a sentinel over certain tents containing Ordnance stores."
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Daley, Company E, 5th U. S. Infantry, to be confined at hard labor, in charge of the guard, for thirty days, and to forfeit to the United States his pay for the same period, except just dues of the sutler and laundress. To walk the ring in front of the guard house from reveille till retreat, carrying a log weighing forty (40) pounds, allowing one half hour at each meal.

3d.—James Martin, Private Company B, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that Private James Martin, Company B, 5th U. S. Infantry, did desert his post while herder of cattle, at Fort Bayard, on the 12th day of December, 1866, and remain absent until apprehended at Members River, New Mexico, on the 13th day of December, 1866. This at Fort Bayard, New Mexico, on the 12th day of December, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private James Martin, Company B, 5th U. S. Infantry, did, on the 12th day of December, 1866, leave his post, as herder of cattle, at Fort Bayard, and did steal and take with him, with the intention of appropriating to his own use, one horse, the private property of a citizen at Fort Bayard; also, the following articles belonging to the United States, and for which Lieutenant A. K. Kepner, A. A. Q. M. at Fort Bayard, New Mexico, was responsible; viz: one (1) McClellen saddle, one (1) carbine and sling, thirty (30) rounds carbine ammunition, one (1) riding bridle, one (1) lariat and picket pin, one (1) sursingle, one (1) spur and strap. Total money value of the articles above mentioned, $56.16. This at Fort Bayard, New Mexico, on the 12th day of December, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*

To the 1st charge,.....*Not Guilty,*

but guilty of absence without leave.

To the specification of the 2d charge,.....*Guilty.*

To the 2d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, James Martin, Private Company B, 5th U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*

Of the 1st charge,.....*Guilty.*

Of the specification of the 2d charge,.....*Guilty.*

Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Martin, Company B, 5th U. S. Infantry, to forfeit to the United States all pay or emoluments which are now or may become due him, except just dues of the sutler and laundress, and then to be drummed out of the camp of his company, and dishonorably discharged the service of the United States.

II.....The proceedings, findings and sentence in the case of Private James Martin, Company B, 5th U. S. Infantry, are approved. The sentence will be duly executed.

In the case of Private James Daley, Company E, 5th U. S. Infantry, the proceedings and findings are approved. So much of the sentence as imposes a forfeiture of pay, being inoperative, is remitted. The remainder of the sentence is mitigated to confinement at hard labor, under charge of the Post guard, for the period of thirty days.

In the case of Recruit George Barnard, attached to Company B, 5th U. S. Infantry, the evidence does not sustain the findings of the Court. The 1st charge should have been laid under the 50th Article of War, as it is clearly shown that the prisoner voluntarily returned to his company after an absence of only four days. The proceedings, findings and sentence are disapproved. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial of which Lieutenant Colonel Alexander Duncan, 125th U. S. C. Troops, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. John Moore, Private Company F, 3d U. S. Infantry.
2. Patrick Quinnan, Private Company F, 3d U. S. Infantry.
3. William Skully, Private Company F, 3d U. S. Infantry.
4. James Marshall, Private Company K, 7th U. S. Cavalry.
5. George Hart, Private Company A, 3d U. S. Infantry.
6. James W. Tulloch, Private Company A, 3d U. S. Infantry.
7. Thomas Sullivan, Private Company A, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 1, 1867.

GENERAL ORDERS,
No. 58.

I.....Before a General Court Martial, which convened at Fort Dodge, Kansas, December 20th, 1866, pursuant to Special Orders No. 91, series of 1866, from these Headquarters, and of which Major Henry Douglas, 3d U. S. Infantry, is President, were arraigned and tried:

1st.—John Moore, Private Company F, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private John Moore, Company F, 3d Regiment U. S. Infantry, when being taken to the guard house, did resist and strike Sergeant John Swartz, of Company H, 3d U. S. Infantry, whilst in the execution of his duty. This at Fort Ellsworth, Kansas, on the 25th day of September, 1866.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private John Moore, Company F, 3d U. S. Infantry, as follows:
Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Private John Moore, Company F, 3d U. S. Infantry.

2d.—Patrick Quinnan, Private Company F, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Drunkenness on duty.*

Specification.—In this, that he, Private Patrick Quinnan, of Company F, 3d U. S. Infantry, having been duly detailed as member of the guard, mounted on the 24th of September, 1866, and whilst a member of the guard, did get so much under the influence of liquor as to be unable to perform his duties properly. This at Fort Ellsworth, Kansas, on the 24th day of September, 1866.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Patrick Quinnan, Company F, 3d U. S. Infantry, as follows:
Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Patrick Quinnan, Company F, 3d U. S. Infantry, to be confined in Post guard house for the period of one month, and to carry a log weighing thirty (30) pounds, each alternate hour from reveille until tattoo, every day, during that period.

3d.—William Skully, Private Company F, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private William Skully, Company F, 3d U. S. Infantry, did absent himself without proper authority, from his company, on the night of the 23d, or morning of the 24th of September, 1866, and did remain absent until the evening of the 25th of September, 1866. All this at or near Fort Ellsworth, Kansas, on or about the night of the 23d or morning of the 24th of September, 1866.

CHARGE 2d—*Theft.*

Specification.—In this, that he, Private William Skully, Company F, 3d U. S. Infantry, did steal or take a horse, one riding saddle, one riding bridle, the property of the United States, for which 2d Lieutenant Stanley A. Brown, 3d U. S. Infantry, A. A. Q. M., is responsible, from the corral at Fort Ellsworth, Kansas, on the night of the 23d, or morning of the 24th of September, 1866, and did sell, lose, or otherwise dispose of the above mentioned horse, riding saddle, and riding bridle, the property of the United States. All this at or near Fort Ellsworth, Kansas, on or about the night of the 23d, or morning of the 24th of September, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William Skully, Company F, 3d U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Skully, Company F, 3d U. S. Infantry, to forfeit to the United States ($5) five dollars of his monthly pay for one month.

4th.—James Marshall, Private Troop K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that Private James Marshall, Troop K, 7th U. S. Cavalry, after being duly placed on guard and posted as a sentinel was found so drunk while on his post, as to be unable to perform his duty properly. This on post No. 1 of the main guard at Fort Dodge, Kansas, on or about the night of December 20th, or morning of December 21st, 1866.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private James Marshall, Troop K, 7th U. S. Cavalry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Marshall, Troop K, 7th U. S. Cavalry, to be confined in the Post guard house, for the period of one month, and to carry a log weighing thirty pounds, each alternate hour, from reveille until tattoo, every day during that period.

5th.—George Hart, Private Company A, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private George Hart, of Company A, 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert from said service, on or about the night of the 21st of December, 1866, and did remain absent from said service until apprehended and delivered up as a prisoner at Fort Dodge, Kansas, on the night of the 21st of December, 1866. This at Fort Dodge, Kansas, on or about the date above specified.

CHARGE 2d—*Leaving his post without authority.*

Specification.—In this, that he, Private George Hart, of Company A, 3d U. S. Infantry, having been regularly posted as a sentinel on the night of the 21st December, 1866, on guard on cavalry stable, he, the said George Hart, Private Company A, 3d U. S. Infantry, did, without being regularly relieved, leave his post, and did desert therefrom. This at Fort Dodge, Kansas, on or about the night of the 21st December, 1866.

CHARGE 3d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private George Hart, Company A, 3d U. S. Infantry, a duly enlisted soldier in the service of the United States, did, on the night of the 21st December, 1866, take from the cavalry stable or corral adjacent thereto, one public mule, the property of the United States, for which 1st Lieutenant G. H. Wallace, 3d U. S. Infantry, and A. A. Q. M., is responsible. This at Fort Dodge, Kansas, on or about the night of 21st December, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification of the 2d charge, ... *Guilty.*

To the 2d charge,.....*Guilty.*
To the specification of the 3d charge,.....*Guilty.*
To the 3d charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private George Hart, Company A, 3d U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification of the 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private George Hart, Company A, 3d U. S. Infantry, to be confined at hard labor for one year, at such place as the proper authority may designate, and at the expiration of that period, to be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances, except the just dues of the laundress.

6th.—James W. Tulloch, Private Company A, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that he, Private James W. Tulloch, Company A, 3d U. S. Infantry, having been duly appointed a Lance Corporal in his company and having been duly detailed as a non-commissioned officer of the main guard at Fort Dodge, Kansas, did while commanding said guard, become so drunk as to be unable to perform his duty.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private James W. Tulloch, Company A, 3d U. S. Infantry, then a Lance Corporal in his company, did, after having been duly detailed for guard and placed in command of the main guard at his station, appear in the presence of his guard in a grossly intoxicated condition, and did lie down in the shelter of his guard and become so stupid from the effects of intoxicating drink as to be insensible and unable to stand when his guard was visited about midnight by the officer of the day, for the time being. This at Fort Dodge, Kansas, on or about the night of December 20th or morning of December 21st, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*

To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, James W. Tulloch, Private Company A, 3d U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James W. Tulloch, Company A, 3d U. S. Infantry, to be confined under charge of the guard for the period of two months, to carry a log weighing thirty pounds, every alternate hour every day from reveille to tattoo for one month, and to forfeit to the United States ten dollars ($10) of his monthly pay for two months.

7th.—Thomas Sullivan, Private Company A, 3d U. S. Infantry, on the following charges and specifications;

CHARGE 1st—*Quitting his post without being regularly relieved, in violation of the 46th Article of War.*

Specification.—In this, that he, Private Thomas Sullivan, Company A, 3d Regiment U. S. Infantry, having been duly posted as a sentinel on No. 1 post of his guard, did quit his post without being regularly relieved, and did go into the shelter where the guard that he belonged to was stationed. All this at or near Fort Dodge, Kansas, on or about the 10th day of December, 1866.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private Thomas Sullivan, Company A, 3d Regiment U. S. Infantry, when ordered to go on post, after having been duly detailed and reported for guard duty, did fail to obey the said order promptly, and did use threatening language to the Sergeant of his guard, as follows: "God damn you, I will run my bayonet through you," or words to that effect. All this at or near Fort Dodge, Kansas, on or about the 10th day of December, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Thomas Sullivan, Company A, 3d U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Thomas Sullivan, Company A, 3d U. S. Infantry, to be confined at hard labor in charge of the guard, with shackles upon each ankle, connected by a chain thirty inches in length, for the period of six months, and at the expiration of that time to be dishonorably discharged and drummed out of the service, with forfeiture of all pay and allowances which are now, or which may become due, excepting the just dues of the laundress. The sentence to be executed at such place as the General commanding the Department may designate.

II.....The proceedings and findings in the case of Private John Moore, Company F, 3d U. S. Infantry, are approved. The prisoner will be released from confinement and returned to duty.

In the cases of Privates James Marshall, Company K, 7th U. S. Cavalry, Patrick Quinnan, Company F, 3d U. S. Infantry, William Skully, Company F, 3d U. S. Infantry, and James W. Tulloch, Company A, 3d U. S. Infantry, the proceedings and findings are approved, and the sentences will be duly executed.

In the case of Private Thomas Sullivan, Company A, 3d U. S. Infantry, the proceedings and findings are approved. The sentence is mitigated to forfeiture of all pay and allowances now due him, and to confinement at hard labor for the period of six months, under charge of the guard at the Post where his company may be serving.

In the case of Private George Hart, Company A, 3d U. S. Infantry, the proceedings and findings are approved. The sentence is mitigated to forfeiture of his monthly pay, (except the just dues of the laundress,) for the period of six months, and to confinement at hard labor for the same period under charge of the guard at the Post where his company may be serving.

III.....The General Court Martial, of which Major Henry Douglas, 3d U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, April 2nd, 1867.

GENERAL ORDERS, No 59.

Upon the recommendation of his Commanding Officer, the unexpired portion of the sentence in the case of Recruit Alexander Evans, 10th U. S. Cavalry, promulgated in General Orders No. 44, Current Series, from these Headquarters, is hereby remitted. He will be released from confinement and returned to duty.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
Fort Leavenworth, Kansas, April 3rd, 1867.

GENERAL ORDERS, No 60.

The unexpired portion of the sentence in the case of Corporal William F. Claudius, Company "G," 37th U. S. Infantry, promulgated in General Orders No. 44, Current Series, from these Headquarters, is hereby remitted. He will be released from confinement and returned to duty.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:
R Chandler.
Acting Judge-Advocate.

G. C. M.

1. John Harris, Private Company K, 19th U. S. Infantry.
2. Abraham Phillips, Private Company L, 7th U. S. Cavalry.
3. William H. Keyser, Private Company H, 7th U. S. Cavalry.
4. Henry Zobrist, Private Company H, 7th U. S. Cavalry.
5. Salomon E. Simonds, Private Company D, 7th U. S. Cavalry.
6. Philip Weber, Private Company A, 7th U. S. Cavalry.
7. Wilhelm Richardt, Private Company A, 7th U. S. Cavalry.
8. William S. Jacoby, Private Company D, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 4, 1867.

GENERAL ORDERS,
No. 61.

I.....Before a General Court Martial, which convened at Fort Riley, Kansas, March 15th, 1867, pursuant to Special Orders No. 55, Current Series, from these Headquarters, and of which Brevet Major General Geo. A. Custer, Lieutenant Colonel 7th U. S. Cavalry, is President, were arraigned and tried:

1st.—John Harris, Private of Company K, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that Private John Harris, Company K, 19th U. Infantry, having been duly enlisted in the military service of the United States, did absent himself from his company, and desert the same, at or near Jefferson Barracks, Missouri, on or about the 13th day of October, 1866, and did remain absent until arrested at Fort Riley, Kansas, on or about the 27th day of January, 1867. This at or near Jefferson Barracks, Missouri, on or about the 13th day of October, 1866.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private John Harris, Company K, 19th U. S. Infantry, as follows:
Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Harris, of Company K, 19th U. S. Infantry, to be confined at hard labor, under guard, where his company or regiment may be serving, for six (6) months; to make good the time lost by desertion; and to forfeit all pay now due, or that may become due, during the period of his confinement. The last fourteen days of his confinement to be solitary, on bread and water.

2d.—Abraham Phillips, Private, Company L, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Abraham Phillips, Company L, 7th U. S. Cavalry, having been duly enlisted in the military service of the United States, did desert his company and regiment on or about the 26th day of February, 1867, and did remain absent until apprehended and brought back, on or about the 4th day of March, 1867. Thirty dollars paid for his apprehension. All this at Fort Riley, Kansas.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Abraham Phillips, Company L, 7th U. S. Cavalry, as follows:
Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Abraham Phillips, Company L, 7th U. S. Cavalry, to be confined under charge of the guard, where his company or regiment may be serving, for six (6) months, and to forfeit all pay now due or that may become due during the period of his confinement.

3d.—William H. Keyser, Private Company H, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private William H. Keyser, Company H, 7th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert his company and regiment on or about the 16th day of October, 1866, and remain absent until apprehended and brought back, on or about the 16th day of February, 1867. Thirty dollars paid for his apprehension. All this at Fort Riley, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William H. Keyser, Company H, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William H. Keyser, Company H, 7th U. S. Cavalry, to be confined at hard labor, under charge of the guard, where his regiment or company may be serving, for six (6) months; to forfeit all pay now due or that may become due, during the period of his confinement, the last fourteen days to be solitary, on bread and water.

4th.—Henry Zobrist, Private Company H, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Henry Zobrist, Company H, 7th U. S. Cavalry, having been regularly enlisted into the service of the United States, did desert his company and regiment on or about the 21st day of December, 1866, and remain absent until apprehended and brought back, on or about the first day of March, 1867. Thirty dollars paid for his apprehension. All this at Fort Riley, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Henry Zobrist, Company H, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Henry Zobrist, Company H, 7th U. S. Cavalry, to be confined at hard labor, under charge of the guard at the Post where his company or regiment may be serving, for six (6) months, and to forfeit all pay and allowances now due or that may become due during the period of his confinement.

5th.—Salomon E. Simonds, Private of Company D, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private Salomon E. Simonds, Company D, 7th U. S. Cavalry, being duly enlisted as a soldier in the service of the United States, did desert the same at Fort Riley, Kansas, on or about the 16th day of September, 1866, and did remain absent until apprehended and brought back to Fort Riley, Kansas, on or about the 13th day of January, 1867. This at Fort Riley, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification,..... *Guilty.*

To the charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Salomon E. Simonds, Company D, 7th U. S. Cavalry, as follows:

Of the specification,..... *Guilty.*

Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Salomon E. Simonds, Company D, 7th U. S. Cavalry, to be confined at hard labor under charge of the guard where his company or regiment may be serving, for six (6) months; to forfeit all pay now due, or that may become due during the period of his confinement, the last fourteen days of his confinement to be solitary, on bread and water.

6th.—Philip Weber, Private Company A, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private Philip Weber, A Company, 7th U. S. Cavalry, having been properly detailed for guard duty, and after having gone on guard in obedience to such detail, was found drunk on his post by the officer of the guard, when visiting the sentinels. This at Fort Riley, Kansas, on or about the 17th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,..... *Guilty.*

To the charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Philip Weber, Company A, 7th U. S. Cavalry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Philip Weber, Company A, 7th U. S. Cavalry, to be confined at hard labor under charge of the guard at such Post as his company or regiment may be serving, for (4) four months; the last fourteen (14) days of his confinement to be solitary, on bread and water; and to forfeit all pay now due or that may become due during the period of his confinement.

7th.—Wilhelm Richardt, Private Company A, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private Wilhelm Richardt, of Company A, 7th U. S. Cavalry, having been regularly enlisted into the service of the United States, did, on or about the 26th day of February, 1867, desert his company and regiment, and remain absent until apprehended, on or about the 2d day of March, 1867. This at or near Fort Riley, Kansas, on or about the dates above specified.

To which charge and specification the prisoner pleaded as follows:

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Wilhelm Richardt, Company A, 7th U. S. Cavalry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Wilhelm Richardt, Company A, 7th U. S. Cavalry, to be confined at hard labor, under charge of the guard where his company or regiment may be serving, for six months; to forfeit all pay now due or that may become due during the period of his confinement, the last fourteen days of his confinement to be solitary, on bread and water.

8th.—William S. Jacoby, Private, Company D, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private William S. Jacoby, D Company, 7th U. S. Cavalry, having been properly placed on guard by competent authority, was found drunk on his guard. This at Fort Riley, Kansas, on or about the 17th day of March, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification.....*Guilty.*

To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William S. Jacoby, Company D, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*

Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William S. Jacoby, Company D, 7th U. S. Infantry, to be confined at hard labor, under charge of the guard, where his company or regiment may be serving, for four (4) months, the last fourteen days of his confinement to be solitary, on bread and water; and to forfeit all monthly pay now due or that may become due during the period of his confinement.

II.....The proceedings, findings and sentences in the foregoing cases of Privates Abraham Phillips, Company L, 7th U. S. Cavalry, William H. Keyser, Company H, 7th U. S. Cavalry, John Harris, Company K, 19th U. S. Infantry, Salomon E. Simonds, Company D, 7th U. S. Cavalry, and Wilhelm Richardt, Company A, 7th U. S. Cavalry, are approved. The sentences will be duly executed.

In the cases of Privates Philip Weber, Company A, 7th U. S. Cavalry, and William S. Jacoby, Company D, 7th U. S. Cavalry, the proceedings and findings are approved. So much of the sentences in each of these cases as imposes a forfeiture of pay, being illegal, is remitted. The remainder of their sentences will be duly executed.

The proceedings and findings in the case of Private Henry Zobrist, Company H, 7th U. S. Cavalry, are approved. Upon the recommendation of the Court, the sentence is remitted. The prisoner will be released from confinement and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Judge Advocate.

G. C. M.

1. James Brown, Private, Company G, 7th U. S. Cavalry.
2. Noah Lyon, Private, Company F, 7th U. S. Cavalry.
3. John Kennedy, Private, Company F, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 5, 1867.

GENERAL ORDERS,
No. 62.

I.....Before a General Court Martial, which convened at Fort Harker, Kansas, March 19th, 1867, pursuant to Special Orders No. 57, Current Series, from these Headquarters, and of which Brevet Lieutenant Colonel V. K. Hart, Captain, 37th U. S. Infantry, is President, were arraigned and tried:

1st.—Private James Brown, Company G, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, James Brown, Private, G Troop, 7th Regiment U. S. Cavalry, having enlisted in the service of the United States, did desert the same on the 3d day of February, 1867, and did remain absent until apprehended at Solomon City, Kansas, on the 5th day of February, 1867. This at Fort Harker, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING

The Court having maturely considered the evidence adduced, finds the prisoner, Private James Brown, Company G, 7th U. S. Cavalry, as follows:

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Brown, Company G, 7th U. S. Cavalry, to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the sutler and laundress, to be confined at hard labor under charge of the guard for six (6) months, and at the expiration of that time to be dishonorably discharged and trumpeted out of the service of the United States.

2d.—Private Noah Lyon, Company F, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private Noah Lyon, Company F, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same at Fort Harker, Kansas, on or about the 13th of February, 1867, and did remain absent until brought back under guard on or about the 15th day of February, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,..... *Not Guilty* of "desertion," but guilty of "absence without leave."
To the charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Noah Lyon, Company F, 7th U. S. Cavalry, as follows:

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Noah Lyon, Company F, 7th U. S. Cavalry, to be confined at hard labor under charge of the guard for the period of six (6) months, and that he forfeit to the United States ten dollars ($10.00) per month of his monthly pay for the same period.

3rd.—Private John Kennedy, Company F, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private John Kennedy, Company F, 7th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same from Fort Harker, Kansas, on or about the 13th day of February, 1867, and did remain absent until brought back under guard on or about the 15th day of February, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty*
of "desertion" but guilty of "absence without leave."

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private John Kennedy, Company F, 7th U. S. Cavalry, as follows:

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty*
of "desertion" but guilty of "absence without leave."

SENTENCE.

And the Court does therefore sentence him, Private John Kennedy, Company F, 7th U. S. Cavalry, to forfeit to the United States ten dollars ($10.00) per month of his monthly pay for six (6) months, and to carry a log, weighing twenty-five (25) pounds, for twenty-one (21) days, under charge of the guard, from reveille until retreat.

II.....The proceedings and findings in the case of Private James Brown, Company G, 7th U. S. Cavalry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard of the Post where his company may be serving, for the period of six months, and to forfeiture of his monthly pay (except the just dues of the laundress) for the same period.

The proceedings and findings in the case of Private John Kennedy, Company F, 7th U. S. Cavalry, are disapproved. The accused cannot be found not guilty, both of the entire specification and of the charge of desertion, and yet guilty of absence without leave. [Holt's Digest, page 107, par. 10.] The prisoner will be released from confinement, and returned to duty.

In the case of Private Noah Lyon, Company F, 7th U. S. Cavalry, the proceedings and findings are disapproved, the vote of each particular

member of the Court upon the findings, being spread upon the record, in violation of the 69th Article of War. The prisoner will be released from confinement and returned to duty.

III.....The General Court Martial of which Brevet Lieutenant Colonel V. K. Hart, Captain, 37th U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.

Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
Fort Leavenworth, Kansas, April 5th, 1867.

GENERAL ORDERS, No 63.

I. . . So much of the unexpired portion of the sentence in the case of Private Charles Johnese, Company "E," U. S. Engineer Battalion, promulgated in General Orders No. 27, last series of 1866, from these Headquarters, as confines him for two (2) years at the Missouri State Penitentiary, is hereby remitted. He will be released from confinement, and dishonorably discharged the service of the United States.

II. . . The unexpired portion of the sentence in the case of Private Henry Bush, Battery "C," 3rd U. S. Artillery, promulgated in General Orders No. 8, Current series, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: Rohauder.
Acting Judge-Advocate.

G. C. M.

1. Frederick Seeber, Private Company A, 37th U. S. Infantry.
2. William Seymour, Private Company H, 37th U. S. Infantry.
3. George Wilson 1st, Private Company H, 37th U. S. Infantry.
4. John Riley, Private Company K, 31st U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 6, 1867.

GENERAL ORDERS,
No. 64.

I.....Before a General Court Martial, which convened at Fort Leavenworth, Kansas, March 23d, 1867, pursuant to Special Orders No. 66, Paragraph 1, Current Series, from these Headquarters, and of which Brevet Brigadier General Madison Mills, Surgeon U. S. Army, is President, were arraigned and tried:

1st.—Frederick Seeber, Private Company A, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, the said Frederick Seeber, Private of Company A, 37th U. S. Infantry, being a member of the guard, and having been placed as a sentinel in charge of prisoner O'Brien, Private Company K, 37th U. S. Infantry, and ordered to keep him at work and not allow him to leave his sight, did permit prisoner O'Brien, Private Company K, 37th U. S. Infantry, to go out of his sight and escape from his custody. This at Fort Leavenworth, Kansas, on or about March 20, 1867.

To which charge and specification the prisoner pleaded as follows:
To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Frederick Seeber, Private Company A, 37th U. S. Infantry, as follows:

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private Frederick Seeber, Company A, 37th U. S. Infantry, to be confined at hard labor in charge of the guard for one month, and to forfeit to the United States ten dollars of his pay.

2d.—William Seymour, Private Company H, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private William Seymour, Company H, 37th U. S. Infantry, being a duly enlisted man in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on the 13th day of March, 1867, and did remain absent until brought back, under custody, to Fort Leavenworth, Kansas, on the 18th day of March, 1867. Thirty dollars paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:
To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING

The Court having maturely considered the evidence adduced, finds the prisoner, Private William Seymour, Company H, 37th U. S. Infantry, as follows:
Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Seymour, Company H, 37th U. S. Infantry, to re-imburse the United States the amount paid for his apprehension, to forfeit ten dollars ($10) of his monthly pay for six months, and to be confined at hard labor under charge of the guard for the same period.

3d.—George Wilson 1st, Private Company H, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private George Wilson 1st, Company H, 37th U. S. Infantry, being a duly enlisted man in the service of the United States, did desert the same at Fort Leavenworth, Kansas, on the 12th day of March, 1867, and did remain absent until brought back, under custody, to Fort Leavenworth, Kansas, on the 18th day of March, 1867. Thirty dollars paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private George Wilson 1st, Company H, 37th U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, the said Private George Wilson 1st, Company H, 37th U. S. Infantry, to re-imburse the United States the amount paid for his apprehension, to forfeit ten dollars ($10) of his monthly pay for six (6) months, and to be confined at hard labor under charge of the guard for the same period.

4th—John Riley, Private Company K, 31st U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Assault with intent to commit rape.*

Specification.—In this, that Private John Riley, Company K, 31st U. S. Infantry, did violently assault one Julia Gilman, a hired servant in the employment of an officer, stationed at Fort Leavenworth, Kansas, with the intent to commit rape upon her, the said Julia Gilman. This on the public highway, between Fort Leavenworth and Leavenworth City, Kansas, on the Government Reservation, between the hours of 2 o'clock P. M. and 5 o'clock P. M., on the 24th day of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private John Riley, Company K, 31st U. S. Infantry, did violently assault, and with force and arms knock down, beat, and injure the person of one Julia Gilman, a hired servant in the employment of an officer, stationed at Fort Leavenworth, Kansas. All this on the public highway, between Fort Leavenworth and Leavenworth City, Kansas, on the Government Reservation, between the hours of 2 o'clock P. M. and 5 o'clock P. M., on the 24th day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification of the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private John Riley, Company K, 31st U. S. Infantry, as follows:

Of the specification of the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification of the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private John Riley, Company K, 31st U. S. Infantry, to be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances, except the just dues of the laundress and sutler, and confined in such Penitentiary as the Commanding General may direct, for the period of five (5) years.

II.....The proceedings and findings in the cases of Privates Wm. Seymour and George Wilson, of Company H, 37th U. S. Infantry, are approved. The sentences will be duly executed.

In the case of Private Frederick Seeber, Company A, 37th U. S. Infantry, the proceedings and findings are approved. Upon the unanimous recommendation of the Court, the sentence is remitted. The prisoner will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private John Riley, Company K, 31st U. S. Infantry, are approved. The Penitentiary at Jefferson City, Missouri, is designated as the place of confinement, to which place the prisoner will be conveyed, under a suitable guard, and turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order. The commanding officer at Fort Leavenworth, Kansas, is charged with the execution of this order.

III.....The General Court Martial, of which Brevet Brigadier General Madison Mills, Surgeon U. S. Army, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, April 9th, 1867.

GENERAL ORDERS, }
No. 65. }

The unexpired portion of the sentence in the case of John Riley, late unassigned recruit 7th U. S. Cavalry, promulgated in General Orders No. 26, Current Series, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.
Acting Judge-Advocate.

G. C. M.

1. Corporal John Foley, Company K, 7th U. S. Cavalry.
2. Private William Armstrong, Company K, 7th U. S. Cavalry.
3. Private Michael Murphy, Company K, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 11, 1867.

GENERAL ORDERS,
No. 66.

I.....Before a General Court Martial, which convened at Fort Dodge, Kansas, 23d March, 1867, pursuant to Special Orders, No. 57, Series of 1867, from these Headquarters, and of which Major Henry Douglas, 3d U. S. Infantry, is President, were arraigned and tried:

1st—Corporal John Foley, Troop K, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that Corporal John Foley, Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, having been duly detailed as a non-commissioned officer of the main guard at Fort Dodge, Kansas, did, while commanding said guard, get so much under the influence of intoxicating liquor as to be unable properly to perform his duty. This at Fort Dodge, Kansas, on or about the night of the 6th or morning of the 7th day of February, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Corporal John Foley, Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did,

after having been duly detailed for guard, and placed in command of the main guard at his station, appear in the presence of his guard in a grossly intoxicated condition. This at Fort Dodge, Kansas, on or about the night of the 6th and the morning of the 7th day of February, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification to the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification to the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Corporal John Foley, Troop K, 7th U. S. Cavalry, as follows:

Of the specification to the 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification to the 2d charge,.....*Not Guilty.*
Of the 2d charge.....*Not Guilty.*

And the Court does therefore acquit the said Corporal John Foley, Troop K, 7th U. S. Cavalry.

2d—Private William Armstrong, Troop K, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that Private William Armstrong, Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, having been duly detailed as a member of the post guard, mounted at Fort Dodge, Kansas, on the 6th of February, 1867, did become so much under the influence of intoxicating liquor, while a member of the said guard, as to be unable to properly perform his duty. This at Fort Dodge, Kansas, on or about the night of the 6th and morning of the 7th day of February, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Private William Armstrong, Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, having been duly detailed as a member of the post guard, mounted at Fort Dodge, Kansas, on the 6th day of February, 1867, did leave his guard, and did discharge his carbine in front of his company quarters without permission, thereby alarming the Post Garrison. This at Fort Dodge, Kansas, on or about the night of the 6th and the morning of the 7th day of February, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification to the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*

To the specification to the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William Armstrong, Troop K, 7th U. S. Cavalry, as follows:

Of the specification to the 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification to the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Armstrong, Troop K, 7th U. S. Cavalry, to be confined, under charge of the guard, for the period of one month, to carry a log weighing thirty pounds every alternate hour from reveille to tattoo, for the same period, and to forfeit ten dollars ($10.00) per month of his monthly pay for the period of four months.

3d—Private Michael Murphy, Troop K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that Private Michael Murphy, Troop K, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, having been duly detailed as a member of the post guard, mounted at Fort Dodge, Kansas, on the 6th day of February, 1867, did become so drunk while a member of the said guard as to be unable to properly perform his duty. This at Fort Dodge, Kansas, on or about the 6th and the morning of the 7th day of February, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Michael Murphy, Troop K, 7th U. S. Cavalry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Michael Murphy, Troop K, 7th U. S. Cavalry, to be confined, under charge of the guard, for the period of one month, and to carry a log weighing thirty pounds every alternate hour from reveille to tattoo for the same period.

II .....The proceedings and findings in the case of Corporal John Foley, Company K, 7th U. S. Cavalry, are approved. He will be released from arrest and returned to duty.

In the cases of Privates Wm. Armstrong and Michael Murphy, of Company K, 7th U. S. Cavalry, the proceedings and findings are approved, and the sentences will be duly executed.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, April 15th, 1867.

GENERAL ORDERS, No. 67.

Upon the recommendation of his Commanding Officer, so much of the unexpired portion of the sentence in the case of Private William C. Friend, Company "G," 2nd U. S. Cavalry, promulgated in General Orders, No. 14, last series of 1866, from these Headquarters, as confines him under charge of the guard breaking stones, from reveille till retreat, for the period of six (6) months, is hereby remitted. He will be released from confinement and restored to duty.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: R. Chandler.
Acting Judge-Advocate.

G. C. M.

1. Private William Snodgrass, Company F, 3d U. S. Infantry.
2. Private Stephen L. Ryan, Company F, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, April 17, 1867.

GENERAL ORDERS,
No. 68.

I.....Before a General Court Martial, which convened at Fort Dodge, Kansas, March 23d, 1867, pursuant to Special Orders, No. 57, paragraph 5, current series, from these Headquarters, and of which Major Henry Douglas, 3d U. S. Infantry, is President, were arraigned and tried:

1st.—Private William Snodgrass, Company F, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1*st*—*Neglect of duty.*

Specification.—In this, that he, Private William Snodgrass, Company F, 3d Regiment U. S. Infantry, did, while a member of the guard mounted at Fort Ellsworth, Kansas, on or about the 25th day of September, 1866, when sent in charge of prisoners to the woods after fuel for the garrison, allow them to go to a drinking saloon, four miles from the post, and did bring them back to the guard-house drunk.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1*st.*—In this, that he, Private William Snodgrass, of Company F, 3d Regiment U. S. Infantry, did, while a member of the guard mounted at Fort Ellsworth, Kansas, on or about the 25th day of September, 1866, when sent in charge of prisoners after wood with a wagon, did force the teamster to drive the prisoners to a drinking saloon, some four miles from the garrison.

Specification 2d.—In this, that he, Private William Snodgrass, Company F, 3d Regiment U. S. Infantry, did, while a member of the guard mounted at Fort Ellsworth, Kansas, September 25th, 1866, throw stones, and threaten with violence, Louis Grole, a citizen teamster in the Quartermaster's Department, saying: "You damn son of a bitch, I'll get you out after another load of wood this evening, and then I will fix you," or words to that effect, said teamster at the time being in the discharge of his duty. All this at Fort Ellsworth, Kansas, on or about the 25th day of September, 1866.

To which charges and specifications the prisoner pleaded as follows:

To the specification to the 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the 1st specification to the 2d charge,.....*Not Guilty.*
To the 2d specification to the 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private William Snodgrass, Company F, 3d U. S. Infantry, as follows:

Of the specification to the 1st charge,.....*Not Guilty.*
Of the 1st charge, ...*Not Guilty.*
Of the 1st specification, 2d charge,.....*Not Guilty.*
Of the 2d specification, 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Snodgrass, Company F, 3d U. S. Infantry, to be confined at hard labor, under charge of the guard, for the period of one month, and to forfeit to the United States ten dollars per month of his monthly pay for four months.

2d.—Private Stephen L. Ryan, Company F, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private Stephen L. Ryan, Company F, 3d U. S. Infantry, did present an order to the sutler for one canteen of whisky, with the signature of his company commander and commanding officer forged upon it, well knowing the signature to be forged. This at Fort Dodge, Kansas, on or about the 12th day of January, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification.....*Guilty,*
excepting the words "well knowing the signature to be forged."
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Stephen L. Ryan, Company F, 3d U. S. Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Stephen L. Ryan, Company F, 3d U. S. Infantry, to be confined at hard labor, under charge of the guard, for the period of two months, and to forfeit ten dollars ($10.00) of his monthly pay per month, for the same period.

II.....The proceedings and findings in the cases of Privates William Snodgrass and Stephen L. Ryan, of Company F, 3d U. S. Infantry, are approved, and the sentences will be duly executed.

III.....The General Court Martial of which Major Henry Douglas, 3d U. S. Infantry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, April 18th, 1867.

GENERAL ORDERS, No. 69.

I. . . The unexpired portion of the sentence in the case of Henry George, late unassigned recruit, 13th U. S. Infantry, promulgated in General Orders No. 34, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

II. . The unexpired portion of the sentence in the case of John Keeghler, late private, 2nd Battalion 18th U. S. Infantry, promulgated in General Orders No. 34, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

III. . . The unexpired portion of the sentence in the case of Charles A. Cary, late private, Company "C," 2nd Battalion 18th U. S. Infantry, promulgated in General Orders No. 34, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler

Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kansas, April 23rd, 1867.

GENERAL ORDERS, No. 70.

I. . . The unexpired portion of the sentence in the case of John Banghart, late private, Company G, 10th U. S. Infantry, promulgated in General Orders No. 44, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

II. The unexpired portion of the sentence in the case of Henry Mantle, late private, Company G, 3rd U. S. Infantry, promulgated in General Orders No. 72, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:
R. Chandler.
Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, April 24th, 1867.

GENERAL ORDERS,
No 71.

Upon the recommendation of his Commanding Officer, so much of the unexpired portion of the sentence in the case of 2nd class Private Joseph Hennessey, U. S. Ordnance Department, promulgated in General Orders No. 26, current series, from these Headquarters, as confines him at hard labor under charge of the guard for six months, is hereby remitted. He will be released from confinement and returned to duty.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, May 3rd, 1867.

GENERAL ORDERS, No 73.

I. . . Upon the recommendation of their Commanding Officer, the unexpired portion of the sentence of confinement in the cases of Privates Henry E. Fisher and Michael Sullivan, Co. D, 3rd U. S. Cavalry, promulgated in General Orders No. 24, current series, from these Headquarters, is hereby remitted. They will be released from confinement, and returned to duty.

II. . . Upon the recommendation of his Commanding Officer, the unexpired portion of the sentence of confinement in the case of Private Daniel Coughlin, Co. D, 3d U. S. Cavalry, promulgated in General Orders No. 28, current series, from these Headquarters, is hereby remitted. He will be released from confinement, and returned to duty.

III. . . Upon the recommendation of his Commanding Officer, the unexpired portion of the sentence in the case of Braxton Sanders, unassigned Recruit, 10th U. S Cavalry, promulgated in General Orders No. 5, current series, from these Headquarters, is hereby remitted. He will be released from confinement, and returned to duty.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.

Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

Fort Leavenworth, Kansas, May 4th, 1867.

GENERAL ORDERS, No 75.

I. . . The unexpired portion of the sentence of imprisonment in the case of Lewis Miller, late private Co. E, 3rd U. S. Infantry, promulgated in General Orders No. 35, last series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

II. . . The unexpired portion of the sentence of imprisonment in the case of Frank Smith, late private Co. B. 4th U. S. Artillery, promulgated in General Orders No. 14, last series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

III. . . The unexpired portion of the sentence of imprisonment in the case of John Ellis, late private Co. D, 100th U. S. Colored Infantry, promulgated in General Orders No. 53, dated December 5th 1865, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

IV. . . The unexpired portion of the sentence of imprisonment in the case of Wilhelm Weinbrecht, late private Co. F, 10th U. S. Infantry, promulgated in General Orders No. 44, first series of 1866, from these Headquarters, is hereby remitted. He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

V. . . The unexpired portion of the sentences of imprisonment in the cases of James W. Young, late private Co. E, 3rd Battalion 18th U. S. Infantry, and James H. Beard, late private Co. H, 3rd Battalion, 18th U. S. Infantry, promulgated in General Orders No. 42, first series of 1866, from these Headquarters, is hereby remitted. They will be released from confinement at the Penitentiary, Jefferson City, Missouri.

VI. . . The unexpired portion of the sentence in the case of James McFarland, late private Co. F, U. S. Engineers, promulgated in General Orders No. 44, first series of 1866, from these Headquarters, is hereby remitted He will be released from confinement at the Penitentiary, Jefferson City, Missouri.

By Command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.

Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, May 9th, 1867.

GENERAL ORDERS, No. 76.

Upon the recommendation of his Commanding Officer, the unexpired portion of the sentence, promulgated in General Orders No. 22, current series, from these Headquarters, in the case of Private James O'Brien, Co. E, 3d U. S. Infantry, and so much thereof as directs his dishonorable discharge, is hereby remitted. He will be released from confinement and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler,
Acting Judge Advocate.

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HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, May 18th, 1867.

GENERAL ORDERS, No. 79.

Upon the recommendation of their Commanding Officer, the unexpired portion of the sentence of confinement, in the cases of Privates *William Snodgrass* and *Stephen L. Ryan*, Company F, 3rd U. S. Infantry, promulgated in General Orders No. 68, current series, from these Headquarters, is hereby remitted. They will be released from confinement and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Acting Judge Advocate.

G. C. M.

1. Michael Loftus, Private Company E, U. S. Engr. Battn.
2. Charles Johnson, Private Company C, 38th U. S. Infty.
3. David Young, Private Company G, 38th U. S. Infantry.
4. Harrison Bristoe, Private Company B, 38th U. S. Infty.
5. James Towson, Private Company D, 38th U. S. Infty.
6. Jefferson Myers, Private Company G, 38th U. S. Infty.
7. Abraham Brown, Private Company D, 38th U. S. Infty.
8. Thomas Nathan, Private Company G, 38th U. S. Infty.
9. Caleb Hudson, Private Company D, 38th U. S. Infty.
10. William Smith, Private Company D, 38th U. S. Infty.
11. Dennis Myers, Private Company G, 38th U. S. Infty.
12. Joseph Willhigh, Private Company G, 38th U. S. Infty.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, Kansas, May 20, 1867.

GENERAL ORDERS, No. 80.

I. . . . Before a General Court Martial which convened at Jefferson Barracks, Mo., May 1st, 1867, pursuant to Special Orders No. 92, Paragraph 1, current series, from these Headquarters, and of which Brevet Major General W. B. HAZEN, Colonel 38th U. S. Infantry, is President, were arraigned and tried:

1st.—Michael Loftus, Private Company E, U. S. Engineer Battalion.

CHARGE 1st—*Quitting his guard.*

Specification.—In this, that he, Private Michael Loftus, of Company E, U.S. Engineer Battalion, having been duly mounted on guard, did desert his guard without permission, on or about 6 o'clock, P. M., and remain absent until on or about 9,30 o'clock, P. M., of the 17th of March, 1867. This at Engineer Depot, Jefferson Barracks, Mo., on or about the 17th of March, 1867.

CHARGE 2d—*Drunkenness on duty.*

Specification.—In this, that he, Private Michael Loftus, of Company E, U. S. Engineer Battalion, being a member of the guard and having been duly posted as a sentinel, became so drunk, as to be unfit for the discharge of his duties, on or about the 17th of March, 1867. This at the Engineer Depot, Jefferson Barracks, Mo., on or about the 17th of March, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Michael Loftus, Company E, U. S. Engineer Battalion, as follows:

Of the specification 1st charge, ... *Not Guilty* of the specification as it reads, but guilty of absenting himself from his guard without permission.
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Michael Loftus, Company E, U. S. Engineer Battalion, to forfeit to the United States fifteen dollars of his monthly pay for three (3) months, and to be confined at hard labor in charge of the guard, at the post guard-house, Jefferson Barracks, Mo., for the same period.

2d.—Charles Johnson, Private Company C, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Charles Johnson, Company C, 38th U. S. Infantry, being duly enlisted in the United States service, did desert from his Company and Regiment at Jefferson Barracks, Mo., on or about the 18th day of March, 1867, and did remain absent as a deserter until apprehended and brought back on the 9th day of April, 1867.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Charles Johnson, Company C, 38th U. S. Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Charles Johnson, Company C, 38th U. S. Infantry, to make good all time lost by desertion, to re-imburse the United States all expenses incurred in his apprehension, to forfeit all pay now due; to forfeit to the United States fourteen dollars ($14) per month of his monthly pay for the period of six (6) months, and to be confined at hard labor under guard for the same period.

3d.—David Young, Private Company G, 38th U. S. Infantry, on the following charge and specifications

CHARGE.—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private David Young, Company G, 38th U. S. Infantry, did violently assault and strike George W. Hillyard, Private and Lance Sergeant of Company G, 38th U. S. Infantry, while in the performance of his duty as Lance Sergeant. All this on or about April 15th, 1867, in the quarters of Company G, 38th U. S. Infantry, at Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification, ... (*no plea recorded.*)
To the charge, ... (*no plea recorded.*)

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private David Young, Company G, 38th U. S. Infantry, as follows:

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him, said Private David Young, Company G, 38th U. S. Infantry.

4th.—Harrison Bristoe, Private Company B, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Harrison Bristoe, of Company B, 38th U. S. Infantry, having been duly enlisted into the military service of the United States, did desert therefrom, on or about the 14th day of January, A. D. 1867, and did not return until he was apprehended and brought back in custody to Jefferson Barracks, Missouri, on or about the 3d day of April, A. D. 1867. This at or near Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Harrison Bristoe, Company B, 38th U. S. Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Harrison Bristoe, Company B, 38th U. S. Infantry, to make good all time lost by desertion, to reimburse the United States all expenses incurred in his apprehension, to forfeit all pay now due, to forfeit fourteen dollars ($14) per month of his monthly pay for

the period of six months, and to be confined under guard at hard labor for the same period.

5th.—James Towson, Private Company D, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private James Towson, of Company D, 38th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert from his Company on the 18th of March and continue as a deserter until apprehended at St. Louis and returned (under charge of Corporal Morris) to his Company Commander at Jefferson Barracks, Mo., March 22d, 1867. This at Jefferson Barracks, Missouri, on or about the 18th day of March, 1867.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private James Towson, Company D, 38th U. S. Infantry, as follows:

Of the specification,.....*Not Guilty,* as it reads, but Guilty of absenting himself from his Company without leave, from the 18th to the 22d of March, 1867.
Of the charge,.....*Not Guilty,* but Guilty of *absence without leave.*

SENTENCE.

And the Court does therefore sentence him, Private James Towson, Company D. 38th U. S. Infantry, to forfeit ten dollars ($10) of his monthly pay for two months, and be confined under guard, at hard labor for the same period.

6th.—Jefferson Myers, Private Company G, 38th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification.—In this, that he, Private Jefferson Myers, Company G, 38th U. S. Infantry, having been ordered by his Commanding Officer, F. M. Crandal, 1st Lieutenant, 38th United States Infantry, Commanding Company G, 38th United States Infantry, to carry wood on his shoulder, did positively refuse

to obey said order. All this on or about the 15th day of April, 1867, at Jefferson Barracks, Missouri.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Jefferson Myers, Company G, 38th United States Infantry, did threaten violence to Private George Hillyard, Lance Sergeant, Company G, 38th United States Infantry, saying "if you come near me I will throw this stick of wood on you and kill you" or words tothat effect; Private George Hillyard, being at the time in the performance of his duty as Lance Sergeant, Company G, 38th United States Infantry.

To which charges and specifications, the accused pleaded as follows:

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Jefferson Myers, Company G, 38th U. S. Infantry, as follows:

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Jefferson Myers, Company G, 38th U. S. Infantry, to forfeit to the United States twelve dollars ($12) of his monthly pay for one month, and be confined at hard labor for the same period.

7th.—Abraham Brown, Private Company D, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post, in Violation of the 46th Article of War.*

Specification.—In this, that he, Private Abraham Brown, Company D, 38th Infantry, United States Army, having been properly detailed and mounted as guard, did, when posted as sentinel, go to sleep. All this at Jefferson Barracks, Mo., on or about the 12th day of April, 1867.

To which charge and specification, the accused pleaded as follows:

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Abraham Brown, Company D, 38th U. S. Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Abraham Brown, Company D, 38th United States Infantry, to be confined at hard labor in charge of a guard, for one month. The Court is thus lenient in view of the fact that this was the first time Private Abraham Brown has been on guard.

8th.—Thomas Nathan, Private Company G, 38th United States infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Thomas Nathan, Company G, 38th United States Infantry, did violently assault and strike George W. Hillyard, Private and Lance Sergeant, Company G, 38th United States Infantry, while in the performance of his duty as Lance Sergeant. All this on or about April 15th 1867, in the quarters of company G, 38th United States Infantry, at Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Thomas Nathan, Company G, 38th United States Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the court does therefore sentence him, Private Thomas Nathan, Company G, 38th United States Infantry, to forfeit to the United States fourteen ($14) dollars of his monthly pay for four months, and be confined at hard labor in charge of the guard for the same period.

9th.—Caleb Hudson, Private Company D, 38th United States Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Caleb Hudson, a Private of Company D, 38th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert from his Company and Regiment at Jefferson Barracks, Mo., on the 18th of March, 1867, and did remain as a deserter until apprehended at St. Louis, Mo., and returned to his Company Commander as such, on the 23d of March, 1867. This at Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Caleb Hudson, Company D, 38th U. S. Infantry, as follows:

Of the specification, ... *Not Guilty* of deserting his Company and Regiment and remaining a deserter until apprehended and brought back, but Guilty of absenting himself without leave and remaining absent from March 18th, till he voluntarily returned on the 23d day of March, 1867.

Of the charge, ... *Not Guilty,* but Guilty of *absence without leave.*

SENTENCE.

And the Court does therefore sentence him, Private Caleb Hudson, of Company D, 38th Infantry, to forfeit ten dollars ($10) of his monthly pay for two months, and be confined under guard at hard labor for the same period.

10th.—William Smith, Private Company D, 38th United States Infantry, on the following charge and specification:

CHARGE—*Quitting his guard.*

Specification.—In this, that he, Private William Smith, Company D, 38th United States Infantry, a member of the post guard, at Jefferson Barracks, Mo., did quit his guard, and remain absent until arrested and brought back by Private Gains, of Company C, 38th United States Infantry. This at Jefferson Barracks, Mo., on or about the night of the 24th day of March 1867.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private William Smith, Company D, 38th United States Infantry, as follows:

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the court does therefore sentence him, Private William Smith, Company D, 38th United States Infantry, to forfeit ten dollars ($10) of his monthly pay for one month.

11.—Dennis Myers, Private Company G, 38th United States Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Dennis Myers, a Private of Company G, 38th United States Infantry, did violently assault with a knife, Samuel Davis, a Private and Lance Sergeant in Company G, 38th United States Infantry, while in the performance of his duty as Lance Sergeant. All this on or about April 15th, 1867, in the quarters of Company G, 38th United States Infantry, at Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence addu-

ced, finds the accused, Private Dennis Myers, Company G, 38th United States Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Dennis Myers, Company G, 38th United States Infantry, to forfeit to the United States fourteen dollars ($14) of his monthly pay for six months and be confined at hard labor under guard for the same period.

12th.—Joseph Willhigh, Private Company G, 38th United States Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Joseph Willhigh, a Private of Company G, 38th United States Infantry, did violently assault and strike Samuel Davis, Private and Lance Sergeant, Company G, 38th United States Infantry, while in the performance of his duty as Lance Sergeant. All this on or about April 15th, 1867, in the quarters of Company G, 38th Infantry, at Jefferson Barracks, Mo.

To which charge and specification the accused pleaded as follows:

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Joseph Willhigh, Company G, 38th United States Infantry, as follows:

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Joseph Willhigh, Company G, 38th Infantry, to forfeit to the United States fourteen dollars ($14) of his monthly pay for six months and be confined at hard labor, in charge of a guard, for the same period.

II . . . The proceedings, findings and sentences, in the foregoing cases of Privates Michael Loftus, Company E, U. S. Engineer Battalion, Charles Johnson, Co.C, Harrison Bristoe, Co. B, James Towson Co. D, Jefferson Myers, Co. G, Abraham Brown, Co. D, Thomas Nathan, Co. G, Caleb Hudson, Co. D, William Smith, Co. D, Dennis Myers, Co. G, and Joseph Willhigh, Co. G, all of the 38th U. S. Infantry, are approved. The sentences will be duly executed.

In the case of Private David Young, Co. G, 38th U. S. Infantry, the proceedings and findings are disapproved, owing to the inadvertence or carelessness of the Court and Judge Advocate, the Record does not contain *the plea* of the accused, which is a fatal defect. The prisoner will be released from confinement and returned to duty.

III . . . The General Court Martial of which Brevet Major General W. B. Hazen is President, is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official: R. Chandler.
Acting Judge Advocate.

G. C. M.

1. Brevet Captain P. K. Thomas, 1st Lieut. 3d U. S. Cav.
2. Brevet Major Geo. W. Howland, Capt. 3d U. S. Cav.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, May 21, 1867.

GENERAL ORDERS, No. 81.

I....Before a General Court Martial which convened at Fort Union, N. M., April 18th, 1867, pursuant to Special Orders No. 58, Paragraph 2, current series, from these Headquarters, and of which Brevet Colonel NELSON H. DAVIS, Major and Inspector General, is President, were arraigned and tried:

1st.—Brevet Captain P. K. Thomas, 1st Lieut. 3d United States Cavalry, on the following charges and specifications:

CHARGE—*Conduct unbecoming an Officer and a gentleman.*

Specification.—In this, that P. K. Thomas, Brevet Captain and 1st Lieut. 3d U. S. Cavalry, did sell one mouse colored mule, the property of the United States, to Walter Armstrong, Quartermaster Sergeant, G Company, 3d United States Cavalry, for the sum of one hundred (100) dollars, representing to said Walter Armstrong that the mule was his (Lieutenant Thomas') private property, and that he did appropriate the proceeds of said sale to his own use and benefit. All this at or near Fort Garland, C. T., on or about the 13th day of October, 1866.

ADDITIONAL CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that 1st Lieutenant and Brevet Captain P. K. Thomas, 3d United States Cavalry, did during the Winter of 1865 and 66, at or near Little Rock, Arkansas, receive a certain sum of money from Private Daniel Salter, of G Company, 3d United States Cavalry, amounting to some $60 or $70, deposited with him for safe keeping, and he, the said 1st Lieutenant and Brevet Captain P. K. Thomas, does still owe the said Daniel Salter a part of said sum of money amounting to ($32) thirty-two dollars.

Specification 2d.—In this, that the said 1st Lieutenant and Brevet Captain P. K. Thomas, 3d United States Cavalry, did during the month of March, 1866, at or near Little Rock, Arkansas, draw the pay of Private Paul Becker, of G Company, 3d United States Cavalry, without the authority of the said Becker, and while he, the said Becker, was in confinement. And that the said Lieutenant and Brevet Captain P. K. Thomas, does, March 16, 1866, still owe the said Becker the sum of sixty-five dollars, ($65.)

Specification 3d.—In this, that the said 1st Lieutenant and Brevet Captain P. K. Thomas, 3d United States Cavalry, did during the month of March, 1866, at or near Little Rock, Arkansas, draw the pay of William Livingstone, Private G Company, 3d United States Cavalry, amounting to ($44,) while the said Livingstone was on detached service, and without his (Livingstone's) knowledge or consent, and that the said 1st Lieutenant and Brevet Captain P. K. Thomas has failed to pay over to the said Livingstone the said sum of money.

Specification 4th.—In this, that the said 1st Lieutenant and Brevet Captain P. K. Thomas, 3d United States Cavalry, did up to this date, fail to pay Private Henry Snowdon, Company tailor of G Company, 3d United States Cavalry, the sum of ($30,) thirty dollars, said sum being due the said Snowdon for tailoring done by him for the said 1st Lieutenant and Brevet Captain P. K. Thomas at various times during the years of 1864, 65 and 66, all this to the prejudice of good order and military discipline.

To which charge and specifications the accused pleaded as follows:

To the specification of the charge,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

To the 1st specification of additional charge,..... *Not Guilty.*
To the 2d specification of additional charge,..... *Not Guilty.*
To the 3d specification of additional charge,..... *Not Guilty.*
To the 4th specification of additional charge,..... *Not Guilty.*
To the additional charge,..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, 1st Lieut. and Brevet Captain P. K. Thomas, 3d United States Cavalry, as follows:

Of the specification to the charge,..... ...*Guilty,* except the words, "the property of the United States."
Of the charge,..... *Not Guilty.*
Of the 1st specification of the additional charge,..*Not Guilty.*
Of the 2d specification of the additional charge,...*Not Guilty.*
Of the 3d specification of the additional charge,...*Not Guilty.*
Of the 4th specification of the additional charge,..*Not Guilty.*
Of the additional charge,.....*Not Guilty.*

And the court does therefore acquit him, 1st Lieutenant and Brevet Captain P. K. Thomas, 3d United States Cavalry.

2d.—Brevet Major George W. Howland, Captain 3d United States Cavalry, on the following charge and specifications:

CHARGE—*Conduct unbecoming an officer and a gentleman.*

Specification 1st.—In this, that Brevet Major George W. Howland, Captain 3d United States Cavalry, did have at his tent and did live openly with a woman of ill fame named Juanita, and did introduce said woman to the Officers of his regiment and their wives as his wife. All this at or near Fort Smith, Arkansas, between the 15th day of May, 1866, and the 15th day of June, 1866.

Specification 2d.—In this, that the said Brevet Major George W. Howland did continue to live with the said woman and represent her as his wife during the march from Fort Smith, Arkansas, to Fort Union, New Mexico, on or about the 15th day of October, 1866, when he married the said Juanita at Albuquerque, N. M.

Specification 3d.—In this, that the said Brevet Major George W. Howland did speak repeatedly of this woman Juanita as "my old whore" in the presence of Officers of his regiment.

To which charge and specifications the accused pleaded as follows:

To the 1st specification of the charge, ... *Not Guilty.*
To the 2d specification of the charge, ... *Not Guilty.*
To the 3d specification of the charge, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Brevet Major George W. Howland, Captain 3d United States Cavalry, as follows:

Of the 1st specification of the charge, ... *Not Guilty.*
Of the 2d specification of the charge, ... *Not Guilty.*
Of the 3d specification of the charge, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore honorably acquit him.

II. . . The proceedings and findings in the foregoing cases of Brevet Major George W. Howland, Captain 3d U. S. Cavalry and Brevet Captain P. K. Thomas, 1st Lieutenant 3d U. S. Cavalry, are approved. They will be released from arrest and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.
Acting Judge-Advocate.

G. C. M.

1. Richard Maloney, Private Company M, 7th Cavalry.
2. Thomas Perry, Private Company H, 7th Cavalry.
3. James Ryan, Private Company M, 7th Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, Kansas, May 23, 1867.

GENERAL ORDERS, No. 84.

I....Before a General Court Martial which convened at Fort Riley, Kansas, April 19, 1867, pursuant to Special Orders No. 78, current series, from these Headquarters, and of which Brevet Brigadier General Pitcairn Morrison, Colonel U. S. A., is President, were arraigned and tried:

1st.—Private Richard Maloney, Company M, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that he, the said Private Richard Maloney, Company M, 7th U. S. Cavalry, did on or about the 14th day of March, 1867, become so much under the influence of intoxicating liquor, while a member of the post guard at Fort Riley, Kansas, as to be unable to perform the duties of a sentinel properly. This at Fort Riley, Kansas, on or about the 14th day of March, 1867.

CHARGE 2d—*Leaving his Post, in violation of the 46th Article of War.*

Specification.—In this, that he, the said Private Richard Maloney, Company M, 7th U. S. Cavalry, after being duly posted as a sentinel, on Post No. 3, did leave his post without proper authority. This at Fort Riley, Kansas, on or about the 14th day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification 1st charge,..... *Guilty.*
To the 1st charge,..... *Guilty.*
To the specification 2d charge,..... *Guilty.*
To the 2d charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the specification to the 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the specification to the 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Richard Maloney, Company M, 7th U. S. Cavalry, to be confined at hard labor in charge of the guard, for the period of 4 Calendar months, the last 14 days of which confinement shall be solitary, and upon bread and water diet.

2d.—Private Thomas Perry, Company H, 7th Cavalry, on the following charge and specification.

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, the said Private Thomas Perry, Company H, 7th Cavalry, did deliberately fire at and wound Private John Martin, Company H, 7th Cavalry, on or about the 13th day of March, 1867. All this at Fort Riley, Kansas.

To which charge and specification the prisoner pleaded as follows:

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private Thomas Perry, Company H, 7th U.

S. Cavalry, as follows:

Of the specification,..... *Guilty*, but attach no criminality thereto.
Of the charge,..... *Guilty*, but attach no criminality thereto.

And the Court does therefore acquit him.

3d.—Private James Ryan, Company M, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, Private James Ryan, Company M, 7th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same, on or about the 2d day of March, 1867, and did remain away until apprehended and brought back, on or about the 7th day of March, 1867. Thirty dollars paid for apprehension. This at or near Fort Riley, Kansas.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Private James Ryan, Company M, 7th U. S. Cavalry, did desert the service and take with him government property to the amount of ($51,65) fifty-one dollars and sixty-five cents, for which 1st Lieutenant Owen Hale, was responsible. This at or near Fort Riley, Kansas, on or about the 2d day of March, 1867.

To which charges and specifications the prisoner pleaded as follows:

To the specification of the 1st charge,..... *Not Guilty.*
To the 1st charge,..... *Not Guilty.*
To the specification of the 2d charge,..... *Not Guilty.*
To the 2d charge,..... *Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private James Ryan, Company M, 7th U. S. Cavalry, as follows:

Of the specification to the 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the specification to the 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Ryan, Company M, 7th Cavalry, to be dishonorably discharged the service, and to be confined at hard labor for six months and to forfeit all pay for the same period.

II. . . . The proceedings, findings and sentence in the case of Private Richard Maloney, Co. M, 7th U. S. Cavalry, are approved. The sentence will be duly executed at the Post where his company may be serving.

In the case of Private Thomas Perry, Co. H, 7th U. S. Cavalry, the proceedings and findings are disapproved. It is a general rule, that when the accused pleads guilty, no testimony upon the merits is to be introduced. But it is believed to be essential to a proper administration of justice, that the prosecution should offer evidence of the circumstances of the offence, notwithstanding the plea of guilty has been interposed. Such testimony is necessary to enable the reviewing officer to pass intelligently upon the whole case. No evidence whatever was taken in this case. Having pleaded guilty, the accusation is considered virtually proved and the prosecution closed, as a confession in open court is held to be sufficient to convict. The prisoner therefore having admitted the truth of the charge and specification in this case, should have been found guilty *and sentenced* according to the offence; and if there were any palliating circumstances connected therewith, (none being shown by the Record,) or if the court considered the prisoner entitled to mitigation of punishment, a recommendation to clemency could have been forwarded with the proceedings. A verdict of guilty of "conduct to the prejudice of good order and military discipline," in deliberately firing at and wounding a man, and "attaching no criminality thereto," without any evidence whatever to show a want of criminality, is stultification.

The prisoner will be released from confinement and returned to duty.

The proceedings, findings and sentence of the court in the case of Private James Ryan, Co. M, 7th U. S. Cavalry, are ap-

proved, and the sentence will be duly executed, except the forfeiture of pay after his discharge, which is impracticable.

III....The General Court Martial of which Brevet Brigadier General PITCAIRN MORRISON, Colonel U. S. Army, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.
Acting Judge-Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, May 23, 1867.

GENERAL ORDERS, No. 85.

In the case of Private Lafayette Baker, Company I, 7th U. S. Cavalry, sentenced "to be confined at hard labor for the period of one (1) year, in the guard house, at such posts as his company may be serving during that time, and to forfeit all pay and allowances now due, or that may become due, during the period of his punishment, except the just dues of the sutler and laundress," promulgated in General Orders, No. 14, current series, from these Headquarters, the sentence is mitigated to confinement at hard labor for six (6) months, and to forfeiture of all pay and allowances during that period.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: R. Chandler.
Acting Judge Advocate.

G. C. M.

1. Thomas J. Strupper, Recruit, 5th U. S. Infantry,
2. 1st Lieutenant John Falvey, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, May 24, 1867.

GENERAL ORDERS, No. 86.

1. . . . Before a General Court Martial which convened at Fort Bayard, N. M., April 4th, 1867, pursuant to Special Orders No. 55, current series, from these Headquarters, and of which Brevet Lieutenant Col. EDWARD P. CRESSY, Capt. 3d U. S. Cavalry is President, were arraigned and tried

1st.—Recruit Thomas J. Strupper, 5th U. S. Infantry, upon the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that Recruit Thomas J. Strupper, of Co. B, 5th U. S. Infantry, did desert his Company on the night of the 4th day of March, 1867, and remain absent until apprehended on or about the 10th day of March, 1867, at Fort Cummings, N. M. This at Fort Bayard, N. M., between the 4th day of March and the 10th day of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Recruit Thomas J. Strupper, of Co. B, 5th U. S. Infantry, did sell or lose through neglect, the following named articles of Ordnance and Ordnance Stores and Camp and Garrison Equipage, viz: one bayonet scabbard, one cap pouch, and cone pick, one cartridge box plate, one waist belt, one waist belt plate—total value of ordnance, one dollar and thirty-six cents. Two great coat straps, one bed sack, one knapsack, one haversack, and one canteen—total

money value of Camp and Garrison Equipage, eight dollars and thirty-two cents. This at Fort Bayard, N. M., between the 4th day of March, 1867, and the 10th day of March, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty,* except the words "one cartridge box plate, two great coat straps, one bed sack."
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are now, or may become due him, except the just dues of the sutler and laundress, to be drummed out of the garrison and dishonorably discharged the service.

2d.—1st Lieut. John Falvey, 3d U. S. Cavalry, upon the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification 1st.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did, while officer of the day, leave his post and visit the quarters of some Volunteer officers stationed a mile distant, and there become so drunk as to be unable to return to his own camp until 11 o'clock P. M. This at Los Pinos, N. M., on or about the night of the 2d of September, 1866.

Specification 2d.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did, while in command of Company M, of that regiment, absent himself from his command and did remain absent from 5 o'clock P. M., on the afternoon of the 16th day of September, 1866, until day-break on the morning of the 17th of September, 1866, he 1st Lieut, John Falvey, having become so drunk between Fort Selden, N. M., and his company camp-ground, as to be compelled to lie down by the road-side, unconscious of his whereabouts, although he was but a short distance from the camp of his company. This on the march from Fort Selden, N. M., to Fort Bayard, N. M., on or about the night of the 16th of September, 1866.

CHARGE 2d—*Conduct unbecoming an officer and a gentleman.*

Specification 1st.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did become so disgracefully drunk, and was so insulting at the sutlers store at Fort Craig, N. M., as to necessitate his removal from the presence of the the bystanders. This at Fort Craig, N. M., on or about the 9th day of September, 1866.

Specification 2d.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did visit the quarters of Mrs. Briget Macklin, and then and there, after having ordered the husband of Mrs. Macklin (a private of Co. M, 3d U. S. Cavalry) out of the tent, did offer gross insult to her person, remarking at the same time: "I will give you five dollars, but you must have no more babies." This at or near Fort Bayard, N. M., on or about the night of the 15th of October, 1866.

Specification 3d.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did visit the quarters of Mrs. Briget Macklin, a company laundress he, Lieut. Falvey being drunk, and carrying a bottle of spiritous liquor in each hand, and did order the husband of said laundress, Private Dennis Macklin, out of bed, saying there were Indians about camp; and did threaten said Private Macklin saying: "if you do not open the tent I will send for the guard and tear it open." The tent being opened by Private Macklin, he, Lieut. John Falvey, did enter and did take a seat on Mrs. Macklin's bed, at the same time proceeding to uncork two bottles of Champagne, of which he insisted that Private Macklin and his wife should drink. Private Macklin did as ordered, but Mrs. Macklin refused. These two bottles having been disposed of, he, Lieut. Falvey, did order Private Macklin to go to his, Lieut. Falvey's tent and get a bottle of whiskey. Having brought the bottle as ordered, Lieut. Falvey ordered the said Private Macklin out of his tent; and a Private of the Infantry guard entering the tent at this time, Lieut. Falvey did offer him a drink out of his bottle. This at or near Fort Bayard, N. M., on or about the night of the 15th of October, 1866.

Specification 4th.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did, while in a state of drunkenness, return to the quarters of Mrs. Briget Macklin, a laundress of Company M, 3d U. S. Cavalry, and did call for the Corporal of the guard and did take from his tent Private Dennis Macklin of Company M, 3d U. S. Cavalry, and did cause him to be tied up to a tree, to enable him, Lieut. Falvey, to accomplish his designs

on Mrs. Macklin. This at or near Fort Bayard, N. M., on or about the night of the 15th of October, 1866.

CHARGE 3d—*Violation of the 36th Article of War.*

Specification 1st.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, did sell or cause to be sold, one (1) sack of Flour and one (1) sack of Bacon, rations of Company M, 3d U. S. Cavalry, appropriating the money to his own use, he 1st Lieut. John Falvey, 3d U. S. Cavalry, being at this time in command of said Company and responsible for the rations. This at or near Paraji, N. M., on or about the 12th day of September, 1866.

Specification 2d.—In this, that 1st Lieut. John Falvey, 3d U. S. Cavalry, Commanding Company M, of said regiment, did trade, or order his 1st Sergeant to trade and dispose of a mare, five years old, the property of the United States, and did receive in exchange a condemned horse branded C. said to be the private property of a Volunteer Officer then Acting Assistant Quartermaster at Fort Craig, N. M. This at or near Fort Craig, N. M., on or about the 11th day of September, 1866.

CHARGE 4th—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that 1st Lieutenant John Falvey, 3d U. S. Cavalry, commanding Company M, of said regiment, did when passing through the Company grounds with Lieut. Charles Porter, 5th U. S. Infantry, strike repeatedly with his hand Blacksmith Joseph Malhern, of Company M, 3d U. S. Cavalry, then a prisoner under charge of the guard. This at or near Fort Bayard, N. M., on or about the 30th day of September, 1866.

PLEA.

To all of which charges and specifications the accused pleaded..... *Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced finds the accused, 1st Lieut. John Falvey, 3d U. S. Cavalry, as follows:

Of the 1st specification of the 1st charge,..... *Not Guilty.*
Of the 2d specification of the 1st charge,..... *Not Guilty.*
Of the 1st charge,..... *Not Guilty.*
Of the 1st specification of the 2d charge,..... *Not Guilty.*
Of the 2d specification of the 2d charge,..... *Not Guilty.*

Of the 3d specification of the 2d charge,.....*Not Guilty.*
Of the 4th specification of the 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*
Of the 1st specification of the 3d charge,.....*Not Guilty.*
Of the 2d specification of the 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*
Of the specification of the 4th charge.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

And the Court does therefore honorably acquit him.

II. . . .The proceedings and findings in the case of Recruit Thomas J. Strupper, 5th U. S. Infantry, are approved. The sentence will be duly executed.

In the case of 1st Lieut. John Falvey, 3d U. S. Cavalry, the proceedings and findings are approved. There being *no* evidence shown by the Record to sustain any one of the the charges or specifications, the case has the appearance of a malicious prosecution to gratify personal resentment.

To prefer accusations which cannot be maintained, is highly injurious to the service, and reflects discredit upon those who prefer them; and if upon trial the charges are found to be groundless, the officer preferring them should be held accountable, and be tried himself for preferring malicious charges.

Lieutenant Falvey will be released from arrest and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.
Acting Judge Advocate.

G. C. M.

1. Daniel Lewis, Private Co. B, 38th U. S. Infantry.
2. Samuel Davis, Private Co. B, 38th U. S. Infantry.
3. James Gibson, Private Co. A, 38th U. S. Infantry.
4. William Holley, Private Co. L, 7th U. S. Cavalry.
5. Abraham Phillips, Private Co. L, 7th U. S. Cavalry.
6. Barnard O'Neal, Private Co. M, 7th U. S. Cavalry.
7. Oscar Crist, Private Co. H, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, May 31, 1867.

GENERAL ORDERS, No. 88.

I....Before a General Court Martial which convened at Fort Riley, Kansas, May 4, 1867, pursuant to Special Orders No. 94, Paragraph 1, current series, from these Headquarters, and of which Brevet Major General ALFRED GIBBS, Major 7th United States Cavalry, is President, were arraigned and tried:

1st.—Daniel Lewis, Private Co. B, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification.—In this, that Private Daniel Lewis, Co. B, 38th U. S. Infantry, having been duly posted as a sentinel at the Post stables at Fort Riley, Kansas, did lie down inside of such stables and go to sleep, and was so found by the Corporal of the guard to whose relief said Lewis belonged. This on or about the 4th day of April, 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court after mature deliberation finds the prisoner, Private Daniel Lewis, Co. B, 38th U. S. Infantry, as follows:

Of the specification to the charge, it confirmed the plea of the accused and found him ..... *Guilty.*
Of the charge, it confirmed the plea of the accused and found him ..... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Daniel Lewis, Co. B, 38th U. S. Infantry, "to be confined at hard labor in charge of the guard where his Company or Regiment may be serving, for the period of four months; to forfeit ten dollars per month of his monthly pay during his confinement, the last fourteen days to be solitary, and on bread and water diet.

2d.—Samuel Davis, Private Co. B, 38th U. S. Infantry, on the following charge and specification:

CHARGE —*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private Samuel Davis, Co. B, 38th U. S. Infantry, having been ordered by Corporal Samuel Keith, then in command of the post guard at Fort Riley, Kansas, with which said Private Davis was on duty, to take charge of a party of prisoners sent out to work, did refuse to obey such order, and did threaten such Corporal with his musket to prevent him from enforcing such order. This at Fort Riley, Kansas, on or about the 30th day of March, A. D. 1867.

To which charge and specification the prisoner pleaded as follows:

To the specification to the charge,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Samuel Davis, Co. B, 38th U. S. Infantry, as follows:

Of the specification to the charge,.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Samuel Davis, Co. B, 38th U. S. Infantry, "to be confined at hard labor, in charge of the guard, where his Company or Regiment may be serving, for the period of four months, and to forfeit ten dollars per month of his monthly pay during his confinement; the last fourteen days to be solitary, and on bread and water diet."

3d.—James Gibson, Private Co. A, 38th U. S. Infantry, on the following charge and specifications:

CHARGE—*Desertion.*

Specification 1st.—In this, that Private James Gibson, Co. A, 38th U. S. Infantry, having been duly enlisted into the military service of the United States, did desert therefrom on or about December 20th, A. D. 1866, and did not return until he voluntarily surrendered himself at Jefferson Barracks, Mo., on or about January 20th1, 867. This at or near Jefferson Barracks, Mo.

Specification 2d.—In this, that Private James Gibson, of Co. A, 38th U. S. Infantry, then being duly enlisted in the military service of the United States, did desert therefrom on or about February 20th, A. D. 1867, and did not return until he was arrested and brought to Jefferson Barracks, Mo., on or about the 12th of March, A. D. 1867. This at or near Jefferson Barracks, Mo.

To which charge and specifications the prisoner pleaded as follows:

To the 1st specification,.....*Guilty.*
To the 2d specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

The Court after mature deliberation finds the prisoner, Private James Gibson, Co. A, 38th U. S. Infantry, as follows:

Of the 1st specification it confirmed the plea of the prisoner and found him *Guilty.*

Of the 2d specification it confirmed his plea and found him ..... *Guilty.*

Of the charge it confirmed his plea and found him .... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private James Gibson, Co. A, 38th U. S. Infantry, "to forfeit all pay and allowances that are now, or may become due him, except the just dues of the sutler and laundress, to be confined at hard labor in charge of the guard for six months, and then to be dishonorably discharged the service of the United States."

4th.—William Holley, Private Co. L, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that the said Private William Holley, Co. L, 7th U. S. Cavalry, did desert the service of the United States, after having been regularly enlisted therein, and did remain absent until apprehended and brought back by a party sent in pursuit, on the 27th of April. This at or near Fort Riley, Kansas, on the 26th of April, 1867. Thirty dollars paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the specification, ... *Guilty.*

To the charge, ... *Guilty.*

FINDING.

The Court after mature deliberation finds the prisoner, Private William Holley, Co. L, 7th U. S. Cavalry, as follows:

Of the specification to the charge it confirmed his plea and found him ..... *Guilty.*

Of the charge it confirmed his plea and found him .... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private William Holley, Co. L, 7th U. S, Cavalry, "to forfeit all pay and

allowances that are now due, and to be dishonorably discharged the service of the United States.

5th.—Abraham Phillips, Private Company L. 7th U. S. Cavalry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that the said Private Abraham Phillips, Company L, 7th U. S. Cavalry, did desert the service of the United States, after having been duly enlisted therein, and did remain absent until apprehended and brought back by a party sent in pursuit, on the 27th of April. This at or near Fort Riley, Kansas, on the 26th of April, 1867. Thirty dollars reward paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the specification, ... *Guilty.*
To the charge ..... *Guilty.*

FINDING.

The Court after mature deliberation finds the prisoner, Private Abraham Phillips, Company L, 7th U. S. Cavalry, as follows:

Of the specification to the charge it confirmed his plea and found him ..... *Guilty.*
Of the charge it confirmed his plea and found him .... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Abraham Phillips, Co. L, 7th U. S. Cavalry, "to be confined at hard labor for six months, to lose all pay and allowances, and to be discharged dishonorably from the service at the expiration of his sentence."

6th.—Barnard O'Neal, Private Co. M, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st.—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that the said Barnard O'Neal, Co. M, 7th U. S. Cavalry, while being taken to the guard-house by Sergeant Albert Piedfort, Co. F, 7th U. S. Cavalry, by order Commanding Officer of the Post, did violently assault and strike with a bottle, said Sergeant Piedfort. This at Fort Riley, Kansas on or about the 30th of April, 1867.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that the said Barnard O'Neal, M Co., 7th U. S. Cavalry, having been ordered by Captain John N. Craig, Commanding Post, to report to Captain Nicholas Nolan, 10th Cavalry, to accompany the detachment to Fort Harker, did fail to obey such order, and did remain behind at Junction City until after the detachment had left, when he returned to this Post. All this at or near Fort Riley, Kansas, on or about the 15th of April, 1867.

To which charges and specifications the accused pleaded as follows:

To the specification 1st charge.....*Not Guilty.*
To the 1st charge.....*Guilty.*
To the specification 2d charge.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*

FINDING.

The Court having maturely considered the evidence adduced, finds the prisoner, Private Barnard O'Neal, Co. M, 7th U. S. Cavalry, as follows:

Of the specification to the 1st charge,.....*Guilty.*
Of the 1st charge it confirmed his plea and found him *Guilty.*
Of the specification to the 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Barnard O'Neal, Co. M, 7th U. S. Cavalry, "to be confined at hard labor for the period of six months, and ten dollars of his monthly pay stopped for the period of six months. The last fourteen days of his confinement to be solitary, and on bread and water.

7th.—Oscar Crist, Private Co. H, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, the said Private Oscar Crist, Co. H, 7th U. S. Cavalry, having been duly enlisted into the United States service as a soldier, did desert the same. This at Fort Riley, Kansas, on or about the 19th day of January, 1867. Thirty dollars reward paid for his apprehension.

To which charge and specification the prisoner pleaded as follows:

To the specification of the charge,.....*Guilty.*

To the charge, ... *Guilty.*

FINDING.

The Court after mature deliberation finds the prisoner, Private Oscar Crist, Co. H, 7th U. S. Cavalry, as follows:

Of the specification to the charge it confirms his plea and found him ..... *Guilty.*
Of the charge it confirmed his plea and found him .... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Oscar Crist, Co. H, 7th U. S. Cavalry, "to be confined at hard labor where his Company or Regiment may be serving, for the period of six months; to lose all pay and allowances that are or may become due during his confinement, and then to be dishonorably discharged the service."

II . . . The proceedings and findings in the cases of Privates Daniel Lewis and Samuel Davis, Co. B, 38th U. S. Infantry, and Barnard O'Neal, Co. M, 7th U. S. Cavalry, are approved, and the sentences will be duly executed.

In the cases of Privates James Gibson, Co. A, 38th U.S. Infantry, Abraham Phillips, Co. L, and Oscar Crist, Co. H, 7th U. S. Cavalry, the proceedings and findings are approved. So much of the sentences in each of these cases as directs a dishonorable discharge, is hereby remitted. The remainder of the sentences will be executed as follows: To be confined at hard labor under charge of the guard where their Companies may be serving, for the period of six months, and to forfeit to the United States all pay now due and to become due for the same period, except the just dues of the sutler and laundress.

Dishonorable discharge for the crime of *Desertion*, seems to be in contravention of General Orders No. 4, War Department, current series, which prescribes confinement not to exceed six months, except in aggravated cases. Being "a purely Military offence," and of such frequent occurrence, it is not deemed advisable or proper for Courts Martial to award sentences of dishonorable discharge for this offence; by so doing a premium is offered soldiers to desert. It is preferable to award sen-

tences of confinement and loss of pay, whereby the offenders may be punished *in* the service, and the Government receive some benefit from their labor.

In the case of Private William Holley, Co. L, 7th U. S. Cavalry, the proceedings and findings are approved. So much of the sentence as directs a dishonorable discharge, is disapproved. The remainder of the sentence will be duly executed. The prisoner will be released from arrest and restored to duty.

III. . . . The General Court Martial of which Brevet Major General ALFRED GIBBS, Major 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge Advocate.

G. C. M.

1. Eben Stanley, Private Company D, 3d U. S. Cavalry.
2. Charles Enfield, Hospital Steward, U. S. A.
3. Peter Brady, Sergeant Company I, 5th U. S. Infantry.
4. Eugene Smithline, Private Company I, 5th U. S. Inft.
5. William W. Reade, Private Company A, 3d U. S. Cav.
6. Robert Heldenreid, 1st Sergeant Co. A, 3d U. S. Cav.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, MAY 31, 1867.

GENERAL ORDERS, No. 89.

I. . . .Before a General Court-Martial which convened at Fort Union, N. M., April 15th, 1867, pursuant to Special Orders No. 58, Paragraph 2, current series, from these Headquarters, and of which Brevet Colonel Nelson H. Davis, Major and Inspector General, is President, were arraigned and tried:

1st.—Eben Stanley, Private Company D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 23d Article of War.*

Specification.—In this, that the said Private Eben Stanley, Company D, 3d U. S. Cavalry, did advise or persuade Private Adam Runckle, Company D, 3d U. S. Cavalry, to desert the service of the United States, and on being asked some hours after if he was going that night, replied "not before I get paid off," or words to that effect. All this at Fort Union, N. M., on or about the 20th day of February, 1867.

CHARGE 2d—*Conduct prejudicial to good order and Military discipline.*

Specification 1st.—In this, that the said Eben Stanley did on or about the 23d day of February, 1867, write a letter to the Commanding Officer, Brevet Major General James H. Carleton, U. S. Army, of the District of New Mexico, without sending said letter "through the proper channel," or without making the fact known in any way to his company commander.

Specification 2d.—In this, that he, the said Private Eben Stanley, Company D, 3d U. S. Cavalry, did in a letter written by him to Brevet Major General James H. Carleton, commanding the District of New Mexico, dated the 23d of February, 1867, insinuate in said letter that it was by order of Colonel Lane, his company commander, that he was persuaded to desert—all of which is false. This at Fort Union, New Mexico, on or about the 23d day of February, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the 1st specification 2d charge, ... *Guilty.*
To the 2d specification 2d charge, ... *Guilty.*
except the words "all of which is false."
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification of the 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the 1st specification of the 2d charge, ... *Guilty.*
Of the 2d specification of the 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Eben Stanley, Company D, 3d U. S. Cavalry, "to forfeit to the United States ten dollars ($10) per month of his monthly pay for four months, and to be confined at hard labor for one month, in charge of the guard.

2d.—Charles Enfield, Hospital Steward U. S. A., on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that Charles Enfield, Hospital Steward U. S. A., did send a communication to 1st Lieutenant F. A. Jennings, 125th U. S. C. Infantry, Post Adjutant, of the tenor following, to wit: "Extract from Com. Records of Fort Bascom, of November, 1866, while Lieut. F. A. Jennings was A. C. S.:

'Sales to officers;' item—'Whiskey;' Com. Book, 12¼ Gallons.
do. do. do. do. Sales Book, 24¼ do.

It will be seen that there is a difference of 12 gallons of Whiskey between the two records, and that the lesser quantity is reported as sold, in the return of prvisions, (Com. Book.) and that the Govt. has been paid only for this 12 gallons.

Lieut. F. A. Jennings desired me (I was Clerk) to report but 2 gallons as purchased by each officer.

(signed) Chas. Enfield.

The above statement is respectfully furnished Lieut. F. A. Jennings in his private capacity, for his information."

This with a view of intimidatng said 1st Lieut. F. A. Jennings, and deterring him from the proper performance of his duty. All this at Fort Bascom, New Mexico, on or about the 24th day of February, 1867.

Specification 2d.—In this, that the said Charles Enfield, Hospital Steward U. S. A., did send a communication to the said Lieut. F. A. Jennings, of the tenor following, to wit: "Extract from Com. Records of Fort Bascom, of Nov. 1866, while Lieut. F. A. Jennings was A. C. S.:

'Sales to officers;' item—'Whiskey;' Com. Book, 12½ Gallons.
do. do. do. do. Sales Book, 24½ do.

It will be seen that there is a difference of 12 gallons of Whiskey between the two records, and that the lesser quantity is reported as sold in the Return of Provisions, (Com. Book,) and that the Govt. has been paid only for this 12 gallons.

Lieut. F. A. Jennings desired me (I was Clerk) to report but 2 gallons as purchased by each officer.

(signed) Chas. Enfield.

The above statement is respectfully furnished Lieut. F. A. Jennings in his private capacity, for his information."

Intimating thereby an intention on the part of Lieut. Jennings to defraud the government, which the records of the A. C. S. at Fort Bascom fail to show. All this at Fort Bascom, New Mexico, on or about the 24th day of February, 1867.

PLEA.

Guilty to the 1st specification, except the words "was with a view of intimidating said 1st Lieut. F. A. Jennings, and deterring him from the proper performance of his duty."

Guilty to the 2d specification, except the words "Intimating thereby an intention on the part of Lieut. Jennings to defraud the Government, which the records of the Acting Commissary of Subsistence of Fort Bascom, N. M., fail to show."

To the charge..... *Not Guilty.*

FINDING.

Of the 1st specification of the charge, the Court confirms his plea, and find him *Guilty* except the words "This with a view of intimidating said 1st Lieut. F. A. Jennings, and deterring him from the proper performance of his duty."

Of the 2d specification of the charge, the Court confirms his plea,

and find him *Guilty* except the words "Intimating thereby an intention on the part of Lieut. Jennings to defraud the Govt., which the records of the A. C. S. of Fort Bascom fail to show." Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Charles Enfield, Hospital Steward U. S. A., to forfeit ($7) seven dollars of his pay for one month to the United States, and be reprimanded by the Department Commander in Orders.

3d.—Peter Brady, Sergeant Company I, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Willful Disobedience of orders.*

Specification 1st.—In this, that Sergeant Peter Brady, Co. I, 5th Regt. U. S. Infantry, being at the time Sergeant of the guard mounted at the Post of Fort Union, N. M., on or about the 4th day of April, 1867, and having been repeatedly ordered "not to allow certain citizen prisoners confined in the guard-house at said Post of Fort Union, N. M., out of the guard-house after Retreat, under any circumstances, did wilfully disobey said order, and did allow one of the prisoners above mentioned go out of the said guard-house after dark, and make his escape.

Specification 2d.—In this, that the said Sergeant Peter Brady, Co. I, 5th Regiment U. S. Infantry, did allow a citizen prisoner in confinement in the guard-house at Fort Union, N. M., to go outside of the said guard-house after dark, with *one sentinel*, when he, the said Sergeant Peter Brady, Co. I, 5th Regiment U. S. Infantry, had received repeated instructions that the citizen prisoners should not be allowed out of the said guard-house except accompanied by *two sentinels* to each prisoner. All this at Fort Union, N. M., on or about the 4th day of April, 1867.

PLEA.

To which charge and specifications the prisoner pleaded *Not Guilty.*

FINDING.

Of the 1st specification of the charge, ... *Guilty.*
Of the 2d specification of the charge, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him Sergeant Peter Brady, Company I, 5th U. S. Infantry, "to be reduced to the ranks as a private soldier, and to forfeit to the United States

ten dollars ($10) of his monthly pay for six months.

4th.—Eugene Smithline, Private Company I, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, Private Eugene Smithline, Co. I, 5th U. S. Infantry, did desert the service of the United States, on or about the 4th day of April, 1867, and did remain absent until apprehended and brought back. Thirty dollars paid for his apprehension.

CHARGE 2d.—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Private Eugene Smithline, Co. I, 5th U. S. Infantry, did steal certain watches and articles of jewelry that had been entrusted to his care, and did attempt to escape with said watches and jewelry. All this at or near Fort Union, N. M., on or about the 4th day of April, 1867.

PLEA.

To which charges and specifications the prisoner pleaded *Guilty.*

FINDING.

Of the specification of the 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification of the 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

And the Court does therefore sentence him, Private Eugene Smithline, Co. I, 5th U. S. Infantry, "to forfeit all pay and allowances that are now or may become due him, except the just debts of the sutler and laundress; to be indellibly marked in ink with the letter D, one inch long on the left hip, and to be drummed out of service, with his head shaved."

The Court is thus lenient in consequence of the evidence given by the Assistant Surgeon, under whose charge the prisoner was at the time of desertion."

5th.—William W. Reade, Private Company A, 3d U. S. Cavalry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, Private William W. Reade, a duly enlisted soldier of Co. A, 3d Regt. U. S. Cavalry, did de-

sert his company and Post Fort Marcy, N. M., and did remain absent from the same until apprehended on Red River, New Mexico, by a detachment of Company F, 3d U. S. Cavalry. All this at or near Fort Marcy, New Mexico, on or about the 21st day of March, 1867.

PLEA.

To which charge and specification the prisoner pleaded *Guilty*.

FINDING.

Of the specification of the charge,.....*Guilty*.
Of the charge,.....*Guilty*.

SENTENCE.

And the Court does therefore sentence him, Private William W. Reade, Company A, 3d U. S. Cavalry, "to forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler, and to be confined at hard labor in charge of the guard, for the period of six months; the first ten days of each of the said six months in solitary confinement on bread and water; then to be indelibly marked with the letter D, one inch long, on the left hip, and to have his head shaved, and to be drummed out of service."

6th.—Robert Heldenreid, 1st Sergeant Company A, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE.—*Desertion.*

Specification.—In this, that he, 1st Sergeant Robert Heldenreid, Company A, 3d U. S. Cavalry, a duly enlisted soldier, did desert his Company and Post Fort Marcy, N. M., and did remain absent from the same until apprehended on Red River, New Mexico, by a detachment of Company F, 3d U. S. Cavalry. All this at or near Fort Marcy, N. M., on or about the 21st day of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification:—In this, that he, 1st Sergeant Robert Heldenreid, Co. A, 3d U. S. Cavalry, did sell or otherwise dispose of large amounts of Quartermaster Clothing, Camp and Garrison Equipage, and Ordnance Stores, which stores were then in his charge, and for which Captain William Hawley, 3d U. S. Cav-

alry, was responsible. All this at or near Fort Marcy, N. M., during the month of March, 1867.

PLEA.

To the 1st charge and specification, ... *Guilty.*
To the 2d charge and specification, ... *Not Guilty.*

FINDING.

Of the specification of the 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification of the 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

SENTENCE.

And the Court does therefore sentence him, 1st Sergeant Robert Heldenreid, Co. A, 3d U. S. Cavalry, "to be reduced to the ranks as a private soldier, and to forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler, and to be confined at hard labor in charge of the guard for the period of six months; the first ten (10) days of each of the said six months in solitary confinement on bread and water; then to be indellibly marked with the letter D, one (1) inch long, on the left hip, and to have his head shaved, and to be drummed out of service."

II. . . . .The proceedings and findings in the foregoing cases of Sergeant Peter Brady, Company I, 5th U. S. Infantry, and Private Eben Stanley, Company D, 3d U. S. Cavalry, are approved, and the sentences will be duly executed.

In the case of Hospital Steward Charles Enfield, U. S. A., the proceedings, findings and sentence are appproved. Upon the trial it was admitted by the accused, that the letter upon which the charges are founded was written by him, but it is not shown by the defense that the allegations therein contained were true. On the other hand it is shown that the letter contained a false statement. Upon this view, it was highly improper and censurable in the accused to write the letter; and in so doing he was intermeddling with a matter with which he had no concern or business.

The stoppage of pay will be made by the proper officer. The prisoner will be released from arrest and returned to duty.

In the case of Private William W. Reade, Company A, 3d U. S. Cavalry, the proceedings and findings are approved. So much of the sentence as directs the prisoner "to be indelibly marked with the letter D, one inch long, on the left hip, and to have his head shaved and be drummed out of service," is disapproved. The remainder of the sentence will be executed as follows: To forfeit all pay and allowances that are now or may become due, except the just dues of the sutler and laundress, for the period of six months, and to be confined in charge of the guard for the same period; the first ten days of each month in solitary confinement on bread and water, and the remaining days of each month at hard labor.

In the case of Private Eugene Smithline, Company I, 5th U. S. Infantry, the proceedings and findings are approved. So much of the sentence as directs the prisoner to be indelibly marked in ink with the letter D, one inch long, on the left hip, and to have his head shaved, is disapproved. The prisoner will be dishonorably discharged the service, with the loss of all pay and allowances that are now or may become due him, and be drummed out of service.

The proceedings and findings in the case of 1st Sergeant Robert Heldenreid, Company A, 3d U. S. Cavalry, are approved. So much of the sentence as directs the prisoner "to be indelibly marked with the letter D, one inch long, on the left hip, and to have his head shaved, and be drummed out of service," is disapproved. The remainder of the sentence will be executed as follows: To forfeit all pay and allowances that are now or may become due, except the just dues of the sutler and laundress, for the period of six months, and to be confined in charge of the guard for the same period; the first ten days of each month in solitary confinement, on bread and water, and the remaining days of each month at hard labor.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.
Acting Judge Advocate.

G. C. M.

1. Anthony S. Jasper, Saddler Company D, 3d U. S. Cav.
2. Thomas Clayton, Private Company D, 5th U. S. Infty.
3. Henry C. Peterson, Private Company H, 5th U. S. Infty.
4. William Kelly, Private Company H, 5th U. S. Infty.
5. Levi Entee, Private Company D, 5th U. S. Infty.
6. John May, Private Company L, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

FORT LEAVENWORTH, KANSAS, June 3, 1867.

GENERAL ORDERS, No. 90.

I. . . . Before a General Court-Martial which convened at Fort Union, N. M., April 15, 1867, pursuant to Special Orders No. 58, Paragraph 2, current series, from these Headquarters, and of which Brevet Colonel NELSON H. DAVIS, Major and Inspector General, is President, were arraigned and tried:

1st.—Anthony S. Jasper, Company Saddler, D Co., 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Anthony S. Jasper, Company Saddler, D Company, 3d U. S. Cavalry, did use vulgar, obscene and disparaging language to acting 1st Sergeant Charles Brewett, D Company, 3d U. S. Cavalry, and did strike said Sergeant Charles Brewett, of Company and Regiment aforesaid, whilst he was in the execution of his office.

CHARGE 2d—*Violation of the 45th Article of War.*

Specification.—In this, that the said Anthony S. Jasper, Company Saddler, D Company, 3d U. S. Cavalry, did get so intoxicated as to become unable to perform his duty as Company Saddler. All this at Fort Union, N. M., on the 17th day of April, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for three (3) months, forfeiting ten dollars ($10) per month of his monthly pay for the same period to the United States.

2d.—Thomas Clayton, Private Company D, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Private Thomas Clayton, of D Company, 5th U. S. Infantry, did point a loaded pistol in a threatening manner towards Sergeant Milo B. Stewart, Co D, 5th U. S. Infantry, and did say "I'll shoot you, you son of a bitch," or words to that effect; the said Sergeant Milo B. Stewart being in the execution of his office. This at the quarters occupied by Company D, 5th U. S. Infantry, at Fort Sumner, N. M., on or about the 25th day of March, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To forfeit to the United States ten dollars ($10) of his pay."

3d.—Henry C. Peterson, Private Company H, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that Henry C. Peterson, Private Company H, 5th Infantry, U. S. A., upon being arrested by Corporal William Alloway, Co. H, 5th Infantry, U. S. A., Corporal of the guard, did resist or defy said Corporal, by using defiant language towards, and striking at him; the Corporal being at the time in the execution of his office. This at Fort Sumner, N. M., on or about the 25th day of March, 1867.

Specification 2d.—In this, that Henry C. Peterson, Private Co. H, 5th Infantry, U. S. A., did use insulting and disrespectful language towards Captain S. Overstine, 5th Infantry U. S. A., Officer of the day. This whilst said officer was in the execution of his office. This at Fort Sumner, N. M., on or about the 25th day of March, 1867.

Specification 3d.—In this, that Henry C. Peterson, a Private of Company H, 5th Infantry, U. S. A., did assault, strike or cut at Corporal Alloway, Co. H, 5th Infantry, U. S. A., Corporal of the guard, with a knife or other sharp instrument, thus placing said Corporal in jeopardy of life and limb. This whilst said Corporal was in the execution of his office. This at Fort Sumner, N. M., on or about the 25th day of March, 1867.

PLEA.

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the 3d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the 1st specification,.....*Not Guilty.*
Of the 2d specification,.....*Guilty.*
Of the 3d specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To forfeit to the United States ($10) ten dollars of his monthly pay (per month) for the period of four (4) months, and to be confined in charge of the guard, the first ten (10) days of each month in solitary confinement on bread and water, the

remainder of each month at hard labor, for the same period.

4th.—William Kelly, Private Company H, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Violation of the 46th Article of War.*

Specification.—In this, that Private William Kelly, a duly enlisted man of H Company, 5th Infantry, did desert his post as sentinel, at Fort Sumner, N. M., after having been duly posted as such by Sergeant J. C. Lynch, Company H, 5th Infantry, commander of the guard, and did remain absent until apprehended by the guard. This at Fort Sumner, N. M., on the evening of March 29th, 1867.

CHARGE 2d—*Violation of the 47th Article of War.*

Specification.—In this, that Private William Kelly, a duly enlisted man of H Company, 5th Infantry, did hire, or procure the service of another enlisted man, to walk his Post as sentinel, where he had been duly posted by Sergeant J. C. Lynch, Co. H, 5th Infantry, commander of the guard, and absent himself from post until apprehended by the guard. This at Fort Sumner, N. M., on the evening of March 29th, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty,* except the words "and did remain absent until apprehended by the guard."
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To forfeit to the United States ($10) ten dollars per month of his monthly pay for the period of (4) four months, and to be confined in charge of the guard for the same period; the first (10) ten days of each month in solitary confinement on bread and water, the remainder of the month at hard labor.

5th.—Levi Entee, Private Company D, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—That the said Private Levi Entee, Company D, 5th U. S. Infantry, a duly enlisted soldier in the service of the United States, having been regularly detailed and duly posted to guard the public corral at Ranche No. 3, Indian farm, Navajo Reservation, did feloniously steal, take and carry away from the aforesaid corral, with the intent to appropriate or otherwise unlawfully dispose of them for his own benefit, two horses, the property of the United States, and of the value of two hundred and forty dollars ($240.)

Specification 2d.—That the said Private Levi Entee, Company D, 5th U. S. Infantry, a duly enlisted soldier in the service of the United States, having been regularly posted to guard the public corral at Ranche No. 3, Indian farm, Navajo Reservation, did willingly permit two horses, the property of the United States, and of the value of two hundred and forty dollars ($240,) to be feloniously stolen, taken and carried away from the aforesaid corral. This at Ranche No. 3, Indian farm, Navajo Reservation, on or about March 25th, 1867.

Specification 3d.—That the said Private Levi Entee, Company D, 5th U. S. Infantry, a duly enlisted soldier in the service of the United States, being on duty guarding the public corral at Ranche No .3, Indian farm, Navajo Reservation, did elect to, and permit two horses, the property of the United States, and of the value of two hundred and forty dollars ($240,) to break loose and stray away from the aforesaid corral, to the intent that the aforesaid horses might be then taken and carried away feloniously. This at Ranche No. 3, Indian farm, Navajo Reservation, on or about March 25th, 1867.

PLEA.

To the 1st specification,..... *Not Guilty.*
To the 2d specification,..... *Not Guilty.*
To the 3d specification,..... *Not Guilty.*
To the charge,..... *Not Guilty.*

FINDING.

Of the 1st specification,..... *Not Guilty.*
Of the 2d specification,..... *Not Guilty.*
Of the 3d specification,..... *Not Guilty.*
Of the charge,..... *Not Guilty.*

And the Court do therefore acquit him, Private Levi Entee, Company D, 5th U. S. Infantry.

6th.—John May, Private Company L, 3d U. S. Cavalry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that he, the said John May, Private of Company L, 3d U. S. Cavalry, did desert the service of the United States by escaping from the guard-house at Fort Union, N. M., on or about the 8th day of March, 1867, and did remain absent until the 25th day of April, 1867, when he gave himself up. This at Fort Union, N. M.

PLEA.

To the specification,.....*Guilty*, except the words "did desert the service of the United States."
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler, and after he has served out the sentence he is now undergoing, that he be indellibly marked on the left hip with the letter D, one inch long; have his head shaved, and be drummed out of service.

II....The proceedings and findings in the case of Private Henry C. Peterson, Company H, 5th U. S. Infantry, are approved, and the sentence will be duly executed.

In the case of Private Levi Entee, Co. D, 5th U. S. Infantry, the proceedings and findings are approved. The prisoner will be released from arrest and returned to duty.

In the case of Anthony S. Jasper, Company Saddler, Co. D, 3d U. S. Cavalry, the proceedings and findings are approved. Upon the recommendation of the Court to clemency, so much of the sentence as directs confinement at hard labor, in charge of the guard, for the period of three months, is hereby *remitted.* The remainder of the sentence will be carried into effect. The prisoner will be released from confinement and returned to

duty.

In the case of Private Thomas Clayton, Co. D, 5th U. S. Infantry, the proceedings, findings and sentence are disapproved. The evidence does not sustain the charge or specification. The prisoner will be released from confinement and returned to duty.

The proceedings and findings in the case of Private William Kelly, Co. H, 5th U. S. Infantry, are approved. The 47th Article of War declares that a violation of said Article shall be punishable "at the discretion of a *Regimental Court Martial*;" but it is presumed that Courts of higher authority have jurisdiction to try offences under this Article, especially at a time when Regimental Courts can seldom be convened without great detriment to the service. The sentence will be duly executed.

In the case of Private John May, Co. L, 3d U. S. Cavalry, the proceedings, findings and sentence are disapproved. The Record shows that the prisoner escaped from confinement while undergoing a previous sentence of a Court-Martial. It is held that this does not constitute the crime of desertion, on the ground that an escape from a degrading punishment cannot be regarded as an abandonment of the military service, which is a status of honor. The charge should have been laid under the 99th Article of War. The prisoner will remain in confinement until the expiration of his original sentence, when he will be released and returned to duty.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R. Chaudler.

Acting Judge Advocate.

G. C. M.

1. William H. Daniels, Private Company H, 7th U. S. Cav.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 7, 1867.

GENERAL ORDERS, No. 91.

I....Before a General Court Martial which convened at Fort Riley, Kansas, May 18, 1867, pursuant to Special Orders No. 106, current series, from these Headquarters, and of which Brevet Brigadier General P. MORRISON, Colonel U. S. Army, is President, were arraigned and tried:

1st.—William H. Daniels, Private Co. H, 7th U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and Military discipline.*

Specification 1st.—In this, that he, the said Private William H. Daniels, Co. H, 7th U. S. Cavalry, did unlawfully sell or otherwise dispose of certain articles of clothing, the property of the United States, namely: one (1) forage cap, one (1) uniform hat, one (1) uniform jacket, one (1) blouse, one (1) pair Cavalry trowsers, two (2) flannel shirts, two (2) pairs flannel drawers, two (2) pairs stockings, one (1) pair Cavalry boots, one (1) Cavalry great coat, and two (2) woolen blankets, amounting in the whole to the money value of sixty-four dollars and eighty-five cents. All this at Fort Riley, Kansas, on or about the 2d day of March, 1867.

Specification 2d.—That the said private William H. Daniels, Co. H, 7th U. S. Cavalry, did unlawfully sell, or otherwise dispose of certain articles of Ordnance and Ordnance Stores, the property of the United States, namely: one (1) Spencer Car-

bine, (model 1855,) one (1) Carbine screw-driver, one (1) Carbine thong and brush wiper, one (1) Carbine cartridge-pouch, one (1) waist belt and plate, and one (1) sling belt and swivel, amounting in the whole to the money value of Thirty dollars and nineteen cents. All this at Fort Riley, Kansas, on or about the 2d day of March, 1867.

PLEA.

To the 1st specification ..... *Not Guilty.*
To the 2d specification ..... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification ..... *Guilty,* except the words "two flannel shirts, two pair flannel drawers, two pair stockings and two woolen blankets," excepting also the words "sixty-four dollars and eighty-five cents."
Of the 2d specification ..... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due at the time of the confirmation of the sentence, to be confined at hard labor in charge of the guard for three months, and to forfeit to the United States ten dollars of his monthly pay for the same period.

II. . . . The proceedings and findings in the foregoing case of Private William H. Daniels, Co. H, 7th U. S. Cavalry, are approved, and the sentence will be carried into effect.

III. . . . The General Court Martial of which Brevet Brigadier General P. Morrison, Colonel U. S. Army, is President, is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R. Chandler.
Captain and Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

FORT LEAVENWORTH, KANSAS, June 10, 1867.

GENERAL ORDERS, No. 92.

Upon the recommendation of his Commanding Officer, the unexpired portion of the sentence in the case of unassigned Recruit James J. McCormick, 5th U. S. Infantry, promulgated in General Orders No. 44, current series, from these Headquarters, is hereby remitted.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

RChandler

Acting Judge-Advocate.

G. C. M.

1. James Breen, Private Co. E, 33d U. S. Infantry.
2. William Anderson, Private Co. F, 38th U. S. Infantry.
3. Charles Williams, Private Co. F, 38th U. S. Infantry.
4. James Mole, unassigned Recruit, 38th U. S. Infantry.
5. Edward Logan, Private Co. H, 38th U. S. Infantry.
6. Richard Banersfeld, Artificer Co. E, U. S. Eng. Battalion.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

FORT LEAVENWORTH, KANSAS, June 15, 1867.

GENERAL ORDERS, No. 94.

I....Before a General Court Martial which convened at Jefferson Barracks, Mo., May 27, 1867, pursuant to Special Orders No. 112, current series, from these Headquarters, and of which Brevet Major General C. GROVER, Lieut. Col. 38th U. S. Infantry, is President, were arraigned and tried:

1st.—James Breen, Private Co. E, 33d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private James Breen, Co. E, 33d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert and absent himself from the same at Selma, Alabama, April 10th, 1867, and did remain absent as a deserter until apprehended at St. Louis, Mo., on or about the 20th of April, 1867. Thirty dollars reward paid for apprehension.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

To reimburse the United States for the expenses incurred in his apprehension; to forfeit all pay and allowances that are now or may become due him, except so much as will pay the just dues of the Sutler and Laundress, and one dollar per month of his monthly pay until his discharge; and to be confined at hard labor under charge of the guard at such post as the Department Commander may direct, for the period of six months, and at the expiration of that time to be dishonorably discharged the service of the United States.

2d.—Private William Anderson, Co. F, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification—In this, that he, the said William Anderson, Private Co. F, 38th U. S. Infantry, was found asleep on his post while doing the duty of a sentinel. This at Jefferson Barracks, Mo., on or about the 15th day of May, A. D. 1867.

PLEA.

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

To forfeit fifteen dollars ($15) per month of his monthly pay for three (3) months, and to be confined at hard labor under charge of the guard for the same period.

3d.—Private Charles Williams, Co. F, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification—In this, that he, the said Charles Williams, Private Co. F, 38th U. S. Infantry, while performing the duties of a sentinel, did sleep upon his post. This at Jefferson Barracks, Mo., on or about the 18th day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit fifteen dollars ($15) per month of his monthly pay for three (3) consecutive months, and to be confined at hard labor under charge of the guard for the same period.

4th.—Unassigned Recruit James Mole, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that Recruit James Mole, 38th U. S. Infantry, a duly enlisted soldier in tne service of the United States, did desert and absent himself from said service without authority, at St. Louis, Mo., on or about March 31st, 1867, and did remain absent until apprehended on or about May 20th, 1867. Thirty dollars reward paid for apprehension.

PLEA.

To the specification, ... *Guilty.*
To the charge ..... *Guilty.*

FINDING.

Of the specification ..... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To reimburse the United States for the expenses incurred in his apprehension; to forfeit all pay and allowances that are now or may become due him, except so much as will pay the just dues of the Laundress and Sutler, and one dollar per month of his monthly pay until his discharge, and to be confined at hard labor under charge of the guard for the period of six (6) months, and at the expiration of that time to be dishonorably discharged the United States service.

5th.—Private Edward Logan, Co. H, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification—In this, that he, Private Edward Logan, Co.

H, 38th U. S. Infantry, while a member of the Post Guard at Jefferson Barracks, Mo., and having been properly posted as a sentinel, did go to sleep while so posted. This at Jefferson Barracks, Mo., on or about May 22d, 1867.

PLEA.

To the specification,... ..... *Guilty.*
To the charge,..... ..... *Guilty.*

FINDING.

Of the specification..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

To forfeit fifteen dollars ($15) per month of his monthly pay for three months, and to be confined at hard labor under charge of the guard for the same period.

6th.—Artificer Richard Banersfeld, Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification—In this, that he, Artificer Richard Banersfeld, of Co. E, U. S. Engineer Battalion, having been duly posted as a sentinel, was found asleep on his post, between the hours of 4 and 5 A. M., when visited by the Corporal of the guard. This at Engineer Depot, Jefferson Barracks, Mo., on or about the 21st day of May, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,..... .....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Artificer Richard Banersfeld, Co. E, U. S. Engineer Battalion.

II....The proceedings and findings in the foregoing cases of Privates William Anderson and Charles Williams, of Co. F. and Edward Logan of Co. H, 38th U.S. Infantry, are approved, and the sentences will be carried into effect.

In the case of Private James Breen, Co. E, 33d U. S. Infantry, the proceedings and findings are approved. So much of the sentence as imposes a dishonorable discharge is disap-

proved. The remainder of the sentence is mitigated as follows: To reimburse the United States for the expenses incurred in his apprehension; to be confined at hard labor under charge of the guard for the period of six months, and to forfeit his monthly pay (except the just dues of the laundress) for the same period. The sentence as mitigated will be duly executed.

In the case of unassigned Recruit James Mole, 38th U. S. Infantry, the proceedings and findings are approved. So much of the sentence as imposes a dishonorable discharge is disapproved. The remainder of the sentence is mitigated as follows: To reimburse the United States for the expense incurred in his apprehension; to be confined at hard labor under charge of the guard for the period of six months, and to forfeit his monthly pay (except the just dues of the laundress) for the same period. The sentence as mitigated will be duly executed.

A deserter must be held by *operation of law* to forfeit all pay remaining due at the time of his desertion, as well as that which accrues during the period of his absence as a deserter, and also to be obliged to make good to the United States the time lost by his desertion.

The forfeiture of pay and the cost of apprehension should be noted on the muster and pay rolls.

In the case of Artificer Richard Banersfeld, Co. E, U. S. Engineer Battalion, the proceedings and findings are approved. The prisoner will be released from confinement and returned to duty.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official: R Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. John McMahan, 2d class Private of Ordnance.
2. Michael Cunningham, 2d class Private of Ordnance.
3. Louis Gillen, 2d class Private of Ordnance.
4. Herman Walter, 1st class Private of Ordnance.
5. Charles Points, Private Co. K, 38th U. S. Infantry.
6. Thomas Hill, 2d class Private of Ordnance.
7. John O'Donohue, 2d class Private of Ordnance.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 17, 1867.

GENERAL ORDERS, No. 95.

I....Before a General Court Martial which convened at Jefferson Barracks, Mo., May 27, 1867, pursuant to Special Orders No. 112, current series, from these Headquarters, and of which Brevet Major General C. GROVER, Lieut. Colonel 38th U. S. Infantry, is President, were arraigned and tried:

1st.—John McMahan, 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, John McMahan, 2d class Private of Ordnance, stationed at St. Louis Arsenal, St. Louis, Mo., did whilst a member of the post guard at the said Arsenal, become so drunk as to be unable to perform his duty as a sentinel. This at St. Louis Arsenal, Mo., on the night of the 14th day of May, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor under guard for three (3) months.

2.—Michael Cunningham, 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Absence without leave.*

Specification.—In this, that he, Michael Cunningham, a 2d class Private of Ordnance, stationed at St. Louis Arsenal, Mo., did absent himself from his post without proper authority, and did remain absent from about 7,30 A. M., until about 11,30 P. M. This at St. Louis Arsenal, Mo., on the 14th day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit ($5) five dollars of his monthly pay for one (1) month.

3d.—Louis Gillen, 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Absent without leave.*

Specification.—In this, that he, 2d class Private Louis Gillen, of the Detachment of Ordnance stationed at St. Louis Arsenal, Mo., did absent himself without proper authority from his post and Detachment, from about 2 o'clock P. M., on the 13th day of May, 1867, till about 5 o'clock P. M., on the 15th day of May, 1867. This at St. Louis Arsenal, Mo.

PLEA.

To the specification, ... *Guilty.*
To the charge . . . . . *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit ($10) ten dollars of his monthly pay for one month.

4th.—Herman Walter, 1st class Private of Ordnance, on the following charge and specification:

CHARGE—*Absence without leave.*

Specification.—In this, that he, Herman Walter, 1st class Private of Ordnance, stationed at U. S. Magazine near Jefferson Barracks, Mo., having been granted a pass till 8 o'clock A. M., on the 18th day of May, 1867, did remain absent without proper authority from that time till 6 o'clock A. M., on the 21st day of May, 1867, a period of seventy hours. This from U. S. Magazine near Jefferson Barracks, Mo.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty*
Of the charge,.....*Guilty.*

SENTENCE.

To forfeit ($10) ten dollars of his monthly pay for one month.

5th.—Charles Points, Private Co. K, 38th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Charles Points, Private Co. K, 38th U. S. Infantry, did absent himself without proper authority from roll-call at Reveille, and did remain absent until after Tattoo of same day. All this at Jefferson Barracks, Mo., on or about the 7th day of May, 1867.

CHARGE 2d.—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that he, Charles Points, Private Co. K, 38th U. S. Infantry, having been ordered by his superior non-commissioned officer, 1st Sergeant John W. Williams, to carry a stick of wood, said Sergeant being in the execution of his duty, did willfully refuse to do the same. All this at Jefferson Barracks, Mo., on or about the 7th day of May, 1867.

Specification 2d.—In this, that he, the said Private Charles Points, Co. K, 38th U. S. Infantry, did assault and maltreat with an open knife said Sergeant Williams with the intent to injure, and did injure and cut said Sergeant in the hand. All this at Jefferson Barracks, Mo., on or about the 7th day of May, 1867.

PLEA.

To the specification 1st charge,..... *Not Guilty.*
To the 1st charge,..... *Not Guilty.*
To the 1st specification 2d charge,..... *Guilty.*
To the 2d specification 2d charge,..... *Not Guilty.*
To the 2d charge,..... *Not Guilty.*

FINDING.

Of the specification 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the 1st specification 2d charge,..... *Guilty.*
Of the 2d specification 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

To be confined under charge of the guard for three consecutive calendar months, two weeks of which shall be in solitary confinement on bread and water, and the remainder of his confinement at hard labor, and to forfeit ($10) ten dollars per month of his monthly pay for the same period.

6th.—Thomas Hill, 2d class Private of Ordnance, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification.—In this, that he, Thomas Hill, a 2d class Private of Ordnance, having been directed by his superior officer Brevet Captain Frank H. Phipps, to report for work, did willfully neglect to obey said order. This at St. Louis Arsenal, Mo., on the morning of the 14th day of May, 1867.

CHARGE 2d—*Absence without leave.*

Specification.—In this, that he, 2d class Private Thomas Hill, of the Detachment of Ordnance stationed at St. Louis Arsenal, Mo., did absent himself from his post and Detachment without proper authority, from about 8 o'clock A. M., till apprehended and brought back at about 2 o'clock P. M. This at St. Louis Arsenal, Mo., on the 14th day of May, 1867.

PLEA.

To the specification 1st charge,..... *Guilty.*
To the 1st charge,..... *Guilty.*
To the specification 2d charge,..... *Guilty.*
To the 2d charge,..... *Guilty.*

FINDING.

Of the Specification 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the specification 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

To be confined at hard labor under guard for two (2) consecutive calendar months, and to forfeit ($10) ten dollars per month of his monthly pay for the same period.

7th.—John O'Donohue, 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Quitting his guard.*

Specification.—In this, that he, John O'Donohue, 2d class Private of Ordnance, stationed at St. Louis Arsenal, Mo., having been sent to the pump for water by the Corporal of the guard, did, whilst so absent, scale the wall surrounding said Arsenal, and did absent himself from his post and guard and did remain absent for about fifteen minutes, and till apprehended and brought back. This at St. Louis Arsenal, Mo., about 9:30 P. M., on the 14th day of May, 1867.

PLEA.

To the specification.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To forfeit ($5) five dollars of his monthly pay for one month.

II....The proceedings and findings in the foregoing cases of John McMahan, Michael Cunningham, Louis Gillen, John O'Donohue and Thomas Hill, 2d class Privates of Ordnance; Herman Walter, 1st class Private of Ordnance, and Charles Points, Private Co. K, 38th U. S. Infantry, are approved, and their sentences will be duly executed.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge Advocate.

1. Patrick Kelly, 2d class Private of Ordnance.
2. Harrison Willis, *alias* W. O. Fowler, 2d class Pvt. of Ord.
3. John O'Donohue, 2d class Private of Ordnance.
4. Spencer P. Sutton, 2d class Private of Ordnance.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 17, 1867.

GENERAL ORDERS, No. 96.

I....Before a General Court Martial which convened at Jefferson Barracks, Mo., May 27, 1867, pursuant to Special Orders No. 112, current series, from these Headquarters, and of which Brevet Major General C. GROVER, Lieut. Colonel 38th U. S. Infantry, is President, were arraigned and tried:

1st.—Patrick Kelly, a 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that he, Patrick Kelly, a 2d class Private of Ordnance, stationed at St. Louis Arsenal, Mo., did whilst a member of the post guard at said Arsenal, become so drunk as to be unable to properly discharge his duties as a sentinel. This at St. Louis Arsenal, Mo., on the 16th day of May, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor under guard for three (3) consecutive months.

2d.—Harrison Willis, *alias* W. O. Fowler, 2d class Private of Ordnance, on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification—In this, that Harrison Willis, *alias* W. O. Fowler, 2d class Private of Ordnance, stationed at Saint Louis Arsenal, Mo., having been regularly enlisted at Washington Arsenal, D. C., July 16th, 1866, did desert therefrom, on or about the 17th day of November, 1866, and did not return, but was recognized and apprehended at Saint Louis Arsenal, Mo., on or about May 17th, 1867.

CHARGE 2d.—*Re-enlisting without a regular discharge.*

Specification—In this, that he, Harrison Willis, *alias* W. O. Fowler, a 2d class Private of Ordnance, stationed at Saint Louis Arsenal, Mo., did, after being regularly enlisted in the service of the United States at Washington Arsenal, D. C., desert therefrom, on or about the 17th day of November, 1866, and did re-enlist without a regular discharge, at Saint Louis Arsenal, Mo., on the 5th day of March, 1867, under the assumed name of Harrison Willis. This at Saint Louis Arsenal, Mo.

PLEA.

To the specification 1st charge..... *Guilty.*
To the 1st charge..... *Guilty.*
To the specification 2d charge..... *Guilty.*
To the 2d charge..... *Guilty.*

FINDING.

Of the specification 1st charge,..... *Guilty.*
Of the 1st charge..... *Guilty.*
Of the specification 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

"To make good the time lost by desertion; to forfeit all pay and allowances for six (6) consecutive months, and to be confined at hard labor under guard for the same period."

3d.—John O'Donohue, 2d class Private of Ordnance, on the following charge and specification:

CHARGE —*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, John O'Donohue, 2d class Private of Ordnance, stationed at Saint Louis Arsenal, Mo., did, whilst at work under charge of the guard, make an attack

with a large stone upon the person of 2d class Private George Ulrich, thereby endangering his life, and the lives of those standing around—to the prejudice of good order and military discipline. This at Saint Louis Arsenal, Mo., between the hours of 5 and 6, on the afternoon of the 17th day of May, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court do therefore acquit him, John O'Donohue, a 2d class Private of Ordnance.

4th.—Spencer P. Sutton, a 2d class Private of Ordnance, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification—In this, that he, Spencer P. Sutton, a 2d class Private of Ordnance, stationed at Saint Louis Arsenal, Mo., did, whilst a member of the post guard, and as a sentinel placed in charge of Private John Snyder, a deserter of the 2d U. S. Infantry, intentionally allow said Private John Snyder to escape. This at Saint Louis Arsenal, Mo., about 2 o'clock P. M., on the 18th day of May, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty,*
except the word "intentionally."
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor two months, and to forfeit ten (10) dollars per month of his monthly pay, for the same period."

II....The proceedings and findings in the foregoing cases of Patrick Kelly, Harrison Willis, *alias* W. O. Fowler, and Spencer P. Sutton, 2d class Privates of Ordnance, are approved, and their sentences will be duly carried into effect.

In the case of John O'Donohue, 2d class Private of Ord-

nance, the proceedings and findings are approved. The prisoner will be released from arrest and returned to duty.

III. . . . The General Court-Martial of which Brevet Major General C. Grover, Lieut. Colonel 38th U. S. Infantry is President, is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R Chandler
Captain and Acting Judge Advocate.

G. C. M.

1. Thomas F. Stanford, Private Co. K, 5th U. S. Infantry.
2. John O'Gorman, Private Co. K, 5th U. S. Infantry.
3. John Donlon, Private Co. C, 3d U. S. Cavalry.
4. John J. Mitchell, Sergeant Co. C, 3d U. S. Cavalry.
5. Charles Greenwood, Corporal Co. C, 3d U. S. Cavalry.
6. John Gallon, Private Co. K, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 18, 1867.

GENERAL ORDERS, No. 97.

I....Before a General Court Martial which convened at Albuquerque, N. M., March 27, 1867, pursuant to Special Orders No. 51, current series, from these Headquarters, and of which Brevet Brigadier General CHRISTOPHER CARSON, Lieutenant Colonel Battalion New Mexico Volunteers, is President, were arraigned and tried:

1st.—Thomas F. Stanford, Private Co. K, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Private Thomas F. Stanford, Co. K, 5th U. S. Infantry, did become so beastly drunk as to be utterly unable to perform his duties. This at Albuquerque, N. M., on or about the 18th day of March, 1867.

Specification 2d.—In this, that Private Thomas F. Stanford, Co. K, 5th U. S. Infantry, did make use of the following language towards Lieut. E. Williams, 5th Infantry, U. S. Army, his superior and commanding officer, when ordered by him to fall out of the guard house, "yes you damned son of a bitch, I will," or words to that effect. All this at Albuquerque, N. M., on or about the 18th day of March, 1867.

Specification 3d.—In this, that Private Thomas F. Stanford, Co. K, 5th U. S. Infantry, did make use of the following language towards Lieut. E. Williams, 5th U. S. Infantry, his superior and commanding officer, when he was ordered to fall out of the guard house to carry a log, "you go to hell, I can carry the log and you too." All this at Albuquerque, N. M., on or about the 18th day of March, 1867.

PLEA.

To the 1st specification,..... *Guilty.*
To the 2d specification,..... *Guilty.*
To the 3d specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the 1st specification,..... *Guilty.*
Of the 2d specification,..... *Guilty.*
Of the 3d specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for a period of three (3) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay, for each month of the same time."

2d.—John O'Gorman, Private Co. K, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Violation of the 45th Article of War.*

Specification 1st.—In this, that Private John O'Gorman, Co. K, 5th U. S. Infantry, being regularly detailed for guard, did leave his guard, and remain absent from 11 o'clock A. M., until 1 o'clock P. M., when he joined his guard in a state of intoxication. All this at Albuquerque, N. M., on or about the 18th of March, 1867.

Specification 2d.—In this, that Private John O'Gorman, Co. K, 5th U. S. Infantry, being regularly detailed for guard, did become so drunk as to be unable to perform his duties in a

proper manner. All this at Albuquerque, N. M., on or about the 18th of March, 1867.

PLEA.

To the 1st specification.....*Guilty*, except the words "and remain absent from 10 o'clock A. M., until 1 o'clock P. M."
To the 2d specification.....*Guilty*.
To the charge,.....*Guilty*.

FINDING.

Of the 1st specification.....*Guilty*, except the words "and remain absent from 11 o'clock A. M., until 1 o'clock P. M."
Of the 2d specification,.....*Guilty*.
Of the charge,.....*Guilty*.

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of two (2) months."

3d.—John Donlon, Private Co. C, 3d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Private John Donlon, Co. C, 3d U. S. Cavalry, having been regularly detailed as member of the guard, did become so drunk as to be unable to properly perform said duty. All this at Albuquerque, N. M., on or about the 26th day of February, 1867.

Specification 2d.—In this, that Private John Donlon, Co. C, 3d U. S. Cavalry, when arrested by Corporal Peter Stone, Co. C, 3d U. S. Cavalry, commanding the guard, did make use of the following language towards said Corporal Stone: "You damned French son of a bitch, I will kill you whenever I get a chance," or words to that effect. All this at Albuquerque, N. M., on or about the 26th day of February, 1867.

Specification 3d.—In this, that Private John Donlon, Co. C, 3d U. S. Cavalry, after having been ordered by his commanding officer, Lieut. E. Williams, 5th U. S. Infantry, to keep quiet did say "I will see you in hell first," or words to that effect. All this at Albuquerque, N. M., on or about the 26th day of February, 1867.

PLEA.

To the 1st specification,.....*Guilty*.

To the 2d specification,.....*Not Guilty.*
To the 3d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the 1st specification,.....*Guilty*
Of the 2d specification,.....*Guilty,*
except the words "I will kill you whenever I get a chance."
Of the 3d specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined in charge of the guard for the period of three (3) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

4th.—John J. Mitchell, Sergeant Co. C, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specificaton—In this, that John J. Mitchell, Sergeant Company C, 3d U. S. Cavalry, on being notified by Peter Stone. Corporal 3d U. S. Cavalry, in charge of the guard, that it was 12 o'clock, (midnight,) and that the Officer of the day, Lieut. E. Williams, 5th U. S. Infantry, ordered that he, the said Mitchell, should repair to his quarters, did fail to obey the order, and did remain absent from then until about 1 o'clock in the morning of the 1st of April, 1867, when he was arrested by Lieut. E. Williams, 5th U. S. Infantry, Officer of the day. All this at Albuquerque, N. M., on or about the night of the 31st of March, 1867, and the morning of the 1st of April, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

5th.—Charles Greenwood, Corporal Company C, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification.—In this, that Charles Greenwood, Corporal

Co. C, 3d U. S. Cavalry, having been regularly detailed, and on duty as a non-commissioned officer of the guard, did when left in charge of the same by Peter Stone, Corporal Co. C, 3d U. S. Cavalry, commanding the guard, carelessly neglect his duty by allowing all the members of the guard to lie down, and did himself lie down and go to sleep and remain so until found and awakened by Lieut. E. Williams, 5th U. S. Infantry, Officer of the day, at half past 12 o'clock at night. All this at Albuquerque, N. M., on or about the 31st of March and 1st of April, 1857.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

6th.—John Gallon, Private Co. K, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Violation of the 46th Article of War.*

Specification.—In this, that Private John Gallon, Co. K, 5th U. S. Infantry, being regularly posted as a watchman over the Quartermaster's corral by the acting Quartermaster Sergeant of the post, did leave his post and go into town, and did remain absent until brought back and confined in the guard-house. All this at Albuquerque, N. M., on or about the evening of the 30th of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Private John Gallon, Co. K. 5th U. S. Infantry, did become so drunk as to be unable to perform his duties in a proper manner.

Specification 2d.—In this, that Private John Gallon, Co. K. 5th U. S. Infantry, did fire off his pistol in the streets of Albuquerque, N. M., thereby endangering the lives of the citizens and the post guard. All this at Albuquerque, N. M., on or about the evening of March 30th, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
except the words "being regularly posted."
To the 1st charge,.....*Not Guilty.*

To the 1st specification 2d charge,.....*Not Guilty.*
To the 2d specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the 1st specification 2d charge,.....*Guilty.*
Of the 2d specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period.

II....The proceedings, findings and sentences, in the foregoing cases of Privates Thomas F. Stanford, John O'Gorman and John Gallon, Co. K, 5th U. S. Infantry, and John Donlon, Co. C, 3d U. S: Cavalry, are approved. The sentences will be duly executed.

In the cases of Sergeant John J. Mitchell and Corporal Charles Greenwood, the proceedings and findings are approved. The prisoners will be released from arrest and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 18, 1867.

GENERAL ORDERS, No. 98.

Upon the recommendation of their Commanding Officer, the unexpired portion of the sentences of confinement in the cases of 2d class Privates James Moore and William Jones, of the detachment of Ordnance stationed at Leavenworth Arsenal, promulgated in General Orders No. 48, current series, from these Headquarters, is hereby remitted. The prisoners will be released from confinement and returned to duty.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge Advocate.

G. C. M.

1. James Gillespie, Private Co. K, 5th U. S. Infantry.
2. Patrick Dorsey, Private Co. K, 5th U. S. Infantry.
3. Martin Brown, Private Co. L, 3d U. S. Cavalry.
4. John Damer, Private Co. L, 3d U. S. Cavalry.
5. William H. Mansfield, Private Co. L, 3d U. S. Cavalry.
6. Thomas Whitley, Corporal Co. C, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

FORT LEAVENWORTH, KANSAS, June 20, 1867.

GENERAL ORDERS, No. 99.

I. . . . Before a General Court Martial which convened at Albuquerque, N. M., March 27, 1867, pursuant to Special Orders No. 51, current series, from these Headquarters, and of which Brevet Brigadier General CHRISTOPHER CARSON, Lieutenant Colonel Battalion New Mexico Volunteers, is President, were arraigned and tried:

1st.—James Gillespie, Private Co. K, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that Private James Gillespie, Co. K, 5th U. S. Infantry, did appear at the drill of his company so drunk as to be unable to perform said duty in a proper manner. All this at Albuquerque, N. M., on or about the 1st day of April, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Private James Gillespie, Co. K, 5th U. S. Infantry, when ordered to the guard-house by 1st Sergeant Thomas Clark, Co. K, 5th U. S. Infantry, did say: "I will not go to the guard-house, and you can't take me there;" and then being approached by his 1st Sergeant, did raise his musket in a threatening manner, saying: "damn you, don't lay a hand on me, or I will knock you down." All this at Albuquerque, N. M., on or about the 1st day of April, 1867.

Specification 2d.—In this, that Private James Gillespie, Co. K, 5th U. S. Infantry, being taken to the guard-house by Corporal Wilson, Co. K, 5th U. S. Infantry, did say to 1st Sergeant Thomas Clark, 5th U. S. Infantry: "you son of a bitch, it is a good thing you are going away, or I would kill or fix you; and I will do it any how before you go," or words to that effect. All this at Albuquerque, N. M., on or about the 1st day of April, 1867.

PLEA.

To the specification 1st charge..... *Guilty.*
To the 1st charge..... *Guilty.*
To the 1st specification 2d charge,..... *Not Guilty.*
To the 2d specification 2d charge,..... *Not Guilty.*
To the 2d charge..... *Not Guilty.*

FINDING.

Of the specification 1st charge,..... *Guilty.*
Of the 1st charge..... *Guilty.*
Of the 1st specification 2d charge,..... *Guilty.*
Of the 2d specification 2d charge..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for one month, and to forfeit to the United States ten dollars of his monthly pay for the same period."

2d.—Patrick Dorsey, Private Co. K, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that Private Patrick Dorsey, Co. K, 5th U. S. Infantry, when Sergeant John Carr, Co. K, 5th U. S. Infantry, entered his (Dorsey's) squad-room to enquire

as to the whereabouts of certain men of said Co. K. did reply to said Sergeant Carr: "what business have you here, or to confine this man."

Specification 2d.—In this, that Private Patrick Dorsey, Co. K. 5th U. S. Infantry, did say to Sergeant Carr, Co. K, 5th U. S. Infantry: "you damned son of a bitch, I can whip you or any other non-commissioned officer in the company." All this at Albuquerque, N. M., on or about April 3d, 1867.

CHARGE 2d—*Violation of the 9th Article of War.*

Specification-In this, that Private Patrick Dorsey, Co. K, 5th U. S. Infantry, did use violence to said Sergeant Carr, and did strike him, Sergeant Carr, and did say: "you damned bastard, I will fix you the first time I get a chance," or words to that effect. All this at Albuquerque, N. M., on or about April 3d, 1867.

PLEA.

The 1st specification to the 1st charge was objected to by the prisoner, because it contained no averment of either time or place—the objection was sustained.

To the remaining specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge.....*Not Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for one (1) month and to forfeit to the United States ten (10) dollars of his monthly pay for the same time."

3d.—Martin Brown, Private Co. L, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification.—In this, that Private Martin Brown, of Co. L, 3d Cavalry, U. S. Army, being a member of the garrison guard, duly detailed and mounted, and a sentinel on post No. 6, did leave his post without having been regularly relieved. This at Fort Wingate, N. M., on or about the 22d day of March, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of two (2) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period. The sentence is made thus lenient by the Court, in view of the prisoner's apparent ignorance of his duties."

4th.—John Damer, Private Co. L, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification.—In this, that Private John Damer, of Co. L. 3d Cavalry, U. S. Army, being a member of the garrison guard, duly detailed and mounted, and a sentinel on post No. 4, did leave his post without having been regularly relieved. All this at Fort Wingate, N. M., on or about the 18th day of March, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for two (2) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period. The sentence is made thus lenient in view of the prisoner's apparent ignorance of his duties."

5th.—William H. Mansfield, Private Co. L, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and Military discipline.*

Specification.—In this, that he, Private William H. Mansfield, of Co. L, 3d U. S. Cavalry, did feloniously enter the store-room of the A. C. S., by breaking or assisting in breaking the lock of the door, and did extract or assist in extracting from one (1) barrel containing whiskey, one gallon, more or less. This at Fort Wingate, N. M., on or about the 2d day of March, 1867.

CHARGE 2d—*Drunkenness on duty.*

Specification.—In this, that he, Private William H. Mansfield, of Co. L, 3d U. S. Cavalry, being on extra duty in the Quartermaster's Department as clerk at Fort Wingate, N. M., did become intoxicated to such an extent as to be unable to properly perform the duty assigned. All this at Fort Wingate, N. M., on or about the 2d day of March, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

And the Court does therefore acquit him.

6th.—Thomas Whitley, Corporal Co. C, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Corporal Thomas Whitley, of Co. C, 5th Infantry, U. S. Army, acting Commissary Sergeant at Fort Wingate, N. M., did order, or direct without proper authority, Private William H. Mansfield, of Co. L, 3d U. S. Cavalry, to enter the store-room of the A. C. S. This at Fort Wingate, N. M., on or about the 2d day of March, 1867.

Specification 2d.—In this, that the said Corporal Thomas Whitley, of Co. C, 5th Infantry, U. S. Army, acting Commissary Sergeant at Fort Wingate, N. M., did make, or cause to be made, a key fitting the lock of the door leading into the store-room of the A. C. S. at Fort Wingate, N. M., having in view a felonious intent. This at Fort Wingate, N. M., on or about the 1st day of March, 1867.

Specification 3d.—In this, that the said Corporal Thomas Whitley, of Co. C, 5th Infantry U. S. Army, acting Commissary Sergeant at Fort Wingate, N. M., did order or direct Private William H. Mansfield, of Co. L, 3d U. S. Cavalry, to enter the store-room of the A. C. S., and extract from a barrel containing Whiskey, a certain amount, at the same time furnishing Private William H. Mansfield, of Co. L, 3d U. S. Cavalry, a false key, for the purpose of feloniously entering said store-room. This at Fort Wingate, N. M., on or about the 2d day of March, 1867.

PLEA.

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the 3d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the 1st specification,.....*Guilty.*
Of the 2d specification,.....*Not Guilty.*
Of the 3d specification,.....*Guilty.*
except the words "and extract from a barrel containing whiskey, a certain amount."
Of the charge,.....*Guilty.*

SENTENCE.

"To be reduced to the ranks, and to be confined at hard labor in charge of the guard for the period of four (4) Calendar months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

II....The proceedings, findings and sentences in the foregoing cases of Privates James Gillespie, Co. K, 5th U. S. Infantry, Martin Brown and John Damer, Co. L, 3d U. S. Cavalry, are approved. The sentences will be carried into effect.

In the case of Private Patrick Dorsey, Co. K, 5th U. S. Infantry, the proceedings and findings upon the 1st charge and specification are approved. The findings upon the 2d charge and specification are disapproved. Offering violence to a non-commissioned officer by a soldier, is not a proper charge, under the 9th Article of War; a non-commissioned officer not being considered, in the purview of this article, a "superior officer." Charges of this nature should be laid under the 99th Article of War. The sentence will be carried into effect.

In the case of Private William H. Mansfield, Co. L, 3d U. S. Cavalry, the proceedings and findings are approved. The prisoner will be released from confinement and returned to duty.

The proceedings and findings in the case of Corporal Thomas Whitley, Co. C, 5th U. S. Infantry, are confirmed. The sentence will be duly executed.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. Ferdinand Haberfelder, unassigned Recruit, 5th U.S. Inft.
2. Edward Carr, Private Co. C, 3d U. S. Cavalry.
3. John Doherty, Sergeant Co. K, 5th U. S. Infantry.
4. Leonard B. Whitbeck, Sergeant Co. K, 5th U. S. Infantry.
5. George W. Stevens, Private Co. C, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, June 21, 1867.

GENERAL ORDERS, No. 100.

I. . . . Before a General Court Martial which convened at Albuquerque, N. M., March 27, 1867, pursuant to Special Orders No. 51, current series, from these Headquarters, and of which Brevet Brigadier General CHRISTOPHER CARSON, Lieutenant Colonel Battalion New Mexico Volunteers, is President, were arraigned and tried:

1st.—Ferdinand Haberfelder, Private 5th U. S. Infantry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that Private Ferdinand Haberfelder, unassigned Recruit, 5th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at camp near Fort Union, N. M., and did remain absent until he surrendered himself to the commanding officer at Albuquerque, N. M., on November 12, 1866. All this at or near Fort Union, N. M., on or about the 5th day of August, 1866.

PLEA.

To the specification, ... *Guilty.*

To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances due him at the time he surrendered himself, except just dues to the sutler and laundress, and to make good to the United States the time lost by desertion. The sentence is made thus lenient in view of his good character and long confinement."

2d.—Edward Carr, Private Co. C, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification.—In this, that Private Edward Carr, Co. C, 3d U. S. Cavalry, having been regularly detailed and on duty as a member of the post guard, did attempt to introduce liquor into the post guard house. All this at Albuquerque, N. M., on or about the 6th day of April, 1867.

PLEA.

To the specification,..... *Not Guilty.*
To the charge,..... *Not Guilty.*

FINDING.

Of the specification ..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of ten (10) days, and to forfeit to the United States five (5) dollars of his monthly pay."

3d.—John Doherty, Sergeant Co. K, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and Military discipline.*

Specification 1st.–In this, that Sergeant John Doherty, of Co. K, 5th U. S. Infantry, being in charge of a party of Navajo Indians, captives en-route to the reservation at Fort Sumner, N. M., did sell or otherwise unlawfully dispose of part of the rations belonging to said Indians, entrusted to his care, to wit: one

(1) quarter of beef at Alamada, N. M., and two (2) sacks of flour at Algodonas, N. M., said rations being for the use of the Indians en-route to the reservation at Fort Sumner, N. M. All this at or near Alamada, and Algodonas, N. M., on or about the evening of the 28th and 29th of December, 1866.

Specification 2d.—In this, that Sergeant John Doherty, of Co. K, 5th U. S. Infantry, being in charge of a party of Navajo Indians, captives en-route to the reservation at Fort Sumner, N. M., did leave six (6) sacks of flour at Pinos Ranche, N. M., until his return from Rock Corral, (he there being relieved by another party from Santa Fe, N. M.,) on his return from Rock Corral, did take said flour to the house of one Mrs. Fisher, near Albuquerque, N. M., to be kept there until called for by him. The said flour being part of the rations issued to the aforesaid party of Navajo Indians, at Albuquerque, N. M., for their sustenance en-route to the reservation. He, Sergeant Doherty, intending to dispose of, or appropiate said flour to his own use. All this at or near Albuquerque, N. M., on or about the 4th day of January, 1867.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Guilty,* except the words "two sacks of flour at Algodonas," and substituting therefor "one sack of flour at Alamada."

Of the 2d specification, ... *Guilty.* except the words "being in charge of a party of Navajo Indians, captives en-route to the reservation at Fort Sumner, N. M.," and "Pinos Ranch, until his return from Rock Corral, he being there relieved by another party from Santa Fe, N. M., on his return from Rock Corral, did take said flour to"—making the specification as the accused was found ..... *Guilty* of it, read:

In this, that Sergeant John Doherty, Co. K, 5th U. S. Infantry, did leave six (6) sacks of flour at the house of one Mrs. Fisher, near Albuquerque, N. M., to be kept there until called for by him. The said flour being part of the rations issued to the aforesaid party of Navajo Indians, at Albuquerque, N. M., for their sustenance en-route to the reservation. He Sergeant Doherty intending to dispose of, or appropiate said flour to

his own use. All this at or near Albuquerque, N. M., on or about the 4th day of January, 1867.

Of the charge,..... *Guilty.*

SENTENCE.

"To be reduced to the ranks; to be confined at hard labor in charge of the guard for thirty (30) days, and to forfeit to the United States ten [10] dollars of his monthly pay per month for six months.

4th.—Leonard B. Whitbeck, Sergeant Co. K, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that Sergeant Leonard B. Whitbeck, Co. K. 5th U. S. Infantry, did become so drunk as to be utterly unable to properly perform the duties of a soldier. All this at Albuquerque, N. M., on or about the 5th day of April, 1867.

Specification 2d.—In this, that Sergeant Leonard B. Whitbeck, Co. K, 5th U. S. Infantry, did absent himself from retreat roll-call of his company, without permission from proper authority. All this at Albuquerque, N. M., on or about the 5th day of April, 1867.

Specification 3d.—In this, that Sergeant Leonard B. Whitbeck, Co. K, 5th U. S. Infantry, having been placed in arrest by order of his company officer, Lieut. Ephraim Williams, 5th U. S. Infantry, did disobey said order by breaking his arrest, leaving his company quarters and going into the town of Albuquerque, without permission from proper authority. All this at Albuquerque, N. M., on or about the 8th day of April, 1867.

PLEA.

To the 1st specification,..... *Guilty.*
To the 2d specification,..... *Guilty.*
To the 3d specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification,..... *Guilty.*
Of the 3d specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To be reduced to the ranks."

5th.—George W. Stevens, Private Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and Military discipline.*

Specification.—In this, that Private George W. Stephens, Co. C, 5th U. S. Infantry, did make a violent assault with a knife, and dangerously wound the person of Sergeant Edmond G. Williams, Co. C, 5th U. S. Infantry, which was capable of causing his death. All this at Albuquerque, N. M., on or about the 5th day of April, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for four (4) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

II....The proceedings and findings in the foregoing cases of Sergeants John Doherty and Leonard B. Whitbeck, Co. K, 5th U. S. Infantry, Ferdinand Haberfelder, unassigned Recruit 5th U. S. Infantry, Privates Edward Carr, Co. C, 3d U. S. Cavalry, and George W. Stephens, Co. C, 5th U. S. Infantry are approved, and their sentences will be duly executed.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chaudlr

Captain and Acting Judge Advocate.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 24, 1867.

GENERAL ORDERS, No. 101.

On the recommendation of Brevet Major General A. J. Smith, Commanding District of the Upper Arkansas, for meritorious conduct during the late flood at Fort Hays, the unexpired and unexecuted portions of the sentences in the cases of Privates Oscar Crist, Co. H, and Barnard O'Neal, Co. M, 7th U. S. Cavalry, promulgated in General Orders No. 88, current series; Private William Armstrong, Co. K, 7th U. S. Cavalry, promulgated in General Orders No. 66, current series; Private Levi Weaver, Co. L, 7th U. S. Cavalry, promulgated in General Orders No. 35, last series of 1866; Private Richard Malony, Co. M, 7th U. S. Cavalry, promulgated in General Orders No. 84, current series; Privates Wilhelm Richardt, Co. A, and William S. Jacoby, Co. D, 7th U. S. Cavalry, promulgated in General Orders No. 61, current series; Private James Brown, Co. G, 7th U. S. Cavalry, promulgated in General Orders No. 62, current series, and Private Shannon Wilson, Co. F, 7th U. S. Cavalry, promulgated in General Orders No. 27, current series, are hereby remitted.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. Charles A. Lantham, Private Co. H, 37th U. S. Infantry.
2. Edward Delaney, Private Co. E, 7th U. S. Cavalry.
3. George Stafford, Private Co. E, 7th U. S. Cavalry.
4. George M. Robbins, Private Co. E, 7th U. S. Cavalry.
5. Levi Smith, Private Co. C, 37th U. S. Infantry.
6. Charles E. Lake, Private Co. D, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, June 24, 1867.

GENERAL ORDERS, No. 102.

I....Before a General Court Martial which convened at Fort Hays, Kansas, May 20, 1867, pursuant to Special Orders No. 107, current series, from these Headquarters, and of which Brevet Major JOHN RZIHA, Captain 37th U. S. Infantry, is President, were arraigned and tried:

1st.—Charles A. Lantham, Private Co. H, 37th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and Military discipline.*

Specification 1st.—In this, that he, the said Charles A. Lantham, Private Co. H, 37th U. S. Infantry, having been requested while a member of the guard, by Edward M. Brock, Private Co. H, 37th U. S. Infantry, also a member of the guard, to "hurry up, and not keep the relief waiting," did reply, "go to hell you son of a bitch," or words to that effect. This at the Indian Encampment, near Pawnee Fork, Kansas, on or about the 15th day of April, 1867.

Specification 2d.—In this, that he, the said Charles A. Lantham, Private Co H, 37th U. S. Infantry, did, with fixed bayonet, wilfully stab Edward M. Brock, Private Co. H, 37th U.S. Infantry, and inflict a severe wound in his side. This while Lantham and Brock were members of the guard, at the Indian Encampment, near Pawnee Fork, Kansas, on or about the 15th day of April, 1867.

PLEA.

To the 1st specification, ... *Guilty,*
except the words "go to hell you son of a bitch."
To the 2d specification, ... *Guilty,*
except the word "willfully."
To the charge, ... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States ten dollars ($10) of his monthly pay for the period of three months, and to be confined at hard labor under charge of regimental guard for one month."

2d.—Edward Delaney, Private Co. E, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Leaving his guard.*

Specification.—In this, that he, Private Edward Delaney, Troop E, 7th U. S. Cavalry, being a member of the guard, regularly detailed and duly mounted, on the morning of February 11, 1867, did leave his guard without proper authority, about 10 o'clock A. M., and did remain absent until about 4½ o'clock P.M.

CHARGE 2d—*Drunk on guard.*

Specification.—In this, that he, Private Edward Delaney, Troop E, 7th U. S. Cavalry, being a member of the guard, regularly detailed and mounted, on the morning of February 11, 1867, did become so much under the influence of liquor as to be unable to properly perform his duties as a sentinel. All this at or near Fort Hays, Kansas, on or about February 11, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To forfeit to the United States ten dollars ($10) of his monthly pay for the period of four [4] months, and to be confined at hard labor under guard for three [3] months, except the first ten [10] days of each month he will be confined in solitary confinement on bread and water."

3d.—Private George Stafford, Troop E, 7th U. S Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private George Stafford, Troop E, 7th U. S. Cavalry, after being duly enlisted in the service of the United States, did, on or about the 27th day of January, 1867, absent himself from Camp without leave from proper authority, and did remain absent until apprehended at or near Fossil creek, Kansas, on or about January 31st, 1867. All this at or near Fort Hays, Kansas, on or about January 27th, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty*

Of the charge, ... *Not Guilty*
of Desertion, but guilty of absence without leave.

SENTENCE.

"To forfeit all pay and allowances now due him, or to become due, except the just dues of the laundress and sutler, for the period of three months, and to be confined at hard labor under guard for the same period."

4th.—Private George M. Robbins, Troop E, 7th Cavalry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification.—In this, that he, Private George M. Robbins, Troop E, 7th U. S. Cavalry, being a member of the Post guard, regularly detailed and duly mounted on the morning of February 20th, 1867, at Fort Hays, Kansas, and being duly posted as a sentinel, was found sleeping on his post. All this at or near Fort Hays, Kansas, on or about February 20th, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification ..... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances which may be due him, or may become due, for the period of six [6] months, except the just dues to the laundress and sutler, and to be confined at hard labor for the same time, except the first fourteen days of each month to be confined in solitary confinement on bread and water, and after expiration of sentence, to be dishonorably discharged the service of the United States."

5th.—Private Levi Smith, Co. C, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Levi Smith, of Co. C, 37th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Leavenworth, Kansas, on or about the 12th day of March, 1867, and did remain absent until apprehended at St. Joseph, Mo., on or about the 2d day of April, 1867.

PLEA.

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances which may be due him, or may become due, for the period of six [6] months, except the just dues of the laundress and sutler, and to be confined at hard labor for the same period."

6th.—Private Charles E. Lake, Co. D, 7th Cavalry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification.—In this, that he, Private Charles E. Lake, Co. D, 7th Regiment U. S. Cavalry, having been duly posted as a sentinel, was found asleep on his post, between the hours of 3 o'clock and 5 o'clock A. M., when visited by the Officer of the Day. This at the Camp of the 7th U. S. Cavalry, on or about the 14th of May, 1867.

PLEA.

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances which are due him, or may become due, except the just dues of the laundress and sutler, for a period of six [6] months, to be confined at hard labor under guard for the same period, except the first fourteen days of each month to be in solitary confinement on bread and water, and after the expiration of sentence, to be dishonorably discharged the service of the United States.

II. ...The proceedings and findings in the cases of Privates Charles A. Lantham, Co. H, and Levi Smith, Co. C, 37th U. S. Infantry, and George Stafford, Co. E, 7th U. S. Cavalry, are approved, and the sentences will be executed.

In the case of Private George M. Robbins, Co. E, 7th U. S. Cavalry, the proceedings and findings are approved. So much of the sentence as imposes a dishonorable discharge is disapproved. The remainder of the sentence will be duly executed.

In the cases of Privates Edward Delaney, Co. E, and Charles E. Lake, Co. D, 7th U. S. Cavalry, the proceedings and findings are approved. On the recommendation of the Commanding Officer, District of the Upper Arkansas, for meritorious conduct during the recent Flood at Fort Hays, their sentences are remitted. They will be released from confinement and returned to duty.

III. . . . The General Court Martial of which Brevet Major John Rziha, Captain 37th Infantry, is President, is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R. Chandler.
Captain and Acting Judge-Advocate.

G. C. M.

1. Daniel O'Brien, Private Co. E, U. S. Engineer Battalion.
2. Thomas Watson, Private Co. D, 38th U. S. Infantry.
3. Henry Spellman, Private Co. H, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, June 25, 1867.

GENERAL ORDERS, No. 103.

I. . . . Before a General Court Martial which convened at Jefferson Barracks, Mo., June 12th, 1867, pursuant to Special Orders No. 125, current series, from these Headquarters, and of which Brevet Major General W. B. HAZEN, Colonel 38th U. S. Infantry, is President, were arraigned and tried:

1st.—Daniel O'Brien, Private Co. E, U. S. Engineer Battalion, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification 1st.—In this, that he, Private Daniel O'Brien, Co. E, U. S. Engineer Battalion, being ordered by Sergeant Charles A. Miles, Co. E, U. S. Engineer Battalion, to desist making an attempt to violate the person of Lilly Steward, a colored woman, did wilfully refuse to obey said order. This at Engineer Depot, Jefferson Barracks, Mo., on or about the 2d day of June, 1867.

Specification 2d.—In this, that Private Daniel O'Brien, Co. E, U. S. Engineer Battalion, did with violence take hold of Lilly Steward, a colored woman, throwing her down with the intention of violating her person, and while she was resisting his attempt, did tear her clothing, and kick her several times.

Specification 3d.—In this, that he, Private Daniel O'Brien, Co. E, U. S. Engineer Battalion, when being ordered by Sergeant Charles A. Miles, Co. E, U. S. Engineer Battalion, to desist making an attempt to violate the person of Lilly Steward, colored, did attempt to strike said Sergeant Miles, at the same time saying "you are a damned son of a bitch," and when being placed in confinement by order of said Sergeant Miles, did say several times, "you are a God-damned son of a bitch," or words to that effect. All this at Engineer Depot, Jefferson Barracks, Mo., on or about the 2d day of June, 1867.

PLEA.

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the 3d specification.....*Not Guilty.*
To the charge.....*Guilty.*

FINDING.

Of the 1st specification,.....*Guilty,* except the words "to violate her person," in the sense of a rape, but in the sense of an assault.
Of the 2d specification,.....*Guilty,* except the words "to violate her person," in the sense of a rape, but in the sense of an assault.
Of the 3d specification,.....*Guilty,* except the words "to violate her person," in the sense of a rape, but in the sense of an assault.
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for three months, and to forfeit to the Government of the United States the sum of twelve dollars per month of his monthly pay for the same period."

2d.—Thomas Watson, Private Co. D, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Thomas Watson, Private of Co. D, 38th U. S. Infantry, did desert the service of the United States at Jefferson Barracks, Mo., on or about the 24th day of May, 1867, and did remain away until about the 26th day of May, 1867, when he was arrested in Chicago, Ill.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of six calendar months, and to reimburse the Government of the United States the cost of apprehension, and to forfeit to the Government of the United States ten dollars per month of his monthly pay for six months."

3d.—Henry Spellman, Private Co. H, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification—In this, that Private Henry Spellman, of Co. H, 38th U. S. Infantry, did steal or take from Private Joseph Williams, Co. E, 38th U. S. Infantry, sick in Hospital, and when asleep, a bag containing the sum of six dollars, ($6.) This at Post Hospital, Jefferson Barracks, Mo., on or about May 16th, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, Private H. Spellman, of Company H, 38th U. S. Infantry.

II. . . . The proceedings and findings in the foregoing cases of Privates Daniel O'Brien, Co. E, U. S. Engineer Battalion, and Thomas Watson, Co. D, 38th U. S. Infantry, are approved, and their sentences will be duly executed.

In the case of Private Henry Spellman, Co. H, 38th U. S. Infantry, the proceedings and findings are approved. The prisoner will be released from confinement and returned to duty.

III. . . . The General Court Martial of which Brevet Major General W. B. Hazen, Colonel 38th U. S. Infantry, is President is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official: R C Candler.
Captain and Acting Judge Advocate.

G. C. M.

1. Michael McGuire, Private Co. F, 3d U. S. Infantry.
2. Seth Blackman, Private Co. I, 4th U. S. Artillery.
3. Thomas Mackay, Private Co. F. 3d U. S. Infantry.
4. Alexander Boyd, Private Co. F, 3d U. S. Infantry.
5. Jacob Mulich, Private Co. F, 3d U. S. Infantry.
6. James Johnson, Sergeant Co. F, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, June 29, 1867.

GENERAL ORDERS, No. 104.

I....Before a General Court Martial which convened at Fort Leavenworth, Kansas, June 13, 1867, pursuant to Special Orders No. 127, current series, from these Headquarters, and of which Brevet Major JOHN H. PAGE, Captain 3d Infantry, is President, were arraigned and tried:

1st.—Michael McGuire, Private Co. F, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Michael McGuire, of Co. F, 3d U. S. Infantry, did absent himself from his Company and train without proper authority, on or about 7 o'clock, A. M., April 23, 1867, until 4 o'clock, P. M., the same day. This while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that he, Private Michael McGuire, of Co. F, 3d, U. S. Infantry, did when ordered by Captain and

Brevet Major John H. Page, his company commander, to leave a whiskey Ranche and join his company, fail to obey the said order. This on the 23d day of April, 1867, while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge.....*Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard at the post or station of his Company, for a period of 60 days, and to wear a 24 lb ball attached by a chain to his left leg until expiration of sentence."

2d.—Alexander Boyd, Private Co. F, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Alexander Boyd, of Co. F, 3d U. S. Infantry, did absent himself from his Co. and train without proper authority, on or about 7 o'clock A. M., 23d of April, 1867, until 4 o'clock P. M., the same day. This while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that he, Private Alexander Boyd, of Co. F, 3d U. S. Infantry, did, when ordered by Captain and Brevet Major John H. Page, his company commander, to leave a whiskey Ranche and join his company, fail to obey the said order. This on the 23d of April, 1867, while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

PLEA.

To the specification 1st charge,.....*Guilty.*
except the words "on or about 7 o'clock A. M."
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty*, except the words "on or about 7 o'clock A. M."
Of the 1st charge, ... *Guilty*.
Of the specification 2d charge, ... *Guilty*.
Of the 2d charge, ... *Guilty*.

SENTENCE.

"To be confined at hard labor in charge of the guard at the post or station of his company for a period of 60 days, and to wear a 24 lb ball attached by a chain to his left leg until expiration of sentence."

3d.—Thomas Mackay, Private Co. F, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without leave.*

Specification.—In this, that he, Private Thomas Mackay, Co. F, 3d U. S. Infantry, did absent himself from his company and train without proper authority, on or about 7 o'clock A. M., April 23d, 1867, until 4 o'clock P. M., the same day. This while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

CHARGE 2d—*Disobedience of orders.*

Specification.—In this, that he, Private Thomas Mackay, Co. F, 3d U. S. Infantry, did, when ordered by Captain and Brevet Major John H. Page, his company commander, to leave a whiskey Ranche and join his company, fail to obey the said order. This on the 23d of April, 1867, while en route from Fort Harker, Kansas, to Fort Riley, Kansas.

PLEA.

To the specification 1st charge, ... *Guilty*, except the words "on or about 7 o'clock."
To the 1st charge, ... *Guilty*.
To the specification 2d charge, ... *Not Guilty*.
To the 2d charge, ... *Not Guilty*.

FINDING.

Of the specification 1st charge, ... *Guilty*, except the words "on or about 7 o'clock A. M."
Of the 1st charge, ... *Guilty*.
Of the specification 2d charge, ... *Guilty*.
Of the 2d charge, ... *Guilty*.

SENTENCE.

"To be confined at hard labor in charge of the guard, at the

post or station of his company, for a period of 60 days, and to wear a 24 lb ball attached by a chain to his left leg, until the expiration of sentence."

4th.—Seth Blackman, Private Co. I, 4th U. S. Artillery, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Seth Blackman, Co. I, 4th U. S. Artillery, a duly enlisted soldier in the service of the United States, did absent himself from, and desert said service at Fort Delaware, Del., on or about the 15th day of February, 1867, and did remain absent until apprehended at Fort Leavenworth, Kansas, on or about the 10th day of May, 1867. Thirty dollars paid for apprehension.

PLEA.

To the specification,..... *Guilty,* except the words "until apprehended."

To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty,* except the words "until apprehended."

Of the charge,..... *Guilty.*

SENTENCE.

"To be confined in charge of a guard, and at such place as the Major General Commanding may direct, for the period of six months, and to wear a 24 lb ball attached by a chain five feet long to his left leg for the same period, and to forfeit to the United States all pay now due, and ten dollars ($10) of his monthly pay that may become due, until expiration of sentence."

5th.—Jacob Mulich, Private Co. F, 3d U. S. Infantry, on the following charge and specifications:

CHARGE—*Neglect of duty, to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, the said Private Jacob Mulich, Co. F, 3d Infantry, a duly posted sentinel, did, in violation of orders, while guarding prisoners at work at the Officers' mess-house, allow and permit Private Boyd, Co. F, 3d Infantry, a prisoner in his charge, to go into the said mess-house out of his watch and sight, thereby giving him an opportunity to escape. This at Fort Leavenworth, Kansas, on or about the 11th of June, 1867.

Specification 2d.—In this, that he, the said Private Jacob Mulich, Co. F, 3d Infantry, a regularly posted sentinel, did, in violation of orders, permit a prisoner in his charge, Private Boyd, Co. F, 3d Infantry, to become intoxicated, and did return him in that condition to the guard-house. This at Fort Leavenworth, Kansas, on or about the 11th day of June, 1867.

PLEA.

To the 1st specification,.....*Not Guilty.*
To the 2d specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the 1st specification,.....*Not Guilty,*
Of the 2d specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said Jacob Mulich, Private Co. F, 3d U. S. Infantry.

6th.—James Johnson, Sergeant Co. F, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty, to the prejudice of good order and military discipline.*

Specification.—In this, that he, Sergeant James Johnson, Co. F, 3d U. S. Infantry, being the Police Sergeant of the Post, and having charge of the prisoners employed on police duty, did send or permit two prisoners, viz: Privates Albert H. Jackson and John Tochie, Co. F. 3d U. S. Infantry, in confinement for desertion, to be sent to the Hospital to cut wood, under charge of a single sentinel, and without the supervision of himself or the police Corporal under him, by which neglect of duty the said two prisoners were enabled to escape from custody, and did escape and desert the service of the United States. This on or about the 3d day of June, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him, the said James Johnson, Sergeant of Co. F, 3d U. S. Infantry.

II. . . . The proceedings and findings in the foregoing cases of Privates Michael McGuire, Alexander Boyd and Thomas Mackay, Co. F, 3d U. S. Infantry, are approved. So much of the sentences in these cases as imposes the wearing of a ball and chain, being in contravention of the provisions of General Orders No. 4, current series, War Department, A. G. O., is disapproved. The remainder of their sentences will be duly executed.

In the case of Private Seth Blackman, Co. I, 4th U. S. Artillery, the proceedings and findings are approved. So much of the sentence as imposes the wearing of a ball and chain, is disapproved. The remainder of the sentence will be executed as follows: to be confined in charge of the guard for the period of six months; to forfeit to the United States all pay now due, and ten dollars per month of his pay for the period of six months.

In the cases of Sergeant James Johnson and Private Jacob Mulich, Co. F, 3d U. S. Infantry, the proceedings and findings are approved. They will be released from confinement and returned to duty.

III. . . . The General Court Martial of which Brevet Major John H. Page, Captain 3d U. S. Infantry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler

Captain and Acting Judge-Advocate.

G. C. M.

1. Edgar Maloy, Private Co. H, 3d U. S. Infantry.
2. Thomas Barrett, Private Co. H, 3d U. S. Infantry.
3. Charles Stratton, Private Co. H, 3d U. S. Infantry.
4. Seth J. Crosby, Private Co. H, 3d U. S. Infantry.
5. Edward Dillon, Sergeant Co. K, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 1, 1867.

GENERAL ORDERS, No. 105.

I....Before a General Court Martial which convened at Fort Dodge, Kansas, May 16th, 1867, pursuant to Special Orders No. 99, Paragraph 6, current ceries, from these Headquarters, and of which Major HENRY DOUGLASS, 3d U. S. Infantry, is President, were arraigned and tried:

1st.—Edgar Maloy, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification–In this, that he, Edgar Maloy, Private Co. H, 3d U. S. Infantry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until apprehended at Fort Leavenworth, Kansas, on or about the 15th day of February, 1867. All this at Fort Harker, Kansas, on or about the 7th day of February, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"And the Court does therefore sentence him, Private Edgar Maloy, Co. H, 3d U. S. Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States all pay and allowances now due, and which may become due during the period of his confinement, except the just dues of the laundress."

2d.—Thomas Barrett, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Thomas Barrett, Private Co. H, 3d U. S. Infantry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until apprehended at Fort Leavenworth, Kansas, on or about the 15th day of February, 1867. All this at Fort Harker, Kansas, on or about the 7th day of February, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*
but guilty of absence without leave.

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"And the Court does therefore sentence him Private Thomas Barrett, Co. H, 3d U. S. Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States all pay and allowances now due, and which may become due during the period of his confinement, except the just dues of the laundress."

3d.—Charles Stratton, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Charles Stratton, Private Co. H, 3d U. S. Infantry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until apprehended at Fort Leavenworth, Kansas, on or about the 15th day of February, 1867. All this at Fort Harker, Kansas, on or about the 7th day of February, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty,*
but guilty of absence without leave.

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"And the Court does therefore sentence him, Private Charles Stratton, Co. H, 3d U. S. Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit to the United States all pay and allowances now due, or which may become due, during the period of his confinement, except the just dues of the laundress."

4th.—Seth J. Crosby, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Seth J. Crosby, Private Co. H, 3d U. S. Infantry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until apprehended at Fort Leavenworth, Kansas, on or about the 15th day of February, 1867. All this at Fort Harker, Kansas, on or about the 7th day of February, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty,*
but guilty of absence without leave.

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"And the Court does therefore sentence him, Private Seth J. Crosby, Co. H. 3d U. S. Infantry, to be confined at hard labor under charge of the guard for six months, and to forfeit all pay and allowances now due, and which may become due during the period of his confinement, except the just dues of the laundress."

II. . . . The proceedings and findings, in the foregoing cases of Privates Edgar Maloy, Thomas Barrett, Seth J. Crosby, and Charles Stratton, Co. H, 3d U. S. Infantry, are approved, and the sentences will be carried into effect.

III. . . . Before a General Court Martial which convened at Fort Larned, Kansas, May 23d, 1867, pursuant to Special Orders No. 107, current series, from these Headquarters, and of which Brevet Major HENRY ASBURY, Captain 3d U. S. Infantry, is President, was arraigned and tried:

1st.—Sergeant Edward Dillon, Co. K, 37th U. S. Infantry, on the the following charge and specification:

CHARGE.—*Desertion.*

Specification.—In this, that Edward Dillon, Sergeant Co. K. 37th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Leavenworth, Kansas, on or about the 16th day of March, 1867, and did remain absent until apprehended at or near Wamego, Kansas, on or about the 19th day of March, 1867. Thirty dollars ($30) paid for his apprehension. All this at Fort Leavenworth, Kansas, on or about the times and dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay and be reduced to the ranks; forfeit and pay to the United States out of his future earnings, thirty dollars ($30) per month, at the rate of ten dollars ($10) per

month, and to be confined on bread and water diet for fourteen (14) days, and hard labor for one month."

IV....The proceedings and findings, in the foregoing case of Sergeant Edward Dillon, Co. K, 37th U. S. Infantry, are approved. The sentence will be executed as follows: to be reduced to the ranks; to forfeit all pay now due, and ten dollars per month of his pay for three months; to solitary confinement on bread and water diet for fourteen days, and at the expiration of that time, to be confined under charge of the guard at hard labor for one month.

By command of Major General HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Captain and Acting Judge-Advocate.

G. C. M.

1. W. A. Pickens, Private Co. K, 3d U. S. Cavalry.
2. Thomas Finn, Private Co. K, 3d U. S. Cavalry.
3. John Carroll, Corporal Co. B, 3d U. S. Cavalry.
4. James Dowd, Private Co. C, 5th U. S. Infantry.
5. Edward Barry, Private Co. C, 5th U. S. Infantry.
6. John Nagle, Corporal Co. C, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

FORT LEAVENWORTH, KANSAS, July 6, 1867.

GENERAL ORDERS, No. 106.

I....Before a General Court Martial which convened at Fort Craig, N. M., May 15, 1867, pursuant to Special Orders No. 92, current series, from these Headquarters, and of which Colonel WILLIAM R. GERHART, 125th U. S. Colored Troops, is President, were arraigned and tried:

1st.—W. A. Pickens, Private Co. K, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and Military discipline.*

Specification.—In this, that Private W. A. Pickens, Co. K, 3d U. S. Cavalry, being acting Corporal of the guard, and in charge of the horses of Co. K, 3d U. S. Cavalry, on the night of March 9th, 1867, did attempt to take a horse or horses of said Co. out of the "corral," without proper authority, and for improper purposes. This at Fort Selden, N. M., on or about the night of March 9, 1867.

PLEA.

To the specification,.....Not Guilty.
To the charge,.....Guilty.

FINDING.

Of the specification,.....Guilty.
Of the charge,.....Guilty.

SENTENCE.

"To be confined at hard labor for the period of ten days, and to forfeit to the United States five dollars of his monthly pay for one month."

2d.—Thomas Finn, Private Co. K, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 50th Article of War.*

Specification.—In this, that Private Thomas Finn, Co. K, 3d U. S. Cavalry, being a member of the post guard, did quit his guard without proper authority, and remained absent from about 8 o'clock P. M., to about 11 o'clock P. M. This at Fort Selden, N. M., on or about the 8th of March, 1867.

PLEA.

To the specification,.....Guilty.
To the charge,.....Guilty.

FINDING.

Of the specification,.....Guilty.
Of the charge,.....Guilty.

SENTENCE.

"To one month's confinement, fourteen days to be solitary on bread and water. The remainder of the time at hard labor under guard."

3d.—John Carroll, Co. B, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, the said Corporal John Carroll, Co. B, 3d U. S. Cavalry, did become drunk, and did behave in a disorderly and riotous manner, at or near the store of the Post Sutler. This at Fort Craig, N. M., on or about the 27th day of February, 1867.

CHARGE 2d—*Offering violence to an Officer.*

Specification.—In this, that he, the said Corporal John Carroll, Co. B, 3d U. S. Cavalry, on being ordered by the Officer of the Day, who was in the execution of his office, to desist from fighting and go to the guard-house, did resist, and used disrespectful language to him, and did search his person apparently for a weapon, and did remark in a menacing tone and manner, "that he did not have his pistol with him." This at Fort Craig, N. M., on or about the 27th day of February, 1867.

PLEA.

To the specification 1st charge,..... Not Guilty.
To the 1st charge,..... Not Guilty.
To the specification 2d charge,..... Not Guilty.
To the 2d charge..... Not Guilty.

FINDING.

Of the specification 1st charge,..... Guilty.
Of the 1st charge,..... Guilty.
Of the specification 2d charge,..... Not Guilty.
Of the 2d charge,..... Not Guilty.

SENTENCE.

"To be reduced to the ranks, and to be confined at hard labor under charge of the guard for the period of two (2) months, forfeiting to the United States ten (10) dollars of his monthly pay, per month, for the same period."

4th.—James Dowd, Private Co. C, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private James Dowd, of Co. C, 5th Infantry, U. S. A., on the occasion of his Company being ordered out under arms, was so much under the influence of liquor as to be unable to perform his duty as a soldier. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

CHARGE 2d—*Neglect of duty.*

Specification.—In this, that Private James Dowd, of Co. C, 5th Infantry, U. S. A., on the occasion of his Company being ordered out under arms, did fail to turn out with his Company, and did remain absent therefrom without authority. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

CHARGE 3d—*Violation of the 9th Article of War.*

Specification.—In this, that Private James Dowd, of Co. C. 5th Infantry U. S. A., having been ordered by his superior Officer, Captain E. Butler, 5th Infantry, U. S. A., his Company and Post Commander, to go to the guard-house quietly with the guard, did refuse to obey said order; did say that he would not obey said order; and did disobey said order. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

CHARGE 4th—*Mutinous and insubordinate conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that Private James Dowd, Co. C. 5th Infantry, U. S. A., having been ordered by his superior Officer, Captain E. Butler, 5th Infantry, U. S. A., and his Company and Post Commander, to go to the guard-house, did refuse to obey said order, and did say: "I do refuse to obey;" and did defy the guard to take him to the guard-house; did stand in a threatening attitude and say: "I want you all to keep away from me," or words to the same effect and meaning. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

Specification 2d.—In this, that Private James Dowd, of Co. C, 5th Infantry, U. S. A., did say to Sergeant John Bauer, of Co. C, 5th Infantry, U. S. A., who had been ordered to take said Dowd to the guard-house for confinement: "If you come near me I will kick you in the stomach," or words to the same effect and meaning, the said Sergeant Bauer being in the execution of his duty. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

Specification 3d.—In this, that Private James Dowd, of Co: C, 5th Infantry, U. S. A., did say to Sergeant Wm. Weidner, of Co. C, 5th Infantry, U. S. A., who had been ordered to take the said Dowd to the guard-house for confinement: "If you don't keep away I'll strike you," or words to the same intent and meaning, the said Sergeant Wm. Weidner being in the execution of his duty. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

Specification 4th—In this, that Private James Dowd, of Co. C, 5th Infantry, U. S. A., did kick Corporal Ferdinand Stephens, of Co. L, 3d Cavalry, U. S. A., Corporal of the garrison guard, while he Corporal Stephens in the execution of his duty as Corporal of the guard proceeded to lay hold of said Dowd for the purpose of placing him in confinement, and did call the said Corporal Stephens, of Co. L, 3d Cavalry, U. S. A., "a son

of a bitch." This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

PLEA.

To the specification 1st charge, ... Guilty.
To the 1st charge, ... Guilty.
To the specification 2d charge, ... Guilty.
To the 2d charge, ... Guilty.
To the specification 3d charge, ... Not Guilty.
To the 3d charge, ... Not Guilty.
To the 1st specification 4th charge, ... Not Guilty.
To the 2d specification 4th charge, ... Not Guilty.
To the 3d specification 4th charge, ... Not Guilty.
To the 4th specification 4th charge, ... Not Guilty.
To the 4th charge, ... Not Guilty.

FINDING.

Of the specification 1st charge, confirms the plea of the prisoner and finds him ..... Guilty.
Of the 1st charge confirms the plea of the prisoner and finds him ..... Guilty.
Of the specification 2d charge confirms the plea of the prisoner and finds him ..... Guilty.
Of the 2d charge confirms the plea of the prisoner and finds him ..... Guilty.
Of the specification 3d charge, ... Guilty.
Of the 3d charge, ... Guilty.
Of the 1st specification 4th charge, ... Guilty.
Of the 2d specification 4th charge, ... Guilty.
Of the 3d specification 4th charge, ... Guilty.
Of the 4th specification 4th charge, ... Not Guilty, except the words "did call Corporal Stephens 'a son of a bitch.'"
Of the 4th charge, ... Guilty.

SENTENCE.

"To six (6) months confinement, the first fourteen (14) days of each of the first three (3) months solitary and on bread and water, and to be kept at hard labor during the remainder of his term of confinement, and to forfeit to the United States ten dollars ($10) of his monthly pay for six (6) months.

5th.—Edward Barry, Private Co. C, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Mutinous and insubordinate conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private Edward Barry, of Co. C, 5th Infantry, U. S. A., did aid and abet said Private James Dowd, of Co. C, 5th Infantry, U. S. A., in resistance to the garrison guard and his military superiors, did rush out of the prison room, (he being then a prisoner in charge of the guard,) and did say to the non-commissioned officer and privates of the garrison guard, "who of you fellows hit Jimmy Dowd? I'll lick him!" or words to the same effect and purpose—did refuse to go into the prison room; did challenge, threaten and rush in a furious manner at the members of the guard and the non-commissioned officers of Co. C, 5th Infantry, who had taken the aforesaid private Dowd, of Co. C, 5th Infantry, to the guard-house, and was only withheld from doing them bodily injury by being seized and carried by main force into the prison room. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

CHARGE 2d—*Drunkenness on duty.*

Specification.—In this, that Private Edward Barry, of Co. C, 5th Infantry, U. S. A., being on extra duty as teamster in the Quartermaster's Department, did become so much under the influence of liquor as to be unable to perform properly his duty as a soldier on extra duty. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

PLEA.

To the specification 1st charge,.....Not Guilty.
To the 1st charge,.....Not Guilty.
To the specification 2d charge,.....Guilty.
To the 2d charge,.....Guilty.

FINDING.

Of the specification 1st charge,.....Guilty.
Of the 1st charge,.....Guilty.
Of the specification 2d charge, confirms the plea of the prisoner and finds him.....Guilty.
Of the 2d charge, confirms the plea of the prisoner and finds him.....Guilty.

SENTENCE.

"To six months' confinement, the first fourteen days of each of the first three months solitary, and on bread and water, and to be kept at hard labor during the remainder of his term of confinement, and to forfeit to the United States ten dollars ($10) of his monthly pay for six months.

6th.—John Nagle, Corporal Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE.—*Disobedience of orders.*

Specification.—In this, that he, Corporal John Nagle, of Co. C, 5th U. S. Infantry, being Corporal of the garrison guard at Fort Wingate, N. M., on or about the 14th day of April, 1867, and having been ordered to allow no one to enter a certain room in the guard-house (where two Navajo women were staying) except the Commanding Officer, he, the said John Nagle, Corporal of Co. C, 5th Infantry, U. S. A., did enter said room between the hours of 12 and 1 o'clock at night, in company with the Sergeant of the guard. All this at Fort Wingate, N. M., on or about the 14th day of April, 1867.

PLEA.

To the specification,.....Guilty.
To the charge,.....Guilty.

FINDING.

Of the specification to the charge, confirms the plea of the prisoner and finds him.....Guilty.
but attach no criminality thereto.

Of the charge, confirms the plea of the prisoner and finds him
.....Guilty.
but attach no criminality thereto.

And the Court does therefore acquit him, the said Corporal John Nagle, of Co. C, 5th Infantry, U. S. A.

II....The proceedings and findings in the foregoing cases of Corporal John Carroll, Co. B, Privates Thomas Finn and W. A. Pickens, Co. K, 3d U. S. Cavalry, are approved, and their sentences will be duly executed.

In the case of Private James Dowd, Co. C, 5th U. S. Infantry, the proceedings, findings and sentence, are disapproved. The Record does not show that the Court and Judge Advocate were "*duly* sworn," "in the presence of the accused," which are held to be defects fatal to the validity of the sentence. The prisoner thus escapes a most merited punishment, through carelessness and negligence in making up the Record. He will be released from confinement and returned to duty.

In the case of Private Edward Barry, Co. C, 5th U. S. Infantry, the evidence upon the first charge and specification

shows that the prisoner was placed in confinement for drunkenness, and that while in the guard-house was very noisy and boisterous. No mutinous conduct whatever is shown. The findings upon the first charge and specification are therefore disapproved. On the second charge and specification the proceedings and findings are approved. The sentence is mitigated to confinement at hard labor under charge of the guard for the period of four months.

The proceedings and findings in the case of Corporal John Nagle, Co. C, 5th U. S. Infantry, are disapproved. To find the prisoner guilty of the specification, attaching no criminality thereto, and guilty of the charge, is irregular, as nothing remains to sustain the charge.

The prisoner will be released from confinement and returned to duty.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R. Chandler.
Captain and Acting Judge-Advocate.

G. C. M.

1. William Latchford, Sergeant Co. L, 3d U. S. Cavalry.
2. Charles Voss, Private Co. L, 3d U. S. Cavalry.
3. John Kelly, Artificer Co. C, 5th U. S. Infantry.
4. Charles W. Guise, Private Co. C, 5th U. S. Infantry.
5. John W. Phelps, Private Co. L, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, July 9, 1867.

GENERAL ORDERS, No. 107.

I.....Before a General Court Martial which convened at Fort Craig, N. M., May 15, 1867, pursuant to Special Orders No. 92, current series, from these Headquarters, and of which Colonel WILLIAM R. GERHART, 125th U. S. Colored Troops, is President, were arraigned and tried:

1st.—William Latchford, Sergeant Co. L, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification.—In this, that he, Sergeant William Latchford, of Co. L, 3d U. S. Cavalry, being Sergeant in charge of the garrison guard at Fort Wingate, on or about the 14th day of April, 1867, having received positive orders from the Officer of the Day to allow no one to enter a certain room in the guard-house (where two Navajo women were staying) except the Commanding Officer, he the said William Latchford, Sergeant of Company L, 3d U. S. Cavalry, did enter said room between the hours of 12 and 1 o'clock at night, taking with him the Corporal of the guard. All this at Fort Wingate, N. M., on or about the 14th day of April, 1867.

CHARGE 2d—*Neglect of duty.*

Specification.—In this, that he, William Latchford, Sergeant of Co. L, 3d U. S. Cavalry, being in charge of the garrison guard at Fort Wingate, N. M., on or about the 14th day of April, 1867, did allow the sentinel posted on post No. 1 in front of the guard-house, to remain in the sally-port, thereby endangering the safety of the garrison. All this at Fort Wingate, N. M., on or about the 14th day of April, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
but attach no criminality thereto.
Of the 1st charge, ... *Guilty.*
but attach no criminality thereto.
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him, Sergeant William Latchford, Co. L, 3d U. S. Cavalry.

2d.—Charles Voss, Private Co. L, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Disobedience of orders.*

Specification.—In this, that Private Charles Voss, of Co. L, 3d Cavalry, U. S. A., a member of the garrison guard, did when ordered by the Sergeant of the guard to fall in with relief for the purpose of being posted as a sentinel, positively refuse to obey said order. This at Fort Wingate, N. M., on or about the 4th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the Specification, ... *Not Guilty*
of refusing to fall in with the relief to be posted as a sentinel, but guilty of refusing to be posted as a sentinel.
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor under charge of the guard for four (4) months, forfeiting to the United States fifteen (15) dollars of his monthly pay per month, for the same period.

3d.—John Kelly, Artificer Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that Artificer John Kelly, of Co. C, 5th Infantry, U. S. A., a prisoner in charge of the guard, did aid and abet Private James Dowd, of Co. C, 5th Infantry, U. S. A., in resistance to the garrison guard and to non commissioned officers of Co. C, 5th Infantry, U. S. A., who were ordered to arrest said Dowd, and did say "if any of you sons of bitches touch Dowd I'll cut your hearts out," or words to the same intent and meaning. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him, the said Artificer John Kelly, of Co. C, 5th Infantry, U. S. A.

4th.—Charles W. Guise, Co. C, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness to the prejudice of good order and military discipline.*

Specification.—In this, that Private Charles W. Guise, of Co. C, 5th Infantry, U. S. A., on the occasion of his company being ordered out under arms, was so much under the influence of liquor as to be unable to perform properly his duty as a soldier. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

CHARGE 2d—*Mutinous and insubordinate conduct.*

Specification 1st.—In this, that Private Charles W. Guise, of Co. C, 5th Infantry, U. S. A., did offer violence to, and did resist Corporal Ferdinand Stephens, of Co. L, 3d U. S. Cavalry, when he Corporal Stephens, being Corporal of the garrison guard, went to arrest and confine the said Guise for drunkenness, and did say to the aforesaid Corporal Ferdinand Stephens, of Co. L, 3d Cavalry, U. S. A., and Corporal of the guard, "you have no business to arrest me you damned son of bitch," or words to the same intent and meaning, and did further say that he (Guise) would cut his (Corporal Stephens') guts out, or words to the same intent and purpose. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

Specification 2d.—In this, that Private Charles W. Guise, of Co. C, 5th Infantry, U. S. A., did resist the members of the garrison guard sent to arrest and confine him; did use violence towards them, and did threaten to strike them, and to "cut their guts out," or words and menaces to the same intent and purpose. This at Fort Wingate, N. M., on or about the 20th day of April, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the 1st specification 2d charge, ... *Not Guilty.*
To the 2d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification of the 1st charge, confirms the plea of the prisoner and finds him ..... *Guilty.*
Of the 1st charge confirms the plea of the prisoner and finds him... *Guilty.*
Of the 1st specification of the 2d charge, ... *Guilty.*
excepting the words "and did further say that he (Guise) would cut his (Corporal Stephens') guts out," or words to the same intent and purpose.
Of the 2d specification of the 2d charge, ... *Guilty,*
except the words "and to cut their guts out."
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be confined under charge of the guard for the period of six months, fourteen (14) days of each month solitary, on bread and water diet, and the remaining time to be kept at hard labor, and to forfeit to the United States, ten dollars ($10) per month of his monthly pay for the period of his confinement."

5th.—John W. Phelps, Private Co. L, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 46th Article of War.*

Specification.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, being a member of the garrison guard, duly detailed and mounted, and a sentinel on post in the Quartermaster's and Cavalry corral, did quit said post without having been regularly relieved. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

CHARGE 2d—*Desertion.*

Specification.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, having been duly enlisted in the service of the United States, did absent himself from, and did desert the said service by quitting his company and post, and did remain absent therefrom until arrested by Sergeant Mathew McCarthy, of Co. L, 3d U. S. Cavalry, at El Rito, N. M., on or about the 17th day of April, 1867. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

CHARGE 3d—*Conduct to the prejudice of good order and military discipline.*

Specification 1st.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, did feloniously steal, take and carry away, one (1) Government saddle, of the value of $17,72, for which Captain James R. Kemble, 3d Cavalry, U. S. A., is responsible. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

Specification 2d.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, being a sentinel in charge of the Quartermaster's and Cavalry corral, did feloniously steal, take and carry away one (1) horse the property of the United States, and for which Captain James R. Kemble, 3d U. S. Cavalry, is responsible, with intent to appropriate the same to his own use and benefit. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

Specification 3d.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, did feloniously steal, take and carry away, three (3) Remington revolving pistols, the property of the United States, and of the value of ($50) each, and for which Captain James R. Kemble, 3d U. S. Cavalry, is responsible, with intent to appropriate the same to his own use and benefit. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

Specification 4th.—In this, that he, Private John W. Phelps, of Co. L, 3d U. S. Cavalry, did feloniously steal, take and carry away, one Government bridle of the value of $4,46; one Government head halter of the value of $1,90; one Government blanket, (Cavalry blue) of the value of $3, and for which Captain James R. Kemble, 3d U. S. Cavalry, is responsible, with intent to appropriate the same to his own use and benefit. This at Fort Wingate, N. M., on or about the 16th day of April, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the 1st specification 3d charge, ... *Not Guilty.*
To the 2d specification 3d charge, ... *Guilty.*
To the 3d specification 3d charge, ... *Not Guilty.*
To the 4th specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, confirms the plea of the prisoner and finds him..... *Guilty.*
Of the 1st charge confirms the plea of the prisoner and finds him ... *Guilty.*
Of the specification 2d charge,..... *Guilty,* except the words, "and desert the said service."
Of the 2d charge,..... *Not Guilty* of desertion, but guilty of absence without leave.
Of the 1st specification 3d charge..... *Guilty,* except substitute the words, Frank H. Wilson, instead of "James R. Kemble."
Of the 2d specification 3d charge, confirms the plea of the prisoner and finds him..... *Guilty.*
Of the 3d specification 3d charge,..... *Guilty,* except substitute the words, two (2) Remington revolving pistols instead of three (3) Remington revolving pistols.
Of the 4th specification 3d charge,..... *Guilty,* except substitute the words, one private bridle, instead of one Government bridle of the value of $4,46, and except the words one Government head halter, of the value of $1,90, and substitute one Government blanket for which Captain Frank H. Wilson, 3d U. S. Cavalry, is responsible, instead of one Government blanket (Cavalry blue) of the value of $3, and for which Captain James R. Kemble, 3d U. S. Cavalry, is responsible.
Of the 4th charge,..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of six (6) months; to forfeit to the United States ten dollars ($10) of his monthly pay per month for the same period, and at the expiration of which to be dishonorably discharged the service of the United States."

II.....The proceedings in the foregoing cases of Sergeant William Latchford, Co. L, 3d U. S. Cavalry, Privates Charles Voss, Co. L, 3d U. S. Cavalry, Charles W. Guise, and Artificer John Kelly, Co. C, 5th U. S. Infantry, are disapproved.

The Record does not show that the Court and Judge Advocate were "duly" sworn, which is fatal to the validity of the sentences. The prisoners will be released from confinement and restored to duty.

In the case of Private John W. Phelps, Co. L, 3d U. S. Cavalry, the proceedings and findings are approved, and the sentence will be duly executed.

III.....The General Court Martial of which Colonel William R. Gerhart, 125th U. S. Colored Troops, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler,
Captain and Acting Judge Advocate.

G. C. M.

1. Samuel Haygood, Private Co. A, 10th U. S. Cavalry.
2. William Carter, Private Co. A, 10th U. S. Cavalry.
3. Samuel Ricks, Private Co. B, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, July 10, 1867.

GENERAL ORDERS, No. 109.

I. Before a General Court Martial which convened at Fort Larned, Kansas, May 23, 1867, pursuant to Special Orders No. 107, current series, from these Headquarters, and of which Brevet Major HENRY ASBURY, Captain 3d Infantry, is President, were arraigned and tried:

1st.—Samuel Haygood, Private Co. A, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Samuel Haygood, Co. A, 10th U. S. Cavalry, did steal one (1) Spencer Carbine the property of the United States, and did dispose of the same to a citizen for the sum of five dollars ($5.) This at Fort Larned, Kansas, on or about the 13th day of May, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States one hundred dollars ($100) of his pay, (ten dollars ($10) per month for ten (10) months,) and to be confined on bread and water diet for fourteen (14) days, and carry a log of wood weighing thirty (30) pounds, in charge of the guard for thirty (30) days, from reveille to retreat, allowing thirty minutes for each meal."

2d.—William Carter, Private Co. A, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private William Carter, Co. A, 10th U. S. Cavalry, being a member of the guard and duly posted as a sentinel, did sleep on post. This near Fort Larned, Kansas, on or about the 12th day of May, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined in charge of the guard for four (4) months; the first fourteen days of each month to be confined on bread and water diet, and the last ten (10) days in each month to carry a log of wood weighing thirty pounds, from reveille to retreat, with an intermission of one (1) hour for breakfast and dinner, and to forfeit to the United States ten dollars ($10) of his monthly pay for six (6) months."

II.....The proceedings and findings, in the foregoing case of Private Samuel Haygood, Co. A, 10th U. S. Cavalry, are approved. The sentence is mitigated as follows: To forfeit to the United States ten dollars ($10) of his monthly pay for six months, and to be confined at hard labor in charge of the guard for thirty days. The stoppage of pay for one Spencer Carbine ($100) will be charged on the muster and pay rolls against the prisoner, in compliance with General Orders No. 19, current series, War Department, A. G. O. The sentence as mitigated will be duly executed.

In the case of Private William Carter, Co. A, 10th U. S. Cavalry, the proceedings and findings are approved. The sentence is mitigated as follows: To be confined in charge of the guard for four months, the first fourteen days of each month to be solitary, on bread and water diet, and the remainder of the time at hard labor, and to forfeit to the United States ten dollars of his monthly pay for the period of four months.

III.....The General Court Martial of which Brevet Major Henry Asbury, Captain 3d U. S. Infantry, is President, is hereby dissolved.

IV.....Before a General Court Martial which convened at Fort Harker, Kansas, June 14, 1867, pursuant to Special Orders No. 127, current series, from these Headquarters, and of which Brevet Lieut. Col. V. K. Hart, Captain 37th Infantry, is President, was tried:

1st.—Samuel Ricks, Private Co. B, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification.—In this, that he, Private Samuel Ricks, of Co. B, 38th Infantry, having been duly posted as a sentinel, was found asleep between the hours of 12 at midnight and 5 A. M., when visited by the Officer of the Day. This at Fort Harker, Kansas, on or about the 31st day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

The Court confirms the plea of the prisoner and finds him ..... *Guilty.*

SENTENCE.

"To be confined in charge of the guard for the period of one month, carrying a log weighing fifty pounds, from reveille until retreat, during the same period, for one hour at a time, resting fifteen minutes; and to forfeit to the United States ten dollars ($10) of his monthly pay for three months."

V.....The proceedings and findings, in the foregoing case of Private Samuel Ricks, Co. B, 38th U. S. Infantry, are approved. The sentence is mitigated as follows: To be confined in charge of the guard for the period of thirty days, carrying a log weighing *thirty* pounds, from reveille until retreat, for one hour at a time, allowing fifteen minutes between each hour for rest; and to forfeit to the United States ten dollars of his monthly pay for the period of three months.

VI.....The General Court Martial of which Brevet Lieut. Col. V. K. Hart, Captain 37th U. S. Infantry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER.
Assistant Adjutant General.

OFFICIAL:

R Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. Edmond G. Williams, Sergeant Co. C, 5th U. S. Infantry.
2. John McConnell, Private Co. K, 5th U. S. Infantry.
3. James Hackey, Private Co. H, 3d U. S. Cavalry.
4. Charles W. White, Private Co. H, 3d U. S. Cavalry.
5. John Rock, Sergeant Co. H, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 12, 1867.

GENERAL ORDERS,
No. 110.

I. . . Before a General Court Martial which convened at Albuquerque, N. M., March 27, 1867, pursuant to Special Orders No. 51, current series, from these Headquarters, and of which Brevet Brigadier General Christopher Carson, Lieutenant Colonel Battalion New Mexico Volunteers, is President, were arraigned and tried:

1st.—Edmond G. Williams, Sergeant Co. C, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty in violation of the 45th Article of War.*

Specification.—In this, that Sergeant Edmond G. Williams, of Co. C, 5th Infantry, U. S. A., being Sergeant of the guard, duly mounted, did become so much under the influence of liquor as to be unable to perform his duties properly. This at Fort Wingate, N. M., on or about the 7th day of March, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Sergeant Edmond G. Williams, of Co. C, 5th Infantry, U. S. A., being Sergeant of the guard, and in command of said guard, did engage in sparring with the men of the guard and prisoners in the guard house, and did otherwise behave himself in a manner unbecoming his position as Sergeant of the guard. This at Fort Wingate, N. M., on or about the 7th day of March, 1867.

CHARGE 3d—*Neglect of duty.*

Specification.—In this, that Sergeant Edmond G. Williams, of Company C, 5th Infantry, U. S. A., being Sergeant of the guard, and having been asked by Sergeant George F. Hamilton, Co. C, 5th Infantry, U. S. A., Provost Sergeant, to make certain distributions of the prisoners, did fail to do so, and did say: "O! my arse!" or words to the same effect or meaning. This at Fort Wingate, N. M., on or about the 7th day of March, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty,*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Guilty,*
except the words "and prisoners."
Of the 2d charge, ... *Guilty.*
Of the specification 3d charge, ... *Guilty.*
except the words "did fail to do so, and"—
Of the 3d charge, ... *Not Guilty.*

SENTENCE.

"To be publicly reprimanded by the post commander."

2d—John McConnell, Private Company K, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 20th Article of War.*

Specification.—In this, that Private John McConnell, of Co. K, 5th U. S. Infantry, duly enlisted in the service of the United States, did desert the same while on detached service at Fort Marcy, N. M., on or about the 11th day of April, 1867, and did remain absent from his company at Albuquerque, N. M. until the 28th day of April, 1867. All this at Fort Marcy and Albuquerque, N. M., between the 11th and 23d days of April, 1867.

PLEA.

To the specification, ... *Guilty,*
except the words "did desert the same."
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except the words "did desert the same" and substituting for them the words "did absent himself."
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

"To be confined at hard labor in charge of the guard for one (1) month, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

3d.—James Hackey, Private Co. H, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification.—In this, that Private James Hackey, of Co. H, 3d U. S. Cavalry, was drunk, and incapable of performing the duties of a sentinel while a member of the post guard at Fort Stanton, N. M., on or about the 4th day of April, 1867.

PLEA.

To the specification. ..... *Not Guilty.*
To the charge. ..... *Not Guilty.*

FINDING.

Of the specification. ..... *Guilty.*
Of the charge. ..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for two months."

4th.—Charles W. White, Private Co. H, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that Private Charles W. White, of Co. H, 3d U.S. Cavalry, did become drunk and unable to perform the duties of a sentinel, when said White was a member of the post guard. This at Fort Stanton, N. M., on or about the 12th day of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Private Charles W. White, Co. H, 3d U. S. Cavalry, did, while the enlisted men of Co. H, 3d U.S. Cavalry, were at stables, steal from the quarters of said company, five Remington pistols, the property of the United States. This at Fort Stanton, N. M., on or about the 12th day of April, 1867.

PLEA.

To the specification 1st charge. ..... *Not Guilty.*
To the 1st charge. ..... *Not Guilty.*
To the specification 2d charge. ..... *Not Guilty.*
To the 2d charge. ..... *Not Guilty.*

FINDING.

Of the specification 1st charge. ..... *Not Guilty.*
Of the 1st charge. ..... *Not Guilty.*
Of the specification 2d charge. ..... *Guilty.*
Of the 2d charge. ..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for one (1) month."

5th.—John Rock, Sergeant Co. H, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification.—In this, that Sergeant John Rock, Co. H, 3d U. S. Cavalry, being on duty at this Post as witness before a General Court Martial, did become so beastly drunk as to fall off his horse. All this at Albuquerque, N. M., on or about the 2d day of May, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that Sergeant John Rock, Co. H, 3d U. S. Cavalry, did appropriate to his own use one (1) blouse, the property of Private John Kuschner, Co. K, 5th U. S. Infantry, on extra duty in the Quartermaster's Department. All this at Albuquerque, N. M., on or about the 2d day of May, 1867.

Specification. 2d.—In this, that Sergeant John Rock, Co. H, 3d U. S. Cavalry, did without permission, appropriate to his own use one (1) pair of pants and one (1) blouse, the property of Charles A. Ottenoll, Co. K, 5th U. S. Infantry, on extra duty in the Quartermaster's Department at this Post. All this at Albuquerque, N. M., on or about the 4th day of May, 1867.

Specification 3d.—In this, that Sergeant John Rock, Co. H, 3d U. S. Cavalry, when ordered by his superior officer, Lieut. E. Williams, 5th U.S. Infantry, to return to Private Charles A. Ottenoll, Co. K, 5th U. S. Infantry, one (1) blouse and one (1) pair of pants, which he (Rock) had appropriated without permission, did fail to return the said blouse. All this at Albuquerque, N. M., on or about the 4th day of May, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the 1st specification 2d charge, ... *Guilty.*
To the 2d specification 2d charge, ... *Guilty.*
To the 3d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the 1st specification 2d charge, ... *Guilty.*
Of the 2d specification 2d charge, ... *Guilty.*
but attach no criminality thereto.
Of the 3d specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be reduced to the ranks."

II.....The proceedings and findings, in the foregoing case of Sergeant Edmond G. Williams, Co. C, 5th U. S. Infantry, are approved. The sentence is disapproved, being entirely inadequate to the offense. The prisoner will be released from arrest and returned to duty.

In the cases of Privates John McConnell, Co. K, 5th U. S. Infantry, James Hackey, Charles H. White and Sergeant John Rock, Co. H, 3d U. S. Cavalry, the proceedings and findings are approved. The sentences will be duly executed.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Captain and Acting Judge-Advocate.

G. C. M.

1. Charles Boppert, Private Co. C, 7th U. S. Cavalry.
2. John Veltman, Private Troop C, 7th U. S. Cavalry.
3. John Snyder, Private Troop C, 7th U. S. Cavalry.
4. George W. Robinson, Private Troop C, 7th U. S. Cavalry.
5. William Watkins, Private Troop C, 7th U. S. Cavalry.
6. James Marshall, Corporal Co. G, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 22, 1867.

GENERAL ORDERS,
No. 111.

I. . . . Before a General Court Martial which convened at Fort Lyon, Colorado Territory, April 15, 1867, pursuant to Special Orders No. 58, current series, from these Headquarters, and of which Brevet Brigadier General William H. Penrose, Captain 3d U. S. Infantry is President, were arraigned and tried:

1st.—Charles Boppert, Private Co. C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private Charles Boppert, Troop C, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 12th day of Feburary, 1867, absent himself from and desert the same, and did remain absent until apprehended on or about the 22d day of February, 1867, some 20 miles from Fort Lyon, C. T., (where his Troop was stationed,) by an armed party of Cavalry sent in pursuit. This at Fort Lyon, C. T., on or about the 12th day of February, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor under charge of the guard for six calendar months; the first fourteen days of each month in solitary confinement on bread and water; to forfeit all pay and allowances now due, or that may become due, except the just dues of the laundress and sutler; and at the expiration of his sentence, to be dishonorably discharged, and drummed out of the service."

2d.—John Veltman, Private Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, John Veltman, Private Troop C, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of February, 1867, absent himself from and desert said service, and did remain absent until arrested near Pueblo, C. T., on or about the 2d day of March, 1867, by an armed party of Cavalry sent in pursuit. This at Fort Lyon, C. T., on or about the 22d day of February, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six calendar months; the first fourteen days of each alternate month in solitary confinement on bread and water; and to forfeit two thirds of his monthly pay from the time of his arrest to the expiration of his sentence."

3d.—John Snyder, Private Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private John Snyder, Troop C, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of February, 1867, absent himself from, and desert said service, and did remain absent until arrested near Pueblo, C. T., on or about the 2d day of March, 1867, by an armed party of Cavalry sent in pursuit. This at Fort Lyon, C. T., on or about the 22d day of February, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six calendar months; the first fourteen days of each alternate month in solitary confinement on bread and water; and to forfeit two thirds of his monthly pay from the time of his arrest to the expiration of his sentence.

4th.—George W. Robinson, Private Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, George W. Robinson, Private Troop C,

7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of February, 1867, absent himself from and desert said service, and did remain absent until arrested near Pueblo, C. T., on or about the 2d day of March, 1867, by an armed party of Cavalry sent in pursuit. This at Fort Lyon, C. T., on or about the 22d day of February, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six calendar months; the first fourteen days of each alternate month in solitary confinement on bread and water; and to forfeit two thirds of his monthly pay from the time of his arrest to the expiration of his sentence."

5th.—William Watkins, Private Troop C, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, William Watkins, Private Troop C, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did, on or about the 22d day of February, 1867, absent himself from, and desert said service, and did remain absent until arrested near Pueblo, C. T., on or about the 2d day of March, 1867, by an armed party of Cavalry sent in pursuit. This at Fort Lyon, C. T., on or about the 22d day of February, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six calendar months; the first fourteen days of each alternate month in solitary confinement on bread and water; and to forfeit two thirds of his monthly pay from the time of his arrest to the expiration of his sentence."

6th.—James Marshall, Corporal Co. G, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Neglect of duty.*

Specification.—In this, that he, James Marshall, Corporal Co. G, 3d U.S. Infantry, did, while on guard, go to sleep and leave the sentinels to relieve themselves, and when the Officer of the Day made his rounds there was no sentinel on post. When the Officer of the Day asked the Corporal of the guard (the said James Marshall) who and where the sentinel was, he answered that he did not know. All this at Fort Lyon, C. T., on or about the 6th day of April, 1867.

CHARGE 2d—*Drunkenness to the prejudice of good order and military discipline.*

Specification.—In this, that Corporal James Marshall, Co. G, 3d U. S. Infantry, being in arrest in his company quarters, did appear on the morning of April 7th, 1867, in the mess-room of his company in a drunken violent manner. On being ordered by his 1st Sergeant, Francis Sullivan, from the mess-room of his quarters, did disobey said order by saying: "I will not until I am ready; I know my duty as well as you; you cannot put me in the guard-house;" at the same time raising his hand in a threatening manner.

CHARGE 3d—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that Corporal James Marshall, Co. G, 3d U.S. Infantry, did escape from the guard-house on the 7th day of April, 1867, and did enter the quarters of his 1st Sergeant, Francis Sullivan, there attempting to strike and otherwise abuse the said 1st Sergeant, saying: "I will kill you when I get a chance, you son of a bitch! I will kill you to-morrow morning; your days are numbered, you God damned son of a bitch!" or words to that effect. This at Fort Lyon, C. T., on or about the dates above specified.

PLEA.

To the specification, 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification, 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*
To the specification, 3d charge,.....*Guilty*
To the 3d charge,.....*Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*
Of the specification 3d charge,.....*Guilty.*
Of the 3d charge,.....*Guilty.*

SENTENCE.

"To be reduced to the ranks; to be kept under guard at hard labor for the period of four months; to forfeit two thirds of all pay and allowances now due or that may become due from the date of his arrest until the expiration of his sentence, and to have his chevrons and stripes torn from him in the presence of the men of the garrison to which his company belongs.

II.....The proceedings and findings in the case of Private Charles Boppert, Co. C, 7th U. S. Cavalry, are approved. So much of the sentence as directs his dishonorable discharge, and that he be drummed out of service, is disapproved. The remainder of the sentence will be executed as follows: To be confined under charge of the guard for the period of six months; the first fourteen days of each month to be solitary, on bread and water diet; the remaining portion of each month at hard labor; to forfeit all pay and allowances now due and to become due, except the just dues of the laundress, during the period of his confinement.

In the cases of Privates John Veltman, John Snyder, George W. Robinson and William Watkins, Co. C, 7th U. S. Cavalry, the proceedings and findings are approved. Their sentences will be executed as follows: To be confined under charge of the guard for the period of six months; the first fourteen days of each alternate month to be solitary on bread and water diet, the remainder of the time at hard labor; and to forfeit two thirds of their monthly pay for the period of six months.

In the case of Corporal James Marshall, Co. G, 3d U. S. Infantry, the proceedings and findings are approved, and the sentence will be duly executed.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER.
Assistant Adjutant General.

OFFICIAL:

R Chandler.
Captain and Acting Judge Advocate.

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1. James C. Krossen, 2d Lieut. 125th U. S. Colored Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, July 23, 1867.

GENERAL ORDERS,
No. 112.

I. Before a General Court Martial convened at Albuquerque, N. M., March 27, 1867, pursuant to Special Orders No. 51, current series, from these Headquarters, and of which Brevet Brigadier General CHRISTOPHER CARSON, Lieut. Col., Battalion New Mexico Volunteers, is President, was tried:

1st.—James C. Krossen, 2d Lieut. 125th U. S. colored troops, on the following charges and specifications:

CHARGE 1st—*Defrauding the U. S. Government.*

Specification 1st.—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was Acting Assistant Quartermaster, U. S. Army, at Fort Stanton, New Mexico, purchase from one Manuel Fores fifteen fanegas and one hundred and sixty pounds of corn, at four dollars per fanega, and did furnish Government wagons, teams and teamsters with which the said corn was transported from Placeta, (about eight miles from Fort Stanton,) New Mexico, to Fort Stanton, New Mexico, and did there issue or cause to be issued the said corn as public forage, and did afterward issue vouchers and certify to the correctness thereof, for the purchase of the said corn, which vouchers purported that the said corn was purchased from one Charles Eisenstein, or from one Paul Dowlin, and at a cost of eight dollars and fifty cents per fanega.

All this at or near Fort Stanton, New Mexico, between the 1st day of November, 1866, and the 30th day of November, 1866.

Specification 2d—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was Acting Assistant Quartermaster, U. S. Army, at Fort Stanton, N. M., purchase from Joseph A. Randolph sixteen fanegas of corn at four dollars and fifty cents per fanega, and did furnish Government wagons, teams and teamsters, with which the said corn was transported from the town of Placeta, N. M., to Fort Stanton, New Mexico, a distance of about eight miles, and did there issue or cause to be issued the said corn as public forage, and did afterwards issue vouchers and certify to the correctness thereof, for the purchase of said corn, which vouchers purported that the said corn was purchased from one Charles Eisenstein or from one Paul Dowlin, and at a cost of eight dollars and fifty cents per fanega.

All this at or near Fort Stanton, New Mexico, between the 1st day of November, 1866, and the 30th day of November, 1866.

Specification 3d—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was Acting Assistant Commissary of Subsistence, U. S. Army, at Fort Stanton, New Mexico, sell, give away, or otherwise wrongfully dispose of to one Charles Eisenstein, the following U. S. subsistence stores, to wit: Two hundred pounds of flour, one hundred pounds of sugar, one hundred pounds of green coffee, thirty-six pounds of adamantine candles, and sixty pounds of soap.

This at Fort Stanton, New Mexico, on or about the 30th day of October, 1866.

Specification 4th—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was Acting Assistant Commissary of Subsistence, U. S. Army, at Fort Stanton, N. M., sell, give away, or otherwise wrongfully dispose of the following subsistence stores and Quartermaster's property, viz: One sack of coffee, one sack of sugar, one side of leather, three pickaxes and handles, one keg of nails, one box of horse or mule shoes, and one box of horse shoe nails, said articles of Quartermaster's property and subsistence being the property of the United States.

This at Fort Stanton, N. M., on or about the 22d day of January, 1866.

Specification 5th—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was Acting Assistant Commissary of Subsistence, U. S. Army, at Fort Stanton, New Mexico, and being at the same time in temporary command of Co. E, 125th U. S. Colored Infantry, give or issue from U. S. subsistence store-house at Fort Stanton, New Mexico, to 1st Sergeant George Rolly, of said company, about one gallon of whisky, and did authorize or order said 1st Sergeant Rolly to sell to the enlisted men of said company the said whisky, at the rate of seventy-five cents per gill, and did receive from the said Rolly the amount of ten dollars as the proceeds of said sale.

This at Fort Stanton, New Mexico, on or about the 25th day of December, 1866.

Specification 6th—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while Acting Assistant Commissary of Subsistence at Fort Stanton, New Mexico, during the month of October, 1866, purchase and take, or cause to be taken from the subsistence store-house at said Post, the following subsistence stores, viz: Fifty-five pounds of bacon, three hundred pounds of flour, one hundred and seventeen pounds of coffee, one hundred and fifteen pounds of sugar, fifty-four pounds of candles, seventy pounds of soap, five pounds of salt, and one pound of

pepper, and did charge, or cause to be charged to his, said Krossen's account, in the book in which accounts of sales of subsistence stores to officers at Fort Stanton was usually entered, the above mentioned subsistence stores; but in his certified list of sales to officers of subsistence for said month, did only account for one hundred pounds of flour, sixty-one pounds of coffee, fifty-seven pounds of sugar, twenty-two pounds of candles, and thirty-five pounds of soap, and did thereby defraud the United States of the following subsistence stores, or money value thereof, viz: Two hundred pounds of flour, fifty-six pounds of coffee, fifty-eight pounds of sugar, twenty-two pounds of candles, thirty-five pounds of soap, five pounds of salt, and one pound of black pepper.

This at Fort Stanton, New Mexico, between the 1st day of October, 1866, and the 31st day of October, 1866.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did wrongfully dispose of the following public property, viz: One sack of coffee, one sack of sugar, one side of leather, three pick-axes and handles, one box of horse or mule shoes, one box of horse shoe nails, and one keg of cut nails, and did, in his official capacity as Acting Assistant Quartermaster at Fort Stanton, New Mexico, and without authority, order, or knowledge of his commanding officer, cause a public wagon, team and teamster to take the said stores from Fort Stanton, New Mexico, to Rio Dosa saw mill, New Mexico, a distance of about twenty-two miles.

This at Fort Stanton, New Mexico, on or about the 22d day of January, 1867.

Specification 2d—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while he was performing the duties of Post Adjutant at Fort Stanton, New Mexico, in his official capacity as Post Adjutant, and without authority, order, or knowledge of the Post Commander, order Lieut. Isaac M. Fletcher, 125th U. S. Colored Infantry, commanding Co. E, 125th U. S. Colored Infantry, said company being part of the garrison of said post, to detail one private of said company as escort for one wagon and mule team to the Rio Dosa saw mills, a distance of about twenty-two miles; said Krossen then knowing that he was wrongfully and without the knowledge of his commanding officer sending said wagon, mule team and escort away from the post of Fort Stanton, New Mexico.

This at Fort Stanton, New Mexico, on or about the 22d day of January, 1867.

Specification 3d—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, while in temporary command of Co. E, 125th U. S. Colored Infantry, give to 1st Sergeant George Rolly, of said company, about one gallon of whisky, and order the said 1st Sergeant Rolly to sell the said whisky to the enlisted men of said company, at the rate of seventy-five cents per gill, and did receive from said Rolly the amount of ten dollars as proceeds of said sale.

This at Fort Stanton, New Mexico, on or about the 25th day of December, 1866.

CHARGE 3d—*Breach of Arrest.*

Specification—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Infantry, did, after being ordered by his commanding officer, Lieut. Deane Monahan, 3d U. S. Cavalry, to go to his quarters in arrest, and after he had obeyed said order, leave his quarters and enter the office of the commanding officer, stating at the same time that he wished to have a private interview with him.

This at Fort Stanton, New Mexico, on or about the 24th day of January, 1867.

ADDITIONAL CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that 2d Lieut. James C. Krossen, 125th U. S. colored troops, did, while he was Acting Assistant Quartermaster at Fort Stanton, New Mexico, and in his official capacity as Acting Assistant Quartermaster, U. S. Army, pay or issue vouchers in lieu of payment to one Albert H. French, Government contractor, or to the agent or agents of said French, for five thousand six hundred pounds of corn, at the rate of four and one-half cents per pound, and did certify that said vouchers were correct and just, whereas the above specified quantity of corn in excess of all corn which had been delivered by said French, his agent or agents, to the said Krossen, and which had not been paid for at the time of issuing said vouchers, and by so doing, the said Krossen did defraud the United States of the money value of said corn, which value amounted to five hundred and fifty-two dollars.

This at Fort Stanton, New Mexico, between the 5th day of January, 1867, and the 1st day of February, 1867.

ADDITIONAL CHARGE 2d—*Wrongfully disposing of the property of the United States.*

Specification—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Troops, did wrongfully trade or barter with, or to a citizen named Calvin Dotson, one horse, the property of the United States, and did receive from said Dotson in lieu of said horse, another horse which was private property, and which horse was afterwards disposed of by said Krossen for his personal benefit. This at or near Fort Stanton, N. M., between the 25th day of December, 1866 and the 31st day of December, 1866, said Krossen being Act. Asst. Quartermaster, U. S. Army at that time.

ADDITIONAL CHARGE 3d—*Conduct unbecoming an officer and a gentleman.*

Specification 1st—In this, that he, 2d Lieut. James C. Krossen, 125th U. S. Colored Troops, did, in his official character as Act. Asst. Quartermaster, U. S. Army, issue vouchers to one Albert H. French, or to the agent or agents of said French, which vouchers entitled said French, or the agent or agents of said French to receive from the United States Government the amount of two hundred and fifty-two dollars, for which amount the said French or agent or agents of said French had granted to the United States no equivalent whatsoever, and the said Krossen did sign his name and official character to the said vouchers, and did certify that the said vouchers, account or accounts were correct and just, and did thereby knowingly and wilfully certify to a falsehood. This at Fort Stanton, N. M., between the 5th day of January, 1867, and the 1st day of February, 1867.

Specification 2d—In this, that he, 2d Lieut. James C. Krossen, 125th U. S. Colored Troops, when asked by his commanding officer Lieut. Dean Monahan, 3d U. S. Cavalry, if he, said Krossen, had traded a public horse to or with one Calvin Dotson, and if he, said Krossen had received from said Dotson one private horse in lieu of said public horse, or words to that effect; did deny having made such a trade, and did furthermore state that he, said Krossen did allow the said Dotson to take and use one Government horse until such time as a sale of Government horses would take place at Fort Stanton, N, M., which denial and statement he, said Krossen then knew to be false. This at Fort Stanton, N. M., on or about the 12th day of February, 1867.

Specification 3d—In this, that 2d Lieut. James C. Krossen, 125th U. S. Colored Troops, did, when asked by his commanding officer Lieut. Deane Monahan, 3d U. S. Cavalry, if the said Krossen had sold to one Joseph A. Randolph a horse, which he, said Krossen had wrongfully received in trade for one public horse, or words to that effect, deny having done so, which denial he, Krossen then knew to be a falsehood. This at Fort Stanton, N. M., on or about the 12th day of February, 1867.

PLEA.

To the 1st specification 1st charge,	*Not Guilty.*
To the 2d specification 1st charge,	*Not Guilty.*
To the 3d specification 1st charge,	*Not Guilty.*
To the 4th specification 1st charge,	*Not Guilty.*
To the 5th specification 1st charge,	*Not Guilty.*
To the 6th specification 1st charge,	*Not Guilty.*
To the 1st charge,	*Not Guilty.*
To the 1st specification 2d charge,	*Not Guilty.*
To the 2d specification 2d charge,	*Not Guilty.*
To the 3d specification 2d charge,	*Not Guilty.*
To the 2d charge,	*Not Guilty.*
To the specification 3d charge,	*Not Guilty.*
To the 3d charge,	*Not Guilty.*
To the specification 1st additional charge,	*Not Guilty.*
To the 1st additional charge,	*Not Guilty.*
To the specification 2d additional charge,	*Not Guilty.*
To the 2d additional charge,	*Not Guilty.*
To the 1st specification 3d additional charge,	*Not Guilty.*
To the 2d specification 3d additional charge,	*Not Guilty.*
To the 3d specification 3d additional charge,	*Not Guilty.*
To the 3d additional charge,	*Not Guilty.*

FINDING.

Of the 1st specification 1st charge, *Guilty.*
but attaches no criminality thereto.

Of the 2d specification 1st charge, *Not Guilty.*

Of the 3d specification 1st charge, *Guilty,*
excepting the words "two hundred pounds of flour," and the word "six" before pounds of adamantine candles.

Of the 4th specification 1st charge, *Not Guilty.*

Of the 5th specification 1st charge, *Guilty,*
excepting the words "and did authorize or order said 1st Sergeant Rolly to sell to the enlisted men of said company, the said whiskey at the rate of seventy-five cents per gill, and did receive from the said Rolly the amount of ten dollars as the proceeds of said sale," but attach no criminality thereto.

Of the 6th specification 1st charge, *Guilty,*
excepting the words "one hundred and seventeen pounds of coffee," and substituting for them the words "one hundred and twenty-two pounds of coffee," and also excepting the words "and did thereby defraud the United States of the following subsistence stores, or money value thereof, viz: Two hundred pounds of flour, fifty-six pounds of coffee, fifty-eight pounds of sugar, twenty two pounds of candles, thirty-five pounds of soap, five pounds of salt, and one pound of black pepper," but attach no criminality thereto, as the Court believes the remaining subsistence stores were properly accounted for afterwards.

Of the 1st charge, ... *Not Guilty.*
but guilty of conduct prejudicial to good order and military discipline.
Of the 1st specification 2nd charge, ... *Not Guilty.*
Of the 2d specification 2d charge, ... *Not Guilty.*
Of the 3d specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*
Of the specification 3d charge, ... *Guilty.*
Of the 3d charge, ... *Not Guilty.*
Of the specification 1st additional charge, ... *Not Guilty.*
Of the 1st additional charge, ... *Not Guilty.*
Of the specification 2d additional charge, ... *Guilty.*
excepting the words "trade or barter," and substituting for them the words "temporarily exchange," also excepting the words "and which horse was afterwards disposed of by said Krossen for his personal benefit."
Of the 2d additional charge, ... *Not Guilty.*
but guilty of conduct prejudicial to good order and military discipline.
Of the 1st specification 3d additional charge, ... *Not Guilty.*
Of the 2d specification 3d additional charge, ... *Not Guilty.*
Of the 3d specification 3d additional charge, ... *Not Guilty.*
Of the 3d additional charge, ... *Not Guilty.*

SENTENCE.

To be reprimanded by the Department Commander.

II. The proceedings in the foregoing case having been laid before the Major General Commanding the Department, the following is his decision thereon:

The findings on the 1st, 5th and 6th specifications to the 1st charge cannot express the meaning of the Court; for certainly a court sworn to "truly try and determine according to evidence," and "duly administer justice," could not mean to contradict the law and evidence by such a verdict. The accused is *found guilty* of defrauding the Government while Acting Commissary of Subsistence, by the issue of false vouchers for the payment of money; of selling commissary whiskey to the enlisted men of his company, and receiving pay therefor; and of taking a large amount of Subsistence Stores from the Government warehouse, without paying or accounting for the same; and the court decides there is "no criminality" attached to offences of this nature, but concludes it is "conduct to the prejudice of good order and military discipline."

Under the charge of "defrauding the Government," to find the accused "not guilty" of the charge as laid, but guilty of "conduct prejudicial to good order and military discipline," is irregular and invalid, the latter offence not being a lesser kindred offence, but quite another and different one from that set forth in the charge. Fraud is not an offence comprehended in the provisions of the 99th Article of War.

The accused is found guilty of the specification to the 3d charge, but *not guilty* of the charge. The evidence shows conclusively, a violation of the 77th Article of War, (breach of arrest) under which the charge is laid, and it is not understood how the Court could find the accused guilty of all that goes to constitute the offence described in the charge, and arrive at

the absurd conclusion that he is *not guilty* of the charge.

Upon the 2d additional charge, the accused is found not guilty of wrongfully disposing of property of the United States, (with which he is charged) but guilty of "conduct to the prejudice of good order and military discipline." This finding is also irregular and invalid, and the same remarks apply as to the findings upon the 1st charge.

The sentence of the Court is entirely inconsistent with the findings. The accused is repeatedly found guilty of "conduct to the prejudice of good order and military discipline," and sentenced "to be reprimanded by the Department Commander."

The punishment awarded by the Court being so disproportionate to the offence, the Major General Commanding declines to administer the reprimand imposed by the sentence, not desiring to establish a precedent that such a sentence is a proper punishment for offences of this nature. It being impracticable to reconvene the Court, Lieut. Krossen will be released from arrest and returned to duty.

III. . . . The General Court Martial of which Brevet Brigadier General Christopher Carson, Lieut. Col. Battalion N. M. Volunteers, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler.

Captain and Acting Judge Advocate.

G. C. M.

1. John Kilmartin, Private Co. H, 5th U. S. Infantry.
2. Jacob S. Ruth, Private Co. I, 3d U. S. Cavalry.
3. Richard Webster, Private Co. G, 3d U. S. Cavalry.
4. Antonio Sorzie, Private Co. G, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, July 25, 1867.

GENERAL ORDERS, No. 113.

I..... Before a General Court Martial which convened at Fort Sumner, N. M., June 14, 1867, pursuant to Special Orders No. 119, current series, from these Headquarters, and of which Brevet Major E. W. Tarleton, 3d U, S. Cavalry, is President, were arraigned and tried:

1st.—John Kilmartin, Private Co. H, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that Private John Kilmartin, of Co. H, 5th U. S. Infantry, did desert the service of the United States at Fort Sumner, N. M., March 25, 1867, and did remain absent until the 2d day of May, 1867, when he delivered himself up to the commanding officer at Fort Sumner, N. M. This at Fort Sumner, N. M., on or about March 25th, 1867.

PLEA.

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To make good his time lost by desertion, and to be confined at hard labor in charge of the guard for the period of six (6) months, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

2d.—Jacob S. Ruth, a Recruit 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that Jacob S. Ruth, a Recruit of the 3d Regiment U. S. Cavalry, did desert the service of the United States at or near Bent's Fort, C. T., on or about the 6th day of November, 1866, and did remain absent until apprehended at or near the Hole in the Rocks, N. M., on or about the 7th day of November, 1866. This at the camp of detachment of 3d U. S, Cavalry recruits on the the Arkansas, on or about the 6th day of November, 1866.

PLEA.

To the specification.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

"To make good his time lost by desertion, and to be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

3d.—Richard Webster, Private Co. G, 3d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st.—In this, that Private Richard Webster, Co. G, 3d U.S. Cavalry, did steal one saddle blanket, the property of the United States, which formed part of the equipments issued to Private James M. Callahan of same company. This at Fort Bascom, N. M., on or about the 18th day of March, 1867.

Specification 2d.—In this, that the aforesaid Private Richard Webster, Co. G, 3d U. S. Cavalry, did sell, or otherwise dispose of the saddle blanket stolen by him, which was found and identified, in possession of a citizen at Fort Sumner, N. M. This at Fort Sumner, N. M., on or about the 3d day of April, 1867.

PLEA.

To the 1st specification.....*Not Guilty.*
To the 2d specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification.....*Not Guilty.*
Of the charge.....*Not Guilty.*

And the Court does therefore acquit him.

4th.—Antonio Sorzie, Private Co. G, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that Private Antonio Sorzie, Co. G, 5th U. S. Infantry, did steal from the guard room a watch the property of Sergeant Lawrence Sullivan, Co. A, 5th U. S. Infantry. This at Fort Sumner, N. M., on or about the 5th of October, 1867.

PLEA.

To the charge, ... *Not Guilty.*
To the specification. ..... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the court does therefore acquit him.

II. . The proceedings and findings in the foregoing cases of Private John Kilmartin, Co. H, 5th U. S. Infantry, and Recruit Jacob S. Ruth, 3d U. S. Cavalry, are approved. Their sentences are confirmed and will be carried into effect.

In the case of Private Richard Webster, Co. G, 3d U. S. Cavalry, the record sets forth a finding upon only *one* of the specifications to the charge. This irregularity is the result of negligence on the part of the Court and Judge Advocate, and inattention to the reading and making up of the record. The proceedings are disapproved. The prisoner will be released from confinement and returned to duty.

In the case of Private Antonio Sorzie, Co. G, 5th U. S. Infantry, the proceedings and findings are approved. The prisoner having been acquitted, will be released from confinement and returned to duty.

In the two preceding cases, the record shows no evidence whatever upon which charges should have been preferred. The attention of officers who prefer charges, and of Judges Advocate who prosecute them, is again called to the loose manner in which charges are drawn, and to the want of evidence upon their trial.

III. . . The General Court Martial of which Brevet Major E. W. Tarlton, 3d U. S. Cavalry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler

Captain and Acting Judge-Advocate.

G. C. M.

1. Captain Henry Inman, Assistant Quartermaster U. S. Army.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.
FORT LEAVENWORTH, KANSAS, July 30, 1867.

GENERAL ORDERS,
No. 114.

I. . . Before a General Court Martial which convened at Fort Union, N. M., June 7, 1867, pursuant to Special Orders No. 110, current series, from these Headquarters, and of which Brevet Colonel NELSON H. DAVIS, Assistant Inspector General, is President, was tried:

1st.—Captain Henry Inman, Assistant Quartermaster, U. S. Army, on the following charges and specifications:

CHARGE 1st—*Positive and willful disobedience of orders.*

Specification.—In this, that he, Captain Henry Inman, A. Q. M., U. S. A., having been by his superior Officer, Brevet Col. H. M. Enos, A. Q. M., U. S. A., Chief Q. M. of the Military District of New Mexico, ordered in a Circular issued from Chief Q. M. Office, District of N. M., at Santa Fe, N. M., on the 7th day of November, 1866, to furnish certain returns, reports and statements pertaining to his duties as Depot Q. M., at Fort Union, N. M., and which Circular is in words and figures as follows, to wit:

CHIEF QUARTERMASTER'S OFFICE, DISTRICT OF N. M.,
SANTA FE, N. M., November 7, 1866.

[CIRCULAR.]

I. . . All Officers who are accountable for Clothing, Camp and Garrison Equipage, or for Q. M. Stores, are required to transmit to this office at the end of each month, or when relieved of their accountability, a copy of their Property Return and Return of Clothing, Camp and Garrison Equipage.

II. . . All Officers doing duty in the Q. M. Dept. in this military district, are required to forward to this office the Returns, Reports and Statements enumerated in the subjoined list.

Those papers which from the nature of the duties of A. Q. M. may not be required from him, must be enumerated in the letter transmitting the papers due from this office.

The following is a list of papers required from Asst. and Act. Asst. Q. M.:

I . . . Weekly (every Saturday) Report of Forage and Straw.
Report of certified Vouchers issued.

II . . . Tri-monthly (on the 10th, 20th and last day of each month,)
Statements of Horses and Mules on hand.

III Monthly copy of account current.
" " abstract B.
Copy of " Bb.
" " Report of persons and articles hired &c.
" " " Stores received for transportation.
" " " Enlisted men on extra duty.
" " Returns of Public animals.
" " Report of Forage issued.
" " List of outstanding debts.
" " Return of Q. M. Stores.
" " Abstract "D."
" " " "G."
" " " "L," with copies of Vouchers.
" " List of animals foraged.
" " Return of Clothing, Camp and Garrison Equipage.
" " Personal Report to Q. M. General.
" " Report of means of transportation.
" " Report of Officers to whom public monies or Q. M. stores have been transferred.
" " Report of Officers to whom Clothing, Camp and Garrison Equipage have been transferred.
" " Report of structures built and repairs made or contemplated, or considerable repairs of public buildings and estimate of cost of repairs contemplated.

[Signed] H. M. Enos,
Bvt. Col. U. S. A.,
Chief Q. M.

did fail to forward the Returns, Reports and Statements enumerated in that Circular, except tri-monthly reports of animals and weekly reports of forage and reports of certified vouchers issued for the months of December, 1866, and January and February, 1867, and that he, the said Captain Henry Inman, did, in a letter dated Depot Q. M. Office, Fort Union, N. M., April 3d 1867, express his intention not to forward the Returns, Reports and Statements required, and which letter is in words and figures as follows, to wit:

Office of Depot Q. M.,
Fort Union, N. M., April 3, 1867.

Colonel: I have the honor to acknowledge the receipt of your letter (with

enclosures of April 1, 1867. When I first arrived at this depot, through courtesy I forwarded you my papers for the approval of the Major General Commanding. You refused to return my papers, which were intended for the Q. M. General, embarrassing my business, and delaying my papers beyond the limit prescribed by law, in which I am required to send them. I continued to send you weekly reports of Forage and tri-monthly Statements of Horses and Mules, not wishing to embarrass you in your reports. I have never been ordered to report to you, as a certified copy of my order enclosed will show. I wrote you a letter giving my opinion in relation to the discharge of a certain wagon master, and asked the then Major General Commanding that the order for his discharge might be suspended, and the man brought to trial. You insisted, in your endorsement on my letter to the Major General Commanding, that the wagon master should be discharged. The General so ordered, and I obeyed promptly. In that correspondence I declined to certify to the correctness of Forage orders emanating from other Posts. You state that my wish to lay the matter before my bondsmen is trifling and unworthy of notice. In the same endorsement you also threatened to have me relieved from duty in the Q. M. Department, if I refused to pay any orders except those signed by myself. Under the circumstances, and regarding your language not in accordance with the rules and regulations for the government of the Army of the U. S., I must decline to show you that courtesy by sending my papers, which I originally intended to do. I have been awaiting your return from the lower country to lay this case in all its bearings before the Major General Commanding and to ask of him a Court of Inquiry to decide whether my conduct in relation to the Forage system of this District warrants the threat on your part to have me relieved.

A copy of this letter, with all communications relating to the subject referred to, has this day been laid before the General Commanding the District.

Very Respectfully,
Your Obt. Servt.,
[Signed] HENRY INMAN,
Captain and A. Q. M., U. S. A.

Bvt. Col. H. M. ENOS. A. Q. M., U. S. A.,
SANTA FE, N. M.

This in the military district of N. M., in the months of November and December, 1866, and January, February, March and April, 1867.

CHARGE 2d—*Neglect of duty.*

Specification.—In this, that he, Captain Henry Inman, A. Q. M., U. S. A., having been by his superior Officer Bvt. Col. H. M. Enos, A. Q. M., U. S. A., Chief Q. M. of the military district of New Mexico, ordered in a circular issued from the Chief Q. M's. Office, District of N. M., at Santa Fe, N. M., on the 7th day of November, 1866, to furnish certain Returns, Reports and Statements, pertaining to his duties as Depot Q. M., at Fort Union, N. M., and which circular is in words and figures as follows, to wit:

CHIEF Q. M. OFFICE, DISTRICT OF N. M.,
SANTA FE, N. M., November 7, 1866.

[CIRCULAR.]

I. . . .All Officers who are accountable for Clothing, Camp and Garrison Equipage, or for Q. M. stores, are required to transmit to this office at the end of each month, or when relieved of their accountability, a copy of their Property Return and Return of Clothing, Camp and Garrison Equipage.

II. . . .All Officers doing duty in the Q. M. Department in this military district, are required to forward to this office the Returns, Reports and Statements enumerated in the subjoined list.

Those papers which from the nature of the duties of A. Q. M. may not be required from him, must be enumerated in the letter transmitting the papers due from his Office.

The following is a list of papers required from Asst. and Act. Asst. Q. M's:

I . . .Weekly (every Saturday) Report of Forage and Straw.

Report of certified Vouchers issued.

II . . .Tri-monthly (on the 10th, 20th and last day of each month)

Statements of Horses and Mules on hand.

III . .Monthly copy of account current.

Copy of abstract B.
" " " Bb.
" " Report of persons and articles hired &c.
" " " " Stores received for transportation.
" " Report of enlisted men on extra duty.
" " Return of Public Animals.
" " Report of Forage issued.
" " List of outstanding debts.
" " Return of Quartermaster's stores.
" " Abstract "D."
" " " "G."
" " " "L," with copies of vouchers.
" " List of animals foraged.
" " Return of Clothing, Camp and Garrison Equipage.
" " Personal Report to Q. M. General.
" " Report of Means of Transportation.
" " " " Officers to whom public monies or Quartermaster's stores have been transferred.
" " Report of Officers to whom Clothing, Camp and Garrison Equipage have been transferred.
" " Report of Structures built, and repairs made or contemplated, or considerable repairs of public buildings, and estimate of cost of repairs contemplated.

[Signed] H. M. ENOS,
Bvt. Col. U. S. A., Chief Q. M.

did fail to forward the Returns, Reports and Statements enumerated in that Circular, except the tri-monthly reports of animals, weekly reports of forage and reports of certified vouchers issued for the months of December, 1866, and January and February, 1867, and that he, the said Captain Henry Inman, did, in a letter dated Depot Quartermaster's Office, Fort Union, N. M., April 3, 1867, express his intention not to forward the Returns, Reports and Statements required, and which letter is in words and figures as follows, to wit:

OFFICE OF DEPOT QUARTERMASTER,
FORT UNION, N. M., April 3, 1867.

Colonel: I have the honor to acknowledge the receipt of your letter (with enclosures) of April 1st, 1867. When I first arrived at this depot, through courtesy I forwarded you my papers for the approval of the Major General Commanding. You refused to return my papers, which were intended for the Quartermaster General, embarrassing my business and delaying my papers beyond the limit prescribed by law, in which I am required to send them. I continued to send you weekly reports of Forage, and tri-monthly statements of Horses and Mules, not wishing to embarrass you in your Reports. I have never been ordered to report to you, as a certified copy of my order enclosed will show. I wrote you a letter giving my opinion in relation to the discharge of a certain wagon master, and asked the then Major General Commanding that the order for his discharge might be suspended and the man brought to trial. You insisted, in your endorsement on my letter to the Major General Commanding, that the wagon master should be discharged. The General so ordered, and I obeyed promptly.

In that correspondence I declined to certify to the correctness of forage orders emanating from other posts. You state that my wish to lay the matter before my bondsmen is trifling, and unworthy of notice. In the same endorsement you also threatened to have me relieved from duty in the Q. M. Dept. if I refused to pay any orders except those signed by myself.

Under the circumstances, and regarding your language not in accordance with the rules and regulations for the government of the Army of the United States, I must decline to show you that courtesy by sending my papers, which I originally intended to do. I have been awaiting your return from the lower country, to lay this case in all its bearings before the Major General Commanding, and to ask of him a Court of Inquiry, to decide whether my conduct in relation to the forage system of this District warrants the threat on your part to have me relieved.

A copy of this letter, with all communications relating to the subject referred to, has this day been laid before the General Commanding the District.

Very Respectfully, Your Obt. Servt.,

[Signed] HENRY INMAN,
Captain and A. Q. M., U. S. A.

Bvt. Col. H. M. ENOS, A. Q. M., U. S. A.,
Santa Fe, N. M.

This in the military district of New Mexico, in the months of November and December, 1866, and January, February, March and April, 1867.

CHARGE 3d—*Conduct unbecoming an Officer and a gentleman.*

Specification.—In this, that he, Captain Henry Inman, A. Q. M. U. S. A., did, on the 3d day of January, 1867, write to the Quartermaster General a letter, which letter is in words and figures as follows, to wit:

OFFICE OF DEPOT QUARTERMASTER,
FORT UNION, N. M., January 3, 1867.

Bvt. Maj. Gen. M. C. MEIGS,
Quartermaster General U. S. A.,
WASHINGTON, D. C.

General: I have the honor to enclose herewith the following papers pertaining to duty in the Q. M. Department for the month of November, 1866, viz:

Return of property—abstracts D, E, N, G, I and L—and to explain the reason why voucher to G and voucher to L are deficient. I forwarded my papers for approval to Santa Fe, N. M., and Bvt. Col. H. M. Enos, A. Q. M., refuses to return them, giving as a reason, that I should send the copies required for his office at the same time. I respectfully protest against the action of Col. Enos in the matter. The papers I forwarded for approval were intended for the Quartermaster General, and should have been returned to me, either approved or disapproved. The claims of the Quartermaster General for the prompt rendition of my papers, are far more urgent than those of any Chief Quartermaster, and I am amenable to law if I am derilect in this particular. I should have sent Col. Enos any papers he may have required after I had forwarded those intended for the Department; and I contend his demand is neither warranted by law or custom. I respectfully claim the protection of the Quartermaster General, and ask to be relieved from sending my papers to Santa Fe for approval. The distance from this depot is over one hundred miles. I am required by law to forward my papers by mail in a specified time to the Quartermaster General and 3d Auditor. I cannot, under the circumstances, meet with the requirement.

I believe it is the custom all over the United States, at places where the Quartermaster has no immediate commander, for him to approve his own papers. I was stationed at Portland, Maine, for two or three years, and was not required to send my papers to New York for approval. I also refer to the Quartermaster in Boston, New York, Philadelphia, and other cities.

The mail communication in this country is uncertain, and papers are likely to be lost or destroyed *In transitu.*

I respectfully enclose a copy of Col. Enos' letter, together with a list of the papers I am required to send to Gen. Easton and Col. Enos. Can I, under the law, have two immediate Chief Quartermasters? By comparing the lists, the General will observe they are almost similar, and comprise nearly every paper required by the Department. The entire services of

one clerk, and part of the time of one other, are absorbed in making out these papers. I do not wish to convey the idea that I am criticising the acts of my superiors, but think it my duty to suggest, when the economy of the Department is taken into consideration. I have particular reference (and will state parenthetically that all these papers are sent at the same time) to the Reports, which convey the same information.

The Return of Property shows all that is contained in abstracts D, E, F, G and L—Report of Forage issued and Return of Public animals. The Return of Clothing, Camp and Garrison Equipage, shows to whom property and clothing has been transferred during the month. Yet in addition to this, and the monthly report of officers to whom property and clothing have been transferred, I am required to send invoices at the time of their date, making four in all.

If part at least of these papers were dispensed with, some two thousand dollars per year (independent of the cost of rations) would be saved to the Government in clerk hire.

I would respectfully ask the Quartermaster General to explain the exact relations officially existing (as they are understood at the Department) between Col. Enos and the Quartermaster at this depot. I am inclined to think, at this depot, the Quartermaster, on account of the immense responsibility, and buildings in process of construction, should be allowed to communicate direct with the Department.

I am free to confess that, as far as my observation and experience tends since I have been here, that the Quartermaster is a perfect nonentity at this depot. In consideration of the foregoing, I respectfully ask the Quartermaster General that, unless it is consistent with his ideas to remedy the embarrassments I have mentioned, I would much prefer to be ordered elsewhere.

I am constrained to submit this Report to the Quartermaster General for my own protection, which I contend is a sufficient excuse, should any question arise whether I have departed from strict military etiquette, as the time may come when it will be too late to protect myself.

A personal review of this letter is earnestly requested.

I am, General,

Very Respectfully, Your Ob't Serv't,

[Signed] HENRY INMAN,

Captain and A. Q. M., U. S. A.

"A true copy:

[Signed] HENRY INMAN, Capt. & A. Q. M."

and which letter being replied to in a letter dated March 14, 1867, from the Acting Q. M. General, U. S. A., informing him, the said Captain Henry Inman, that he had violated Par. 451, Revised Army Regulations, and which letter is in words and figures as follows, to wit:

"QUARTERMASTER GENERAL'S OFFICE,
WASHINGTON, D. C., March 14, 1867.

Captain HENRY INMAN, Asst. Q. M., U. S. A.,
FORT UNION, N. M.,

Captain: Your letter of the 3d of January, 1867, relating to certain reports required from you by Bvt. Col. H. M. Enos, Chief Q. M., District of New Mexico, has been received. This letter was forwarded *direct* to the Q. M. General, in violation of Par. 451, Revised Army Regulations, which directs that all communications, whether from an inferior to a superior, or *vice versa*, are, as a general rule, to be passed through the intermediate commanders. The only exception being certain reports specially called for by the War Department. The requirements of Col. Enos, in relation to the reports &c., are fully approved by the Quartermaster General.

Very Respectfully, Your Ob't Serv't,
[Signed] D. H. RUCKER,
Acting Quartermaster General.
Bvt. Maj. Gen.

E. 394, B. S.
E. 253, B. K. 70

He, the said Captain Henry Inman, did endorse the said letter of the Act. Q. M. General in the following words and figures, to wit:

DEPOT QUARTERMASTER'S OFFICE,
FORT UNION, N. M., April 4, 1867.

Respectfully forwarded through Major General Geo. Sykes, Commanding District of New Mexico, (and the proper channels,) to the Hon. Secretary of War, to whom I appeal for a consideration of this decision, and the letter on file in the Quartermaster General's Office, which caused it. I deny that I have violated Par. 451, Revised Army Regulations, as the communication referred to was a letter of transmittal with my papers, and for file to the proper settlement of them, and related only to that subject. I respectfully urge that I may be relieved from duty in this district, as it is impossible for me to serve with Col. H. M. Enos. In explanation of this remark, I respectfully refer the Hon. Secretary of War to the Report of Bvt. Col. A. J. Alexander, 3d U. S. Cavalry, Special Inspector.

[Signed] HENRY INMAN,
Captain and A. Q. M., U. S. A.

Through Col. H. M. Enos.

which endorsement is false in this partiular, namely: that the said letter of Capt, Henry Inman, addressed to the Q. M. General, U. S. A., dated January 3, 1867, does principally relate to other subjects than the transmittal of his papers and a proper settlement of them. This at Fort Union Depot, N. M., on or about the 4th of April, 1867.

CHARGE 4th—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Captain Henry Inman, A. Q. M. U. S. A., having been by his superior officer, Bvt. Col. H. M. Enos, A. Q. M., U. S.

A., Chief Q. M. of the military district of New Mexico, in a letter dated April 1, 1867, requested to furnish certain papers relating to his duties as Depot Quartermaster at Fort Union, N. M., and to state whether or not, he, Captain Henry Inman, intended to comply with instructions and orders relative to the furnishing of papers, and which letter is in words and figures as follows, to wit:

CHIEF QUARTERMASTER'S OFFICE, DISTRICT OF NEW MEXICO,
SANTA FE, N. M., April 1, 1867.

CAPT. HENRY INMAN, A. Q. M., U. S. A.,
FORT UNION DEPOT, N. M.,

Captain: I have the honor to enclose herewith copies of letters addressed to you during the Month of February last, in reference to the forwarding of papers pertaining to your duties as Quartermaster. I have neither received the papers referred to, nor answers to my letters, of which the enclosed are copies.

You will please inform me whether you have received the original letters, and if you have received them, explain why you have not complied with the instructions contained therein.

You will, without delay, forward all papers now due from your office.

This letter will be handed you by a special messenger, and you will acknowledge the receipt of this communication and the enclosures within twelve hours after it is placed in your hands, and in your letter of acknowledgement you will state whether you intend to comply with the instructions and orders contained in my letters to you of the 10th, 24th and 28th of February, 1867, copies of which are enclosed.

You will send your reply by the bearer of this, who is instructed to wait at Fort Union twelve hours and then return to this place.

Very Respectfully,
Your Obt. Servt.,
[Signed] H. M. ENOS,
Bvt. Col. and A. Q. M.,
Chief Q. M.

* * * * * * * * *

(four enclosures.)

He, the said Captain Henry Inman, did, in a letter dated "Depot Quartermaster's Office, Fort Union, N. M., April 3, 1867," addressed to Bvt. Col. H. M. Enos, A. Q. M., U. S. A., Santa Fe, New Mexico, use the following language, to wit:

"Under the circumstances, and regarding your language not in accordance with the rules and regulations for the government of the Army of the United States, I must decline to show you that courtesy by sending my papers, which I originally intended to do."

This at Fort Union, N. M., on or about the 3d day of April, 1867.

[Signed] H. M. ENOS,
Bvt. Col. and A. Q. M.

PLEA.

To the specification of the 1st charge, ... *Guilty*
to writing the letter or letters which form part of the specification, but not guilty of the criminality which the charge and specification allege they imply.
To the 1st charge, ... *Not Guilty.*
To the specification, 2nd charge, ... *Guilty*
to writing the letter or letters which form part of the specification, but not guilty of the criminality which the charge and specification allege they imply.
To the 2nd charge, ... *Not Guilty.*
To the specification 3d charge, ... *Guilty*
to writing the letter or letters which form part of the specification, but not guilty of the criminality which the charge and specification allege they imply.
To the 3d charge, ... *Not Guilty.*
To the specification, 4th charge, ... *Guilty*
to writing the letter or letters which form part of the specification, but not guilty of the criminality which the charge and specification allege they imply.
To the 4th charge, ... *Not Guilty.*

FINDING.

Of the specification, 1st charge, ... *Guilty.*
but attach no criminality thereto.
Of the 1st charge, ... *Not Guilty.*
Of the specification, 2nd charge, ... *Not Guilty.*
Of the 2nd charge, ... *Not Guilty.*
Of the specification, 3d charge, ... *Guilty*
of writing the letters and endorsements contained in the specification. and guilty of referring to other matters, in the letter of January 3, 1867. than transmitting his papers; but not guilty of an intentional falsehood.
Of the 3d charge, ... *Not Guilty:*
and the Court does therefore honorably acquit him of said charge.
Of the specification, 4th charge, ... *Not Guilty.*
Of the 4th charge, ... *Guilty.*

SENTENCE.

To receive such reprimand as the Department Commander may judge proper.

II. . . . The Record in this case shows a neglect on the part of the prosecution to introduce evidence of the circumstances of the offences charged. notwithstanding the plea of the accused to all the specifications. Such evidence was easily obtainable, and would have enabled the reviewing officer to act more understandingly in his decision of the case.

The accused is found not guilty of the specification to the 4th charge. but *guilty* of the charge. By finding him not guilty of the specification. the Court acquits him of all that goes to constitute the offence described. and nothing remains to sustain the charge. Such findings have no meaning.

The only testimony offered by the Judge Advocate in the trial of this case, was that of Colonel Enos, and but one question was asked and answered by him. The evidence produced by the defence elicited the only information (with the exception of the pleas of the accused) upon which a decision can be based.

Sufficient appears in the record, however, to show that the accused had recognized Colonel Enos as the Chief Quartermaster of the District, by obeying the orders given him by Colonel Enos, ever since the accused had been on duty in the District.

The accused undertakes to show in his defence, that by General Orders No. 141, War Department, series of 1865, a District Commander is not entitled to a Chief Quartermaster on his staff; that Colonel Enos had never been announced, in orders, as the Chief Quartermaster of the District; that Colonel Enos had no right to issue orders unless signed "by command of" his District Commander; that this mode of issuing orders was the custom of the service; that the accused had never been ordered to report to Colonel Enos.

To controvert this argument, the Judge Advocate could have produced evidence to prove that Chief Quartermasters of Districts have been recognized as such by the War Department for the last year; that, admitting Colonel Enos had not been announced in orders as Chief Quartermaster of the District, the accused found him and knew him to be in that capacity when he reported for duty in the District, and it was not in his province to question the authority under which Colonel Enos acted; that, in the ordinary routine of business in the Quartermaster's Department, the Chief Quartermaster has the right, under the Army Regulations, to issue orders direct to his inferiors, and that this is the custom of the service; that it was *the duty* of the accused to report to Colonel Enos, as Chief Quartermaster of the District and his superior officer, whether he was ordered to do so or not.

The principle of contesting questions of this nature is dangerous, and no officer should undertake it unless his reasons are clear and conclusive, and his experience in the service will fully warrant it. A repetition of like offences might be tried by a Court which would not exercise the same leniency as this one seems to have done.

Captain Inman will be released from arrest; will be relieved from duty at Fort Union, N. M., and will await further orders there.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL: R. Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. John Barry, Private Co. I, 7th U. S. Cavalry.
2. William S. Ryal, Saddler Sergeant, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, July 31, 1867.

GENERAL ORDERS, No. 115.

I. Before a General Court Martial convened at Fort Harker, Kansas, July 13, 1867, pursuant to Special Field Orders No. 8, Headquarters Department of the Missouri in the Field, and of which Captain Edward Bloodgood, 38th U. S. Infantry, is President, was tried:

John Barry, Private Co. I, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, the said John Barry, Private I Troop, 7th U. S. Cavalry, while on duty with a detachment of said troop at or near King's Camp, so called, did, on or about the 11th day of July, A. D., 1867, desert his command, and was arrested as such deserter, about four miles therefrom by the guard dispatched in pursuit of him.

CHARGE 2d—*Wrongfully and knowingly selling arms, the property of the United States, and furnished by and to be used for the military service of the United States.*

Specification—In this, that he, the said John Barry, Private I Troop, 7th U. S. Cavalry, while on duty with a detachment of said troop, on or about the 11th day of July, A. D., 1867, did, at or near King's Camp, so called, wrongfully and knowingly sell to a certain party, whose name is at present unknown, one Spencer carbine, of the value of one hundred dollars; one light cavalry sabre and belt, of the value of fifteen dollars; one carbine sling and one ammunition pouch, of the value of ten dollars. All of the value of one hundred and twenty five dollars; the property of the United States, and as such furnished to said Barry by, and to be used in the military service of the United States.

All this at or near King's Camp, so called, on or about the 11th day of July, A. D., 1867, while en route from Fort Wallace to Fort Harker, in the Department of the Missouri.

PLEA.

To the specification 1st charge ..... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the term of six calendar months, and to forfeit to the United States all pay and allowances during the said term excepting the just dues of the sutler and laundress."

II. The proceedings and findings in the foregoing case of Private John Barry, Co. I, 7th U. S. Cavalry, are approved, and the sentence will be carried into effect.

III. The General Court Martial of which Captain Edward Bloodgood, 38th U. S. Infantry, is President, is hereby dissolved.

IV. Before a General Court Martial convened at Fort Union, N. M., June 7th, 1867, pursuant to Special Orders No. 110, current series, from these Headquarters, and of which Brevet Colonel Nelson H. Davis, Major and Assistant Inspector General, U. S. Army, is President, was tried:

William S. Ryal, Sadler Sergeant, 3d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this that William S. Ryal, Saddler Sergeant, 3d U.S. Cavalry, having been detailed to proceed to Calhoun's Ranche, N. M., for the purpose of assisting the Deputy Sheriff in arresting a thief, did become so drunk as to be unable to perform his duty properly.

All this at or near Fort Union, N. M., on or about the 6th day of June, 1867.

Specification 2d—In this, that said William S. Ryal, Saddler Sergeant, 3d U. S. Cavalry, did attempt to shoot a certain Mr. Calhoun, a citizen of the Territory of New Mexico, without any provocation whatever.

All this at or near Calhoun's Ranche, N. M., on or about the 6th day of June, 1867.

Specification 3d—In this, that said William S. Ryal, Saddler Sergeant, 3d U. S. Cavalry, did shoot Corporal Edward Swords, Co. D, 3d U. S. Cavalry, while said Swords was endeavoring to prevent him from shooting Mr. Calhoun, thereby inflicting a very dangerous wound in the face of said Swords.

All this at or near Calhoun's Ranche, N. M., on or about the 6th day of June, 1867.

Specification 4th—In this, that said William S. Ryal, Saddler Sergeant, 3d U. S. Cavalry, did shoot Sergeant Charles Brenitt, Co. D, 3d U. S. Cavalry, while said Brenitt was endeavoring to prevent him from murdering Corporal Swords, Co. D, 3d U. S. Cavalry, thereby inflicting a very serious wound upon the arm of said Brenitt.

All this at or near Calhoun's Ranche, N. M., on or about the 6th day of June, 1867.

Specification 5th—In this, that said William S. Ryal, Saddler Sergeant, 3d U. S. Cavalry, did shoot at, with intent to kill, sundry citizens, and by such shooting and sundry threats place said citizens in peril and fear of their lives, and did say that he would "shoot the first man that came out of the house," or words to that effect; this without just cause or provocation.

All this at or near Calhoun's Ranche, N. M., on or about the 6th day of June, 1867.

PLEA.

To the 1st specification	*Guilty.*
To the 2d specification	*Not Guilty.*
To the 3d specification	*Not Guilty.*
To the 4th specification	*Not Guilty.*
To the 5th specification	*Not Guilty.*
To the charge	*Not Guilty.*

FINDING.

Of the 1st specification	*Guilty.*
Of the 2d specification	*Guilty.*
Of the 3d specification	*Guilty.*
Of the 4th specification	*Guilty.*
Of the 5th specification	*Guilty.*
Of the charge	*Guilty.*

SENTENCE.

"To be reduced to the ranks as a private soldier, and to be confined in charge of the guard for six months at hard labor, forfeiting all pay now due or that may become due during his confinement, except the just dues of the laundress and sutler. The Court is thus lenient in consideration of the long and faithful services of the prisoner, and the excellent character given him by his commanding officer."

V. The evidence in the foregoing case shows that the prisoner was guilty of the offence of aggravated injury to persons, which, under General Orders No. 4, War Department, 1867, is punishable at the discretion of the Court. By the sentence, it appears that the Court exercised leniency on account of the former good character and faithful services of the prisoner. As a general rule, upon a finding of guilty, it is incumbent on the Court to award punishment equal and adequate to the degree of guilt, and in every respect proportionate to the offence. Although every palliating or extenuating circumstance attached to the commission of the act is to be duly weighed and considered, the Court is not at liberty to consider, in framing their sentence, any foreign or extraneous matter *not connected* with the specific act, however strongly they may plead in favor of the prisoner. In this case, former good character and faithful services should not have been considered, in arriving at a proper verdict, nor should such matters be incorporated in the sentence. It would have been entirely proper for the Court, after having awarded a sentence proportionate to the offence, to have set forth, separately, these facts for the

consideration of the reviewing officer, in support of a recommendation for mitigation of punishment. Recommendations so made are always respectfully considered, and seldom disregarded.

The proceedings and findings in the case of Saddler Sergeant, William S. Ryal, 3d U. S. Cavalry, are approved, and the sentence will be duly executed.

VI. . . . The General Court Martial of which Brevet Colonel Nelson H. Davis, Major and Inspector General U. S. A., is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER.
Assistant Adjutant General.

OFFICIAL:

N. P. Wilson

Captain and Acting Judge Advocate.

G. C. M.

1. John Hackett, Private Co. F, 5th U. S. Infantry.
2. Jose Jaramillo, Private Co. D, Batt. N. M. Vols.
3. Levi Transsue, Blacksmith Co. B, Batt. N. M. Vols.
4. Meterio Martines, Private Co. B. Batt. N. M. Vols.
5. Jesus Ochoa, Private Co. B, Batt. N. M. Vols.
6. Joseph Herman, Private Co. B. Batt. N. M. Vols.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, August 9, 1867.

GENERAL ORDERS, No. 119.

I. . . . Before a General Court Martial which convened at Fort Garland, C. T., January 30, 1867, pursuant to Special Orders No. 8, current series, and re-convened by Special Orders 68, current series, from these Headquarters, and of which Brevet Brigadier General CHRISTOPHER CARSON, Lieut. Col. Battalion N. M. Vols., is President, were arraigned and tried:

1st.—John Hackett, Private Co. F, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st—That Private John Hackett, Co. F, 5th U. S. Infantry, did unlawfully remove from his company quarters, with intention of deserting the service of the United States, sundry articles of Government clothing, camp and garrison equipage, consisting in fact of one (1) infantry great coat, three (3) woolen blankets, one (1) haversack, and one (1) canteen.

This at Fort Garland, C. T., on or about the 14th day of April, 1867.

Specification 2d—That the said John Hackett, Private Co. F, 5th U. S. Infantry, did prepare, with the intention of deserting the service of the United States, certain articles of food, consisting in fact of hard bread or soda crackers, baker's bread and bacon.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
except the words "with the intention of deserting the service of the United States."
Of the 2d specification, ... *Not Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for one (1) month, and to forfeit ten dollars ($10) of his monthly pay for the same period."

2d.—Jose Jaramillo, Private Co. D, Battalion N. M. Volunteers, on the following charges and specifications:

CHARGE 1st—*Violation of the 46th Article of War.*

Specification—In this, that he, Private Jose Jaramillo, of Co. D. Batt. N. M. Vols., after having been duly posted as a sentinel, did sleep upon his post, in which condition he was found by the corporal of the guard. (Sevino Lopez of Co. D, Batt. N. M. Vols.)

CHARGE 2d—*Neglect of Duty.*

Specification—In this, that he, Private Jose Jaramillo, of Co. D. Batt. N. M. Vols., after having been duly posted as a sentinel, did sit down upon his post, in which sitting posture (with his head covered by the cape of his great coat) he was found by the corporal of the guard. (Sevino Lopez, of Co. D, Batt. N. M. Vols.)

PLEA.

To the specification, 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification, 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

The Court confirms the plea of the prisoner, and finds him guilty as charged.

SENTENCE.

"To be confined at hard labor in charge of the guard for the remainder of his enlistment, and to forfeit to the United States his monthly pay for the same period, except the just dues of the laundress and sutler."

3d.—Levi Transsue, Blacksmith, Co. B, Battalion New Mexico Volunteers, on the following charge and specification:

CHARGE—*Absence without Leave.*

Specification—In this, that he, Blacksmith Levi Transsue, of Co. B, Batt. N. M. Vols., did absent himself from his company without proper authority, on the 20th day of April, 1867, and did remain absent until brought back by 1st Lieut. James M. Tanfield, on the morning of the 23d day of April, 1867.

All this at or near Fort Garland, C. T., on or about the 20th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

4th.—Meterio Martines, Private Co. B, Battalion New Mexico Volunteers, on the following charge and specification:

CHARGE—*Unlawfully disposing of Government property.*

Specification—In this, that he, Private Meterio Martines, of Co. B, Batt. N. M. Vols., did sell, lose, or in some manner unlawfully dispose of one Remington pistol, the same being Government property, and for which Capt. John Thompson, Batt. N. M. Vols., is responsible.

All this at or near the town of San Luis, on or about the 17th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except the words "did sell, or in some manner unlawfully dispose of."
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

5th.—Jesus Ochoa, Private Co. B, Battalion New Mexico Volunteers, on the following charge and specification:

CHARGE—*Unlawfully disposing of Government Property.*

Specification—In this, that he, Private Jesus Ochoa, of Co. B, Batt. N. M. Vols., did unlawfully dispose of one Remington pistol, the same being the property of the United States, and for which Captain John Thompson, Batt. N. M. Vols., is responsible.

All this at or near the town of San Luis, C. T., on or about the 20th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of two (2) months, and to forfeit to the United States the value of one Remington pistol, fifty dollars (50.)

6th.—Joseph Herman, Private Co. B, Battalion New Mexico Volunteers, on the following charge and specifications:

CHARGE—*Willful disobedience of orders.*

Specification 1st—In this, that Private Joseph Herman, of Co. B, Battalion N. M., Volunteers, when ordered by his company commander, Captain John Thompson, to go to the 1st Sergeant and draw his equipments and report for duty, did positively refuse to do so.

Specification 2d—In this, that Private Joseph Herman, of Co. B, Battalion N. M., Volunteers, when ordered by his 1st Sergeant to come to the orderly room for his arms and prepare for duty, did positively refuse, and on being told that it was the Captain's order, did say, "you go tell the Captain to read the Regulations, and that I will not transfer, nor soldier as a Private, I will go to the guard house first."

All this at or near Fort Garland, C. T., on or about the 2d day of December, 1866.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Not Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of three (3) months, and to forfeit to the United States ten dollars ($10) of his monthly pay for the same period."

II....The proceedings, findings and sentences in the foregoing cases of Privates John Hackett, Co. F, 5th U. S. Infantry and Jesus Ochoa, Co. B, N. M., Volunteers, and the proceedings and findings in the case of Private Meterio Martines, Co. B, N. M., Volunteers, (who was acquitted) are disapproved. The record shows that there were *five members* of the Court present on the trial of these cases, and that *one* of these members was permitted to act, and did act *as the counsel for these prisoners*, at their request. It is conceded that the accused is entitled to counsel upon his trial, as a *positive right*, but it is not believed that this right extends to a selection of his counsel from the court which is composed of five members only. The exercise of such a privilege, would virtually reduce the court below the legal number necessary for the trial of the case, as it is hardly conceivable that an officer acting in the double capacity of counsel for the prisoner, and member of the court, could "duly administer justice, without *partiality, favor or affection*" as required by his oath. The prisoners will be released from confinement and returned to duty.

In the case of Private Joseph Herman, Co. B, Battalion New Mexico Volunteers, the proceedings, findings and sentence are disapproved. The record does not contain a copy of the order convening the court, nor does it appear by the record that the court was "*duly*" sworn.

These defects are fatal to the validity of the sentence. The prisoner having been a long time in confinement, will be released and returned to duty.

In the case of Blacksmith Transsue, Co. B, Battalion New Mexico Volunteers, the proceedings and findings are approved. The prisoner having been acquitted, will be released from confinement and returned to duty.

In the case of Private Jose Jaramillo, Co. D, Battalion New Mexico Volunteers, the proceedings and findings are approved, and the sentence will be duly executed.

III . . . The General Court Martial of which Brevet Brigadier General Christopher Carson, Lieut. Colonel Battalion New Mexico Volunteers, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER.
Assistant Adjutant General.

OFFICIAL:

Captain and Acting Judge Advocate.

G. C. M.

1. Frederick Schwab, Private Co. I, 7th U. S. Cavalry.
2. William Hansell, Private Co. I, 7th U. S. Cavalry.
3. Peter Bishoff, Private Co. E, 3d U. S. Infantry.
4. Charles B. Heaton, Private Co. I, 7th U. S. Cavalry.
5. Henry Robbins, Private Co. I, 7th U. S. Cavalry.
6. Joseph H. Clarke, Private Co. I, 7th U. S. Cavalry.
7. Isaac A. Steele, Private Co. I, 7th U. S. Cavalry.
8. Amos Ives, Private Co. I, 7th U. S. Cavalry.
9. Samuel B. Cox, Private Co. D, 37th U. S. Infantry.
10. Charles W. Warren, Private Co. I, 7th U. S. Cavalry.
11. Andrew Steele, Private Co. I, 7th U. S. Cavalry.
12. Michael McGowan, Private Co. I, 7th U. S. Cavalry.
13. Dawson Cain, Sergeant Co. D, 37th U. S. Infantry.
14. William Hamlin, Sergeant Co. I, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 10, 1867.

GENERAL ORDERS,
No. 120.

I. . . Before a General Court Martial which convened at Fort Wallace, Kansas, June 5, 1867, pursuant to Special Orders No. 114, current series, from these Headquarters, and of which Brevet Brigadier General P. MORRISON, Colonel U. S. Army, is President, were arraigned and tried:

1st.—Frederick Schwab, Private Co. I, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Frederick Schwab, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended at Goose Creek, Col. Ter., on or about the 26th day of May, 1867. Thirty dollars paid for apprehension.

This at Fort Wallace, Kansas, on or about the 23d day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him..... *Guilty.*
Of the charge, confirms his plea and finds him..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be confined at hard labor in charge of the guard for six months, and to forfeit ten (10) dollars of his monthly pay each month for the same period."

2d.—William Hansell, Private I Troop, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private William Hansell, I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended at Goose Creek Ranche, Col. Ter., on or about the 26th day of May, 1867. Thirty dollars paid for apprehension.

This at Fort Wallace, Kansas, on or about the 23d day of May, 1867.

PLEA.

To the specification,..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him..... *Guilty.*
Of the charge, confirms his plea and finds him..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be confined at hard labor in charge of the guard for six (6) months, and to forfeit ten (10) dollars of his monthly pay each month for the same period."

3d.—Peter Bishoff, Private Co. E, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Peter Bishoff, of E Co., 3d U. S. Infantry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended near Cheyenne Wells, Col. Ter., on or about the 26th day of May, 1867. Thirty dollars paid for his apprehension.

This at Fort Wallace, Kansas, on or about the 23d of May, 1867.

PLEA.

To the specification,..... *Not Guilty.*
To the charge,..... *Not Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be confined at hard labor in charge of the guard for six (6) months, and to forfeit ten (10) dollars of his monthly pay each month for the same period."

4th.—Charles B. Heaton, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Charles B. Heaton, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended near Pueblo, Col. Ter., on or about the 19th of March, 1867. Thirty dollars reward paid for apprehension.

This whilst on detached service, guarding the mail station at Cheyenne Wells, Col. Ter., on or about the 6th of March, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Charles B. Heaton, Private I Troop, 7th U. S. Cavalry, did steal and take away one (1) horse and a complete set of equipments, arms and accoutrements, the property of the United States. This whilst on detached service, guarding the mail station at Cheyenne Wells, Col. Ter., on or about the 6th of March, 1867.

PLEA.

To the specification 1st charge. . . . . *Guilty.*
To the 1st charge. . . . . *Guilty.*
To the specification 2d charge. . . . . *Guilty.*
To the 2d charge. . . . . *Guilty.*

FINDING.

Of the specification 1st charge confirms his plea and finds him . . . *Guilty.*
Of the 1st charge. . . . . *Guilty.*
Of the specification 2d charge confirms his plea and finds him. . . . *Guilty.*
Of the 2d charge. . . . . *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be dishonorably discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two years."

5th.—Henry Robbins, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Henry Robbins, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended near Pueblo, Col. Ter., on or about the 19th day of March, 1867. Thirty dollars reward paid for his apprehension.

This whilst on detached service, guarding the mail station at Cheyenne Wells, Col. Ter., on or about the 6th of March, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Henry Robbins, Private I Troop, 7th U. S. Cavalry, did steal and take away, while in the act of deserting the service, one (1) horse and a complete set of equipments, arms and accoutrements, the property of the United States.

This whilst on detached service, guarding the mail station at Cheyenne Wells, C. T., on or about the 6th of March, 1867.

PLEA.

To the specification, 1st charge. . . . . *Guilty.*
To the 1st charge. . . . . *Guilty.*

To the specification, 2d charge, ... *Guilty,*
except the words "arms and accoutrements."
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him. ..*Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification, 2d charge, ... *Guilty.*
excepting sabre, cartridge box and belts.
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him: to be dishonorably discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two (2) years."

6th. Joseph H. Clarke, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Joseph H. Clarke, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended at Henshaw's Station, Kansas, on or about the 12th day of April, 1867. Thirty dollars reward paid for apprehension.

This at Fort Wallace, Kansas, on or about the 11th of April, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Joseph H. Clarke, Private I Troop, 7th U. S. Cavalry, did steal and take away one (1) Spencer carbine and one (1) Remington revolver, the property of the United States.

This at Fort Wallace, Kansas, on or about the 11th of April, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
except the word "carbine."
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him .... *Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification 2d charge, ... *Guilty,*
excepting Spencer carbine.
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances now due him: to be dishonorably discharged the service of the United States, and to be confined for one (1) year in such prison as the Commanding General may designate.

7th.—Isaac A. Steele, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Isaac A. Steele, Private I Troop, 7th U.S. Cavalry, having been duly enlisted in the service of the United States, did

desert said service, and remain absent therefrom until apprehended at Henshaw's Station, Kansas, on or about the 11th of April, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Isaac A. Steele, Private I Troop, 7th U.S. Cavalry, did steal and take away while in the act of deserting the service, one (1) Spencer carbine and one (1) Remington revolver, the property of the United States.

This at Fort Wallace, Kansas, on or about the 11th of April, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be confined at hard labor in charge of the guard for six (6) months, and to forfeit ten (10) dollars of his monthly pay each month for the same period."

8th.—Amos Ives, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Amos Ives, Private I Troop, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did feloniously steal from Aaron Kan, Private of same Troop and Regiment, one (1) Spencer carbine, valued at fifty dollars, ($50,) the property of the United States.

This at Fort Wallace, Kansas, on or about the 25th day of December, 1866.

CHARGE 2d—*Violation of the 38th Article of War.*

Specification—In this, that he, Amos Ives, Private I Troop, 7th U.S. Cavalry, a duly enlisted soldier in the service of the United States, did sell or otherwise dispose of one (1) Spencer carbine, valued at fifty dollars, ($50,) the property of the United States.

This at Fort Wallace, Kansas, on or about the 25th day of December, 1866.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

9th.—Samuel B. Cox, Private Co. D, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Samuel B. Cox, Private Co. D, 37th U. S. Infantry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended near Kiowa, C. T., on or about the 24th of March, 1867.

This whilst on detached service, guarding the mail station at Cheyenne Wells, C. T., on or about the 4th of March, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Samuel B. Cox, Private Co. D, 37th U. S. Infantry, did steal and take away, while in the act of deserting the service, one (1) horse and a complete set of equipments, arms and accoutrements, the property of the United States.

This whilst on detached service, guarding the mail station at Cheyenne Wells, C. T., on or about the 4th of March, 1867. Thirty dollars paid for apprehension.

PLEA.

To the specification 1st charge.. ..... *Guilty.*
To the 1st charge. ..... *Guilty.*
To the specification 2d charge.. ..... *Guilty.*
except the words "and a complete set of equipments, arms and accoutrements."
To the 2d charge.. ..... *Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him.. *Guilty.*
Of the 1st charge, confirms his plea and finds him. ..... *Guilty.*
Of the specification 2d charge.. ..... *Guilty.*
except the words "arms and accoutrements."
Of the 2d charge. ..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be dishonorably discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two (2) years."

10th.—Charles W. Warren, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Charles W. Warren, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended on Big Blue river, about twenty miles north of Manhattan, Kansas.

This at or near Fort Riley, Kansas, on or about the 6th day of March, 1867. Thirty dollars paid for apprehension.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Charles W. Warren, I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, stealing and taking away with him one (1) horse and a complete set of equipments, arms and accoutrements, the property of the United States.

This at or near Fort Riley, Kansas, on or about the 6th day of March, 1867.

PLEA.

To the specification, 1st charge ..... *Guilty.*
To the 1st charge ..... *Guilty.*
To the specification 2d charge ..... *Guilty.*
To the 2d charge ..... *Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification 2d charge, confirms his plea and finds him ..... *Guilty.*
Of the 2d charge, confirms his plea and finds him ..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two (2) years."

11th.—Andrew Steele, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Andrew Steele, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended on Big Blue river, about twenty miles north of Manhattan, Kansas.

This at or near Fort Riley, Kansas, on or about the 6th day of March, 1867. Thirty dollars paid for apprehension.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Andrew Steele, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, stealing and taking with him one (1) horse and a complete set of equipments, arms and accoutrements, the property of the United States.

This at or near Fort Riley, Kansas, on or about the 6th day of March, 1867.

PLEA.

To the specification 1st charge ..... *Guilty.*
To the 1st charge ..... *Guilty.*
To the specification 2d charge ..... *Guilty.*
To the 2d charge ..... *Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the 1st charge ..... *Guilty.*
Of the specification 2d charge, confirms his plea and finds him ..... *Guilty.*
Of the 2d charge ..... *Guilty.*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be dishonorably discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two (2) years."

12th.—Michæl McGowan, Private I Troop, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Michæl McGowan, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended on Big Blue river, about twenty miles north of Manhattan, Kansas, on or about the 6th day of March, 1867. Thirty dollars paid for apprehension.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Michæl McGowan, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, stealing and taking away with him one (1) horse and a complete set of arms and accoutrements, the property of the United States.

This at or near Fort Riley, Kansas, on or about the 6th day of March, 1867.

PLEA.

To the specification 1st charge.....*Guilty.*
To the 1st charge.....*Guilty.*
To the specification 2d charge.....*Guilty.*
To the 2d charge.....*Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ...*Guilty.*
Of the 1st charge.....*Guilty.*
Of the specification 2d charge.....*Guilty.*
Of the 2d charge.....*Guilty*

SENTENCE.

"To forfeit all pay and allowances that may be due him; to be dishonorably discharged the service of the United States, and to be confined in such prison as the Commanding General may designate, for two years."

II....The proceedings, findings and sentence, in the foregoing case of Private Frederick Schwab, Co. I, 7th U. S. Cavalry, are approved, and the sentence will be duly executed.

In the cases of Privates William Hansell, Charles B. Heaton, Henry Robbins, Joseph H. Clark, Isaac A. Steele, Amos Ives, Charles W. Warren, Andrew Steele, Michael McGowan, Co. I, 7th U. S. Cavalry, Peter Bishoff, Co. E, 3d U. S. Infantry, and Samuel B. Cox, Co. D, 37th U. S. Infantry, the proceedings, findings and sentences are disapproved.

The record in the foregoing cases does not show that the Court *convened* pursuant to the order constituting it, nor that it was organized as the law requires, which defects are held to be fatal to the validity of the sentences. The record in *each case* must be complete in itself, and the fact that the Court was duly organized cannot be made out by reference to a previous record in the same series. When the record merely states "the Court being in session proceeded, &c.," it does not sufficiently set forth the organization of the Court.

The Court and Judge Advocate are chargeable with great carelessness and negligence in allowing these prisoners to escape a most merited punishment on account of such a defect in the record. Errors of this kind are inexcusable. It being impracticable to re-assemble the Court without interfering with the operations of troops, the prisoners will be released from confinement and returned to duty.

III. The General Court Martial of which Brevet Brigadier General P. MORRISON, is President, is hereby dissolved.

IV. Before a General Court Martial convened at Fort Wallace, Kansas, July 4, 1867, pursuant to Special Field Order No. 6, Headquarters Department of the Missouri, and of which Captain M. W. KEOGH, 7th U. S. Cavalry, is President, were tried:

1st.—Dawson Cain, Sergeant Co. D, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Misbehavior before the enemy.*

Specification—In this, that he, Dawson Cain, Sergeant Co. D, 37th U. S. Infantry, did misbehave himself before the enemy, while on escort duty with O. M. stage from Fort Wallace, Kansas, to Big Timber Station, C. T. This at or near Big Timber Station, C. T., on or about the 15th day of June, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

2d.—William Hamlin, Sergeant I Co. 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Cowardice.*

Specification—That he, Sergeant William Hamlin, I Troop, 7th U. S. Cavalry, did shamefully misbehave himself before the enemy, in an engagement with Indians near Fort Wallace, Kansas, on or about the 26th day of June, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit all pay now due him except the just dues of the sutler and laundress; to be dishonorably discharged the service of the United States, and to have his head shaved and drummed out of camp."

V. . . . The proceedings and findings in the foregoing case of Sergeant Dawson Cain, Co. D, 37th U. S. Infantry, and the proceedings, findings and sentence in the case of Sergeant William Hamlin, Co. I, 7th U. S. Cavalry, are disapproved.

The record in the foregoing cases does not show that the Court convened pursuant to the order constituting it, nor that it was organized as the law requires, which defects are held to be fatal to the validity of the sentences.

The prisoners will be released from confinement and restored to duty.

VI. . . . The General Court Martial of which Captain M. W. Keogh, 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Major General Hancock:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

R. Chandler

Captain and Acting Judge-Advocate.

G. C. M.

1. Isador Alexander, Private Co. E, 19th U. S. Infantry.
2. Isador Alexander, Private Co. E, 19th U. S. Infantry.
3. Simon Geimer, Private Co. E, 19th U. S. Infantry.
4. Simon Geimer, Private Co. E, 19th U. S. Infantry.
5. Charles H. Wilson, Private Co. E, 19th U. S. Infantry.
6. John Dickson, Private Co. E, 19th U. S. Infantry.
7. Richard B. Bull, Private Co. E, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 13, 1867.

GENERAL ORDERS,
No. 121.

I. Before a General Court Martial convened at Fort Gibson, Cherokee Nation, May 10, 1867, pursuant to Special Orders No. 24, current series, Headquarters 4th Military District, and of which Major PINKNEY LUGENBEEL, U. S. Army, is President, were arraigned and tried:

1st. Isador Alexander, Private Co. E, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Isador Alexander, Private Co. E, 19th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service, from the camp of his company and regiment at Fort Gibson, Cherokee Nation, on or about the night of the 16th of February, 1867, and did remain absent from said service until arrested as a deserter at Double Spring Creek, about twenty (20) miles from the Post of Fort Gibson, Cherokee Nation, on the 19th day of February, 1867. Thirty dollars ($30) paid for apprehension.

PLEA.

To the specification..... *Guilty.*
To the charge..... *Guilty.*

FINDING.

Of the specification..... *Guilty.*
Of the charge..... *Guilty.*

SENTENCE.

"To refund to the United States the thirty dollars ($30) paid for his apprehension; to be confined at hard labor under charge of the guard for the period of six months; to forfeit twelve dollars of his pay per month during this period, and then to be returned to duty in his company."

2d.—Isador Alexander, Private Co. E, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Isador Alexander, a Private of Co. E, 19th U. S. Infantry, duly enlisted in the service of the United States, did desert the said service a second time, from the camp of his company at Fort Gibson, Cherokee Nation, the 14th day of May, 1867, and did remain absent from said service until delivered up as a prisoner at Fort Gibson, Cherokee Nation, the 14th day of May, 1867. Thirty dollars ($30) paid or apprehension.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To refund to the United States the thirty dollars paid for his apprehension; to be confined at hard labor under charge of the guard, with shackles attached to his legs, (to prevent his deserting,) for the period of twelve months; to forfeit ten dollars per month of his pay for the same period, and then to be returned to duty in his company. This sentence to commence at the termination of a former sentence for desertion."

3d.—Simon Geimer, Private Co. E, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Simon Geimer, Private Co. E, 19th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service from the camp of his company and regiment at Fort Gibson, Cherokee Nation, on or about the night of the 16th of February, 1867, and did remain absent from said service until arrested as a deserter at Double Spring Creek, about twenty (20) miles from the Post of Fort Gibson, Cherokee Nation, on the 19th day of February, 1867. Thirty dollars ($30) paid for apprehension.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To refund to the United States the thirty dollars paid for his apprehension; to be confined at hard labor under charge of the guard for the period of six months; to forfeit twelve dollars of his pay per month during this period, and then to be returned to duty in his company."

4th.—Simon Geimer, Private Co. E, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Simon Geimer, a Private of Co. E, 19th U. S. Infantry, duly enlisted in the service of the United States, did desert the said service a second time, from the camp of his company at Fort Gibson, Cher kee Nation, on the 7th day of May, 1867, and did remain absent from said service until delivered up as a prisoner at Fort Gibson, Cherokee Nation, on the 9th day of May, 1867. Thirty dollars ($30) paid for apprehension.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To refund to the United States the thirty dollars paid for his apprehension; to be confined at hard labor under charge of the guard, with shackles attached to his legs, (to prevent his deserting,) for the period of twelve months; to forfeit ten dollars of his pay per month for the same period, and then be returned to duty in his company.

This sentence to commence at the termination of a former sentence for desertion."

5th—Charles H. Wilson, Private Co. E, 19th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Charles H. Wilson, a Private of Co. E, 19th U. S. Infantry, duly enlisted in the service of the United States, did desert the said service from the camp of his company at Fort Gibson, Cherokee Nation, on the 7th day of May, 1867, and did remain absent from said service until delivered up as a prisoner at Fort Gibson, Cherokee Nation, on the 9th day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor under charge of the guard for the period of six months; to forfeit twelve dollars of his pay per month during this period, and then to be returned to duty in his company."

6th.—John Dickson, Private Co. E, 19th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, John Dickson, a Private of Co. E, 19th U. S. Infantry, did, without any provocation, wilfully and maliciously as-

sault, and in a cowardly manner strike Sergeant Isaac Fox, Co. E, 19th U. S. Infantry, thereby causing serious injury to the said Sergeant Isaac Fox.

This at Fort Gibson, Cherokee Nation, on or about the 4th day of April, 1867.

Specification 2d—In this, that he, John Dickson, a Private of Co. E, 19th U. S. Infantry, did make use of the following language to Sergeant Isaac Fox, Co. E, 19th U, S. Infantry, to wit: "you son of a bitch! I have got it in for some of you fellows, and I have a mind to punch you!" or words to that effect: and thereupon did assault and strike the said Sergeant Isaac Fox.

This at Fort Gibson, Cherokee Nation, on or about the 4th day of April, 1867.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
except the words "thereby causing serious injury to the said Sergeant Fox."
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor under charge of the guard for the period of three months, and to forfeit ten dollars of his pay per month during the same period."

7th.—Richard B. Bull, Private Co. E, 19th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Selling Government Clothing.*

Specification—In this, that he, Richard B. Bull, a Private of Co. E, 19th U. S. Infantry, did sell or dispose of to one Albert Barnes, a citizen of the Cherokee Nation, certain Government clothing issued to him, to wit: one (1) great coat, (Infantry,) and one (1) pair of trowsers, (Infantry.)

This at Fort Gibson, Cherokee Nation, on or about the 12th day of February, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Richard B. Bull, a Private of Co. E, 19th U. S. Infantry, did sell or dispose of to one Albert Barnes, a citizen of the Cherokee Nation, certain Government clothing, issued to him, to wit: one (1) great coat (Infantry,) and one pair trowsers (Infantry.)

This at Fort Gibson, Cherokee Nation, on or about the 12th day of February, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To refund to the United States the sum of sixteen dollars and seventy-five cents, being the value of one uniform overcoat, (Infantry,) and one pair of uniform trowsers, (Infantry,) and be confined at hard labor under charge of the guard for three months."

II....The proceedings and findings in the foregoing cases of Privates Charles H. Wilson, John Dickson and Richard B. Bull, Co. E, 19th U. S. Infantry, are approved, and their sentences will be duly executed.

In the two cases of Private Isador Alexander, Co. E, 19th U. S. Infantry, who was tried for desertion and repeated desertion, the proceedings, findings and sentences are approved in each case, except so much of the sentence in the second case as directs the wearing of shackles, which is disapproved. The sentences with this exception will be carried into effect.

In the two cases of Private Simon Geimer, Co. E, 19th U. S. Infantry, who was tried for desertion and repeated desertion, the proceedings, findings and sentences are approved in each case, except so much of the sentence in the second case as directs the wearing of shackles, which is disapproved. The sentences with this exception will be carried into effect.

III....The General Court Martial of which Major Pinkney Lugenbeel, U. S. Army, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler

Captain and Acting Judge Advocate.

G. C. M.

1. William Dosh, Corporal Co. I, 3d U. S. Infantry.
2. Thomas King, Private Co. E, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 16, 1867.

GENERAL ORDERS,
No. 122.

I....Before a General Court Martial convened at Fort Lyon, C. T., April 15, 1867, pursuant to Special Orders No. 58, current series, from these Headquarters, and of which Brevet Brigadier General WILLIAM H. PENROSE, Captain 3d U. S. Infantry, is President, were arraigned and tried:

1st.—William Dosh, Corporal Co. I, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Neglect of duty.*

Specification—In this, that he, Corporal William Dosh, Co. I, 3d U. S. Infantry, having charge of an escort for the stage from Fort Lyon, C. T., to Fort Dodge, Kansas, and from Fort Dodge, Kansas, to Fort Lyon, C. T., did allow the men of the escort to get drunk and disorderly, and to neglect their duty, thereby endangering the lives of the escort and passengers on the stage, for whose protection he and they were sent.

All this while on duty between Fort Lyon, C. T., and Fort Dodge, Kansas, on or about the 7th day of May, 1867.

CHARGE 2d—*Drunkenness on duty.*

Specification—In this, that he, Corporal William Dosh, Co. I, 3d U. S. Infantry, having been regularly detailed and placed in charge of an escort to accompany the stage from Fort Lyon, C. T., to Fort Dodge, Kansas, and from Fort Dodge, Kansas, to Fort Lyon, C. T., did become so much under the influence of intoxicating liquor as to be unable to properly perform his duties as commander of the escort.

All this while on duty between Fort Lyon, C. T., and Fort Dodge, Kansas, on or about the 7th day of May, 1867.

CHARGE 3d—*Disobedience of orders.*

Specification—In this, that he, Corporal Wm. Dosh, Co. I, 3d U. S. Infantry, having been placed in command of an escort for the stage from Fort Lyon, C. T., to Fort Dodge, Kansas, and from Fort Dodge, Kansas, to Fort Lyon, C. T., having received special orders from his commanding officer, Brevet Brigadier General Wm. H. Penrose, to keep the escort together and not allow them to separate from him, and to guard against their getting intoxicating liquor, did allow them to get intoxicating liquor so that they returned to Fort Lyon, C. T., in a disorderly and riotous manner.

All this while on duty between Fort Lyon, C. T., and Fort Dodge, Kansas, on or about the 7th day of May, 1867.

CHARGE 4th—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Corporal William Dosh, Co. I, 3d U. S. Infantry, having been placed in command of an escort for the stage from Fort Lyon, C. T., to Fort Dodge, Kansas, and from Fort Dodge, Kansas, to Fort Lyon, C. T., did return to Fort Lyon under the influence of intoxicating liquor.

All this at Fort Lyon, C. T., on or about the 7th day of May, 1867.

Specification 2d—In this, that he, Corporal William Dosh, Co. I, 3d U. S. Infantry, having charge of an escort for the stage from Fort Lyon, C. T., to Fort Dodge, Kansas, and from Fort Dodge, Kansas, to Fort Lyon, C.T., when coming into the post of Fort Lyon, C. T., and being challenged by the sentinel on Post No. 2, did entirely disregard the sentinel, and proceed with the escort until arrested by the Officer of the Day.

All this at Fort Lyon, C. T., on or about the 7th day of May, 1867.

Specification 3d—In this, that he, Corporal Wm. Dosh, Co. I, 3d U. S. Infantry, having reported to the commanding officer at Fort Lyon, C. T., and being asked by the commanding officer why he had behaved so improperly while in charge of an escort from Fort Lyon, C. T., to Fort Dodge, Kansas, did answer in an insolent and unsoldierly manner: "I have sent in my resignation and it was not accepted, and I was bound to have it accepted one way or another," or words to that effect.

All this at Fort Lyon, C. T., on or about the 7th day of May, 1867.

PLEA.

To the specification 1st charge,	*Not Guilty.*
To the 1st charge,	*Not Guilty.*
To the specification 2d charge,	*Not Guilty.*
To the 2d charge,	*Not Guilty.*
To the specification 3d charge,	*Not Guilty.*
To the 3d charge,	*Not Guilty.*
To the 1st specification 4th charge,	*Not Guilty.*
To the 2d specification 4th charge,	*Not Guilty.*
To the 3d specification 4th charge,	*Not Guilty.*
To the 4th charge,	*Not Guilty.*

FINDING.

Of the specification 1st charge,	*Guilty.*
Of the 1st charge,	*Guilty.*
Of the specification 2d charge,	*Guilty.*
Of the 2d charge,	*Guilty.*
Of the specification 3d charge,	*Guilty.*
Of the 3d charge,	*Guilty.*
Of the 1st specification 4th charge,	*Guilty.*
Of the 2d specification 4th charge,	*Guilty.*
Of the 3d specification 4th charge,	*Guilty.*
Of the 4th charge,	*Guilty.*

SENTENCE.

"To be reduced to the ranks as a private soldier; to have his stripes and chevrons torn off in the presence of the troops of the garrison to which he belongs; to be confined at hard labor in charge of the guard for four calendar months, breaking stone from Reveille to Retreat, allowing one hour for each meal; and to forfeit to the United States five dollars of his monthly pay each month for the same period."

2d.—Thomas King, Private Co. E, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Striking his superior officer, in violation of the 99th Article of War.*

Specification—In this, that he, Private Thomas King, Co. E, 3d U. S. Infantry, did enter the quarters of Lieut. L. M. Hamilton, 3d U. S. Infantry, and did then and there strike and beat with a sword Captain Andrew Sheridan, 3d U. S. Infantry.

All this at Fort Riley, Kansas, on or about the 9th day of August, 1866.

PLEA.

To the specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six calendar months; to forfeit all pay and allowances now due or to become due, excepting the just dues of the laundress and sutler, for the same period; and at the expiration of which time, to be dishonorably discharged, and drummed out of the service in the presence of the garrison to which he belongs."

II....The proceedings, findings and sentence in the foregoing case of Corporal William Dosh, Co. I, 3d U. S. Infantry, are approved, and the sentence will be duly executed.

In the case of Private Thomas King, Co. E, 3d U. S. Infantry, the proceedings, findings and sentence are disapproved. The charge should have been laid under the 99th instead of the 9th Article of War. Under the latter Article it is necessary to set forth that the officer against whom the offence was committed, was at the time "engaged in the execution of his office." Such allegation is not set forth in the specification to the charge, which is held to be a fatal defect. The prisoner will be released from confinement and returned to duty.

III....The General Court Martial of which Brevet Brigadier General W. H. PENROSE, Captain 3d U. S. Infantry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R. Chandler.

Captain and Acting Judge-Advocate.

G. C. M.

1. Joannes Grand, Private Co. K, 3d U. S. Cavalry.
2. William L. Walters, Private Co. K, 3d U. S. Cavalry.
3. John Smith, Private Co. M, 3d U. S. Cavalry.
4. John Ward, Private Co. M, 3d U. S. Cavalry.
5. Henry Soaper, Private Co. C, 125th U. S. Colored Infantry.
6. Benson Tompkins, Sergeant Co. C, 125th U. S. Colored Infantry.
7. George Robinson, Private Co. B, 3d U. S. Cavalry.
8. John Noonan, Private Co. B, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, August 19, 1867.

GENERAL ORDERS,
No. 123.

I. . . Before a General Court Martial convened at Fort Selden, N. M., June 20, 1867, pursuant to Special Orders No. 119, current series, from these Headquarters, and of which Brevet Major JOSEPH G. TILFORD, Captain 3d Cavalry, is President, were arraigned and tried:

1st.—Joannes Grand, Private Co. K, 3d U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private Joannes Grand, of Co. K, 3d U. S. Cavalry, did, on or about the 30th day of March, 1867, without authority, convey or carry away from the quarters of said company one blanket belonging to Private Owen Plunkett, of Co. K, 3d U. S. Cavalry, which he, the said Joannes Grand, Private of Co. K, 3d U. S. Cavalry, sold to Private Luther Hazel, of Co. F, 125th U. S. Colored Troops, for five dollars.

This at Fort Selden, N. M., on or about the 30th day of April, 1867.

Specification 2d—In this, that he, Private Joannes Grand, of Co. K, 3d U. S. Cavalry, did, on or about the 8th day of April, 1867, without authority, convey or carry away from the quarters of said company one pair of cavalry pantaloons, the property of James Walsh, Recruit, 3d U. S. Cavalry, which he, the said Joannes Grand, Co. K, 3d U. S. Cavalry, sold to John Lyle, of Co. F, 125th U. S. Colored Troops, for five dollars.

This at Fort Selden, N. M., on or about the 8th day of April, 1867.

PLEA.

To the 1st specification, ... *Guilty.*
To the 2d specification,. ..... *Guilty.*
To the charge,. ..... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification,. ..... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of sixty days, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

2d.—William L. Walters, Private Co. K, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private William L. Walters, of Co. K, 3d U. S. Cavalry, did, on or about the 8th day of April, 1867, without authority, convey or carry away from the quarters of said company one blanket, the property of James Walsh, recruit, 3d Cavalry, which he, the said William L. Walters, Private Co. K, 3d U. S. Cavalry, sold to Sergeant James Really, of Co. F, 125th U. S. Colored Troops, for five dollars, on time.

This at Fort Selden, N. M., on or about the 8th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty,*
with the exception of the words "the said William L. Walters, Private Co. K, 3d U. S. Cavalry, sold one blanket to Sergeant James Really, Co. F, 125th U. S. Colored Troops, for five dollars, on time."
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States ten dollars per month of his monthly pay for three months."

3d.—John Smith, Private Co. M, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification—In this, that he, Private John Smith, of Co. M, 3d U. S. Cavalry, did, while with a party sent in pursuit of a prisoner escaped from the guard-house, become so drunk as to allow the prisoner to escape, after he, the said prisoner, had been captured.

This at or near Pinos Altos, N. M., on or about the 5th day of May, 1867.

PLEA.

To the specification,. ..... *Not Guilty.*
To the charge, ... *Not Guilty.*

4th—John Ward, Private (late Corporal) Co. M, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification—In this, that he, Private (late Corporal) John Ward of Co. M, 3d U. S. Cavalry, did, while in charge of a party sent in pursuit of a prisoner escaped from the guard-house, become so drunk as to allow his prisoner to escape after he had captured him.

This at or near Pinos Altos, N. M., on or about the 5th day of May, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for ninety days, and placed on a barrel in front of company quarters for five days during each thirty, for twelve hours in twenty-four—two hours on and two hours off—with a billet of wood on his shoulder weighing twenty pounds, during his stand on barrel."

5th.—Henry Soaper, Private Co. C, 125th U. S. Colored Troops, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification—In this, that Private Henry Soaper, Co. C, 125th U. S. Colored Troops, on "extra duty" in the Quartermaster's Department at Fort Craig, N. M., when ordered by his superior officer, Corporal James Gore, Co. C, 125th U. S. Colored Troops, while in the execution of his office, having charge of the working party, to prepare earth for making adobes, did say: "by God I will not do it!" or words to that effect.

This at Fort Craig, N. M., on or about the 28th day of May, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that Private Henry Soaper, Co. C, 125th U. S. Colored Troops, on "extra duty" in the Quartermaster's Department at Fort Craig, N. M., when ordered by his superior officer, Corporal James Gore, Co. C, 125th U. S. Colored Troops, while in the execution of his office, having charge of the working party, to prepare earth for making adobes, did say: "by God I will not do it!" or words to that effect.

This at Fort Craig, N. M., on or about the 28th day of May, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty,*
with the exception of the word "officer."
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty,*
with the exception of the word "officer."
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of five months; five days in each month to stand upon the head of a barrel, with a billet of wood weighing fifteen pounds upon his shoulders. Two hours on and four hours off, in each twenty-four of these days."

6th.—George Robinson. Private Co. B, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that George Robinson, a Private in Co. B, 3d U. S. Cavalry, while on detached service and en route from Fort Selden, N. M., to Fort Craig, N. M., did without authority, and with felonious intent break open the store of Mr. Hall, Government agent at Paraji, N. M.

All this on or about the night of the 12th or the morning of the 13th day of June, 1867.

PLEA.

To the specification,..... *Not Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Not Guilty.*
Of the charge, confirms his plea and finds him..... *Guilty.*

SENTENCE.

"To confinement at hard labor in charge of the guard for one month, and to forfeit to the United States eight dollars of his monthly pay for the same period."

7th.—John Noonan, Private Co. B, 3d U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that John Noonan, a Private in Co. B, 3d Regiment of United States Cavalry, while on detached service and en route from Fort Selden, N. M., to Fort Craig, N. M., did, without authority and with felonious intent, break open the store of Mr. Hall, Government agent at Paraji, N. M.

All this on or about the night of the 12th or the morning of the 13th day of June, 1867.

PLEA.

To the specification,..... *Not Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge, confirms his plea and finds him..... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of a guard for a period of six months, and to forfeit to the United States eight dollars of his monthly pay for each month during same period."

II. The proceedings, findings and sentences in the foregoing cases of Sergeant Pearson Pompkins, Privates Henry Soaper, Co. C, 125th U. S. Colored Troops, Joannes Grand, William L. Walters, Co. K, George Robinson, John Noonan, Co. B, John Ward, Co. M, 3d U. S. Cavalry, are disapproved. The record in these cases does not show that the Court convened pursuant to the order constituting it, which is fatal to the validity of the sentences. It being impracticable to re-convene the Court for the correction of these errors, the prisoners will be released from confinement and returned to duty.

In the case of Private John Smith, Co. M, 3d U. S. Cavalry, the proceedings *alone* are submitted, without any findings or sentence; but as it not shown that the Court convened pursuant to the order constituting it, the proceedings are disapproved. The prisoner will be released from confinement and returned to duty.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General

OFFICIAL:

Captain and Acting Judge Advocate.

G. C. M.

R. T. Jackson, Forage Master, Quartermaster's Department.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 26, 1867.

GENERAL ORDERS, No. 125.

I....Before a General Court Martial convened at Fort Leavenworth, Kansas, August 17, 1867, pursuant to Special Orders No. 179, current series, from these Headquarters, and of which Brevet Major General ALFRED GIBBS, Major 7th Cavalry, is President, was tried:

R. T. Jackson, Forage Master, Quartermaster's Department, U. S. Army, on the following charges and specifications:

CHARGE 1st—*Fraud, in violation of the act of Congress entitled "an act to prevent and punish frauds upon the Government," approved March 2d, 1863.*

Specification—In this, that R. T. Jackson, Forage Master, in the Quartermaster's Department of the U. S. Army, and while in charge of the inspection and receipt of public forage at Fort Leavenworth, Kansas, did, in his official capacity, on or about the 8th day of September, 1865, make and deliver, or cause to be made and delivered to one David Mitchell, a certificate, voucher or other paper, certifying in effect that said Mitchell had delivered to the Government about thirty tons of Hay, on or about said date, when in fact said Mitchell *had not delivered* to the Government said hay, or any amount thereof, on or about said date.

All this for the purpose of aiding said Mitchell in obtaining payment for the said hay, so fraudulently certified by said Jackson to have been delivered, and with intent to defraud and injure the Government.

CHARGE 2d—*Neglect of duty.*

Specification 1st—In this, that R. T. Jackson, Forage Master, in the Quartermaster's Department of the U. S. Army, and while in charge of the inspection and receipt of public forage at Fort Leavenworth, Kansas, did, in the month of November or December, 1866, in his official capacity, refuse to receive from one C. H. Grover and one J. F. Taylor, (contractors for the delivery of hay to the Government,) and reject as unfit for use a certain quality of hay offered by said contractors to said Jackson; that the identical hay so offered, rejected and refused, was afterwards, and on or about the same day accepted and received by said Jackson, in his official capacity, from one Mike Baggs, who had purchased the same from said contractors, Grover and Taylor, with the avowed intention of delivering and selling it to said Jackson, as said Forage Master, and for the use of the Government.

Specification 2d—In this, that R. T. Jackson, Forage Master, in the Quartermaster's Department of the U. S. Army, and while in charge of the receipt and inspection of forage at Fort Leavenworth, Kansas, did, during the months of November and December, 1866, in his official capacity, at different times make and deliver, or cause to be made and delivered to one N. Henderson and other contractors, certificates, vouchers or other papers, certifying in effect that he (the said Jackson) had *inspected* and received hay from said contractors, when in fact the said hay had been delivered to the Government *without having been previously inspected* by said Jackson.

All this on the part of said Jackson, without having full knowledge of the truth of the facts stated in said certificates, vouchers or other papers, and with intent to injure the United States.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the 1st specification 2d charge, ... *Not Guilty.*
To the 2d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the 1st specification 2d charge, ... *Not Guilty.*
Of the 2d specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

II. . . . The proceedings in the foregoing case of Forage Master R. T. Jackson, are disapproved. The Record does not show that the Court and Judge Advocate were sworn "in the presence of the accused." The proceedings are therefore invalid. Forage Master Jackson having been acquitted will be restored to duty.

III. . . . The General Court Martial of which Brevet Major General ALFRED GIBBS, Major 7th U. S. Cavalry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER.
Assistant Adjutant General.

OFFICIAL:

R. Chandler.
Captain and Acting Judge Advocate.

G. C. M.

1st Lieut. William Krause, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, August 28, 1867.

GENERAL ORDERS,
No. 128.

I. Before a General Court Martial convened at Fort Leavenworth, Kansas, August 23, 1867, pursuant to Special Orders No. 184, current series, from these Headquarters, and of which Brevet Major General J. W. DAVIDSON, Lieut. Col. 10th Cavalry, is President, was tried:

1st. Lieut. William Krause, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Disobedience of Orders.*

Specification 1st—In this, that he, 1st Lieut. William Krause, 37th U. S. Infantry, having been ordered by Special Orders No. 148, current series, par. 1, Headquarters Fort Leavenworth, Kansas, to proceed in command of a detachment of the 37th Infantry, by rail on the morning of the 21st of August, 1867, to Fort Harker, Kansas, did fail to obey said order.

This at Fort Leavenworth, Kansas, on or about the 21st of August, 1867.

Specification 2d—In this, that he, 1st Lieut. William Krause, 37th U. S Infantry, having been ordered by Special Orders No. 148, current series, par. 1, Headquarters Fort Leavenworth, Kansas, to proceed in command of a detachment of the 37th Infantry to Fort Harker, Kansas, on the morning of the 21st of August, 1867, and having been ordered by Brevet Major General W. Hoffman, commanding post of Fort Leavenworth, to draw tents and other articles for the detachment of the 37th Infantry under his command, did fail to obey said order.

This at Fort Leavenworth, Kansas, on or about the 20th of August, 1867.

Specification 3d—In this, that he, 1st Lieut. William Krause, 37th U. S. Infantry, having been ordered by Special Orders No. 148, current series, par. 1, Headquarters Fort Leavenworth, Kansas, to proceed in command of a detachment of the 37th Infantry to Fort Harker, Kansas, and to

receive and receipt for the arms and other public property in the hands of the men of the detachment, did, in disobedience of said orders, fail to give the required receipts before the hour fixed for the troops to march.

This at Fort Leavenworth, Kansas, on or about the 20th of August, 1867.

CHARGE 2.1—*Neglect of duty, to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, 1st Lieut. William Krause, 37th U. S. Infantry, having been ordered by Special Orders No. 148, current series, par. 1, Headquarters Fort Leavenworth, Kansas, to proceed in command of a detachment of the 37th Infantry to Fort Harker, Kansas, on the morning of the 21st of August, 1867, did fail to make proper application for transportation for himself and command until after 8 o'clock on the night of the 20th of August, 1867, when it was too late to obtain the transportation required.

This at Fort Leavenworth, Kansas, on or about the 20th of August, 1867.

Specification 2d—In this, that he, 1st Lieut. William Krause, 37th U. S. Infantry, having been ordered by Special Orders No. 148, current series, par. 1, Headquarters Fort Leavenworth, Kansas, to proceed in command of a detachment of the 37th Infantry to Fort Harker, Kansas, on the morning of the 21st of August, 1867, and having been directed by Brevet Major General Alfred Gibbs, Major 7th Cavalry, commanding detachment 37th Infantry, that he must be prepared at reveille on the morning of the 21st of August, 1867, to march his command to the railroad depot at Leavenworth city, did fail to proceed with his command at the time designated, and did not join it until sent for by Brevet Major General Gibbs.

This at Fort Leavenworth, Kansas, on or about the 20th of August, 1867.

PLEA.

To the 1st specification 1st charge, ... *Not Guilty.*
To the 2d specification 1st charge, ... *Not Guilty.*
To the 3d specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the 1st specification 2d charge, ... *Not Guilty.*
To the 2d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the 1st specification 1st charge, ... *Guilty.*
but attaches no criminality thereto.
Of the 2d specification 1st charge, ... *Guilty,*
except the words "and other articles."
Of the 3d specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the 1st specification 2d charge, ... *Guilty.*
Of the 2d specification 2d charge, ... *Guilty,*
except the words "and did not join it until sent for by Brevet Major General Gibbs."
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be suspended from rank for four months, and deprived of pay proper for the same period."

II . . . The proceedings, findings and sentence in the foregoing case of 1st Lieut. William Krause, 37th U. S. Infantry, are approved. He will be released from arrest, and proceed without delay to Fort Harker, and thence to Fort Union, with the detachment of recruits for the 37th Infantry, who leave Fort Harker September 1st. Upon his arrival at Fort Union, Lieutenant Krause will report by letter to the commanding officer of the District of New Mexico, who will direct him to proceed to the Post where his company may be serving, at which place his sentence will be duly executed.

III . . . The General Court Martial of which Brevet Major General J. W. Davidson, Lieut. Col. 10th Cavalry, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

R Chandler
Captain and Acting Judge-Advocate.

G. C. M.

1. Michael Hoare, Artificer Co. E, U. S. Engineers.
2. Alfred W. Beardslee, Private Co. E, U. S. Engineers.
3. John Dunlavy, 2d class Private U. S. Ordnance detachment.
4. Hugh Callaway, 2d class Private U. S. Ordnance detachment.
5. William H. Harper, 2d class Private U. S. Ordnance detachment.
6. John O'Donoghue, 2d class Private U. S. Ordnance detachment.
7. Charles Kelling, 2d class Private U. S. Ordnance detachment.
8. Lewis Gillen, 2d class Private U. S. Ordnance detachment.
9. Lewis Gillen, 2d class Private U. S. Ordnance detachment.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 5, 1867.

GENERAL ORDERS,
No. 130.

I. Before a General Court Martial convened at Jefferson Barracks, Mo., August 13, 1867, pursuant to Special Orders No. 171, current series, from these Headquarters, and of which Lieutenant Colonel ENOCH STEEN, U. S. Army, is President, were tried:

1st. Michael Hoare, Artificer, Co. E, U. S. Engineers, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Artificer Michael Hoare, of Co. E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert the same on or about the 3d of June, 1867, and did remain absent until arrested on or about the 22d of July, 1867, at or near Detroit, Michigan.

This at Engineer Depot, Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for six months, and to forfeit ten dollars of his monthly pay each month of the same period."

2d.—Alfred W. Beardslee, Co. E, U. S. Engineers, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Alfred W. Beardslee, of Co. E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert the same on or about the 4th of June, 1867, while en route for Omaha, Nebraska, on detached service, and did remain absent until he voluntarily gave himself up at his company, on or about the 28th of July, 1867.

This at Engineer Depot, Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except the words "did desert."
Of the charge, ... *Not Guilty,*
but guilty of "absence without leave," but attach no criminality thereto, and do therefore acquit him.

3d.—John Dunlavy, 2d class Private Ordnance Department, U. S. Army, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, John Dunlavy, a 2d class Private in the Detachment of Ordnance stationed at the Saint Louis (Mo.) Arsenal, did get drunk and act in a disorderly manner. This at the Saint Louis Arsenal, on or about the 4th day of August, 1867.

Specification 2d—In this, that he, John Dunlavy, a 2d class Private in the detachment of Ordnance stationed at the Saint Louis (Mo.) Arsenal, did, while in a drunken condition use profane and abusive language in reference to the Officer of the Day, saying: "the Major is a damned son of a bitch, and I am going to shoot him!" or words to that effect.

This at Saint Louis Arsenal, on or about the 4th day of August, 1867.

Specification 3d—In this, that he, John Dunlavy, a 2d class Private in the detachment of Ordnance, stationed at the Saint Louis Arsenal, while in a drunken condition and behaving in a boisterous manner, upon being ordered by Corporal F. Schmidt, acting Sergeant of the guard, in discharge of his legitimate duty, to go to the guard-house, did refuse to obey said order, and did resist its execution by force.

This at the Saint Louis Arsenal, on or about the 4th day of August, 1867.

PLEA.

To the 1st specification, ... *Guilty.*
To the 2d specification, ... *Guilty.*
To the 3d specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Guilty.*
Of the 3d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard, for two calendar months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

4th.—John O'Donoghue, 2d class Private, Ordnance Department, U. S. Army, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, John O'Donoghue, a 2d class Private in the detachment of Ordnance, stationed at Saint Louis (Mo.) Arsenal, having been refused permission to leave said Arsenal by the Officer of the Day, Brevet Major S. C. Lyford, Captain of Ordnance, did leave the said Arsenal, thereby wilfully setting at defiance the authority of the officers appointed over him.

All this at Saint Louis Arsenal, St. Louis, Mo., on or about the 25th day of July, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard, for two calendar months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

5th.—Hugh Callaway, 2d class Private, Ordnance Department, U. S. Army, on the following charge and specification:

CHARGE—*Absence without Leave.*

Specification—In this, that he, Hugh Callaway, a 2d class Private in the Ordnance detachment stationed at St. Louis Arsenal, did absent himself without proper authority from the Saint Louis Arsenal, from about 9 o'clock in the evening of the 21st day of July, 1867, till apprehended in the city of St. Louis, Mo., on the evening of July 22d, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor, in charge of the guard, for two calendar months."

6th.—Charles Kelling, 2d class Private, Ordnance Department, U. S. A., on the following charge and specification:

CHARGE—*Absence without Leave.*

Specification—In this, that he, Charles Kelling, a 2d class Private in the Ordnance detachment, stationed at St. Louis Arsenal, did absent himself without proper authority from the St. Louis Arsenal from about 9 o'clock in the evening of the 21st day of July, 1867, until apprehended in the city of St. Louis, Mo., on the evening of July 22, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be confined at hard labor, in charge of the guard, for three calendar months."

7th.—William H. Harper, 2d class Private, Ordnance Department, U. S. Army, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, William H. Harper, a 2d class Private in the detachment of Ordnance, stationed at the Saint Louis Arsenal, St. Louis, Mo., did leave said Arsenal without authority on or about the 9th day of July, 1867, and did remain absent till apprehended by the police authorities of the city of St. Louis, Mo., on or about the 12th day of July, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Not Guilty.*
but guilty of absence without leave.

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Not Guilty.*
but guilty of absence without leave.

SENTENCE.

"To be confined at hard labor in charge of the guard, for three calendar months, and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

8th.—Lewis Gillen, 2d class Private, Ordnance Department, U. S. A., on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, the said Lewis Gillen, 2d class Private in the Ordnance Department, did, in the cook house of the detachment of enlisted men at the St. Louis Arsenal, at or about 9 o'clock of the morning of July 8th, 1867, make an unprovoked assault upon and strike several times with his fist James Cochran, a 2d class Private in the Ordnance Department, while in the discharge of his duties as cook.

Specification 2d.—In this, that he, the said Lewis Gillen, 2d class Private in the Ordnance Department, did, at or near the guard house at the St.

Louis Arsenal, about 12 o'clock M. on July 8, 1867, make an unprovoked assault upon and strike with his fist James Cochran, 2d class Private in the Ordnance Department, while in the performance of his duty as cook, saying at or about the same time: "What did you report me this morning for?" or words to that effect.

PLEA.

To the 1st specification, ... *Guilty.*
To the 2d specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States ten dollars of his monthly pay for one month."

9th.—Lewis Gillen, 2d class Private, Ordnance Department, U. S. A., on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, the said Lewis Gillen, a 2d class Private of Ordnance, did, during the afternoon of June 23d, 1867, make an unprovoked and cowardly assault upon Robert Haberman, a 2d class Private of Ordnance, and did say, after striking him from behind several times with his fist: "That's for Sutton," or words to that effect, he, the said Sutton, being a 2d class Private of Ordnance, and at the time in the guard-house under sentence of a general court martial, and the said Haberman having been a witness against him before the same.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "cowardly" and "from behind."
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for three calendar months, and to forfeit ten dollars per month of his monthly pay for the same period.

II. The proceedings, findings and sentence in the foregoing case of Michael Hoare, Artificer, Co. E, U. S. Engineers, are approved, and the sentence will be duly executed.

The proceedings, finding and sentences in the cases of 2d class Privates John Dunlavy, Hugh Callaway, William H. Harper, John O'Donoghue, Charles Kelling, Lewis Gillen, U. S. Ordnance detachment, and the proceedings and findings in the case of Private Alfred W. Beardslee, Co. E, U. S. Engineers, are disapproved. The Record in these cases does not

show that the Court convened *pursuant to the order constituting it*, which are fatal defects. The prisoners will be released from confinement and restored to duty.

III. . . . The General Court Martial of which Lieutenant Colonel ENOCH STEEN, U. S. Army, is President, is hereby dissolved.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Captain and Acting Judge Advocate.

F. W. Davidson
Bt Maj Genl

G. C. M.

1. Francis M. Bell, Private Co. C, 3d U. S. Infantry.
2. Henry Ross, Private Co. C, 3d U. S. Infantry.
3. Alexander Thomas, Private Co. G, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 11, 1867.

GENERAL ORDERS,
No. 132.

I....Before a General Court Martial convened at Fort Hays, Kansas, August 23, 1867, pursuant to Special Orders No. 180, current series, from these Headquarters, and of which Brevet Captain W. F. BUCHANAN, Assistant Surgeon U. S. Army, is President, were arraigned and tried:

1st.—Francis M. Bell, Private Co. C, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Private Francis M. Bell, Co. C, 3d U. S. Infantry, a duly enlisted soldier, while stationed at Walker's Creek, Kas., did desert from his detachment on or about the 22d day of July, 1867, and did not return until apprehended as a deserter on the road between Walker's Creek and Fort Harker, Kansas, on or about the 24th day of July, 1867.

This at Walker's Creek, Kansas, on or about the 22d day of July, 1867.

CHARGE 2d—*Violation of the 38th Article of War.*

Specification—In this, that he, Private Francis M. Bell, Co. C, 3d U. S. Infantry, did sell or otherwise dispose of the following articles of government property, viz: one (1) Spencer rifle, one (1) bayonet, one (1) bayonet scabbard, one (1) rifle sling, one (1) waist belt, one (1) waist-belt plate, two (2) cartridge-boxes, forty (40) rounds ammunition, one (1) screw driver.

This at Walker's Creek, Kansas, on or about the 22d day of July, 1867.

PLEA.

To the specification 1st charge,..... *Guilty.*
To the 1st charge,..... *Guilty.*
To the specification 2d charge,..... *Guilty.*
To the 2d charge,..... *Guilty.*

FINDING.

Of the specification 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the specification 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

"To be confined at hard labor for the period of six (6) months at such place as the Commanding General may direct, and forfeit to the United States all pay now due, or may become due him for the same period, save just dues of the sutler and laundress, and at the expiration of confinement to be dishonorably discharged the service of the United States."

2d.—Henry Ross, Private Co. C, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Quitting his guard.*

Specification—In this, that he, Private Henry Ross, Co. C, 3d U. S. Infantry, being duly detailed for guard, did quit his guard without leave, on or about 8 o'clock, P. M., the 14th day of July, 1867, and did not return until on or about 12 M. the same night.

This at Fossil Creek Station, Kansas, on or about the 14th day of July, 1867.

CHARGE 2d—*Leaving his Post while a sentinel.*

Specification—In this, that he, Private Henry Ross, Co. C, 3d U. S. Infantry, being duly posted as a sentinel on or about the 21st day of July, 1867, did leave his Post before he was regularly relieved, and went to his tent and slept.

This at Fossil Creek, Kansas, on or about the 21st day of July, 1867.

CHARGE 3d—*Misbehaviour before the Enemy.*

Specification—In this, that he, Private Henry Ross, Co. C, 3d U. S. Infantry, did, on or about the 17th day of July, 1867, when posted, show cowardice by giving false alarm and hiding from imaginary Indians.

This at Fossil Creek, Kansas, on or about the 17th day of July, 1867.

PLEA.

To the specification 1st charge,..... *Not Guilty.*
To the 1st charge,..... *Not Guilty.*
To the specification 2d charge,..... *Not Guilty.*
To the 2d charge,..... *Not Guilty.*
To the specification 3d charge,..... *Not Guilty.*
To the 3d charge,..... *Not Guilty.*

FINDING.

Of the specification 1st charge,..... *Not Guilty.*
Of the 1st charge,..... *Not Guilty.*
Of the specification 2d charge,..... *Not Guilty.*
Of the 2d charge,..... *Not Guilty.*
Of the specification 3d charge,..... *Not Guilty.*
Of the 3d charge,..... *Not Guilty.*

And the Court does therefore acquit him.

3d.—Alexander Thomas, Private Co. G, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Alexander Thomas, Co. G, 38th Infantry, a duly enlisted soldier in the service of the United States, did desert and absent himself from said service, on or about May 14th, 1867, and did remain absent until apprehended on or about May 29th, 1867.

This at Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of four (4) months; reimburse the United States all expenses incurred in his apprehension, and forfeit one-half (½) his monthly pay to the United States for six months."

II. . . . The proceedings, findings and sentence in the case of Private Alexander Thomas, Co. G, 38th U. S. Infantry, are approved, and the sentence will be duly executed.

In the case of Private Henry Ross, Co. C, 3d U. S. Infantry, the proceedings and findings are approved. The prisoner will be released from confinement and restored to duty.

In the case of Private Francis M. Bell, Co. C, 3d U. S. Infantry, the proceedings, findings and sentence are approved. The prisoner will be dishonorably discharged from the service of the United States, on the receipt of this order.

The Penitentiary at Jefferson City, Missouri, is designated as the place of confinement, to which place the prisoner will be conveyed under suitable guard and turned over to the Warden of said Penitentiary, who will at the same time be furnished with a copy of this order.

The commanding officer at Fort Hays, Kansas, is charged with the execution of the above order.

By command of MAJOR GENERAL HANCOCK:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

~~Captain and Acting Judge Advocate.~~

C. W. Davidson
Army Cpl

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Dept. of the Missouri.

(2d series.)

1867.

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HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 16, 1867.

GENERAL ORDERS, No. 3.

I. Before a General Court Martial convened at Fort Lyon, C. T., August 8, 1867, pursuant to Special Orders No. 161, current series, from these Headquarters, and of which Brevet Brigadier General WILLIAM H. PENROSE, Captain 3d Infantry, is President, were arraigned and tried:

1st.—Charles Hilsz, Private Co. C, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1*st*—*Desertion.*

Specification—In this, that he, Private Charles Hilsz, C Troop, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, and did remain absent therefrom until apprehended by an armed party sent in pursuit, near Point of Rocks, C. T., on or about the 8th day of June, 1867.

This at Fort Lyon, C. T., on or about the 7th day of June, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Charles Hilsz, Private C Troop, 7th U. S. Cavalry, did steal and appropriate and carry away for the purpose of disposing of for his own private use, the following property belonging to the United States, viz: One (1) horse, value $165, One (1) carbine, value $100, one waist-belt and plate, value $1.90, one (1) cartridge-box, value $1.30, one (1) sling belt and swivel, value $1.86, one (1) curb bridle, value $5, one (1) haversack, 95 cents, one (1) canteen, 65 cents.

This at Fort Lyon, C. T., on or about the 7th day of June, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*

Of the 1st charge.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances now due or which may become due him up to the promulgation of this sentence, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary at such place as the Commanding General of the Department may direct, for the period of two years."

2d.—John Richardt, Private Co. C, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, John Richardt, private C Troop, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, and did remain absent until apprehended by an armed party sent in pursuit, near Cady's Ranche, C. T., on or about the 10th day of June, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, John Richardt, Private C Troop, 7th U. S. Cavalry, did steal, appropriate and carry away for the purpose of disposing of for his own private use, the following property belonging to the United States, viz: One (1) carbine, value $100, one (1) waist-belt and plate, value $1.90, one (1) cartridge-box, value $1.30, one (1) sling belt and swivel, value $1.86, one (1) haversack, value 95 cents, one (1) canteen, value 65 cents.

This at Fort Lyon, C. T., on or about the 10th day of June, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Guilty.*
except the words "sling belt, haversack and canteen."
To the 2d charge,.....*Guilty.*

FINDING.

Of the specification 1st charge.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
except the words "one canteen."
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due up to the promulgation of this sentence, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary at such place as the Department Commander may direct, for the period of one year."

3d.—Edward Caffery, Private Co. C, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st.—*Desertion.*

Specification.—In this, that he, Private Edward Caffery, C Troop, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, and did remain absent therefrom until apprehended by an armed party sent in pursuit, near Point of Rocks, C. T., on or about the 8th day of June, 1867.

This at Fort Lyon, C. T., on or about the 7th day of June, 1867.

CHARGE 2d.—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, Edward Caffery, Private C Troop, 7th U. S. Cavalry, did steal and appropriate to his own use, and carry away for the purpose of disposing of for his own private use, the following property belonging to the United States, viz: One (1) horse, value $165, one (1) carbine, value $100, one (1) waist-belt and plate, value $1.90, one (1) cartridge-box, value $1.30, one (1) sling belt and swivel, value $5, one (1) haversack, value 95 cents, one (1) canteen, 65 cents.

This at Fort Lyon, C. T., on or about the 7th day of June, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances now due or which may become due him up to the promulgation of this sentence, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary at such place as the Commanding General of the Department may direct, for the period of two years."

4th.—John H. Sinclair, Private Co. C, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification.—In this, that he, John H. Sinclair, private C Troop, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, and did remain absent until apprehended by an armed party sent in pursuit, at Cady's Ranche, C. T., on or about the 8th day of June, 1867.

This at Fort Lyon, C. T., on or about the 7th day of June, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification.—In this, that he, John H. Sinclair, Private C Troop, 7th U. S. Cavalry, did steal, appropriate and carry away for the purpose of disposing of for his own private use, the following property belonging to the United States, viz: One (1) horse, value $165, one (1) carbine, value $100, one (1) waist-belt and plate, value $1.90, one (1) cartridge-box, value $1.30, one (1) sling belt and swivel, value $1.86, one (1) curb bridle, value $5,

one (1) haversack, value 95 cents, one (1) canteen, value 65 cents.

This at Fort Lyon, C. T., on or about the 7th day of June. 1867.

PLEA.

To the specification 1st charge,..... *Guilty.*
To the 1st charge,..... *Guilty.*
To the specification 2d charge,..... *Guilty.*
To the 2d charge,..... *Guilty.*

FINDING.

Of the specification 1st charge,..... *Guilty.*
Of the 1st charge,..... *Guilty.*
Of the specification 2d charge,..... *Guilty.*
Of the 2d charge,..... *Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances now due or which may become due him up to the promulgation of this sentence, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States, and to be confined in the Penitentiary at such place as the Commanding General of the Department may direct, for the period of two years."

5th.—Michael Daley, Private Co. I, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Mutinous and insubordinate conduct.*

Specification 1st—In this, that he, Private Michael Daley, Co. I, 3d U. S. Infantry, did, while on duty on a scout after the Indians, behave in a mutinous and insubordinate manner, and say to his commanding officer, Captain and Brevet Brigadier General Wm. H. Penrose, 3d U. S. Infantry: "I'll be God-damned if men were ever treated in this way!" or words to that effect, and by his talk and manner did incite among the men of the company an insubordinate spirit, and by his conduct did incite them to disobey the lawful commands of their commanding officer.

This while on the march on a scout after Indians, at or near the Purgatoire River, C. T., on or about the 23d day of June, 1867.

Specification 2d—In this, that he, Private Michael Daley, Co. I, 3d U. S. Infantry, did, after his return to camp from a scout, behave in a mutinous and insubordinate manner, and did continue so to do until force was used to stop him.

This at Fort Lyon, C. T., on or about the 24th day of June, 1867.

CHARGE 2d—*Disobedience of orders.*

Specification—In this, that he, Private Michael Daley, Co. I, 3d U. S. Infantry, did, while on the march on a scout after Indians, when ordered by his commanding officer, Captain and Brevet Brigadier General Wm. H. Penrose, 3d U. S. Infantry, to close up and get into his proper place in the company, disobey said order, and did say: "I have been in the service nearly three years, and I be God-damned if I was ever treated this way before!" or words to that effect, and when ordered to stop his talk by his commanding officer, Captain and Brevet Brigadier General Wm. H. Penrose, did disobey said order, and continue to talk until forced to stop.

This while on the march on a scout after Indians, at or near the Purgatoire River, C. T., on or about the 23d day of June, 1867.

CHARGE 3d—*Disrespect towards his Commanding Officer.*

Specification—In this, that he, Private Michael Daley, Co. I, 3d U. S. Infantry, did, while on the march, by his manner and remarks, behave in a disrespectful and insolent manner towards his commanding officer, Captain and Brevet Brigadier General Wm. H. Penrose, 3d U. S. Infantry.

This on or about the 23d day of June, 1867, while on a scout after Indians, at or near the Purgatoire River, C. T.

PLEA.

To the 1st specification 1st charge, ... *Not Guilty.*
To the 2d specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*

FINDING.

Of the 1st specification 1st charge, ... *Guilty.*
Of the 2d specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*
Of the specification 3d charge, ... *Guilty.*
Of the 3d charge, ... *Guilty.*

SENTENCE.

"To be confined under charge of the guard at hard labor one year, and to forfeit to the United States eight dollars of his monthly pay for the same period."

6th.—Jacob Smith, Sergeant Co. G, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Absence without Leave.*

Specification—In this, that he, Sergeant Jacob Smith, of Co. G, 37th U. S. Infantry, did absent himself from his company and post at New Bent's Fort, C. T., without permission from proper authority, at about 9 o'clock, A. M., July 5th, 1867, and did go to the post of Fort Lyon, C. T., distance 20 miles, and did there report to the commanding officer, Brevet Brigadier General Wm. H. Penrose, Captain 3d U. S. Infantry, by whom he was returned to Co. G, 37th U. S. Infantry, July 6th, 1867.

This on or about the 5th day of July, 1867, at or near New Bent's Fort, C. T.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Sergeant Jacob Smith, of Co. G, 37th U. S. Infantry, having absented himself from his company and post without permission from proper authority, (he being at the time acting 1st Sergeant,) for a period exceeding 24 hours, viz: from about 9 o'clock A. M., July 5th, to about 2 o'clock P. M., July 6th, 1867, and when interrogated by his company commander, Captain James Thompson, 37th U. S. Infantry, as to his unauthorized absence, avow to his said company commander that he the said Sergeant Smith absented himself for the purpose of being reduced to the ranks. All this at or near New Bent's Fort C. T., on or about July 6th, 1867.

Specification 2d—In this, that he, Sergeant Jacob Smith, Co. G, 37th U. S.

Infantry, did, on the morning of the 6th of July, 1867, report to the commanding officer, Wm. H. Penrose, Captain 3d U. S. Infantry, and Brevet Brigadier General U. S. A., at Fort Lyon, C. T., that G company, 37th U. S. Infantry, had mutinied and taken up arms, and driven their company commander and other officers to their quarters; upon being interrogated by Wm. H. Penrose, Captain 3d U. S. Infantry, and Brevet Brigadier General U. S. Army, as to who sent him, he answered, that no one sent him, that he could not approach his officer, or words to that effect.

All this at Fort Lyon, C. T., on or about the 6th day of July, 1867.

PLEA.

To the specification 1st charge. . . . . *Guilty.*
To the 1st charge. . . . . *Guilty.*
To the 1st specification 2d charge. . . . . *Guilty.*
To the 2d specification 2d charge . . . . . *Guilty.*
To the 2d charge. . . . . *Guilty.*

FINDING.

Of the specification 1st charge. . . . . *Guilty.*
Of the 1st charge. . . . . *Guilty.*
Of the 1st specification 2d charge. . . . . *Guilty.*
Of the 2d specification 2d charge. . . . . *Guilty.*
Of the 2d charge. . . . . *Guilty.*

SENTENCE.

"To be reduced to the ranks; to be confined under charge of the guard at hard labor for six months, and to forfeit to the United States eight dollars of his monthly pay for the same period."

7th.—Hiram Clark, Private Co. G, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on Post.*

Specification—In this, that he, Hiram Clark, Private Co. G, 3d U. S. Infantry, after having been duly posted as a sentinel on No. 8 post, did abandon his rifle, sit down and go to sleep.

This at Fort Lyon, C. T., on or about the morning 31st day of May, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification. . . . . *Guilty.*
Of the charge. . . . . *Guilty.*

SENTENCE.

"To be confined in charge of the guard at hard labor, at the station of his company, for the period of six months, and to forfeit to the United States six dollars per month of his monthly pay for the same period."

8th.—James W. McLeran, Private Co. G, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Private James W. McLeran, of Co. G, 37th U. S. Infantry, did, while en route from Fort Dodge, Kansas, to Fort Lyon, C. T., acting as an escort for a U. S. Mail wagon, break open one U. S. Mail bag, and take therefrom one paper.

All this at or near the Bluffs, Kansas, on or about the 30th day of April, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

II. . . The proceedings, findings and sentences, in the cases of Privates Charles Hilz, John Richardt, Edward Caffery and John H. Sinclair, all of Co. C. 7th U. S. Cavalry, are approved, and the prisoners will be dishonorably discharged the service of the United States, on the receipt of this order at their station.

The Penitentiary at Jefferson city, Mo., is designated as the place of confinement, to which place these prisoners will be conveyed under suitable guard, and turned over to the Warden of said Penitentiary, who will be furnished with a copy of this order.

The commander of Fort Lyon, C. T., is charged with the execution of this order.

In the case of Private Michael Daley, Co. I, 3d U. S. Infantry, the proceedings, findings and sentence are approved, and the sentence will be carried out under the direction of the commander of the post where his company may be serving.

In the case of Sergeant Jacob Smith, Co. G, 37th U. S. Infantry, the proceedings, findings and sentence are approved—but upon the recommendation of all the members of the Court, the sentence is mitigated as follows: To be reduced to the ranks; to be confined under charge of the guard for three months, and to forfeit to the United States four dollars of his monthly pay for the same period. The sentence as mitigated will be duly executed.

In the case of Private Hiram Clark, Co. G, 3d Infantry, the proceedings, findings and sentence are approved, and the sentence will be duly executed by the commander of the post at which his company may be serving.

In the case of Private James W. McLeran, Co. G, 37th U. S. Infantry, the proceedings and findings are approved. The prisoner will be released from confinement and restored to duty.

By command of Brevet Major General A. J. Smith:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official.

F W Sandson
Br Maj Genl
Insp Genl

1. Timothy Horan, Private Co. H, 3d U. S. Infantry.
2. Michael Barrett, Private Co. H, 3d U. S. Infantry.
3. John P. C. O'Connor, Sergeant Co. H, 3d U. S. Infantry.
4. James McDonald, Private Co. B, 7th U. S. Cavalry.
5. Edward McKeirnan, Private Co. B, 7th U. S. Cavalry.
6. Thomas Murray, Private Co. B, 7th U. S. Cavalry.
7. Charles Walker, Private Co. A, 3d U. S. Infantry.
8. John Latsch, Private Co. H, 3d U. S. Infantry.
9. Charles A. Kenyon, Private Co I, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 18, 1867.

GENERAL ORDERS, No. 4.

1. Before a General Court Martial convened at Fort Dodge, Kansas, August 6, 1867, pursuant to Special Orders No. 161, current series, from these Headquarters, and of which Major HENRY DOUGLAS, 3d U. S. Infantry, is President, were arraigned and tried:

1st.—Timothy Horan, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Timothy Horan, Private Co. H, 3d U. S. Infantry, did, while acting as teamster, driving a public team en route from Fort Harker, Kansas, to Fort Hays, Kansas, sell, dispose of, or lose through neglect, public forage to the amount of 1,190 lbs. of hay; also, two U. S. mules, value unknown; also, one U. S. musket, for which Lieut. Baldwin, 37th U. S. Infantry, is responsible, valued at twenty-eight dollars.

All this at or near Buffalo Creek, Kansas, on or about the 20th day of January, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

2d.—Michael Barrett, Private Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Michael Barrett, Private Co. H, 3d U. S. Infantry, did, while acting as teamster, driving a public team en route from Fort Harker, Kansas, to Fort Hays, Kansas, sell, dispose of, or lose through neglect, public forage to the amount of 1,190 lbs. of hay; also two U. S. mules, value unknown; also, one U. S. musket, for which Lieut. Baldwin, 37th U. S. Infantry, is responsible, valued at twenty-eight dollars.

All this at or near Buffalo Creek, Kansas, on or about the 20th day of January, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

3d.—John P. C. O'Connor, Sergeant Co. H, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 45th Article of War.*

Specification—In this, that he, Sergeant P. C. O'Connor, Co. H, 3d U. S. Infantry, being regularly detailed and mounted as Sergeant of the Post guard, Fort Dodge, Kansas, did get drunk while on said duty.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To be reduced to the ranks, and to be confined under charge of the Post guard for the period of fifteen days, and during this time to carry a log weighing thirty pounds from Reveille until Retreat, alternate hours, Sundays excepted, in a circle of thirty yards circumference."

4th.—James McDonald, Private Co. B, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, James McDonald, Private B Troop, 7th U. S. Cavalry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until captured at or near Fort Zarah, Kansas.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, James McDonald, Private B Troop, 7th U. S. Cavalry, did steal one horse, the property of the United States, and use the same to desert with.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due and that may become due, and to be confined for the period of one year in such Penitentiary as the General Commanding may direct."

5th.—Edward McKeirnan, Private Co. B, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Edward McKeirnan, Private B Troop, 7th U. S. Cavalry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until captured at or near Fort Zarah, Kansas.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Edward McKiernan, Private Troop B, 7th U. S. Cavalry, did steal one horse, the property of the United States, and use the said horse to desert with.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

"To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due and which may become due, and to be confined for the period of one year at such Penitentiary as the General Commanding may direct."

6th.—Thomas Murray, Private Co. B, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Thomas Murray, Private Troop B, 7th U. S. Cavalry, a duly enlisted man in the service of the United States, did desert said service, and did remain absent until apprehended at or near Fort Zarah, Kansas.

All this at Fort Dodge, Kansas, on or about July 4th, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Thomas Murray, Private B Troop, 7th U. S. Cavalry, did steal one horse, the property of the United States, and did use said horse to desert with.

All this at Fort Dodge, Kansas, on or about July 4th, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

"To be dishonorably discharged the service of the United States: to forfeit to the United States all pay and allowances now due and which may become due, and to be confined for the period of one year at such Penitentiary as the General commanding may direct."

7th.—Charles Walker, Private Co. A, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on post, in violation of the 46th Article of War.*

Specification—In this, that he, Charles Walker, Private Co. A, 3d U. S. Infantry, being regularly detailed, mounted and posted at Post No. 1, Post guard, Fort Dodge, Kansas, did sleep on his Post.

All this at Fort Dodge, Kansas, on or about May 11, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

8th.—John Latsch, Private Co. H. 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, John Latsch, Private Co. H, 3d U. S. Infantry, did, while drunk, stab James Sheehan, Co. H, 3d U. S. Infantry, in the back, head and hands with a butcher knife.

All this at Fort Dodge, Kansas, on or about the 4th day of July, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for the period of one month."

9th.—Charles A. Kenyon, Private Co. I, 37th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Charles A. Kenyon, Private Co. I, 37th U. S. Infantry, a duly enlisted man in the service of the United States, did desert the same, and did remain absent until apprehended at or near Sand Creek, C. T., June 8, 1867.

All this at Cimaroon Crossing, Kansas, on or about the 2d day of June, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty,*
but guilty of absence without leave.

FINDING.

Of the specification, ... *Guilty,*
except the words "did desert," and "apprehended," substituting therefor, did absent himself without leave, and did surrender.
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

"To forfeit to the United States ten dollars of his monthly pay for the period of six months.

II... The proceedings and findings in the case of Private Timothy Horan, Co. H, 3d Infantry, are approved. The prisoner will be released from confinement and restored to duty.

In the cases of Privates Michael Barrett, Co. H, and Charles Walker, of Co. A, 3d Infantry, the record of the Court is fatally defective in as much as it does not show that the Court convened in pursuance of the order constituting it. The proceedings are therefore disapproved. The evidence acquits the prisoners. They will be released from arrest and restored to duty.

In the cases of Sergeant John P. C. O'Connor, Co. H, 3d Infantry, Privates James McDonald, Edward McKeirnan and Thomas Murray, Co. B, 7th U. S. Cavalry, John Latsch, Co. H, 3d Infantry, and Charles A. Kenyon, Co. I, 37th U. S. Infantry, the record of the Court is fatally defective

in not showing that the Court assembled in pursuance of the order convening it. The proceedings, findings and sentences are therefore disapproved. The prisoners will be released from confinement and returned to duty. Thus from an oversight in the record of the Court, six enlisted men evidently guilty as shown by the evidence, escape the just punishment of their offences, and the example is lost in deterring others from the commission of similar crimes.

III. . . . The General Court Martial of which Major Henry Douglas, 3d U. S. Infantry, is President, is hereby dissolved.

By command of Brevet Major General A. J. Smith:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

C. McKeever
Asst. Adjt. Genl.

G. C. M.

1. John G. Maynard, Corporal Co. B, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 20, 1867.

GENERAL ORDERS, No. 6.

I....Before a General Court Martial which convened at Fort Dodge, Kansas, August 6, 1867, pursuant to Special Orders No. 161, current series, from these Headquarters, and of which Major HENRY DOUGLAS, 3d U. S. Infantry, is President, was arraigned and tried:

John G. Maynard, Corporal Co. B, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, John G. Maynard, Corporal B Troop, 7th U. S. Cavalry, did forge the name of Major W. Cooper, 7th U. S. Cavalry, and present an order for whiskey on the sutler at Fort Hays, Kansas, with the name of Major W. Cooper, 7th U. S. Cavalry, forged thereon.

All this at Fort Hays, Kansas, on or about the 15th day of May, 1867.

PLEA.

To the specification,.....*Not Guilty,* except the words, "and present an order for whiskey on the sutler at Fort Hays, Kansas."

To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty,* except the words, "and present an order for whiskey on the sutler at Fort Hays, Kansas."

Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

II....The record in the case of Corporal John G. Maynard, Co. B. 7th U. S. Cavalry, is fatally defective in not showing that the Court assembled pursuant to the order constituting it, and the proceedings are therefore disapproved. The evidence acquits the prisoner. He will be released from arrest and restored to duty.

By command of Brevet Major General A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Captain James R. Kemble, 3d Cavalry, U. S. Army.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, Sept. 21, 1867.

GENERAL ORDERS, No. 7.

1. Before a General Court Martial which convened at Fort Union, N. M., August 17, 1867, pursuant to Special Orders No. 160, current series, from these Headquarters, and of which Brevet Lieut. Col. ROBERT W. BARNARD, Captain 37th U. S. Infantry, is President, was arraigned and tried:

Captain James R. Kemble, 3d Cavalry, U. S. Army, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that Captain James R. Kemble, 3d Cavalry, U. S. A., being in temporary command of the Post of Fort Wingate, N. M., did alter, in violation of the Revised Regulations for the Army of the United States, the standing orders of the permanent or regular commander of the post, without urgent and without proper authority.

This at Fort Wingate, N. M., on or about the 24th and 31st days of May, 1867, and the 1st and 9th days of June, 1867.

CHARGE 2d—*Disobedience of orders.*

Specification 1st—In this, that Captain James R. Kemble, 3d Cavalry, U. S. A., having been ordered by Captain E. Butler, 5th Infty., U. S. A., his post commander, to furnish to Headquarters, Fort Wingate, N. M., a copy of his (Captain Kemble's) report of a scout made by him by order of the District commander, did return the order with an endorsement to the effect and meaning that but one copy of his report had been made out—that it had been sent to District Headquarters, and that he could not furnish a correct copy—that having been ordered to furnish a copy as correct as might be, he, Captain James R. Kemble, 3d Cavalry, U. S. A., did state secondly, in an official communication dated June 10th, 1867, and addressed to the Post Adjutant at Fort Wingate, N. M., that "the notes taken during my (his) late scout have been (through mistake) destroyed;" that then, his attention having been called to Par. 708, Revised Regulations for the Army, Edition of 1861, and to the concluding paragraph of Lieut. Gen'l. Sherman's General Orders No. 4, Headquarters Military Division of the Mississippi, series of 1867, and being ordered, in case of the complete destruction of his notes or journal, to report as well as possible from memory, the remarkable features of the country visited by him in the vicinity of the Ajodela Jara, the information being needed immediately, he, Captain James R. Kemble, 3d Cavalry, U. S. A., did state thirdly, in

an official letter dated June 11, 1867, and addressed to the Post Adjutant at Fort Wingate, N. M., that the said notes were "mislaid" or "lost."

This at Fort Wingate, N. M., on or about the 10th and 11th days of June, 1867.

Specification 2d—In this, that Captain James R. Kemble, 3d Cavalry, U. S. A., acting for Captain Frank H. Wilson, 3d Cavalry, U. S. A., A. A. Q. M., of the Post of Fort Wingate, N. M., during the absence of Captain Wilson on official duty, did fail to comply with Par. 3, S. O. No. 55, from Headquarters Fort Wingate, N. M., series of 1867, which is in words and figures as follows: "Par. 3. The A. A. Q. M., or the officer acting for him during his absence on official duty, will use every endeavor to hasten the completion of the stockades and other defensive arrangements now in course of erection at this Post:"—and did take away mechanics, laborers and prisoners engaged in the before mentioned stockades and defensive arrangements from that work and employ them at other work which was not ordered by proper authority, and for which there was no urgency.

This at Fort Wingate, N. M., on or about the 24th and 31st days of May, 1867, and on or about the 1st and 9th days of June, 1867.

CHARGE 3d—*Disrespectful conduct towards his Commanding Officer.*

Specification—In this, that Captain James R. Kemble, 3d Cavalry, U. S. A., when reporting to his commanding officer, Captain E. Butler, 5th Infantry, U. S. A., commanding the Post of Fort Wingate, N. M., for orders as Officer of the Day, on being told by his commanding officer aforesaid to give the customary salutation, did say in an insubordinate and impertinent manner: "Can't do it sir! When I know whether you are a citizen or an officer—when you go and put your proper dress on, I'll do it!" or words to the same effect and meaning, when he, Captain James R. Kemble, 3d Cavalry, U. S. A., did well know that the said Captain E. Butler, 5th Infantry, U. S. A., was an officer, and not a citizen—was the commander of the Post, where he, Captain James R. Kemble, 3d Cavalry, U. S. A., was then serving, and under whom he, Captain James R. Kemble, had been regularly serving from the month of December, 1866, a period of over five months, and to whom during that period he, Captain James R. Kemble, 3d Cavalry, U. S. A., had regularly reported for orders, and to whom he, Captain Kemble, had previously invariably given the customary salutation on all occasions and under similar circumstances.

This at Fort Wingate, N. M., on or about the 12th day of June, 1867.

ADDITIONAL CHARGES AND SPECIFICATIONS.

CHARGE 1st—*Breach of arrest*

Specification—In this, that Captain James R. Kemble, 3d Cavalry, U. S. A., having been placed in arrest by proper authority, and having had the limits of his arrest extended at his own request to include two miles in all directions from the post of Fort Wingate, N. M., as a centre, did pass the limits assigned him, and did go to Los Remanzos, N. M., a distance of from thirteen to fourteen miles from the Post of Fort Wingate, N. M., without permission from proper authority.

This at or near Fort Wingate, N. M., and on or about the 20th day of June, 1867.

CHARGE 2d—*Conduct unbecoming an officer and a gentleman.*

Specification—In this, that Captain James R. Kemble, 3d U. S. Cavalry, in a written official report of an Indian scout made by him, and addressed to the Acting Assistant Adjutant General of the District of New Mexico, and dated Fort Wingate, N. M., May 20, 1867, did state in

words and figures as follows: "Left Camp No. 4, Ojodela Jornada, at one o'clock P. M.; met Capt. Cain with his detachment of Co. C, 3d U. S. Cavalry, at this camp; water brackish; grass and wood plenty; saw no Indian signs; when he, Capt. James R. Kemble, 3d Cavalry, U. S. A., with his command, did not camp at the Ojodela Jara, and did not visit the said Ojodela Jara.

This at Fort Wingate, N.M., and on or about the 20th day of May, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the 1st specification 2d charge, ... *Not Guilty.*
To the 2d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*
To the specification 1st additional charge, ... *Not Guilty.*
To the 1st additional charge, ... *Not Guilty.*
To the specification 2d additional charge, ... *Not Guilty.*
To the 2d additional charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the 1st specification 2d charge, ... *Guilty,*
but attaches no criminalty thereto.
Of the 2d specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*
Of the 1st specification 3d charge, ... *Guilty,*
except the words, "in an insubordinate and impertinent manner," "and to whom during that period he, Captain James R. Kemble, 3d U. S. Cavalry, U. S. A., had regularly reported for orders, and to whom he, Capt. Kemble, had previously invariably given the customary salutation on all similar occasions, and under similar circumstances."
Of the 3d charge, ... *Not Guilty.*
Of the specification of the 1st additional charge, ... *Not Guilty.*
Of the 1st additional charge, ... *Not Guilty.*
Of the specification of the 2d additional charge, ... *Not Guilty.*
Of the 2d additional charge, ... *Not Guilty.*

And the Court does therefore acquit him.

II. . . The proceedings and findings in the case of Captain J. R. Kemble, 3d U. S. Cavalry, are approved. Captain Kemble will be released from arrest and returned to duty.

By command of Brevet Major General A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

C. McKeever
Asst. Adjt. Genl.

G. C. M.

1. Lewis Heist, Private Co. I, 3d U. S. Infantry.
2. Eugene J. Corrigan, Sergeant Co. C, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 23, 1867.

GENERAL ORDERS,
No. 8.

I. . . . Before a General Court Martial which convened at Fort Lyon, C. T., August 8, 1867, pursuant to Special Orders No. 161, current series, from these Headquarters, and of which Brevet Brigadier General WILLIAM H. PENROSE, Captain 3d U. S. Infantry, is President, were arraigned and tried:

1st. Lewis Heist, Private Co. I, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Neglect of duty.*

Specification—In this, that Private Lewis Heist, Co. I, 3d U. S. Infantry, a member of the guard mounted at Fort Lyon, C. T., June 18, 1867, did permit two prisoners to escape from the guard-house, viz: James Maloy, Corporal Troop C, 7th U. S. Cavalry, Lawrence Hartigan, Private Troop C, 7th U. S. Cavalry, the said Private Lewis Heist being duly posted as a sentinel on No. 1 post in front of the guard house, in charge of the prisoners at the time of their escape.

This at Fort Lyon, C. T., on or about the date above specified.

PLEA.

To the specification,. . . . . *Not Guilty.*
To the charge,. . . . . *Not Guilty.*

FINDING.

Of the specification. . . . . *Not Guilty.*
Of the charge,. . . . . *Not Guilty.*

And the Court does therefore acquit him.

2d.—Eugene J. Corrigan, Sergeant Co. C, 7th U. S. Cavalry, on the following charge and specifications:

CHARGE—*Neglect of Duty.*

Specification 1st—In this, that Eugene J. Corrigan, Sergeant Troop C, 7th U. S. Cavalry, Sergeant of the guard duly mounted at Fort Lyon, C. T., on the 18th of June, 1867, did permit two prisoners under his charge to escape from the guard-house between Retreat and Tattoo on the evening of June 18, 1867, viz: James Maloy, Corporal Troop C, 7th U. S. Cavalry, Lawrence Hartigan, Private Troop C, 7th U. S. Cavalry; the said Sergeant Eugene J. Corrigan being in command of the guard.

Specification 2d—In this, that he, Sergeant Eugene J. Corrigan, Troop C, 7th U. S. Cavalry, being in command of the guard duly mounted at Fort Lyon, C. T., June 18, 1867, did permit the prisoners to leave the guard tents and lay around on the ground outside promiscuously, after the said Sergeant Corrigan had been cautioned not to allow the prisoners to leave the guard tents by the Officer of the Day.

This at Fort Lyon, C. T., on or about the date above specified.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Not Guilty.*
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

"To be reduced to the ranks."

II. . . . The proceedings and findings in the case of Private Lewis Heist, Co. I, 3d U. S. Infantry, are approved. He will be released from confinement and returned to duty.

In the case of Sergeant Eugene J. Corrigan, Co. C, 7th U. S Cavalry, the proceedings, findings and sentence are approved. The sentence will be carried into effect.

By command of Brevet Major General A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

C. McKeever
Asst. Adjt. Genl.

1. Samuel Stewart, Private Co. B, 38th U. S. Infantry.
2. James Zeagle, Private Co. H, 38th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Sept. 23, 1867.

GENERAL ORDERS, No. 9.

I. . Before a General Court Martial which convened at Fort Harker, Kansas, July 31, 1867, pursuant to Special Orders No. 161, current series, from these Headquarters, and of which Brevet Major W. H. BELL, Captain and Commissary of Subsistence, U. S. A., is President, were arraigned and tried:

1st.—Samuel Stewart, Private Co. B, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that Samuel Stewart, Private of Co. B, 38th Infantry, U. S. A., having been duly enlisted into the service of the United States, did desert therefrom on the 26th day of June, 1867, and did not return until he was arrested and brought back to the station of his company at Fort Harker, Kansas, on or about July 2d, A. D. 1867.

This at or near Fort Harker, Kansas, on or about the 26th day of June, A. D. 1867.

PLEA.

To the specification.....*Guilty.*
To the charge.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

"To forfeit to the United States all pay and allowances that are due him upon the promulgation of this sentence, and fourteen dollars ($14) per month of his monthly pay for six months thereafter, and to be confined at hard labor under charge of the guard at such place as the commanding General shall direct, for the same period."

2d.—James Zeagle, Private Co. H, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that the said James Zeagle, Private Co. H, 38th Infantry, did steal and take from a tent, three (3) bottles, more or less, of

brandy, the property of the United States, and for which Brevet Major Ely McClellan, Assistant Surgeon U. S. Army, was responsible, and did apply the said three (3) bottles, more or less, of brandy to his, the said Private James Zeagle's, use or benefit.

This at the camp of the 38th Infantry, near Fort Harker, Kansas, on or about the night of the 12th of July, 1867.

PLEA.

To the specification,.....*Guilty.*
To the charge,.....*Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

"To forfeit to the United States ten (10) dollars for the liquor stolen, and to forfeit ten (10) dollars of his monthly pay for four months."

II....The proceedings, findings and sentence in the case of Private Samuel Stewart, Co. B, 38th Infantry, are approved. The sentence will be duly carried into effect at the post where his company shall be serving.

In the case of Private James Zeagle, Co. H, 38th U. S. Infantry, the proceedings, findings and sentence are approved. The sentence will be duly executed by the commander of his company.

By command of Brevet Major General A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

C. McKeever
Asst. Adjt. Genl.

G. C. M.

1. S. M. Bremensteehl, Private Co. B, 3d U. S. Infantry.
2. Peter G. Baylor, Private Co. D, 3d U. S. Infantry.
3. Levi Broomfield, Private Co. A, 10th U. S. Cavalry.
4. Charles Lee, Private Co. G, 3d U. S. Infantry.
5. John Morgan, Corporal Co. I, 3d U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, October 19, 1867.

GENERAL ORDERS,
No. 13.

I. Before a General Court Martial which convened at Fort Larned, Kansas, September 25, 1867, pursuant to Special Orders No. 200, 1st series of 1867, from these Headquarters, and of which Major M. S. KIDD, 10th U. S. Cavalry, is President, were arraigned and tried:

1st. S. M. Bremensteehl, Private Co. B, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion in violation of the 20th Article of War.*

Specification—In this, that the said S. M. Bremensteehl, Private Co. B, 3d Regiment U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Larned, Kansas, on or about the 3d day of August, 1867, and did remain absent until apprehended by a party of company A, 10th Regiment U. S. Cavalry, at or near Pawnee Rock, Kansas, on or about the 13th day of August, 1867.

All this at or near Fort Larned, Kansas, on or about the dates above specified.

PLEA.

To the specification,.. ..... *Guilty.*
To the charge,..... *Guilty.*

FINDING.

Of the specification,..... *Guilty.*
Of the charge,..... *Guilty.*

SENTENCE.

To be confined at hard labor in charge of a guard for six months; to wear a ball and chain attached to his left leg, (length of chain, three feet,

weight of ball, 12 lbs.,) and to forfeit to the United States ten dollars ($10) per month of his monthly pay for the same period.

2d.—Peter G. Baylor, Private Co. D, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, Private Peter G. Baylor, did steal or assist in stealing, from a clothing-box in the orderly-room of company D, 3d U. S. Infantry, two (2 revolvers, valued at fifty dollars, ($50,) the property of two enlisted men of the 7th Cavalry.

This at Fort Larned, Kansas, on or about the 5th day of July, 1867.

Specification 2d—In this, that he, Private Peter G. Baylor, Co. D, 3d U. S. Infantry, did become so much under the influence of liquor as to be unable to perform the duties of a soldier.

This at Fort Larned, Kansas, on or about the 5th day of July, 1867.

CHARGE 2d—*Absence without Leave.*

Specification—In this, that he, Private Peter G. Baylor, Co. D, 3d Infantry, did absent himself from his company and quarters until after Retreat, when he was confined.

All this at Fort Larned, Kansas, on or about the 5th day of July, 1867.

PLEA.

To the 1st specification 1st charge, ... *Not Guilty.*
To the 2d specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the 1st specification 1st charge, ... *Not Guilty.*
Of the 2d specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

3d.—Levi Broomfield, Private Co. A, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private Levi Broomfield, Co. A, 10th U. S. Cavalry, when ordered by Sergeant John Taylor, of said company and regiment to dismount off his horse, did positively refuse to obey said order, and when taken off his horse, did load his carbine and say: "You damned son of a bitch, I will fix you!" or words to that effect.

This at or near Fort Zarah, Kansas, on or about the 24th day of July, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor for one year at such place as the General

commanding the Department shall direct. To forfeit all pay and allowances now due or which may become due, except the just dues of the sutler and laundress, and to be dishonorably discharged the service of the United States.

II....The proceedings, findings and sentence in the foregoing case of Private S. M. Bremensteehl, Co. B, 3d U. S. Infantry, are approved, and the sentence will be duly executed.

In the case of Private Peter G. Baylor, Co. D, 3d U. S. Infantry, the proceedings and findings are approved. The prisoner having been acquitted will be released from confinement and returned to duty.

In the case of Private Levi Broomfield, Co. A, 10th U. S. Cavalry, the proceedings and findings are approved. The sentence is mitigated to confinement at hard labor under charge of the guard where his company may be stationed, for the period of six months, and to forfeit $10 per month of his pay for the same period.

III....The General Court Martial of which Major M. S. Kidd, 10th U. S. Cavalry, is President, is hereby dissolved.

IV....Before a General Court Martial which convened at Fort Lyon, C. T., August 8, 1867, pursuant to Special Orders No. 161, 1st series of 1867, from these Headquarters, and of which Brevet Brigadier General WILLIAM H. PENROSE, Captain 3d Infantry, is President, were arraigned and tried:

1st.—Charles Lee, Private Co. G, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 50th Article of War.*

Specification—In this, that he, Private Charles Lee, Co. G, 3d U. S. Infantry, a member of the guard duly mounted at Fort Lyon, C. T., June 23, 1867, did absent himself (without urgent necessity, or leave from his superior officer) from his guard, between the hours of 3 and 4 o'clock A. M., June 24, 1867, and did remain absent until found by acting Corporal James Smith of same company and regiment, in his company quarters, with his accoutrements off, and asleep, between the hours of 4 and 5 o'clock A. M. June 24, 1867.

This at Fort Lyon, C. T., on or about the dates above specified.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Not Guilty.*
Of the charge,.....*Not Guilty.*

And the Court does therefore acquit him.

2d.—John Morgan, Corporal Co. I, 3d U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Neglect of duty.*

Specification—In this, that he, Corporal John Morgan, Co. I, 3d U. S.

Infantry, did while on duty with his company on a scout after Indians allow the men to leave their ranks and straggle from the command, and did not use or attempt to use his authority as a non-commissioned officer to prevent it, and did say on his return to camp to his commanding officer Captain and Brevet Brigadier General William H. Penrose, 3d U. S. Infantry: "I did it on purpose!" meaning he neglected his duty on purpose, and did himself straggle away from the command.

This on or about the 23d day of June, 1867, while on a scout after Indians at or near Purgatory river, Colorado Territory.

CHARGE 2d—*Drunkenness on duty.*

Specification—In this, that he, Corporal John Morgan, Co. I, 3d U. S. Infantry, did while on duty with his company when on a scout after Indians become so much under the influence of intoxicating liquor as to be unable to properly perform his duty.

This on or about the 23d day of June, 1867, while on a scout after Indians at or near the Purgatory river, Colorado Territory.

CHARGE 3d—*Disrespect towards his Commanding Officer.*

Specification—In this, that he, Corporal John Morgan, Co. I, 3d U. S. Infantry, did, when told by his commanding officer, Captain and Brevet Brigadier General William H. Penrose, 3d U. S. Infantry, to keep the men in their place in the ranks, reply to him in a disrespectful manner: "I can't keep them up!" or words to that effect.

This on or about the 23d day of June, 1867, while on a scout after Indians near the Purgatory river, Colorado Territory.

CHARGE 4th—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Corporal John Morgan, Co. I, 3d U. S. Infantry, did enter into and participate in a fight with Private Michael Daley, of the same company and regiment.

This on or about the 23d day of June, 1867, while returning from a scout after the Indians near the Purgatory river, Colorado Territory.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*
To the specification 4th charge,.....*Not Guilty.*
To the 4th charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*
Of the specification 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*
Of the specification 4th charge,.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

And the Court does therefore acquit him.

V....The proceedings and findings in the foregoing cases of Corporal

John Morgan, Co. I, and Private Charles Lee, Co. G, 3d U. S. Infantry, are approved. They will be released from confinement and returned to duty.

VI. . . . The General Court Martial of which Brevet Brigadier General William H. Penrose, Captain 3d Infantry is President, is hereby dissolved.

By command of Brevet MAJOR GENERAL A. J. SMITH :

R. CHANDLER,
Acting Assistant Adjutant General.

OFFICIAL :

R Chandler

Acting Assistant Adjutant General.

G. C. M.

1. Edward Batties, Private Co. G, 10th U. S. Cavalry.
2. William Hall, Sergeant Co. E, 7th U. S. Cavalry.
3. William E. Cooper, Private Co. E, 7th U. S. Cavalry.
4. George A. Delzell, Private Co. E, 7th U. S. Cavalry.
5. Daniel Delmege, Private Co. E, 7th U. S. Cavalry.
6. Augustus Jones, Private Co. E, 5th U. S. Infantry.
7. Henry O'Donnell, Corporal Battery B, 4th U. S. Artillery.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, October 21, 1867.

GENERAL ORDERS,
No. 14.

I. Before a General Court Martial which convened at Fort Hays, Kansas, September 18, 1867, pursuant to Special Orders No. 200, 1st series of 1867, from these Headquarters, and of which Brevet Major GEORGE A. ARMES, Captain 10th Cavalry, is President, were arraigned and tried:

1st.—Edward Batties, Private Co. G, 10th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Private Edward Batties, Co. G, 10th U. S. Cavalry, having been duly detailed as member of an escort to escort and guard Mr. Witherell, Paymaster Union Pacific Railroad, to a point near Fort Hays, Kansas, did absent himself from said escort and his command, without permission from proper authority, and did remain absent until apprehended by Lance Corporal Amos Huggins and Private Johnson Wythe, Co. G, 10th U. S. Cavalry, who had been sent in pursuit of him. This at or near King's camp, Kansas, on or about the 26th day of July, 1867.

CHARGE 2d—*Appropriating to his own use Arms and accoutrements belonging to the United States.*

Specification—In this, that he, Private Edward Batties, Co. G, 10th U. S. Cavalry, did absent himself from his command and the service of the United States, with the view and intention of deserting said service, without proper authority, and did steal with intent to appropriate to his own use one (1) horse, one (1) set of equipments, (cavalry complete,) one (1) carbine and one (1) set of carbine appendages and accoutrements, know-

ing that said property belonged to the United States.

This at or near King's Camp, Kansas, on or about the 26th day of July, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To four (4) months hard labor with ball and chain in charge of the guard, and forfeit to the United States one half of his monthly pay for six (6) months.

2d.—William Hall, Sergeant Co. E, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Quitting his guard.*

Specification—In this, that he, Sergeant William Hall, Co. E, 7th U. S. Cavalry, being Sergeant of the guard regularly detailed and duly mounted on the morning of February 23, 1867, did quit his guard without proper authority, about 12½ o'clock P. M., and did remain absent all day.

This at or near Fort Hays, Kansas, on or about February 23, 1867.

CHARGE 2d—*Drunk on guard.*

Specification—In this, that he, Sergeant William Hall, Co. E, 7th U. S. Cavalry, being Sergeant of the guard regularly detailed and duly mounted on the morning of February 23, 1867, did become so much under the influence of liquor as to be unable to properly perform his duties as a Sergeant of the guard.

All this at or near Fort Hays, Kansas, on or about February 23, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

And the Court does therefore acquit him.

3d.—William E. Cooper, Private Co. E, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Quitting his guard.*

Specification—In this, that he, Private William E. Cooper, Co. E, 7th U.

S. Cavalry, being a member of the guard regularly detailed and duly mounted, on the morning of February 23, 1867, did quit his guard without proper authority, about 12½ o'clock P. M., and did remain absent the rest of the day.

This at or near Fort Hays, Kansas, on or about February 23, 1867.

CHARGE 2d—*Drunk on guard.*

Specification—In this, that he, Private William E. Cooper, Co. E, 7th U. S. Cavalry, being a member of the guard regularly detailed and duly mounted on the morning of February 23, 1867, did become so much under the influence of liquor as to be unable to properly perform his duties as a sentinel.

All this at or near Fort Hays, Kansas, on or about the 23d of February, 1867.

PLEA.

To the specification 1st charge.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Guilty.*
To the 2d charge,.....*Guilty.*

FINDING.

Of the specification 1st charge.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification 2d charge.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for the period of fifteen (15) days.

4th.—George A. Delzell, Private Co. E, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that Private George A. Delzell, Co. E, 7th U. S. Cavalry, having been duly detailed for duty, in accordance with verbal orders from Commanding Officer, post of New Fort Hays, Kansas, did, while on such duty, desert his party and leave the reservation of the post, and did remain absent without leave, from the night of the 4th of July, 1867, until the night of the 6th of July, 1867, when he was brought back under guard, having lost his horse and horse equipments, and arms and equipments.

This at or near Post of New Fort Hays, Kansas, on or about the 6th day of July, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for six (6) months, and to forfeit to the United States ten (10) dollars of his monthly pay for the same period.

5th.—Daniel Delmege, Private Co. E, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Quitting his guard.*

Specification—In this, that he, Private Daniel Delmege, Co. E, 7th U. S. Cavalry, being a member of the guard regularly detailed and duly mounted on the morning of February 23, 1867, did quit his guard without proper authority, about 2 o'clock P. M., and did remain absent until about 4 o'clock P. M.

This at or near Fort Hays, Kansas, on or about the 23d of February, 1867.

CHARGE 2d—*Drunk on guard.*

Specification—In this, that he, Private Daniel Delmege, Co. E, 7th U. S. Cavalry, being a member of the guard regularly detailed and duly mounted on the morning of February 23d, 1867, did become so much under the influence of liquor as to be unable to pnoperly perform his duties as a sentinel.

All this at or near Fort Hays, Kansas, on or about the 23d of February, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the specification 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*

And the Court does therefore acquit him.

6th.—Augustus Jones, Private Co. E, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on post.*

Specification—In this, that Private Augustus Jones, of Co. E, 5th U. S. Infantry, having been duly posted as a sentinel, did go to sleep on this post, thereby endangering his comrades' lives.

This at Grinnell's Springs, Kansas, on or about the night of the 1st September, 1867.

PLEA.

To the specification,.....*Not Guilty.*
To the charge,.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
Of the charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor under charge of the guard for the period of six (6) months, wearing a twenty-four (24) pound weight attached to his left leg, and to forfeit to the United States ten dollars ($10) of his monthly pay for the same period.

II. . . .The proceedings, findings and sentence in the foregoing case of

Private Edward Batties, Co. G, 10th U. S. Cavalry, are disapproved. The Record does not show that the Court was "*duly*" sworn, which is a fatal defect. It being impracticable to re-convene the Court to correct this error, the prisoner will be released from confinement and returned to duty.

In the cases of Sergeant William Hall and Private Daniel Delmege, Co. E, 7th U. S. Cavalry, the proceedings and findings are approved. The prisoners having been acquitted will be restored to duty.

In the cases of Privates William E. Cooper and George A. Delzell, Co. E, 7th U. S. Cavalry, and Private Augustus Jones, Co. E, 5th U. S. Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed.

III. . . .The General Court Martial of which Brevet Major George A. Armes, Captain 10th Cavalry, is President, is hereby dissolved.

IV. . . .Before a General Court Martial which convened at Fort Harker, Kansas, July 31, 1867, pursuant to Special Orders Nos. 161 and 174, 1st series of 1867, and Special Orders No. 8, 2d series, from these Headquarters, and of which Brevet Major W. H. Bell, Captain and Commissary of Subsistence, is President, were arraigned and tried:

Corporal Henry O'Donnell, Battery B, 4th U. S. Artillery, on the following charge and specification.

Charge—*Drunkenness on duty.*

Specification—In this, that he, Corporal Henry O'Donnell, Battery B, 4th U. S. Artillery, did become so much under the influence of liquor while in command of the guard at Fort Harker, Kansas, as to be unable to properly perform his duty.

All this at Fort Harker, Kansas, on or about the 13th day of September, 1867.

PLEA.

To the specification,. . . . . *Guilty.*
To the charge. . . . . *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To be reduced to the ranks as a private soldier, and to be confined at hard labor in charge of the guard of Battery B, 4th U. S. Artillery, for the period of one (1) month.

V. . . . The proceedings, findings and sentence in the case of Corporal Henry O'Donnell, Battery B, 4th U. S. Artillery, are approved, and the sentence will be duly executed.

VI. . . . The General Court Martial of which Brevet Major William H. Bell, Captain and Commissary of Subsistence, is President, is hereby dissolved.

By command of Brevet Major General A. J. SMITH :

W. M. BEEBE Jr.,
Capt. and Act. Asst. Adjt. Gen'l.

OFFICIAL :

R Chandler

Acting Assistant Adjutant General.

G. C. M.

1. George Paul, Private Co. I, 7th U. S. Cavalry.
2. Perry A. Young, Private Co. I, 7th U. S. Cavalry.
3. Patrick Kean, Private Co. I, 7th U. S. Cavalry.
4. Jeremiah C. Lynch, Sergeant Co. H, 5th U. S. Infantry.
5. Wilbur F. Fisher, Corporal Co. F, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, October 22, 1867.

GENERAL ORDERS, No. 15.

I. . . . Before a General Court Martial which convened at Fort Wallace, Kansas, September 25, 1867, pursuant to Special Orders No. 200, 1st series of 1867, from these Headquarters, and of which Brevet Colonel HENRY C. BANKHEAD, Captain 5th Infantry, is President, were arraigned and tried:

1st.—George Paul, Private Co. I, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, George Paul, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service and remain absent therefrom until apprehended at Valmont, C. T., on or about the 20th day of June, 1867.

This near Denver City, C. T., on or about the 27th day of June, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, George Paul, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, taking with him one (1) complete set of equipments, arms and accoutrements, the property of the United States.

This near Denver City, C. T., on or about the 27th day of June, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
except the words "did desert said service."
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him . . . *Guilty.*
Of the 1st charge, confirms his plea and finds him . . . . . *Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
except the words "did desert said service."
Of the 2d charge, ... *Not Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are now due him, or that may become due him, except the just dues of the sutler and laundress; to be indelibly marked on the left hip with the letter D, one and a half inches long; to be confined at hard labor in charge of the guard for six months, with a ball weighing twenty (20) pounds attached to his left leg by a chain three (3) feet in length: at the expiration of which time to have his head shaved and drummed out of service.

2d.—Perry A. Young, Private Co. I, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he Perry A. Young, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, and remain absent therefrom until apprehended near Valmont, C. T., on or about the 30th day of June, 1867.

This near Denver City, C. T., on or about the 27th day of June, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Perry A. Young, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, taking with him one (1) complete set of equipments, arms and accoutrements, the property of the United States.

This near Denver City, C. T., on or about the 27th day of June, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
except the words "did desert said service."
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ... *Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification 2d charge, confirms his plea and finds him *Not Guilty.*
except the words "did desert said service."
Of the 2d charge, confirms his plea and finds him ..... *Not Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked on the left hip with the letter D, one and a half inches in length; to be confined at hard labor in charge of the guard, with a ball weighing twenty (20) pounds attached to his left leg by a chain three (3) feet in length, for the period of six months; at the expiration of this time, to have his head shaved, and to be drummed out of the service.

3d.—Patrick Kean, Private Co. I, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Patrick Kean, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States,

did desert said service, and remain absent therefrom until apprehended at Valmont, C. T., on or about the 30th day of June, 1867.

This near Denver City, C. T., on or about the 27th day of June, 1867.

CHARGE 2d—*Larceny.*

Specification—In this, that he, Patrick Kean, Private I Troop, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert said service, taking with him one (1) complete set of equipments, arms and accoutrements, the property of the United States.

This near Denver City, C. T., on or about the 27th day of June, 1867.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Not Guilty,* except the words "did desert said service."
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him ...*Guilty.*
Of the 1st charge, confirms his plea and finds him .....*Guilty.*
Of the specification 2d charge, confirms his plea and finds him *Not Guilty,* except the words "did desert said service."
Of the 2d charge,.....*Not Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress and sutler; to be indelibly marked on the left hip with the letter D, one and a half inches in length; to be confined at hard labor in charge of the guard, with a ball weighing twenty (20) pounds attached to his left leg by a chain three (3) feet in length, for the period of six months; at the expiration of this time, to have his head shaved, and to be drummed out of the service.

4th.—Jeremiah C. Lynch, Sergeant Co. H, 5th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, the said Jeremiah C. Lynch, Sergeant Co. H, 5th U. S. Infantry, while commanding the detachment at Lake Station, did, on or about the 22d day of August, A. D. 1867, when in a state of intoxication, shoot at and wound one McDonough, Private in said company.

CHARGE 2d—*Drunkenness on duty.*

Specification—In this, that he, the said Jeremiah C. Lynch, Sergeant Co. H, 5th U. S. Infantry, while commanding the detachment at Lake Station, did, on or about the 21st day of August, A. D. 1867, get drunk and so remained for twenty-four hours.

All this at Lake Station, Kansas, on or about the 22d day of August, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To be reduced to the ranks, and to be confined at hard labor in charge of the guard for four months, and to forfeit to the United States twelve (12) dollars per month of his monthly pay for the same period.

5th.—Wilbur F. Fisher, Corporal Co. F, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification—In this, that he, Corporal Wilbur F. Fisher, Co. F, 7th U. S. Cavalry, while Corporal in charge of the stable guard, did become intoxicated.

This at Fort Harker, Kansas, on or about the 19th day of March, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that he, Corporal Wilbur F. Fisher, Co. F, 7th U. S. Cavalry, while Corporal in charge of the stable guard, did fail, on his guard being relieved, to conduct them back to their quarters, but dismissed them at the stables, and did remain there himself and occupy the room of Sergeant Hugh McGonigel, Quartermaster Sergeant Co. F, 7th Cavalry, and when ordered by Sergeant Hugh McGonigel to leave the same and go to his quarters, did refuse to do so, saying: "you cannot put me out!" or words to that effect.

This at Fort Harker, Kansas, on or about the 19th day of March, 1867.

Specification 2d—In this, that he, Corporal Wilbur F. Fisher, Co. F, 7th U. S. Cavalry, upon being ordered out of the room by Hugh McGonigel, Q. M. Sergeant Co. F, 7th U. S. Cavalry, did draw his sabre upon and threaten him, Sergeant McGonigel, and dare him to come out and fight.

This at Fort Harker, Kansas, on or about the 19th day of March, 1867.

PLEA.

To the specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the 1st specification 2d charge,.....*Not Guilty.*
To the 2d specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the 1st specification 2d charge,.....*Guilty.*
Of the 2d specification 2d charge,.....*Guilty.*
Of the 2d charge,.....*Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for the period of four (4) months, and to forfeit to the United States twelve dollars per month of his monthly pay for the same period.

II. . . . The proceedings and findings in the foregoing cases of Privates George Paul, Perry A. Young, Patrick Kean, Co. I, 7th U. S. Cavalry, are approved. The sentences in each of these cases is mitigated, and will be executed as follows: To forfeit to the United States all pay and allowances that are now or that may become due him, except the just dues of the laundress; to be confined at hard labor in charge of the guard, with a ball weighing twenty (20) pounds attached to his left leg by a chain three feet in length, for the period of six months, and at the expiration of this time to have his head shaved, and to be drummed out of the service.

The proceedings, findings and sentence in the case of Sergeant Jeremiah C. Lynch, Co. H, 5th U. S. Infantry, are approved. He will be reduced to the ranks, and the sentence will be duly executed.

In the case of Corporal Wilbur F. Fisher, Co. F. 7th U. S. Cavalry, the proceedings and findings are approved. In consideration of his having been reduced to the ranks by his regimental commander, for the same offence for which he is now tried, and on the recommendation of the Court to clemency, the sentence is hereby remitted. The prisoner will be released from confinement and returned to duty.

By command of Brevet Major General A. J. Smith:

W. M. BEEBE Jr.,
Capt. and Act. Asst. Adjt. Gen'l.

Official:

Wm. Beebe Jr.

Acting Assistant Adjutant General.

G. C. M.

1. Charles H. Hicks, Private Co. F. 10th U. S. Cavalry.
2. Albert Patterson, Private Co. F. 10th U. S. Cavalry.
3. James Brown, Private Co. F. 10th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 7, 1867.

GENERAL ORDERS, No. 18.

1. Before a General Court Martial which convened at Fort Hays, Kansas, October 17, 1867, pursuant to Special Orders No. 26, October 11, 1867, from these Headquarters, and of which Captain SAMUEL OVENSHINE, 5th U. S. Infantry, is President, were arraigned and tried:

1st.—Charles H. Hicks, Private Co. F, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Wrongfully selling or disposing of Government property.*

Specification—In this, that he, the said Private Charles H. Hicks, Co. F, 10th U. S. Cavalry, did unlawfully sell or otherwise dispose of one thousand Spencer carbine cartridges, cal. 50, the property of the United States.

This at Kings Camp, Kansas, on or about the 14th day of July, 1867.

PLEA.

To the specification, except the words "one thousand." ..... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, except the words "one thousand." ..... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To be confined under guard for one (1) month at hard labor, and forfeit ten dollars ($10) of his monthly pay to the United States for the same period.

2d.—Albert Patterson, Private Co. F, 10th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Neglect of duty.*

Specification—In this, that he, the said Private Albert Patterson, Co. F, 10th U. S. Cavalry, on or about the 28th day of June, 1867, being duly detailed for guarding public property, was found sleeping on his post.

This at or near Fort Riley, Kansas.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, the said Private Albert Patterson, Co. F, 10th U. S. Cavalry, did, on or about the 4th day of July, 1867, while returning from scouting, draw his sabre and strike Private Andrew Jenkins, Co. F, 10th U. S. Cavalry.

This at or near Fort Harker, Kansas.

CHARGE 3d—*Attempt to kill.*

Specification—In this, that he, the said Private Albert Patterson, Co. F, 10th U. S. Cavalry, did, on or about the 6th day of July, 1867, shoot off his carbine with the intention of shooting Private James Price, Co. F, 10th U. S. Cavalry.

This at or near Fort Harker, Kansas.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*
Of the specification 3d charge, ... *Not Guilty.*
Of the 3d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

3d.—James Brown, Private Co. F, 10th U. S. Cavalry, on the following charge and specification.

CHARGE—*Wrongfully selling or disposing of Government property.*

Specification—In this, that he, the said Private James Brown, Co. F, 10th U. S. Cavalry, did unlawfully sell or otherwise dispose of one (1) Colt's Army Revolver, cal. 44, the property of the United States.

This at or near Fort Harker, Kansas, on or about the 15th day of July, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To make good the value of the pistol sold, to the United States, and to be confined at hard labor under guard for the period of one month.

II. . . . The proceedings and findings in the cases of Privates Charles H. Hicks and James Brown, Co. F, 10th U. S. Cavalry, are approved, and the sentences will be duly executed.

In the case of Private Albert Patterson, Co. F, 10th U. S. Cavalry, the proceedings and findings of the Court are approved. He will be released from confinement and returned to duty.

III . . . The General Court Martial of which Captain Samuel Ovenshine, 5th U. S. Infantry, is President, is dissolved.

By command of Brevet Major General A. J. Smith:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

Captain and Acting Judge Advocate.

G. C. M.

1. George W. Baird, 2d Lieutenant 37th U. S. Infantry.
2. Gideon C. Heidelburg, Private Co. G, 37th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 8, 1867.

GENERAL ORDERS, No. 19.

1 . . Before a General Court Martial which convened at Fort Lyon, C. T., September 12, 1867, pursuant to Special Orders No. 190, 1st series of 1867, from these Headquarters, and of which Captain JAMES THOMPSON, 37th U. S. Infantry, is President, were arraigned and tried:

1st.—George W. Baird, 2d Lieutenant 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st.—*Neglect of duty.*

Specification 1st—In this, that he, 2d Lieut. George W. Baird, 37th U. S. Infantry, having been by Special Orders No. 45, C. S., Headquarters, Fort Lyon, C. T., ordered to Pretty encampment, Kansas, a station on the route between Fort Lyon, C. T., and Fort Dodge, Kansas, to take charge of the escort for the stage, (one of which consisting of one non-commissioned officer and ten men, was always there,) and to protect that station and all the property, did, on or about the 23d day of May, 1867, allow the Indians, fifteen to twenty-five in number, to come in and drive off the stock belonging to the stage company, and one mule, the property of the United States, without using the force at his disposal to advantage to prevent it.

This at Pretty encampment, Kansas, on or about the 23d day of May, 1867.

Specification 2d—In this, that he, 2d Lieut. George W. Baird, 37th U. S. Infantry, having been by Special Orders No. 45, C. S., Headquarters Fort Lyon, C. T., May 11, 1867, ordered to Pretty encampment, Kansas, a station on the route between Fort Lyon, C. T., and Fort Dodge, Kansas, to take charge of the escorts for stages carrying the United States Mails, (one of which consisting of one non-commissioned officer and ten men,) to protect that station and all property, did, on or about the 23d day of May, 1867, allow the Indians, from fifteen to twenty-five in number, to attack a wagon about two miles from his post and in sight of it; to kill one man and severely wound another, without making any suitable attempt to rescue them.

This at Pretty encampment, Kansas, on or about the 23d day of May, 1867.

CHARGE 2d—*Misconduct in the presence of the enemy.*

Specification 1st—In this, that he, 2d Lieut. George W. Baird, 37th U. S. Infantry, having been by Special Orders No. 45, C. S., Headquarters Fort Lyon, C. T., ordered to Pretty encampment, Kansas, to take charge of that Post, having with him a non-commissioned officer and ten enlisted men, did allow the Indians, from fifteen to twenty-five in number, to approach his post within two hundred yards and drive off the stock, and did keep his men inside of a breast-work, and did not make such disposition of his men as to protect the property of which he had charge, nor did he go out himself with his men to meet and fight the enemy; and when being asked by J. T. Sweringen a member of General Marcy's party, why he did not do so? did say, I was busy fixing my tent, and did not pay much attention, or words to that effect.

This at Pretty encampment, Kansas, on or about the 23d day of May, 1867.

Specification 2d—In this, that he, 2d Lieut. George W. Baird, 37th U. S. Infantry, being at Pretty encampment, Kansas, in command, by Special Orders No. 45, C. S., Headquarters Fort Lyon, C. T., with one non-commissioned officer and ten enlisted men, did allow the Indians, fifteen to twenty-five in number, to attack a wagon within sight of his post, and to kill one man and wound another, without going out or making any suitable exertion to rescue them.

This at Pretty encampment, Kansas, on or about the 23d day of May, 1867.

CHARGE 3d—*Disobedience of orders.*

Specification—In this, that he, 2d Lieut. George W. Baird, 37th U. S. Infantry, having taken charge of Pretty encampment station, in compliance with Special Orders No. 45, C. S., Headquarters Fort Lyon, C. T., did disobey said Orders, by allowing the stock to be out grazing without guard.

This at Pretty encampment, Kansas, on or about the 23d day of May, 1867.

PLEA.

To the 1st specification 1st charge,.....*Not Guilty.*
To the 2d specification 1st charge,.....*Not Guilty.*
To the 1st charge,.....*Not Guilty.*
To the 1st specification 2d charge, [The Court excused his pleading to that portion of the specification commencing with the words: "and being asked by J. T. Sweringen, &c."]
To the rest of the specification,.....*Not Guilty.*
To the 2d specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

Of the 1st specification 1st charge,.....*Not Guilty.*
Of the 2d specification 1st charge,.....*Not Guilty.*
Of the 1st charge,.....*Not Guilty.*
Of the 1st specification 2d charge,.....*Not Guilty.*
Of the 2d specification 2d charge,.....*Not Guilty.*
Of the 2d charge,.....*Not Guilty.*
Of the specification 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*

And the Court does therefore honorably acquit him.

2d.—Gideon C. Heidelburg, Private Co. G, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that Private Gideon C. Heidelburg, of Co. G, 37th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at or near Fort Aubrey, Kansas, on or about the 28th day of July, 1867, and did remain absent until apprehended at or near Fort Lyon, C. T., on or about the 1st day of August 1867, ($30) thirty dollars paid for his apprehension.

All this at or near Fort Aubrey, Kansas, and Fort Lyon, C. T., on or about the times and dates above specified.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that Private Gideon C. Heidelburg, of Co. G, 37th U. S. Infantry, did take, steal and appropriate to his own use, with intent to defraud the United States thereof, (1) one mule, the property of the United States, and did therewith desert the service of the United States.

This at or near Fort Aubrey, Kansas, on or about the 28th day of July, 1867.

PLEA.

To the specification 1st charge.....*Guilty.*
To the 1st charge.....*Guilty.*
To the specification 2d charge.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*

FINDING.

Of the specification 1st charge.....*Guilty.*
Of the 1st charge.....*Guilty.*
Of the specification 2d charge.....*Not Guilty.*
Of the 2d charge.....*Not Guilty.*

SENTENCE.

To be confined under charge of the guard at hard labor six months and that he forfeit ten dollars of his monthly pay for the same period.

II. The proceedings and findings of the Court in the case of 2d Lieut. George W. Baird, 37th U. S. Infantry, are approved. He will be released from arrest and returned to duty.

In the case of Private Gideon C. Heidelburg, Co. G, 37th U. S. Infantry, the proceedings and findings are approved. The sentence is confirmed and will be duly carried into effect.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Capt. and Acting Judge Advocate.

G. C. M.

1. Daniel Sullivan, 2d class Private, detachment of Ordnance.
2. John O'Donoghue, 2d class Private, detachment of Ordnance.
3. John Dunlavy, 2d class Private, detachment of Ordnance.
4. James Lee, Private Co. E, U. S. Engineer Battalion.
5. John Dean, Private Co. E, U. S. Engineer Battalion.
6. Michael Loftus, Private Co. E, U. S. Engineer Battalion.
7. James White, Private Co. E, U. S. Engineer Battalion.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 11, 1867.

GENERAL ORDERS,
No. 20.

I. Before a General Court Martial which convened at Jefferson Barracks, Mo., October 17, 1867, pursuant to Special Orders No. 27, October 12, 1867, and of which Brevet Brigadier General P. MORRISON, Colonel U. S. Army, is President, were arraigned and tried:

1st.—Daniel Sullivan, 2d class Private, detachment of Ordnance, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Daniel Sullivan, a 2d class Private of the detachment of Ordnance, stationed at the St. Louis Arsenal, Mo., being ordered by the 1st Sergeant of the detachment, in the discharge of his legitimate duties, to go to the guard-house in charge of the Corporal of the guard, did refuse so to do, and did violently assault by striking with his closed fists the said Corporal of the guard, and others who were assisting in maintaining discipline and order.

All this at St. Louis Arsenal, Mo., on or about the 9th day of September, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except as to the words "the said Corporal of the guard."
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor for one month in charge of the guard: To forfeit his pay for three calendar months, besides all pay which may be due him at the promulgation of this sentence.

2d.—John O'Donoghue, a 2d class Private, detachment of Ordnance, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, John O'Donoghue, a 2d class Private of the detachment of Ordnance, stationed at the St. Louis Arsenal, Mo., upon being ordered by the 1st Sergeant of the detachment, in the discharge of his legitimate duties, to go to the guard-house in charge of the Corporal of the guard, did refuse so to do, and did violently assault by striking with his closed fists the said Corporal of the guard, and others who were assisting in maintaining discipline and order.

All this at the St. Louis Arsenal, Mo., on or about the 9th day of September, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except as to the words "by striking with his closed fists."
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor for one month in charge of a guard, and to forfeit his pay for three calendar months, besides all pay which may be due him at the promulgation of this sentence.

3d.—John Dunlavy, a 2d class Private, detachment of Ordnance, on the following charge and specification:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, John Dunlavy, a 2d class Private of the detachment of Ordnance, stationed at the St. Louis Arsenal, Mo., upon being ordered by the 1st Sergeant of the detachment in the discharge of his legitimate duties, to go to the guard-house in charge of the Corporal of the guard, did refuse so to do, and did violently assault by striking with his closed fists the said Corporal of the guard, and others who were assisting in maintaining discipline and order.

All this at the St. Louis Arsenal, Mo., on or about the 9th day of September, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
except as to the words "by striking with his closed fists."
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor in the charge of a guard for one month, and to forfeit his pay for three calendar months, besides all pay which may be due him at the promulgation of this sentence.

4th.—James Lee, Private Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private James Lee, Co. E, U. S. Engineer

Battalion, having been duly enlisted into the service of the United States, did desert the same, on or about the 24th of April, 1867, and remain absent until he was arrested at or near Louisville, Kentucky, and returned to his company on or about the 22d of September, 1867.

This at Engineer Depot Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that may be due him; to be confined at hard labor for six months under charge of a guard, with a ball and chain attached to his leg, not to weigh less than twelve pounds, and to forfeit ten dollars per month of his pay for the same period.

5th.—John Dean, Private Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private John Dean, Co. E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert the same, on or about the 20th day of September, 1867, and remain absent until he was arrested at or near Carondelet, Missouri, and returned to his company on or about the 21st of September, 1867.

This at Engineer Depot, Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
with the exception of the word "desert" and substitute, absent himself from.
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To be confined at hard labor in charge of a guard for three calendar months, and to forfeit ten dollars per month of his pay for the same period.

6th.—Michael Loftus, Private Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Michael Loftus, Co. E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert and absent himself from the same, on or about the 20th day of September, 1867, and remain absent until he was arrested near Carondelet, Mo., and returned to his company on or about the 21st day of September, 1867.

This at Engineer Depot, Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
with the exception of the words "desert and."
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To be confined at hard labor in charge of a guard for three calendar months, and to forfeit ten dollars per month of his pay for the same period.

7th.—James White, Private Co. E, U. S. Engineer Battalion, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private James White, Co. E, U. S. Engineer Battalion, having been duly enlisted into the service of the United States, did desert and absent himself from the same, on or about the 20th day of September, 1867, and remain absent until he was arrested at or near Carondelet, Mo., and returned to his company on or about the 21st of September, 1867.

This at Engineer Depot, Jefferson Barracks, Mo.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
with the exception of the words "desert and."
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To be confined at hard labor in charge of a guard for three calendar months, and to forfeit ten dollars per month of his pay for the same period.

II....In the cases of Daniel Sullivan, John O'Donoghue and John Dunlavy, all second class Privates of the Detachment of Ordnance stationed at Saint Louis Arsenal, Mo., the proceedings and findings are approved. The sentences are confirmed and will be duly carried into effect.

The proceedings and findings in the case of Private James Lee, Co. E, U. S. Engineer Battalion, are approved. The sentence is confirmed and will be duly executed. The weight of the ball is fixed at 12 pounds.

In the cases of Privates John Dean, Michael Loftus and James White, all of Co. E, U. S. Engineer Battalion, the proceedings and findings of the Court are approved. In view of the short time during which they were voluntarily absent from their command, their sentences are each

commuted to confinement at hard labor for one month, and to forfeiture of ten dollars per month of their monthly pay for the period of three months. The sentences as commuted will be duly carried into effect.

III. . . . The General Court Martial of which Brevet Brigadier General P. Morrison, Colonel U. S. Army, is President, is dissolved.

By command of Brevet Major General A. J. Smith :

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official :

Captain and Acting Judge Advocate.

G. C. M.

1. Julius Giese, Private Co. F, 5th U. S. Infantry.
2. John Ryan, Private Co. F, 5th U. S. Infantry.
3. Francis Swarts, Private Co. K, 37th U. S. Infantry.
4. James Reiley, Private Co. K, 37th U. S. Infantry.
5. Charles Jones, Private Co. L, 7th U. S. Cavalry.
6. Nelson E. Wade, Private Co. L, 7th U. S. Cavalry.
7. George Gardner, Private Co. L, 7th U. S. Cavalry.
8. Samuel Ray, Private Co. L, 7th U. S. Cavalry.
9. Joseph Young, Private Co. L, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 19, 1867.

GENERAL ORDERS,
No. 21.

I. . . . Before a General Court Martial which convened at Fort Reynolds, C. T., September 25, 1867, pursuant to Special Orders No. 200, 1st series of 1867, from these Headquarters, and of which Brevet Brigadier General WILLIAM H. PENROSE, Captain 3d Infantry, is President, were arraigned and tried:

1st.—Julius Giese, Private Co. F, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—That Private Julius Giese, Co. F, 5th U. S. Infantry, having duly enlisted into the service of the United States, did desert the same on or about the 1st day of May, 1867, at or near Fort Garland, C. T., and did remain absent until on or about the 20th day of May, 1867, when he surrendered at Fort Marcy, N. M.

PLEA.

To the specification. . . . . *Guilty.*
To the charge. . . . . *Guilty.*

FINDING.

Of the specification. . . . . *Guilty.*
Of the charge. . . . . *Guilty.*

SENTENCE.

To forfeit all pay and allowances which are or may become due him, except the just dues of the laundress and sutler; to be confined at hard labor for six months at the post where his company may be serving, wearing a twenty-four pound ball attached to his right leg by a chain four feet long, and at the expiration of that period to be drummed out of the service.

2d.—John Ryan, Private Co. F, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—That Private John Ryan, Co. F, 5th U. S. Infantry, having been duly enlisted into the service of the United States, did desert said service while on the march from Fort Garland to Pueblo, C. T., on or about the 6th day of June, 1867, and did remain absent therefrom until on or about the 12th day of June, 1867, when he was apprehended at or near Fort Lyon, C. T.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances now due or which may become due, except the just dues of the laundress and sutler, up to the expiration of this sentence; to be confined at hard labor in charge of the guard at the post where his company may be serving, for six months, wearing a twenty-four pound ball attached to his right leg by a chain four feet long, and at the expiration of this period to be dishonorably discharged and drummed out of the service.

3d.—Francis Swarts, Private Co. K, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Francis Swarts, Private Co. K, 37th Infantry, being duly enlisted into the service of the United States as a soldier, did on or about the 7th day of August, 1867, desert the same, and remain absent therefrom until apprehended by a party of company A, 10th U. S. Cavalry, near Cow Creek, Kansas.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, Francis Swarts, Private Co. K, 37th Infantry, did, at Fort Larned, Kansas, on or about the 7th day of August, 1867, take, steal and wrongfully dispose of the following named articles, the same being the property of the United States, viz: one Sharp's rifle, one cartridge-box, one waist-belt and plate, one knapsack, one haversack, one canteen and two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

CHARGE 3d—*Violation of the 38th Article of War.*

Specification 1st—In this, that he, Francis Swarts, Private Co. K, 37th Infantry, did, on or about the 7th day of August, 1867, sell the following articles, the property of the United States: one Sharp's rifle, one cartridge-box, one waist-belt and plate, one knapsack, one haversack and one canteen, two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

This at or near Fort Larned, Kansas.

Specification 2d—In this, that he, Francis Swarts, Private Co. K, 37th

Infantry, did, on or about the 7th day of August, 1867, lose through neglect the following articles, the property of the United States, viz: one Sharp's rifle, one cartridge-box, one waist-belt and plate, one knapsack, one haversack, one canteen and two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

This at or near Fort Larned, Kansas.

PLEA.

To the specification 1st charge,.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the 1st specification 3d chage,.....*Not Guilty.*
To the 2d specification 3d charge,.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge,.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty.*
except the words, "one cartridge-box, one waist-belt and plate, one knapsack and 200 rounds ammunition."
Of the 2d charge,.....*Guilty.*
Of the 1st specification 3d charge,.....*Not Guilty.*
Of the 2d specification 3d charge,.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*

SENTENCE.

To forfeit all pay and allowances now due or to become due, except the just dues of the laundress and sutler; to be dishonorably discharged from the service of the United States, and to be confined for two years in such Penitentiary as the Major General Commanding the Department may direct.

4th.—James Reiley, Private Co. K, 37th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, James Reiley, Private Co. K, 37th Infantry, being duly enlisted in the service of the United States as a soldier, did, on or about the 7th day of August, 1867, desert the same, and remain absent therefrom until apprehended by a party of company A, 10th U. S. Cavalry, near Cow Creek, Kansas.

This at Fort Larned, Kansas.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, James Reiley, Private Co. K, 37th Infantry, did, at Fort Larned, Kansas, on or about the 7th day of August, 1867, take, steal and wrongfully dispose of the following named articles, the same being the property of the United States, viz: two Sharp's rifles, one cartridge-box, one waist-belt and plate, one knapsack, one haversack, one canteen and two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

CHARGE 3d—*Violation of the 23d Article of War.*

Specification—In this, that he, James Reiley, Private Co. K, 37th In-

fantry, did entice certain duly enlisted men of the same company, to-wit: John McCoy, Francis McCoy, Francis Swarts and Patrick Byrnes, to desert the service of the United States, he knowing them to have been duly enlisted in the said service.

CHARGE 4th—*Violation of the 38th Article of War.*

Specification 1st—In this, that he, James Reiley, Private Co. K, 37th Infantry, did, on or about the 7th day of August, 1867, sell the following named articles, the property of the United States, viz: two Sharp's rifles, one cartridge-box, one waist-belt and plate, one knapsack, one haversack, one canteen and two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

Specification 2d—In this, that he, James Reiley, Private Co. K, 37th Infantry, did, on or about the 7th day of August, 1867, lose the following named articles, the property of the United States, viz: two Sharp's rifles, one cartridge-box, one waist-belt and plate, one knapsack, one haversack, one canteen and two hundred rounds of ammunition, one bayonet-scabbard, one cap-pouch and one gun-sling.

PLEA.

To the specification 1st charge.....*Guilty.*
To the 1st charge,.....*Guilty.*
To the specification 2d charge,.....*Not Guilty.*
To the 2d charge,.....*Not Guilty.*
To the specification 3d charge.....*Not Guilty.*
To the 3d charge,.....*Not Guilty.*
To the 1st specification 4th charge.....*Not Guilty.*
To the 2d specification 4th charge,.....*Not Guilty.*
To the 4th charge,.....*Not Guilty.*

FINDING.

Of the specification 1st charge.....*Guilty.*
Of the 1st charge,.....*Guilty.*
Of the specification 2d charge,.....*Guilty,*
except the words, "two Sharp's rifles," substituting the word "one," and excepting the words, "two hundred rounds of ammunition."
Of the 2d charge,.....*Guilty.*
Of the specification 3d charge.....*Not Guilty.*
Of the 3d charge,.....*Not Guilty.*
Of the 1st specification 4th charge,.....*Not Guilty.*
Of the 2d specification 4th charge.....*Not Guilty.*
Of the 4th charge,.....*Not Guilty.*

SENTENCE.

To forfeit all pay and allowances now due or to become due, except the just dues of the laundress and sutler; to be dishonorably discharged from the service of the United States, and to be confined for two years in such Penitentiary as the Major General Commanding the Department may direct.

5th.—Charles Jones, Private Co. L, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Private Charles Jones, Co. L, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert and absent himself from the same at Fort Reynolds, C. T., on or

about the 12th day of July, 1867, and did remain absent as a deserter until apprehended at the California Ranche, C. T., on or about the 13th day of July, 1867.

Thirty dollars paid for apprehension.

CHARGE 2d.—*Leaving his post in violation of the 46th Article of War.*

Specification.—In this, that he, Private Charles Jones, Co. L, 7th U. S. Cavalry, having been regularly detailed and posted as a sentinel and herder over the horses of Co. L, 7th U. S. Cavalry, at Fort Reynolds, C. T., on or about the 12th day of July, 1867, did leave his post without being regularly relieved, and remain absent until arrested at or near the California Ranche, C. T., on or about the 13th day of July, 1867.

CHARGE 3d.—*Conduct to the prejudice of good order and military discipline.*

Specification.—In this, that he, Private Charles Jones, Co. L, 7th U. S. Cavalry, did take, steal and carry away the following named property of the United States, for which 1st Lieut. Lee P. Gillette, 7th U. S. Cavalry, was responsible, viz: two cavalry horses, one saddle and horse equipments, of the value of four hundred and twenty dollars more or less.

This at or near Fort Reynolds, C. T., on or about the 12th day of July, 1867.

PLEA.

To the specification 1st charge.....*Not Guilty.*
To the 1st charge.....*Not Guilty.*
To the specification 2d charge.....*Not Guilty.*
To the 2d charge.....*Not Guilty.*
To the specification 3d charge.....*Not Guilty.*
To the 3d charge.....*Not Guilty.*

FINDING.

Of the specification 1st charge.....*Guilty.*
Of the 1st charge.....*Guilty.*
Of the specification 2d charge.....*Guilty.*
Of the 2d charge.....*Guilty.*
Of the specification 3d charge.....*Guilty.*
Of the 3d charge.....*Guilty.*

SENTENCE.

To forfeit all pay and allowances now due or which may become due, except the just dues of the laundress and sutler, up to the promulgation of this sentence; to be dishonorably discharged the service of the United States; and to be confined in the Penitentiary at such place as the General Commanding may direct, for five years.

6th.—Nelson E. Wade, Private Co. L, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st.—*Sleeping on post in violation of the 46th Article of War.*

Specification.—In this, that he, Private Nelson E. Wade, of Co. L, 7th U. S. Cavalry, having been properly posted as a sentinel, was found by his commanding officer, 1st Lieut. L. P. Gillette, 7th U. S. Cavalry, lying down on the ground by his post in a sound sleep.

This at or near Bijou Basin, C. T., on or about the 23d day of June, 1867.

CHARGE 2d.—*Disobedience of orders.*

Specification.—In this, that he, Private Nelson E. Wade, of Co. L, 7th

U. S. Cavalry, having been properly posted as a sentinel, and ordered by his commanding officer, 1st Lieut. L. P. Gillette, 7th U. S. Cavalry, who was in the execution of his office, to regularly walk his beat and keep a vigilant watch over all government property within his sight, did fail to obey said orders.

This at or near Bijou Basin, C. T., on or about the 23d day of June, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress and sutler, for the period of one year; to be confined under charge of the guard for the same time, wearing a twelve pound ball attached to his left leg by a chain four feet long; the first fourteen days of each alternate month to be in solitary confinement on bread and water, the remainder of the time at hard labor.

7th.—George Gardner, Private Co. L. 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, George Gardner, a Private in Co. L, 7th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert the said service, at or near Kiowa, C. T., on or about the 22d day of June, 1867, and remain absent therefrom until he voluntarily surrendered himself at the post of Fort Reynolds, C. T., on or about the 26th day of July, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, George Gardner, a Private of Co. L. 7th U. S. Cavalry, did take, steal and carry away, one cavalry horse and horse equipments, and camp and garrison equipage, the property of the United States, for which 1st Lieut. L. P. Gillette, 7th Cavalry, was responsible, of the value of two hundred and fifty dollars more or less.

This at or near Kiowa, C. T., on or about the 22d day of June, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Not Guilty,*
believing the prisoner pleaded guilty through ignorance of his rights.
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

8th.—Samuel Ray, Private Co. L, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that said Samuel Ray, a duly enlisted soldier of the United States, and Private of Co. L, 7th Cavalry, U. S. A., did absent himself without leave, and desert from his company, on or about the 14th day of January, 1867, and did remain absent until turned over a prisoner to the commander of Fort Wallace, Kansas, on or about the 1st day of April, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that the said Samuel Ray, Private Co. L, 7th Cavalry, U. S. A., did, on or about the 14th day of January, 1867, carry away several articles, the property of the United States, valued at nine hundred and twenty-one dollars, and ninety-one cents.

CHARGE 3d—*Violation of the 50th Article of War.*

Specification—In this, that said Samuel Ray, Private Co. L, 7th Cavalry, U. S. A., did, on or about the 14th day of January, 1867, while a duly mounted member and a corporal of the post guard, without leave of his superior officer, quit his guard.

This at Fort Morgan, C. T. Thirty dollars ($30) was paid for the apprehension of said Samuel Ray.

PLEA.

To the specification 1st charge, ...	*Guilty.*
To the 1st charge, ...	*Guilty.*
To the specification 2d charge, ...	*Guilty.*
To the 2d charge, ...	*Guilty.*

FINDING.

Of the specification 1st charge, ...	*Guilty.*
Of the 1st charge, ...	*Guilty.*
Of the specification 2d charge, ...	*Guilty.*
Of the 2d charge, ...	*Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress and sutler; to be dishonorably discharged the service, and to be confined for five years in such Penitentiary as the Major General Commanding the Department may direct.

9th.—Joseph Young, Private Co. L, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that the said Joseph Young, a duly enlisted soldier of the United States, and Private Co. L, 7th U. S. Cavalry, did absent himself without leave, and desert from his company, on or about the 14th day of January, 1867, and did remain absent until turned over a prisoner to the commander of Fort Wallace, Kansas, on or about the 1st day of April, 1867.

This at Fort Morgan, Colorado Territory. Thirty dollars ($30) was paid for the apprehension of said Joseph Young.

PLEA.

To the specification, ...	*Not Guilty.*
To the charge, ...	*Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor for the balance of his term of service, with a ball weighing (12) twelve pounds attached to his left leg by a chain four feet long; to forfeit all pay and allowances now due or to become due, and at the expiration of his term of confinement to be drummed out of service.

II. . . . In the case of Private Julius Giese, of Co. F, 5th U. S. Infantry, the proceedings and findings are approved. The sentence is commuted to confinement at hard labor, with a ball weighing 24 pounds attached to his right leg by a chain four feet long, at such place as his company may be serving, for the period of six months, and to the forfeiture of all pay and allowances now due him, and which may be due him at the expiration of his confinement, after which to be returned to duty.

In the case of Private John Ryan, of Co. F, 5th U. S. Infantry, the proceedings and findings are approved. The sentence is confirmed, except so much as authorizes the retention of the just dues of the sutler, and will be duly carried into effect.

In the cases of Privates Francis Swarts and James Reiley, Co. K, 37th U. S. Infantry, and Charles Jones, Co. L, 7th U. S. Cavalry, the proceedings and findings are approved. The sentences, except so much as authorizes the retention of the just dues of the sutler, are confirmed and will be duly carried into effect. The Penitentiary at Jefferson City, Mo., is designated as the place for the execution of so much of their sentences as imposes confinement.

The Commanding Officer, District of the Upper Arkansas, will cause the prisoners to be sent to Fort Leavenworth, Kansas, in charge of a suitable guard, whence they will be forwarded to their place of confinement.

The proceedings and findings in the case of Private Joseph Young, Co. L, 7th U. S. Cavalry, are approved. The sentence will be duly executed at such post as his company may be serving.

In the case of Private Samuel Ray, of Co. L, 7th U. S. Cavalry, the proceedings and findings of the Court are approved. That part of the sentence which imposes confinement is commuted to three years in place of five. So much as authorizes retention of the just dues of the sutler, being illegal, is disapproved. The remainder of the sentence as commuted will be executed. The Penitentiary at Jefferson City, Mo., is designated as the place of confinement.

The Commanding Officer of the District of the Upper Arkansas, will cause the prisoner to be sent in charge of a sufficient guard to Fort Leavenworth, Kansas, whence he will be forwarded to the place of confinement.

The proceedings and findings in case of Private Nelson E. Wade, of Co. L, 7th U. S. Cavalry, are approved. The sentence, except so much as authorizes the retention of the just dues of the sutler, is approved, and will be duly carried into effect. The Post at which his company may be serving is designated as the place of confinement.

The proceedings and findings in the case of Private George Gardner, Co. L. 7th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

III. . . . The General Court Martial of which Brevet Brigadier General William H. Penrose, Captain 3d Infantry, is President, is dissolved.

By command of Brevet Major General A. J. Smith:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

C. McKeever

~~Acting~~ *Assistant Adjutant General.*

1. Joshua Downing, Private Co. E, 10th U. S. Cavalry.
2. John Williams, Private Co. E. 10th U. S. Cavalry.
3. Francis Herrman, Private Co. C, 6th U. S. Infantry.
4. James Wright, Private Co. H, 38th U. S. Infantry.
5. Thomas Nicholas, Private Co. B, 38th U. S. Infantry.
6. Dennis Murphy, Private Battery B, 4th U. S. Artillery.
7. Michael Keating, Private Battery B, 4th U. S. Artillery.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 26, 1867.

GENERAL ORDERS,
No. 24.

1. . . . Before a General Court Martial which convened at Fort Gibson, C. N., October 21, 1867, pursuant to Special Orders No. 21, October 5, 1867, and of which Brevet Major M. BRYANT, Captain 6th U. S. Infantry, is President, were arraigned and tried:

1st.—Joshua Downing, Private Co. E, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Sleeping on post, in violation of the 46th Article of War.*

Specification—In this, that he, Private Joshua Downing, Co. E, 10th U. S. Cavalry, having been regularly detailed and posted as a sentinel, on the 4th day of September, 1867, was found sleeping on his post between the hours of 2 and 4 o'clock, on the morning of the 5th of September, 1867.

This at Fort Gibson, C. N., on or about the morning of the 5th day of September, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States ten dollars per month of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period.

2d.—John Williams, Private Co. E, 10th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Private John Williams, Co. E, 10th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service, and remain absent until overtaken and apprehended, the 7th day of September, 1867.

This at Fort Gibson, C. N., on or about the 6th day of September, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, the said Private John Williams, Co. E, 10th U. S. Cavalry, did take, with the intent to appropriate to his own use, one Spencer carbine, the property of the United States.

This at Fort Gibson, C. N., on or about the 6th day of September, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances now due; to be dishonorably discharged and drummed out of the service of the United States; then to be confined at hard labor at such place as the Commanding General may direct, for the period of six months.

3d.—Francis Herrman, Private Co. C, 6th U. S. Infantry, on the following charge and specifications:

CHARGE—*Neglect of duty.*

Specification 1st—In this, that he, Private Francis Herman, Co. C, 6th U. S. Infantry, being a member of the guard mounted at Fort Gibson, C. N., on the 15th day of September, 1867, and being placed in charge of prisoner Williams, a colored citizen, to conduct him to the rear, did permit said prisoner to make his escape.

This at Fort Gibson, C. N., on or about the 16th day of September, 1867.

Specification 2d—In this, that he, Private Francis Herman, Co. C, 6th U. S. Infantry, being a member of the guard mounted at Fort Gibson, C. N., on the 15th day of September, 1867, and being by the commander thereof placed in charge of prisoner Williams, a colored citizen, to conduct him to the rear, upon his attempt to escape, did fail to take proper measures to prevent the same by discharge of his piece or otherwise.

This at Fort Gibson, C. N., on or about the 16th day of September, 1867.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States ten dollars of his monthly pay for two months. The Court is thus lenient in consideration of the confinement already undergone by the prisoner.

II. . . . In the cases of Privates Joshua Downing and John Williams, of Co. E, 10th U. S. Cavalry, and Francis Herrman, of Co. C, 6th U. S. Infantry, the proceedings and findings are approved. The sentences, notwithstanding the unwarranted leniency of the Court in the cases of Downing and Herrman, are confirmed, and will be duly carried into effect. Fort Gibson, C. N., is designated as the place for the execution of so much of the sentence in the case of Private John Williams, as relates to confinement at hard labor. Private Francis Herrman will be released from confinement and returned to duty.

III. . . . The General Court Martial of which Brevet Major M. Bryant, Captain 6th Infantry, is President, is dissolved.

IV. . . . Before a General Court Martial which convened at Fort Harker, Kansas, October 21, 1867, pursuant to Special Orders No. 21, October 18, 1867, and of which Brevet Major General ALFRED GIBBS, Major 7th U. S. Cavalry, is President, were arraigned and tried:

4th. James Wright, Private Co. H, 38th U. S. Infantry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that he, Private James Wright, Co. H, 38th Infantry, a duly enlisted soldier in the United States service, did desert the same and remain absent therefrom until apprehended at Fort Harker, Kansas, August 25, 1867.

This at Jefferson Barracks, Mo., June 2, 1867.

CHARGE 2d—*Violation of the 22d Article of War.*

Specification—In this, that he, Private James Wright, Co. H, 38th Infantry, a duly enlisted soldier in the United States service, did desert the said service, and without a regular discharge from said Co. H, 38th Infantry, did enlist in the 10th U. S. Cavalry, remaining there until apprehended and brought back on or about the 2d day of September, 1867, at Fort Harker, Kansas.

PLEA.

To the specification 1st charge,	*Guilty.*
To the 1st charge,	*Guilty.*
To the specification 2d charge,	*Guilty.*
To the 2d charge,	*Guilty.*

FINDING.

Of the specification 1st charge,	*Guilty.*
Of the 1st charge,	*Guilty.*
Of the specification 2d charge,	*Guilty.*
Of the 2d charge,	*Guilty.*

SENTENCE.

To make good the time lost by desertion; to forfeit to the United States his monthly pay for two years; to be confined at hard labor for that pe-

riod, wearing a ball and chain attached to his left leg, and at the expiration of his term of punishment, to be dishonorably discharged the service of the United States.

5th.—Thomas Nicholas, Private Co. B, 38th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Thomas Nicholas, of Co. B, 38th U. S. Infantry, having been duly enlisted into the military service of the United States, did desert therefrom on or about the 30th day of August, A. D. 1867, and did remain absent until he was arrested and brought back to the station of his company at Fort Harker, Kansas, on or about the 6th day of October following.

This at or near Lawrence City, Kansas.

PLEA.

To the specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress and sutler; to be branded with the letter D under his left arm, and fifteen days thereafter to be drummed out and dishonorably discharged the service of the United States.

6th.—Dennis Murphy, Private Battery B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification—In this, that he, the said Private Dennis Murphy, Battery B, 4th U. S. Artillery, being at Stables with his Company, was too drunk to conduct his team to water.

This at Fort Harker, Kansas, on or about October 22d, 1867.

CHARGE 2d—*Improperly absenting himself from duty, to the prejudice of good order and military discipline.*

Specification—In this, that he, the said Private Dennis Murphy, Battery B, 4th U. S. Artillery, being at Stables with his Company, did, without proper authority, absent himself from the stables and his company, and did go to the Post Sutler's shop, where he was apprehended and brought back under guard.

This at Fort Harker, Kansas, on or about October 22d, 1867.

PLEA.

To the specification 1st charge.....*Guilty.*
To the 1st charge.....*Guilty.*
To the specification 2d charge.....*Guilty.*
To the 2d charge.....*Guilty.*

FINDING.

Of the specification 1st charge.....*Guilty.*
Of the 1st charge.....*Guilty.*

Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit two months pay: to carry a log of twenty-five pounds weight each alternate day for one month, in front of the guard, on a twenty foot ring, from Reveille until dark, allowing one-half hour for each meal: the alternate days to stand on the head of a barrel in front of the guard.

7th.—Michael Keating, Private Battery B, 4th U. S. Artillery, on the following charges and specifications:

CHARGE 1st—*Stealing Clothing, to the prejudice of good order and military discipline.*

Specification—In this, that he, the said Private Michael Keating, Battery B, 4th U. S. Artillery, did unlawfully take from the knapsack of Private John H. Rice, Battery B, 4th U. S. Artillery, the following articles of clothing, belonging to the said Private John H. Rice, viz: (1) one pair Cavalry trowsers, valued at $5 90, (1) one pair drawers, $1 60, (1) one pair socks, 48c., (1) one shirt, $2 32, (1) one stable frock, $2 20; and did afterwards dispose of, in a manner unknown, all the above named articles, save (1) one stable frock, which he, the said Private Michael Keating, Battery B, 4th U. S. Artillery, returned to him, the said Private John H. Rice, Battery B, 4th U. S. Artillery.

All this at Fort Harker, Kansas, on or about October 21st, 1867.

CHARGE 2d—*Violation of the 44th Article of War.*

Specification—In this, that he, Private Michael Keating, Battery B, 4th U. S. Artillery, did, without proper authority, absent himself from the Water Call of his Battery, and did remain so absent until after his Battery had returned from the said Water Call.

All this at Fort Harker, Kansas, on or about October 21st, 1867.

PLEA.

To the specification 1st charge.. ..... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge.. ..... *Guilty.*
To the 2d charge, ... *Guilty.*

FINDING.

Of the specification 1st charge.. ..... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, confirms his plea and finds him ..... *Guilty.*
Of the 2d charge, confirms his plea and finds him ..... *Guilty.*

SENTENCE.

To carry a log weighing twenty-five (25) pounds in front of the guard; walking a twenty (20) foot ring for one month, allowing a half hour for each meal: and to be returned to duty.

V.....In the case of Private James Wright, Co. H, 38th U. S. Infantry, the proceedings and findings are approved. The sentence, except so much as directs the making good the time lost by desertion, is confirmed, and will be duly carried into effect at such post as his company may be serving.

The proceedings and findings in the case of Private Thomas Nicholas, Co. B, 38th U. S. Infantry, are approved. The sentence is commuted as follows: To forfeit all pay and allowances now due, or that may become due, except the just dues of the laundress, and to be dishonorably discharged and drummed out of the service of the United States. The sentence as commuted will be duly carried into effect.

In the case of Private Dennis Murphy, Battery B, 4th U. S. Artillery, the proceedings and findings are approved. The sentence is commuted to forfeiture of two month's pay; and as commuted, will be duly carried into effect. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private Michael Keating, Battery B, 4th U. S. Artillery, are approved. The sentence is confirmed, and will be duly carried into effect at such post as his company may be serving.

VI. . . The General Court Martial of which Brevet Major General Alfred Gibbs, Major 7th U. S. Cavalry, is President, is dissolved.

By command of Brevet Major General A. J. Smith:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

Official:

W. M. Parker Jr.

Actg. *Assistant Adjutant General.*

G. C. M.

1. William Tallman, Private Co. E, 3d U. S. Cavalry.
2. Charles E. Woodruff, Private Co. C, 5th U. S. Infantry.
3. John Dwyer, Sergeant Co. A, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, November 26, 1867.

GENERAL ORDERS, No. 25.

I. . . . . Before a General Court Martial which convened at Fort Union, N. M., August 17, 1867, pursuant to Special Orders No. 160, 1st series, and Special Orders Nos. 5 and 18, 2d series of 1867, from these Headquarters, and of which Brevet Brigadier General B. S. ROBERTS, Lieutenant Colonel 3d U. S. Cavalry, is President, were arraigned and tried:

1st.—William Tallman, Private Co. E, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Desertion.*

Specification—In this, that Private William Tallman, of Co. E, 3d U. S. Cavalry, being on detached service with orders to return by a certain time, did fail to return as ordered, and did remain absent until brought back by a detail sent for him.

This at or near Fort Bascom, N. M., on or about the 28th day of July, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that Private William Tallman, of Co. E, 3d U. S. Cavalry, did shoot at and wound a Mexican; this not in defence of his own life.

This at or near Stone Ranche, N. M., on or about the 28th day of July, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge—In bar of trial, for want of jurisdiction of this General Court Martial, for the following reason:—as being a civil offence, I demand the benefit of civil law, as specified in the 33d Article of War.

The Court decides to overrule the plea—In bar of trial. The prisoner then pleads:
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor in charge of a guard for a period of three (3) calendar months.

2d.—Charles E. Woodruff, Private Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Charles E. Woodruff, a Private of Co. C, 5th U. S. Infantry, did, on or about the 28th day of June, 1867, desert the military service of the United States, and did remain absent until apprehended at or near El Rito, N. M., on the 30th day of June, 1867.

This at Fort Wingate, N. M., on or about the 28th day of June, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
except the words "until apprehended."
Of the charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for the period of six (6) months; to forfeit to the United States, all pay that is, or may become due him, excepting the just dues of the laundress; and at the expiration of this period, to have his head shaved and then be drummed out of the service of the United States.

3d.—John Dwyer, Sergeant Co. A, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification—In this, that Sergeant John Dwyer, of Co. A, 3d Regiment U. S. Cavalry, being at the time on a scout after Indians, and having been ordered by 1st Lieut. W. P. Bainbridge, 3d U. S. Cavalry, commanding said scout, to go to the Post of Fort Union, N. M., with a party in charge of prisoners, (soldiers,) and report said prisoners to the Commanding Officer of said Fort Union, did disobey said order, and did fail to deliver said prisoners as ordered, or say any thing about them.

This while on a scout between Plum Creek, and Johnson's Ranche, N. M., on or about the 5th day of September, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that Sergeant John Dwyer, Co. A, 3d U. S. Cavalry, being at the time on a scout after Indians, and having been ordered by Lieut. W. P. Bainbridge, 3d U. S. Cavalry, commanding said scout, to go to the post of Fort Union, N. M., in charge of prisoners, (soldiers,) did say: "I don't like to do it; I am afraid that the men of the two companies will fight among themselves," or words to that effect; and on being asked by said Lieut. Bainbridge, if he, the said Sergeant Dwyer did not have a revolver, and if he did not know how to use it? did reply: "Yes, but did not like to do it," or words to that effect.

This while on a scout between Plum Creek and Johnson's Ranche, N. M., on or about the 5th day of September, 1867.

PLEA.

To the specification 1st charge.	*Not Guilty.*
To the 1st charge.	*Not Guilty.*
To the specification 2d charge.	*Not Guilty.*
To the 2d charge.	*Not Guilty.*

FINDING.

Of the specification 1st charge.	*Not Guilty.*
Of the 1st charge.	*Not Guilty.*
Of the specification 2d charge.	*Not Guilty.*
Of the 2d charge, ...	*Not Guilty.*

And the Court does therefore acquit him.

II . . . In the cases of Sergeant John Dwyer, Co. A, 3d U. S. Cavalry, and Private Charles E. Woodruff, Co. C, 5th U. S. Infantry, the proceedings, findings and sentence are disapproved. The record does not show that the Court was "*duly*" sworn, and is therefore fatally irregular. They will be released from arrest and returned to duty.

The proceedings and findings in the case of Private William Tallman, Co. E, 3d U. S. Cavalry, are approved. The sentence is confirmed, and will be duly carried into effect.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W. M. Burke Jr.
Actg. *Assistant Adjutant General.*

G. C. M

1. John Archer, Private Co. E, 6th U. S. Infantry.
2. George Conover, Private Co. E, 6th U. S. Infantry.
3. Bernard Driffy, Private Co. E, 6th U. S. Infantry.
4. John Haley, Private Co. E, 6th U. S. Infantry.
5. William Handley, Private Co. E, 6th U. S. Infantry.
6. John Kelly, Private Co. E, 6th U. S. Infantry.
7. John Mannion, Private Co. E, 6th U. S. Infantry.
8. William McDonald, Private Co. E, 6th U. S. Infantry.
9. James Moneiaws, Private Co. E, 6th U. S. Infantry.
10. John Nolan, Private Co. E, 6th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, November 27, 1867.

GENERAL ORDERS, No. 26.

1. Before a General Court Martial which convened at Fort Arbuckle, C. N., September 5, 1867, pursuant to Special Orders No. 181, 1st series of 1867, from these Headquarters, and of which Captain J. W. WALSH, 10th Cavalry, is President, were arraigned and tried:

1st. John Archer, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said John Archer, Private Co, E, 6th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain so absent until apprehended and brought back to his company on the 22d day of July, 1867.

All this at Camp, Battalion 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification.....*Guilty.*
Of the charge.....*Guilty.*

SENTENCE.

To forfeit to the United States ten dollars ($10) per month of his monthly pay for six (6) months, and then to be confined at hard labor in charge of the guard for the period of three calendar months.

2d.—George Conover, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private George Conover, Co. E, 6th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain so absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "did desert said service," substituting therefor the words "did absent himself without authority from his company and camp."
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

3d.—Bernard Duffy, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private Bernard Duffy, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "desert said service," substituting therefor the words "absent himself from his company and camp without proper authority."
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

4th.—John Haley, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private John Haley, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified:

PLEA.

To the specification.. ..... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without proper authority.
Of the charge,.. ..... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one month, and to be confined in charge of the guard for thirty (30) days.

5th.—William Handley, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private William Handley, of Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified:

PLEA.

To the specification.. ..... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification,. ..... *Guilty,*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without proper authority.
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

6th.—John Kelly, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private John Kelly, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service, on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without authority.
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

7th.—John Mannion, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private John Mannion, Co. E, 6th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain so absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without authority.
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

8th.—William McDonald, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private William McDonald, Co. E, 6th Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at the Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
excepting the words "desert said service," substituting therefor the words, absent himself without authority from his company and camp.
Of the charge,.....*Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one month, and to be confined in charge of the guard for thirty (30) days.

9th.—James Monelaws, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private James Monelaws, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at the Camp of Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification.....*Not Guilty.*
To the charge.....*Not Guilty.*

FINDING.

Of the specification,.....*Guilty.*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without authority.
Of the charge,.....*Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one month, and to be confined in charge of the guard for thirty (30) days.

10th.—John Nolan, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private John Nolan, Co. E, 6th U. S. Infantry, being a duly enlisted soldier in the service of the United

States, did desert said service on or about the 19th day of July, 1867, and did remain so absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp of Battalion of 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
excepting the words, "desert said service" substituting therefor the words, absent himself from his company and camp without authority.
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States, sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

II....In the case of Private John Archer, of Co. E, 6th U. S. Infantry, the proceedings and findings are approved. The evidence is substantially the same as that upon which the Court has found fifteen others, under the same charge and specification, guilty of absence without leave. The sentence is therefore commuted to forfeiture of sixteen dollars of his monthly pay for one month, and to confinement in charge of the guard for thirty (30) days. The sentence as commuted will be duly carried into effect.

In the cases of Privates George Conover, Bernard Duffy, John Haley, William Handley, John Kelly, John Mannion, William McDonald, James Monelaws, and John Nolan, all of Co. E, 6th U. S. Infantry, the proceedings are approved. The findings are disapproved. The evidence in each case clearly sustains the charge of desertion. The presence of danger at the post of a soldier, in whatsoever form it may appear, can afford him no excuse for deserting the same. The sentences, that they may not wholly escape the punishment merited, are confirmed, and will be duly executed.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

[illegible]

[illegible]

G. C. M.

1. George Davidson, Private Co. F, 6th U. S. Infantry.
2. William Woodward, Private Co. E, 6th U. S. Infantry.
3. Robert Moore, Private Co. F, 6th U. S. Infantry.
4. William Wright, Private Co. E, 6th U. S. Infantry.
5. Joseph Seger, Private Co. E, 6th U. S. Infantry.
6. Erastus Maxwell, Private Co. E, 6th U. S. Infantry.
7. John Baker, Private Co. D, 10th U. S. Cavalry.
8. James Ransom, Private Co. D, 10th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, November 29, 1867.

GENERAL ORDERS, No. 27.

I. . . . Before a General Court Martial which convened at Fort Arbuckle, C. N., September 5, 1867, pursuant to Special Orders No. 181, 1st series of 1867, from these Headquarters, and of which Captain J. W. WALSH, 10th Cavalry, is President, were arraigned and tried:

1st. George Davidson, Private Co. F, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private George Davidson, Co. F, 6th U. S. Infantry, did desert his company and regiment, at camp near Big Sandy Creek, I. T., on the evening of the 19th of July, 1867, and remained absent until the 22d inst., at which time he was arrested by a guard.

All this at the Camp near Big Sandy Creek, I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
excepting the word "desert," substituting therefor the words, absent himself without authority from.
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

2d.—William Woodward, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private William Woodward, Co. E, 6th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his company on the 22d day of July, 1867.

All this at Camp Battalion, 6th U. S. Infantry, near Big Sandy Creek, I. T., on or about the dates above specified.

PLEA.

To the specification. . . . . *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification. . . . . *Guilty.*
excepting the words "desert said service," substituting therefor the words, absent himself without authority from his company and camp.
Of the charge. . . . . *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

3d.—Robert Moore, Private Co. F, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Robert Moore, Co. F, 6th U. S. Infantry, did desert his company and regiment at camp near Big Sandy Creek, I. T., on the night of the 19th of July, 1867, and did remain absent until brought back by a guard on the 22d inst.

All this at Camp near Big Sandy Creek, I. T., on or about the dates above specified.

PLEA.

To the specification. . . . . *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification. . . . . *Guilty,*
excepting the word "desert," substituting therefor the words, absent himself without authority from.
Of the charge. . . . . *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one month, and to be confined in charge of the guard for thirty (30) days.

4th.—William Wright, Private Co. E, 6th U. S. Infantry, on the following charge and specification:

CHARGE—*Desertion.*

Specification.—In this, that he, Private William Wright, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, and did remain absent until apprehended and returned to his Camp on the 22d day of July, 1867.

All this at Camp Battalion, 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification. . . . . *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without authority.
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one month, and to be confined in charge of the guard for thirty (30) days.

5th.—Joseph Seger, Private Co. E, 6th U. S. Infantry, on the following charge and specification :

CHARGE—*Desertion.*

Specification—In this, that he, Private Joseph Seger, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 18th of July, 1867, at Big Sandy Creek, C. N., and did remain absent until he surrendered himself on the 27th of July, 1867.

All this at Camp of a Battalion of the 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
excepting the words "desert said service," substituting therefor the words, absent himself from his company and camp without authority, and excepting the date, (27th July, 1867,) substituting therefor the date, 26th of July, 1867.
Of the charge, ... *Not Guilty.*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

6th.—Erastus Maxwell, Private Co. E, 6th U. S. Infantry, on the following charge and specification :

CHARGE—*Desertion.*

Specification—In this, that he, Private Erastus Maxwell, Co. E, 6th U. S. Infantry, being duly enlisted in the service of the United States, did desert said service on or about the 19th day of July, 1867, at Big Sandy Creek, C. N., and did remain absent until he surrendered himself on the 27th of July, 1867.

All this at the Camp of a Battalion of the 6th U. S. Infantry, near Big Sandy Creek, C. N., I. T., on or about the dates above specified.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
excepting the words, "desert said service," substituting therefor the words, absent himself from his company and camp without authority, and excepting the date, (27th July, 1867,) substituting therefor the date, 26th July, 1867.
Of the charge, ... *Not Guilty,*
but guilty of absence without leave.

SENTENCE.

To forfeit to the United States sixteen dollars ($16) of his monthly pay for one (1) month, and to be confined in charge of the guard for thirty (30) days.

7th.—John Baker, Private Co. D, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Wrongfully disposing of Government property.*

Specification—In this, that he, the said Private John Baker, Co. D, 10th U. S. Cavalry, a duly enlisted soldier of the United States, did, on or about the 28th day of July, 1867, sell or otherwise dispose of to one Jeffrey Fair, a citizen of the Chicasaw Nation, Indian Territory, a flannel sack coat or blouse, the property of the United States, of the value of four dollars, having been previously warned that there existed express orders against the same.

All this at Fort Arbuckle, I. T., on or about the 28th day of July, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States four dollars ($4) of his monthly pay, and to be confined at hard labor for ten (10) days, carrying a weight of 40 lbs. every day for the same period, from Reveille to Retreat, allowing one-half hour for each meal.

8th.—James Ransom, Private Co. D, 10th U. S. Cavalry, on the following charge and specification:

CHARGE—*Mutinous conduct, to the prejudice of good order and military discipline.*

Specification—In this, that he, the said James Ransom, Private Co. D. 10th U. S. Cavalry, a duly enlisted soldier of the United States, did, on or about the 25th day of July, 1867, use the following language to a sentinel at post, and in charge of a prisoner, viz: "Allan Black, throw down that rock and pick up another and break the sentinel's head," and did thereupon lift up a loaded carbine and draw it upon the sentinel, retiring about 20 paces said, "if you don't watch me young man, I'll go through you," or words to that effect.

All this at or near Fort Arbuckle, I. T., on or about the 25th day of July, 1867.

PLEA.

To the specification. . . . . *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification. . . . . *Guilty.*
Of the charge. . . . . *Guilty.*

SENTENCE.

To forfeit to the United States ten dollars ($10) of his monthly pay for two (2) months, and to be confined in charge of the guard for thirty (30) days, carrying each alternate day from Reveille to Retreat, a weight of 40 lbs. allowing one-half an hour for each meal.

II. . . . In the cases of Privates George Davidson, Co. F, William Woodward Co. E. Robert Moore, Co. F, and William Wright, Joseph Seger and Erastus Maxwell, of Co. E, all of the 6th U. S. Infantry, the proceedings are approved. The findings are disapproved. The evidence in each case clearly sustains the charge of desertion. The presence of danger at the post of a soldier, in whatsoever form it may appear, can afford him no excuse for deserting the same. The sentences, that they may not wholly escape the punishment merited, are confirmed, and will be duly executed.

The proceedings and findings in the cases of Privates John Baker and James Ransom, of Co. D, 10th U. S. Cavalry, are approved. The sentences are confirmed and will be duly executed.

III. . . . The General Court Martial of which Captain J. W. Walsh, 10th U. S. Cavalry, is President, is dissolved.

By command of Brevet Major General A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

[signature]

Bvt Maj adj *Assistant Adjutant General.*

G. C. M.

1. Captain James R. Kemble, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Dec. 5, 1867.

GENERAL ORDERS,
No. 30.

I. . . . Before a General Court Martial which convened at Fort Union, N. M., August 17th, 1867, pursuant to Special Orders No. 160, July 26, 1867, Special Orders No. 5, July 26, 1867, and Special Orders No. 18, October 2, 1867, from these Headquarters, and of which Brevet Brigadier General B. S. ROBERTS, Lieutenant Colonel 3d U. S. Cavalry, is President, was arraigned and tried :

Captain James R. Kemble, 3d U. S. Cavalry, on the following charges :

CHARGE 1st—*Breach of arrest.*

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

To which charges and their specifications the accused pleaded *Not Guilty.*

FINDING.

Of the charges and their specifications, ... *Not Guilty.*

And the Court does therefore acquit him, Captain James R. Kemble, 3d U. S. Cavalry.

II. . . . The proceedings and findings in the foregoing case of Captain James R. Kemble, 3d U. S. Cavalry, are approved. He will be released from arrest and returned to duty.

By command of Brevet MAJOR GENERAL A. J. SMITH :

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL :

G. C. M.

1. Jeremiah Scannell, Private Co. C, 5th U. S. Infantry.
2. Thomas Meegan, Private Co. C, 5th U. S. Infantry.
3. Casper Rodenback, Private Co. C, 5th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Dec. 9, 1867.

GENERAL ORDERS, No. 31.

I. . . . Before a General Court Martial which convened at Fort Union, N. M., August 17th, 1867, pursuant to Special Orders No. 160, July 26, 1867, Special Orders No. 5, July 26, 1867, and Special Orders No. 18, October 2, 1867, from these Headquarters, and of which Brevet Brigadier General B. S. ROBERTS, Lieutenant Colonel 3d U. S. Cavalry, is President, were arraigned and tried:

1st. Jeremiah Scannell, Private Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping on post.*

Specification—In this, that Private Jeremiah Scannell, Co. C, 5th Infantry, U. S. A., having been duly posted as a sentinel, was found asleep on his post, between the hours of 12 and 1 A. M., when visited by the officer of the day.

This at Fort Wingate, N. M., on or about the 11th of July, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler, and to serve the balance of his enlistment at hard labor in charge of the guard, at the post where his company may be serving; to wear a ball and chain, the ball not to weigh less than thirty pounds, and to be dishonorably discharged the service at the expiration of his term of enlistment.

2d.—Thomas Meegan, Private Co. C, 5th U. S. Infantry, on the following charge and specification:

CHARGE—*Violation of the 46th Article of War.*

Specification—In this, that Private Thomas Meegan, of Co. C, 5th Infantry, U. S. Army, a member of the garrison guard, and properly posted as a sentinel, was found asleep on said post.

This at Fort Wingate, N. M., on or about the 18th day of May, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are now or may become due him, except the just dues of the laundress and sutler, and to serve the balance of his enlistment at hard labor in charge of guard, at the post where his company may be serving; to wear a ball and chain, the ball not to weigh less than thirty pounds, and to be dishonorably discharged the service at the expiration of his term of enlistment.

3d.—Casper Rodenback, Private Co. C, 5th U. S. Infantry, on the following charge and specifications:

CHARGE—*Conduct to the prejudice of good order and military discipline.*

Specification 1st—In this, that Private Casper Rodenback, Co. C, 5th U. S. Infantry, did become so much under the influence of liquor as to be noisy and quarrelsome in the quarters of his company.

This at Fort Wingate, N. M., on or about the 12th day of July, 1867.

Specification 2d—In this, that Private Casper Rodenback, Co. C, 5th U. S. Infantry, did assault and stab with a knife, and wound Private Philip Martin, of Co. C, 5th Infantry.

This at Fort Wingate, N. M., on or about the 12th day of July, 1867.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Guilty.*
Of the 2d specification, ... *Not Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To a stoppage of ten (10) dollars a month of his monthly pay for three (3) months, and to be confined under guard at the post where his company may be serving, at hard labor for three (3) months.

II. ..The proceedings and findings in the cases of Privates Jeremiah Scannell, Thomas Meegan and Casper Rodenback, of Co. C, 5th U. S. Infantry, are approved. The sentences are confirmed and will be duly carried into effect.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

W M C Burke Jr
Adjutant

1. Thomas Mason, Private Co. D, 3d U. S. Cavalry.
2. John Nagle, Corporal Co. C, 5th U. S. Infantry.
3. Daniel Johnson, Private Co. C, 125th U. S. C. Troops.
4. Henry Rally, Private Co. C, 125th U. S. C. Troops.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, December 9, 1867.

GENERAL ORDERS, No. 32.

I. . . . Before a General Court Martial which convened at Fort Union, N. M., August 17, 1867, pursuant to Special Orders No 160, July 26, 1867, Special Orders No. 5, July 26, 1867, and Special Orders No. 18, October 2, 1867, from these Headquarters, and of which Brevet Brigadier General B. S. ROBERTS, Lieutenant Colonel 3d U. S. Cavalry, is President, were arraigned and tried:

1st.—Thomas Mason, Private Co. D, 3d U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Violation of the 45th Article of War.*

Specification—In this, that Thomas Mason, a Private of Co. D, 3d U. S. Cavalry, did become so drunk as to be totally unable to perform his duty as a soldier while on a scout after Indians.

This on or about the 5th day of September, 1867, between Plum Creek and Johnson's Ranche, N. M.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that he, the said Thomas Mason, a Private of Co. D, 3d U. S. Cavalry, being at the time on a scout, did say: "from the Lieutenant down may kiss my ass," or words to that effect.

This on or about the 5th day of September, 1867, between Plum Creek and Johnson's Ranche, N. M.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

[The Court decided not to try the prisoner on the 2d charge and specification, on account of the looseness and vagueness of the specification.]

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*

SENTENCE.

To be confined at hard labor in charge of a guard at the post where his company may be stationed, for a period of four (4) months, and to forfeit from his monthly pay ten (10) dollars per month for the same period.

2d.—John Nagle, Corporal Co. C, 5th U. S. Infantry, on the following charges and specifications :

CHARGE 1st—*Violation of the 8th Article of War.*

Specification—In this, that he, Corporal John Nagle, of Co. C, 5th U. S. Infantry, being Corporal of the garrison guard, and present at a mutiny, did fail to do his utmost to suppress the same.

This at Fort Wingate, N. M., on or about the 6th day of August, 1867.

CHARGE 2d—*Neglect of duty.*

Specification—In this, that he, Corporal John Nagle, of Co. C, 5th U. S. Infantry, being Corporal of the garrison guard, did fail to use his authority when ordered by his superior officer, 2d Lieutenant Joseph J. Ennis, 3d U. S. Cavalry, to suppress a mutiny.

This at Fort Wingate, N. M., on or about the 6th day of August, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*

And the Court does therefore acquit him.

3d.—Daniel Johnson, Private Co. C, 125th U. S. Colored Troops, on the following charges and specifications :

CHARGE 1st—*Disobedience of orders.*

Specification—In this, that the said Daniel Johnson, Private Co. C, 125th U. S. Colored Troops, when ordered by the officer of the day, 1st Lieut. James M. Kerr, 125th U. S. Colored Troops, he being in the execution of his office, to give up his pistol, did refuse to obey said order, and did say : "I have no pistol," or words to the same intent and meaning, and stepped back placing his hand to his pistol and attempted to draw it, when he was prevented by force.

This at Fort Craig, N. M., on or about the 28th day of June, 1867.

CHARGE 2d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that the said Daniel Johnson, Private Co. C, 125th U. S. Colored Troops, when placed in arrest by the officer of the day, 1st Lieut. James M. Kerr, 125th Colored Troops, he being in the execution of his office, did break away and run, making his escape.

This at Fort Craig, N. M., on or about the 28th day of June, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty*

SENTENCE.

To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress and sutler, and to be dishonorably discharged the service at the expiration of his term of enlistment.

4th.—Henry Rally, Private Co. C, 125th U. S. Colored Troops, on the following charge and specification :

CHARGE—*Sleeping on post.*

Specification—In this, that Private Henry Rally, Co. C, 125th U. S. Colored Troops, having been duly posted as a sentinel, was found asleep on his post between the hours of 11 and 12 o'clock, on the night of the 14th day of August, 1867, when visited by the officer of the day and the sergeant of the guard.

This at Fort Craig, N. M.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
except the words, "when visited by the officer of the day and the sergeant of the guard."
Of the charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are now due or may become due him, except the just dues of the laundress and sutler, and to be dishonorably discharged the service at the expiration of the term of his enlistment.

II....In the case of Private Thomas Mason, Co. D, 3d U. S. Cavalry, the proceedings and findings are approved. The sentence is confirmed and will be duly carried into effect.

The proceedings and findings in the case of Corporal John Nagle, Co.C. 5th U. S. Infantry, are approved. He will be released from arrest and returned to duty.

In the case of Private Daniel Johnson, Co. C, 125th U. S. Colored Troops, the proceedings and findings are approved. So much of the sentence as imposes the forfeiture of all pay and allowances now due is confirmed and will be duly carried into effect. The remainder of the sentence is disapproved. He will be released from confinement and returned to duty.

In the case of Private Henry Rally, Co. C, 125th U. S. Colored Troops, the proceedings, findings and sentence are disapproved. The Court finds the accused guilty of an offence committed at a time other than that laid in the specification. He will be released from confinement and returned to duty.

By command of Brevet MAJOR GENERAL A. J. SMITH :

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL :

W. M. Buler Jr.

1. John Howxey, Private Co. H, 7th U. S. Cavalry.
2. John Powers, Private Co. M, 7th U. S. Cavalry.
3. William Riley, Private Co. H, 7th U. S. Cavalry.
4. Patrick Flood, Private Co. D, 3d U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI.

FORT LEAVENWORTH, KANSAS, December 28, 1867.

GENERAL ORDERS, No. 35.

I . . . Before a General Court Martial which convened at Fort Harker, Kansas, December 6, 1867, pursuant to Special Orders No. 64, 2d series of 1867, from these Headquarters, and of which Brevet Lieutenant Colonel T. W. BENTEEN, Captain 7th U. S. Cavalry, is President, were arraigned and tried:

1st.—John Howxey, Private Co. H, 7th U. S. Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, Private John Howxey, Co. H, 7th U. S. Cavalry, did take from the picket line of company, one horse, the property of the United States, and for which Brevet Lieutenant Colonel T. W. Benteen, is accountable; and did proceed to the Town of Fort Hays, Kansas, and sell or lose said horse, thereby occasioning to the Government of the United States the loss of one horse, saddle, bridle, saddle-blanket and halter.

This in camp, near Fort Hays, Kansas, on or about the 17th day of October, 1867.

Specification 2d—In this, that he, Private John Howxey, Co. H, 7th Cavalry, having been duly detailed for guard, did leave guard-house at Fort Harker, Kansas, without permission, and become so intoxicated as to unfit him for duty.

This at Fort Harker, Kansas, on or about the 14th day of November, 1867.

PLEA.

To the 1st specification, ...	*Not Guilty.*
To the 2d specification, ...	*Not Guilty.*
To the charge, ...	*Not Guilty.*

FINDING.

Of the 1st specification, ...	*Guilty.*
Of the 2d specification, ...	*Guilty.*
Of the charge, ...	*Guilty.*

SENTENCE.

To make good to the United States the value of one horse and equipments, and to be confined in charge of the guard at the station of his company, for three calendar months.

2d.—John Powers, Private Co. M. 7th Cavalry, on the following charge and specifications:

CHARGE—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, the said Private John Powers, of Co. M. 7th Cavalry, was drunk and disorderly in the company quarters, on or about the 10th day of November, 1867.

Specification 2d—In this, that he, the said Private John Powers, of Co. M, 7th Cavalry, was absent from his company and regiment without leave from proper authority, from the morning of the 17th day of November, 1867, until the afternoon of the 19th day of November, 1867.

All this at Fort Harker, Kansas, on or about the dates above specified.

PLEA.

To the 1st specification. . . . . *Guilty.*
To the 2d specification. . . . . *Guilty.*
To the charge. . . . . *Guilty.*

FINDING.

Of the 1st specification. . . . . *Guilty.*
Of the 2d specification. . . . . *Guilty.*
Of the charge. . . . . *Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for the period of one month, and to forfeit to the United States the sum of ten dollars of his monthly pay for same period.

3d.—William Riley, Private Co. H. 7th Cavalry, on the following charge and specification:

CHARGE—*Sleeping on post, in violation of the 46th Article of War.*

Specification—That William Riley, Private Co. H. 7th Cavalry, having been duly posted as a sentinel was found was found asleep upon his post, at the hour of 12, midnight, when visited by the officer of the day and sergeant of the guard, in making the grand-rounds.

This at camp of detachment of 7th U. S. Cavalry, near Fort Hays, Kansas, October 29, 1867.

PLEA.

To the specification. . . . . *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification. . . . . *Guilty.*
Of the charge. . . . . *Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for one month, and to forfeit to the United States six dollars of his monthly pay for the same period.

II. . . . The proceedings and findings in the cases of Privates John Howxey, Co. H, and John Powers, Co. M, 7th U. S. Cavalry, are approved. The sentences are confirmed and will be duly carried into effect.

In the case of Private William Riley, Co. H, 7th Cavalry, the proceedings and findings are approved. The sentence, although entirely too light for so grave an offence, is confirmed and will be duly executed.

III . . . Before a General Court Martial which convened at Fort Union, N. M., August 17, 1867, pursuant to Special Orders No. 160, July 26, 1867, Special Orders No. 5, July 26, 1867, and Special Orders No. 18, October 2, 1867, from these Headquarters, and of which Brevet Brigadier General B. S. ROBERTS, Lieutenant Colonel 3d U. S. Cavalry, is President, was arraigned and tried:

4th—Private Patrick Flood, Co. D, 3d U. S. Cavalry, on the following charge and specification:

CHARGE.—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private Patrick Flood, of Co. D, 3d U. S. Cavalry, did assault and strike Sergeant Ernest Kleen, of Co. D, 3d regiment U. S. Cavalry, and did cut the said Sergeant Kleen, Co. D, 3d U. S. Cavalry, on the head and face with a curry comb, the said Sergeant Kleen being at the time in the execution of his duty.

This at Fort Union, N. M., on or about the 17th day of August, 1867.

PLEA.

To the specification. . . . . *Not Guilty.*
To the charge. . . . . *Not Guilty.*

FINDING.

Of the specification. . . . . *Guilty* of striking Sergeant Kleen, 3d U. S. Cavalry, but Not Guilty of an assault, and attach no criminality thereto, as the striking was in self defence, against an assault made by the said Sergeant Kleen, 3d U. S. Cavalry.

And the Court does therefore acquit the said Private Patrick Flood, Co. D, 3d U. S. Cavalry.

IV . . . The proceedings and findings in the case of Private Patrick Flood, Co. D, 3d U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

G. C. M.

1. Edward Cornell, Private Co. A, 7th U. S. Cavalry.
2. Nathan Alburger, Private Co. D, 7th U. S. Cavalry.
3. John Coughlin, Private Co. D, 7th U. S. Cavalry.
4. George Washington, Private Co. K, 3d U. S. Infantry.
5. Alexander Travis, Private Battery B, 4th U. S. Artillery.
6. Michael McGoorden, Private Co. K, 7th U. S. Cavalry.
7. Charles Barnes, Private Co. K, 7th U. S. Cavalry,
8. Charles Henke, Private Co. K, 7th U. S. Cavalry.
9. Simon C. Cummings, Private Co. H, 7th U. S. Cavalry.
10. Charles O'Brien, Private Co. F, 7th U. S. Cavalry.
11. George H. Knight, Sergeant Co. F, 7th U. S. Cavalry.
12. James K. White, Private Co. F, 7th U. S. Cavalry.
13. John Curtis, Sergeant Co. E, 7th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
FORT LEAVENWORTH, KANSAS, Dec. 28, 1867.

GENERAL ORDERS, No. 36.

I. . . . Before a General Court Martial which convened at Fort Leavenworth, Kansas, November 30, 1867, pursuant to Special Orders No. 61, 2d series of 1867, from these Headquarters, and of which Brevet Major General ALFRED GIBBS, Major 7th U. S. Cavalry, is President, were arraigned and tried:

1st.—Edward Cornell, Private Co. A, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty.*

Specification—In this, that he, Private Edward Cornell, Co. A, 7th Cavalry, having been properly detailed as a member of the stable guard of of Co. A, 7th Cavalry, did become so drunk as to be incapable of performing the duties of a soldier.

All this near Fort McPherson, Nebraska, on or about the 17th day of June, 1867.

CHARGE 2d—*Absence without leave.*

Specification—In this, that he, Private Edward Cornell, Co. A, 7th Cavalry, did absent himself without proper permission, from his company, or portion of his company, with which he was serving, and remained absent until apprehended.

All this near Fort McPherson, Nebraska, on or about June 17, 1867.

CHARGE 3d—*Conduct prejudicial to good order and military discipline.*

Specification—In this, that he, Private Edward Cornell, Co. A, 7th Cavalry, did sell, lose by neglect, or otherwise dispose of one government horse, one saddle and one bridle, value unknown.

All this near Fort McPherson, Nebraska, June 17, 1867.

ADDITIONAL CHARGE.

CHARGE—*Desertion.*

Specification—In this, that he, Private Edward Cornell, of Co. A, 7th U. S. Cavalry, having been duly enlisted in the service of the United States, did, on or about the 21st day of September, 1867, while in Fort Harker, Kansas, desert from his company and regiment.

All this at or near Fort Harker, Kansas, on or about the dates above specified.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*
To the specification of the additional charge, ... *Guilty.*
To the additional charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*
Of the specification 3d charge, ... *Guilty.*
except the word "sell."
Of the 3d charge, ... *Guilty.*
Of the specification of the additional charge, ... *Guilty.*
omitting the word "desert," and substituting the words "did absent himself without proper authority."
Of the additional charge, ... *Not Guilty.*
but guilty of "absence without leave."

SENTENCE.

To forfeit to the United States the sum of $165, the cost value of the horse lost by his neglect, and $31.50 for the saddle and bridle; to forfeit five dollars of his monthly pay for six months, and to be confined for the same period at hard labor, breaking stone in front of the guard house.

2d.—Nathan Alburger, Private Co. D, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Deserting his post while on guard.*

Specification—In this, that he, Private Nathan Alburger, of Co. D, 7th Cavalry, a duly enlisted man of the United States service, did desert his post while on stable guard, having been duly posted as a sentinel, between the hours of one and three P. M.

CHARGE 2d—*Desertion.*

Specification—In this, that he, Private Nathan Alburger, Co. D, 7th Cavalry, a duly enlisted man of the U. S. service, did desert the service of the United States, and did remain absent until brought back by a patrol sent in pursuit of him.

All this at Camp between Platte River and Sheep Creek, on or about the 7th day of July, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Not Guilty.*
Of the 1st charge, ... *Not Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be confined at hard labor for one year in charge of the guard, each alternate month breaking stone in front of the guard house, and wearing a ball weighing twenty-four pounds attached to his left leg by a chain four feet long, and to be dishonorably discharged from the service.

3d.—John Coughlin, Private Co. D, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Disobedience of orders.*

Specification—In this, that he, the said Private John Coughlin, Co. D, 7th Cavalry, when ordered by his 1st Sergeant, H. M. Krusie, to get himself ready for the afternoon drill, did wilfully disobey said orders by replying back to said 1st Sergeant, "I won't, and not for any one like you, until I get ready!" or words to that effect, said 1st Sergeant, H. M. Krusie, being then in the execution of his duty.

This at Fort Harker, Kansas, on or about the 29th day of October, 1867.

CHARGE 2d—*Conduct prejudicial to good order and military discipline.*

Specification 1st—In this, that he, the said Private John Coughlin, Co. D, 7th Cavalry, was so much under the influence of liquor as to be unable to perform his duties of a soldier properly.

Specification 2d—In this, that he, the said Private John Coughlin, Co. D, 7th Cavalry, when ordered and taken to the guard house by Sergeant J. Kilcoyne, of same company and regiment, did use insolent and abusive language, saying, "I will shoot the son of a bitch," meaning 1st Sergeant Krusie, "when I get released," or words to that effect, and did resist the Sergeant in taking him to the guard house, until Sergeant Kilcoyne had to use force, the said Sergeant then being in the discharge of his duties.

Specification 3d—In this, that he, the said Private John Coughlin, Co. D, 7th Cavalry, when taken to the guard house by Sergeant Kilcoyne, did say to him, "I have my opinion of you," and made threats of shooting said Sergeant.

All this at Fort Harker, Kansas, on or about the 29th day of October, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the 1st specification 2d charge, ... *Guilty.*
To the 2d specification 2d charge, ... *Not Guilty.*
To the 3d specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the 1st specification 2d charge, ... *Guilty.*
Of the 2d specification 2d charge, ... *Guilty.*
except the words "I will shoot the son of a bitch."
Of the 3d specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To forfeit to the United States the sum of five dollars of his monthly pay for two months, and to be confined for the same period under charge of the guard, at such post at which his company may be stationed.

4th.—George Washington, Private Co. K, 3d U. S. Infantry, on the following charge and specification:

CHARGE—*Sleeping upon his post.*

Specification—In this, that he, Private George Washington, Co. K, 3d U. S. Infantry, after having been duly detailed as a member of the guard, and posted as a sentinel in the camp of a detachment of Co. K, 3d U. S. Infantry, on duty as escort to the Delaware Indian agent, was found sleeping upon his post.

This on the morning of December 10, 1867, at the Delaware Indian Reservation, Kansas.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him, ... *Guilty.*
Of the charge, confirms his plea and finds him, ... *Guilty.*

SENTENCE.

To walk a ring twenty feet in diameter in front of the guard, from Reveille until Retreat, on each alternate day for one month, allowing one hour for meals; the alternate days (except Sundays) to break stone in front of the guard-house for the same period, and same time for meals: to forfeit to the United States ten dollars ($10) of his monthly pay for five (5) months, and to be returned to duty.

5th.—Alexander Travis, Private Battery B, 4th U. S. Artillery, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, the said Private Alexander Travis, Battery B, 4th Artillery, a duly enlisted soldier in the service of the United States, did desert said service on or about the 12th day of September, 1867, and remain absent therefrom until the 14th day of September, 1867, when he was arrested and returned to his company. $30 reward was paid for his apprehension.

This at Fort Harker, Kansas, on or about the dates above specified.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him, ... *Guilty.*
Of the charge, confirms his plea and finds him, ... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be confined under charge of the guard for one year, and the time lost by desertion (2 days) at hard labor, with a twenty-four pound ball attached to his left leg, by a chain four feet long, and to be dishonorably discharged from the service.

6th.—Michael McGoorden, Private Co. K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Sleeping on post.*

Specification—In this, that he, Private Michael McGoorden, a duly enlisted soldier in the service of the United States, having been duly posted as a sentinel over the herd of Troop K, 7th Cavalry, did, while on said post, fall asleep, and was found in this condition by the officer of the day.

This at or near camp of the 7th Cavalry, near Fort Wallace, Kansas, on or about the 18th day of July, 1867.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty.*
Of the charge, ... *Guilty.*

SENTENCE.

To walk a ring twenty feet in diameter, in front of the guard, from Reveille until Retreat, on each alternate day for one month, allowing an hour for meals; the alternate days (except Sundays) to break stone in front of the guard-house for the same period, and the same time for meals. To forfeit to the United States ten dollars ($10) of his monthly pay for five months, and to be returned to duty.

7th.—Charles Barnes, Private Co. K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private Charles Barnes, Co. K, 7th Cavalry, a duly enlisted soldier in the United States service, did desert from his company on or about the 30th day of November, 1867, and did remain absent until the 3d day of December, 1867.

All this at or near Fort Leavenworth, Kansas.

PLEA.

To the specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the specification, ... *Guilty,*
omitting the word "desert," and substiting the words "absent himself."
Of the charge, ... *Not Guilty*
of desertion, but guilty of absence without leave.

SENTENCE.

To be confined at hard labor in charge of the guard for the period of one month, and to forfeit to the United States the sum of ten dollars of his monthly pay for the same period.

8th.—Charles Henke, Private Co. K, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion*

Specification—In this, that he, Private Charles Henke, Co. K, 7th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same at or near Fort Hays, Kansas, on or about the 20th day of May, 1867, and did remain absent until he voluntarily surrendered himself to 1st Lieutenant George J. Madden, 25th U. S. Infantry, Regimental Adjutant, at or near Memphis, Tennessee, on or about the 28th day of September, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him ..... *Guilty.*
Of the charge, confirms his plea and finds him ..... *Guilty.*

SENTENCE.

To forfeit to the United States all pay and allowances that are or may become due him, except the just dues of the laundress, and to be confined at hard labor under charge of the guard for the period of one year, and the time lost by desertion, (131 days;) each alternate month, breaking stone in front of the guard-house, with a ball weighing twenty-four pounds attached to his left leg by a chain four feet long, and to be dishonorably discharged the service.

9th.—Simon C. Cummings, Private Co. H, 7th U. S. Cavalry, on the following charge and specification:

CHARGE.—*Desertion.*

Specification—In this, that he, Private Simon C. Cummings, Co. H, 7th Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, at or near Fort Riley, Kansas, on or about the 26th day of March, 1867, and did remain absent until apprehended and delivered at Indianapolis, Indiana, on or about the 9th day of October, 1867.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him ..... *Guilty.*
Of the charge, confirms his plea and finds him ..... *Guilty.*

SENTENCE.

To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be confined in charge of the guard at hard labor for one year, and the period lost by desertion, (237 days;) each alternate month breaking stone in front of the guard-house, wearing a ball weighing twenty-four pounds attached to his left leg by a chain four feet long, and to be dishonorably discharged the service.

10th.—Charles O'Brien, Private Co. F, 7th U. S. Cavalry, on the following charges and specifications:

CHARGE 1st—*Drunkenness on duty, in violation of the 45th Article of War.*

Specification—In this, that he, Private Charles O'Brien, Troop F, 7th Cavalry, whilst on guard duty, did become intoxicated, by the use of ardent spirits; so much so, that he was rendered incapable of performing his duty.

All this at Fort Wallace, Kansas, on or about the 1st day of November, 1867.

CHARGE 2d—*Striking a non-commissioned officer.*

Specification—In this, that the said Private Charles O'Brien, Troop F, 7th Cavalry, whilst on guard duty, did strike Sergeant T. G. Slark, Troop I, 7th Cavalry, whilst he Sergeant Slark, was in the performance of his duty as sergeant of the guard.

All this at Fort Wallace, Kansas, on or about the 1st day November, 1867.

CHARGE 3d—*Conduct to the prejudice of good order and military discipline.*

Specification—In this, that the said Private Charles O'Brien, Troop F, 7th Cavalry, did, when ordered by Sergeant T. G. Slark, Troop I, 7th Cavalry, to return from the Barrack Room of F Troop, 7th Cavalry, to the guard quarters, did follow said Sergeant T. G. Slark into the mess-room of F Troop, 7th Cavalry, and then in the presence of enlisted men of said F Troop, did strike said Sergeant T. G. Slark, he Sergeant T. G. Slark, being in the discharge of his duty as sergeant of the guard.

All this at Fort Wallace, Kansas, on or about the 1st day of November, 1867.

PLEA.

To the specification 1st charge, ... *Not Guilty.*
To the 1st charge, ... *Not Guilty.*
To the specification 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*
To the specification 3d charge, ... *Not Guilty.*
To the 3d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, ... *Guilty.*
Of the 1st charge, ... *Guilty.*
Of the specification 2d charge, ... *Not Guilty.*
Of the 2d charge, ... *Not Guilty.*
Of the specification 3d charge, ... *Not Guilty.*
Of the 3d charge, ... *Not Guilty.*

SENTENCE.

To be confined at hard labor in charge of the guard for one month, each alternate day to walk a twenty foot ring in front of No. 1 post, carrying a log weighing twenty pounds on his shoulder from Reveille until Tattoo, allowing one hour for meals; on the alternate days, to break stone in front of the guard-house for the same period, and the same time for meals, and to be returned to duty.

11th.—George H. Knight, Sergeant Co. F, 7th Cavalry, on the following charge and specifications:

CHARGE—*Neglect of duty.*

Specification 1st—In this, that he, Sergeant George H. Knight, Co. F, 7th Cavalry, did, when sergeant in charge of the guard, allow to escape Private Charles B. Habaugh, Co. D, 7th Cavalry, a prisoner confided to his charge, and did not take proper precautions to prevent the same.

This at camp, Co. F, 7th Cavalry, near Chapman's Creek, Kansas, on the 21st day of November, 1867.

Specification 2d—In this, that he, Sergeant George H. Knight, Co. F, 7th Cavalry, did, when sergeant of the guard, allow to escape, Private John H. Clements and Private William Goodman, Co. D, 7th Cavalry, two (2) prisoners confided to his charge, and did not take proper precautions to prevent the same.

This at camp, Co. F, 7th Cavalry, near Topeka, Kansas, on the 26th day of November, 1867.

PLEA.

To the 1st specification, ... *Not Guilty.*
To the 2d specification, ... *Not Guilty.*
To the charge, ... *Not Guilty.*

FINDING.

Of the 1st specification, ... *Not Guilty.*
Of the 2d specification, ... *Not Guilty.*
Of the charge, ... *Not Guilty.*

And the Court does therefore acquit him.

12th.—James K. White, Private Co. F, 7th U. S. Cavalry, on the following charge and specification:

CHARGE—*Desertion.*

Specification—In this, that he, Private James K. White, Co. F, 7th Cavalry, a duly enlisted soldier in the service of the United States, did absent himself from, and desert the same, at Fo.t Riley, Kansas, on or about the 13th day of September, 1866, and did remain absent till apprehended, on or about the 15th day of October, 1867, at Lawrence, Marion County, Ind. $30 reward paid for his apprehension.

PLEA.

To the specification, ... *Guilty.*
To the charge, ... *Guilty.*

FINDING.

Of the specification, confirms his plea and finds him ..... *Guilty.*
Of the charge, confirms his plea and finds him ..... *Guilty.*

SENTENCE.

To forfeit all allowances that are or may become due him, except the just dues of the laundress ; to be confined in charge of the guard at hard labor for one year, and the period lost by desertion, 397 days : each alternate month breaking stone in front of the guard-house, wearing a ball weighing twenty-four pounds, attached to his left leg by a chain four feet long, and to be dishonorably discharged from the service.

13th.—John Curtis, Sergeant Co. E, 7th U. S. Cavalry, on the following charges and specifications :

CHARGE 1st—*Drunkenness.*

Specification—In this, that he, the said Sergeant John Curtis, Co E, 7th Cavalry, having been regularly detailed and sent in command of a detachment of enlisted men of his company to Leavenworth City, for the purpose of conducting several prisoners from there to Fort Leavenworth, Kansas, did become so drunk as to be unable to perform his duty.

All this at or near Fort Leavenworth Kansas, on or about the 5th day of December, 1867.

CHARGE 2d—*Offering violence to his superior officer, in violation of the 9th Article of War.*

Specification—In this, that he, the said Sergeant John Curtis, Co E, 7th Cavalry, did draw a loaded pistol on 1st Lieut. Myles Moylan, Adjutant 7th Cavalry, and did use threats in the following words : "Lieutenant, God damn you, I will blow your God damn brains out !" the said 1st Lieut. Myles Moylan, Adjutant 7th Cavalry, being in the execution of his office.

All this at Fort Leavenworth, Kansas, on or about the 5th day of December, 1867.

PLEA.

To the specification 1st charge, ... *Guilty.*
To the 1st charge, ... *Guilty.*
To the specificatian 2d charge, ... *Not Guilty.*
To the 2d charge, ... *Not Guilty.*

FINDING.

Of the specification 1st charge, confirms his plea and finds him .... *Guilty.*
Of the 1st charge, confirms his plea and finds him ..... *Guilty.*
Of the specification 2d charge, ... *Guilty.*
Of the 2d charge, ... *Guilty.*

SENTENCE.

To be reduced to the ranks as a private soldier; to be confined at hard labor in charge of the guard for one year, wearing a ball and chain weighing twenty-four pounds attached to his left leg, breaking stone in front of the guard-house from Reveille until Retreat, allowing one hour for his meals, and to forfeit twelve dollars of his monthly pay for the same period.

II....In the cases of Privates Edward Cornell, of Co. A, Nathan Alburger and John Coughlin, of Co. D, 7th U. S. Cavalry, George Washington, of Co. K, 3d U. S. Infantry, Alexander Travis, Battery B, 4th Artillery, and Michael McGoordan, Co. K. 7th Cavalry, the proceedings and findings are approved. The sentences are confirmed and will be duly carried into effect. The reviewing officer is of the opinion that the Court has been by far too lenient in awarding punishment in the cases of Privates Washington and McGoorden.

In the cases of Privates Charles Barnes and Charles Henke, of Co. K, and Simon C. Cummings, of Co. H, 7th U. S. Cavalry, the proceedings and findings are approved. The sentences are confirmed and will be duly carried into effect.

In the case of Private Charles O'Brien, Co. F, 7th U. S. Cavalry, the proceedings and findings are approved. The sentence substituting the word Retreat for Tattoo, is confirmed and will be duly executed.

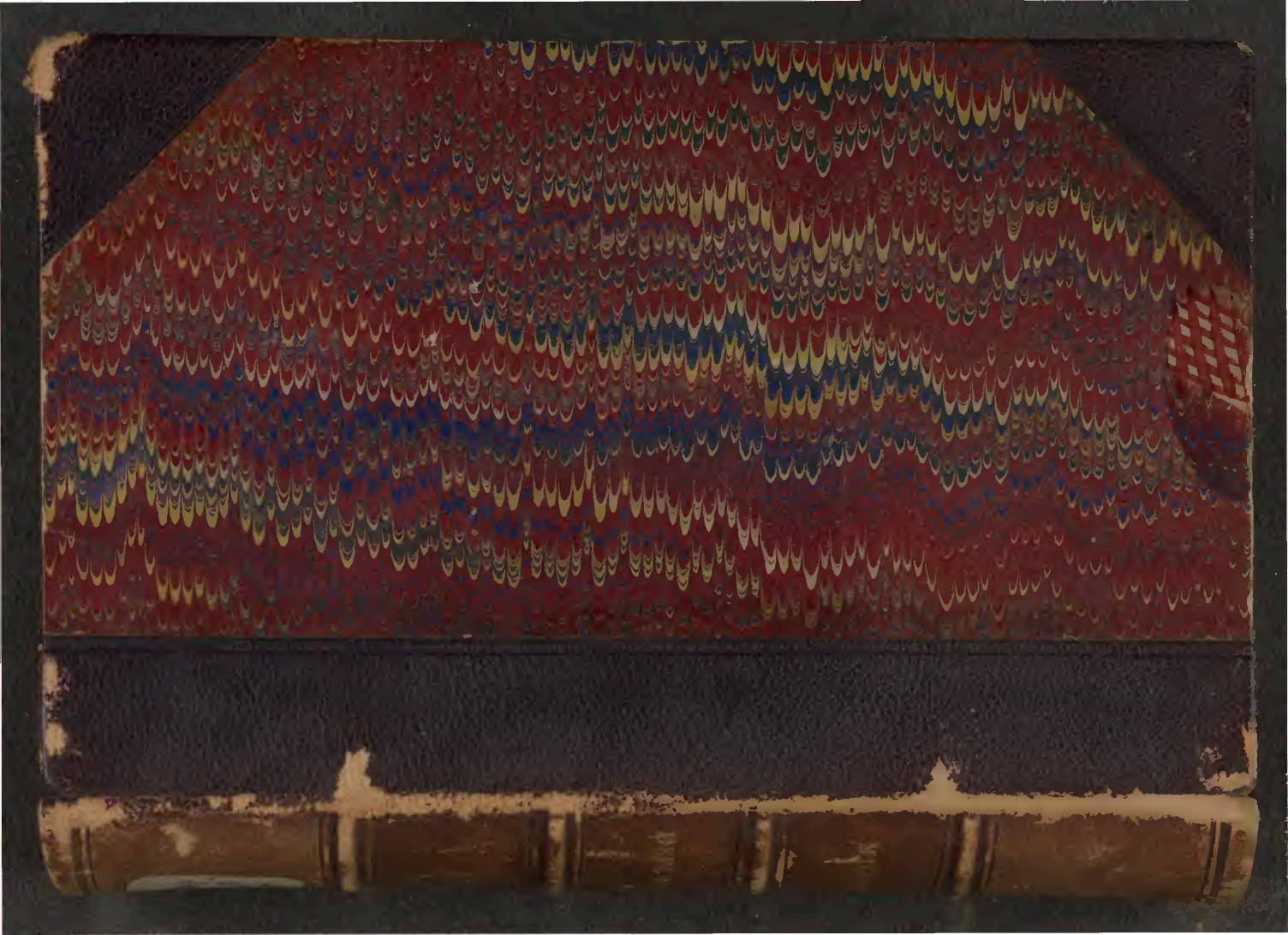
In the case of Sergeant George H. Knight, Co. F, 7th U. S. Cavalry, the proceedings and findings are approved. He will be released from arrest and returned to duty.

In the cases of Private James K. White, of Co. F, and Sergeant John Curtis, of Co. E, 7th U. S. Cavalry, the proceedings and findings are approved. The sentences are confirmed and will be carried into effect.

III....The General Court Martial of which Brevet Major General ALFRED GIBBS, Major 7th U. S. Cavalry, is President, is hereby dissolved.

By command of Brevet MAJOR GENERAL A. J. SMITH:

CHAUNCEY McKEEVER,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.