GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of Texas.

1861.

HEAD QUARTERS, DEPARTMENT OF TEXAS,
SAN ANTONIO, FEBRUARY 17th, 1861.

GENERAL ORDERS,
No. 4.

I.....By a General Court Martial which assembled at Fort Clark, Texas, on the 28th. ultimo, pursuant to Special Orders, No. 104, of December 14th., 1860, from these Head Quarters, and of which COL. B. L. E. BONNEVILLE, 3rd. Infantry, is President, were tried:

1st. Captain *William B. Johns*, 3rd. Infantry.

CHARGE 1st.:

"*Disobedience of Orders.*"

SPECIFICATION: "In this, that Capt. Wm. B. Johns, 3rd. Infantry, U. S. Army, being properly detailed in orders as a member of a Garrison Court Martial, did, as a member of said Court, decline to try privates George Brewster and Edward Murphy, of company E, 3rd. Infantry, U. S. Army, on the charge and specification against each, properly and legally presented to the Court for trial. This on or about the 30th. day of September and 6th. day of October, 1860, and while en route from Fort Defiance, N. M., to Fort Clark, Texas, and near the town of Socorro, N. M., and at camp near Adobe Wall, New Mexico."

CHARGE 2nd.:

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

SPECIFICATION: "In this, that Captain William B. Johns, 3rd. Infantry, U. S. Army, being properly detailed in orders as a member of a Garrison Court Martial, did, as a member of said Court, vote to receive and record upon its proceedings *ex parte* statements and evidence affecting the action of his commanding officer, Brevet Major Shepherd, Captain 3rd. Infantry, U. S. Army, and thereupon, under

screen of membership of said judicial body, attempt to step between his commanding officer and the proper and due enforcement of discipline in his command. This on or about the 30th. of September, 1860, and the 6th. of October, 1860, while en route from Fort Defiance, N. M., and Fort Clark, Texas, and near the town of Socorro, N. M., and at Camp near 'Adobe Wall,' New Mexico."

FINDING.

The Court finds the accused, Captain *William B. Johns*, 3rd. Infantry, *not guilty*, and does therefore acquit him.

2nd. Lieutenant *William D. Whipple*, 3rd. Infantry.

CHARGE 1st.:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that 1st. Lieut. Wm. D. Whipple, 3rd. Infantry, U. S. Army, being properly detailed in orders as a member of a Garrison Court Martial, did, as a member of said Court, decline to try privates George Brewster and Edward Murphy, of company E, 3rd. Infantry, U. S. Army, on the charge and specification against each, properly and legally presented to the Court for trial. This on or about the 30th. day of September. and 6th. day of October, 1860, and while enroute from Fort Defiance, N. M, to Fort Clark, Texas, and near the town of Socorro, N.M. and at camp near Adobe Wall, New Mexico."

CHARGE 2nd.:

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

SPECIFICATION: "In this. that 1st. Lieut. Wm. D. Whipple, 3rd. Infantry, U. S. Army. being properly detailed in orders as a member of a Garrison Court Martial, did, as a member of said Court, vote to receive and record upon its proceedings *exparte* statements and evidence affecting the action of his commanding officer, Brevet Major Shepherd, Captain 3rd. Infantry, U. S. Army, and thereupon, under screen of membership of said judicial body, attempt to step between his said commanding officer and the proper and due enforcement of discipline in his command. This on or about the 30th. of September and 6th. day of October, 1860, while en route from

Fort Defiance, N. M.. to Fort Clark, Texas, and near the town of Socoro, N. M., and at camp near Adobe Wall, N. M."

FINDING.

The Court finds the accused, 1st. Lieutenant *William D. Whipple*, 3rd. Infantry, *not guilty*, and does therefore acquit him.

3rd. Lieutenant *J. McL. Hildt*, 3rd. Infantry.

CHARGE 1st.:

"*Disobedience of orders.*"

SPECIFICATION: "In this, that 2nd. Lieut. J. McL. Hildt, of the 3rd. Infantry, U. S. Army, being properly detailed in orders as a member of a Garrison Court Martial, did, as a member of said Court, decline to try privates George Brewster and Edward Murphy, of company E, 3rd. Infantry, U. S. Army, on the charge and specification against each, properly and legally presented to the Court for trial. This on or about the 30th. day of September and the 6th. day of October, 1860, and while en route from Fort Defiance, N. M., to Fort Clark, Texas, and near the town of Socorro, N. M., and at camp near Adobe Wall, New Mexico."

CHARGE 2nd:

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

SPECIFICATION: "In this, that 2nd. Lieut. J. McL. Hildt, of the 3rd. Infantry, U. S. Army, being properly detailed in orders as a member of a Garrison Court Martial. did, as a member of said Court, vote to receive and record upon its proceedings *exparte* statements and evidence affecting the action of his commanding officer, Brevet Major Shepherd, Captain 3rd. Infantry, U. S. Army, and did thereupon, under screen of membership of said judicial body, attempt to step between his said commanding officer and the proper and due enforcement of discipline in his command. This on or about the 30th. September and the 6th. of October, 1860, while en route from Fort Defiance, New Mexico, to Fort Clark, Texas, and near the town of Socorro, N. M., and at camp near 'Adobe Wall,' New Mexico."

FINDING.

The Court finds the accused. 2nd. Lieutenant J. McL. Hildt, 3rd. Infantry, *not guilty*, and does therefore acquit him.

II.....By the same Court were tried:

4th. Private *William H. Vanransler*, of company C, 2nd. Cavalry.

CHARGE:

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

SPECIFICATION: "In this, that private William H. Vanransler, of company C, 2nd. Cavalry, being present, and seeing private Martin L. Wagner, of company C, 2nd. Cavalry, steal one Sharpe's Carbine, the property of the United States, did fail to make any efforts to prevent said theft, and did fail to make any proper report of the same until after the said private Martin L. Wagner had deserted the service of the United States, all of which he could have prevented—he, the aforesaid private William H. Vanransler, being present in the quarters at the time. This at Fort Inge, Texas, on or about the 9th. day of January, 1861."

FINDING.

The Court finds the accused, private *William H. Vanransler*, of company C. 2nd Cavalry *not guilty*, and does therefore acquit him.

5th. Private *John Gannon*, company C, 2nd. Cavalry.

CHARGE 1st.:

"*Violation of the 9th. Article of War.*"

SPECIFICATION: "In this, that private John Gannon, of company C. 2nd. Cavalry on being ordered by Sergeant James Getty of the same company to go with him to the guard house, did disobey said

order, saying he would be God damned if he would go, or words to that effect, making it necessary for said Sergeant Getty to call for assistance to have his order carried into effect. All this at Fort Inge, Texas, on or about the 15th day of January, 1861."

CHARGE 2nd.:

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

SPECIFICATION: "In this that the aforesaid private John Gannon, being on duty as kitchen police, did refuse to assist the company cook in his duties, and on being told to carry out a pot for the purpose of cleaning it, did refuse to do it, saying he would not do it, or words to that effect. All this at Fort Inge, Texas, on or about the 15th day of January, 1861."

FINDINGS AND SENTENCE.

The Court finds the accused, private *John Gannon*, of company C, 2nd. Cavalry, as follows: "Of the specification of 1st charge, confirms his plea and finds him *guilty*, of the 1st charge *not guilty*, but guilty of conduct to the prejudice of good order and military discipline; of the specification of 2nd charge *not guilty*, of the 2nd charge *not guilty*, and sentences him "to forfeit two dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the period of ten days, attending to all drills and stable duty."

6th. Private *Martin L. Wagner*, of company C, 2nd. Cavalry.

CHARGE 1st.:

"Desertion."

SPECIFICATION: "In this that private Martin L. Wagner of company C, 2nd. Cavalry, did desert the service of the United States at Fort Inge, Texas, on or about the 9th day of January 1861, taking with him one Sharps carbine, the property of the United States, and

which had been issued to him for his use, and did remain absent until apprehended and brought back on the evening of the same day."

CHARGE 2nd.:

"*Violation of the 9th Article of War.*"

SPECIFICATION: "In this, that the aforesaid private Martin L. Wagner, on being ordered by 1st Sergeant James Cahill, of same Company and Regiment to come out from under a bed, where he at the time was secreted, did disobey said order, making it necessary for said Sergeant Cahill to call for assistance to pull the aforesaid Wagner from under the bed. This on or about the 9th day of January 1861, at a grocery near Fort Inge, Texas, (where the said 1st Sergeant Cahill was apprehending the aforesaid private Wagner from desertion.")

CHARGE 3rd.:

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

SPECIFICATION 1st.: "In this, that private Martin L. Wagner of company C, 2nd Cavalry, at Fort Inge, Texas, on or about the 9th day of January, 1861, did sell, lose through neglect, or otherwise dispose of, one brush wiper with thong, one Sharp's Carbine screw driver, one pair spurs and straps, one horse brush and one curry comb, all the property of the United States, and which had been issued to him for his use, and did fail properly to account for the same."

SPECIFICATION 2nd.: "In this, that private Martin L. Wagner, of company C, 2nd Cavalry, did take or steal one Sharp's Carbine, the property of the United States, and which had been issued to private Jeremiah Staley of the same company, and for his use. This at Fort Inge, Texas, on or about the 9th day of January, 1861."

FINDINGS AND SENTENCE.

The Court finds the accused private *Martin L. Wagner*, of company C, 2nd Cavalry, as follows: "of the specification of the 1st charge *guilty* except the words 'did desert the service of the United States,' of the 1st charge *not guilty*, but

guilty of absence without leave; of the specification of the 2nd charge *guilty*, excepting the words from desertion in the 2nd. charge *not guilty*, but *guilty*, of conduct to the prejudice of good order and military discipline; of the 1st specification of the 3rd charge *not guilty*, of the 2nd specification of the 3rd charge *not guilty*, of the 3rd charge *not guilty*, and sentences him "to forfeit ten dollars of his monthly pay for one month; to be confined at hard labor in charge of the guard for the period of fifteen days, attending all drills and stable calls."

7th. Private *Thomas Little*, company C, 2nd Cavalry.

CHARGE 1st.:

"*Desertion.*"

SPECIFICATION: "In this, that private Thomas Little of company C, 2nd Cavalry, did desert the service of the United States at Fort Inge, Texas, on or about the 9th day of January 1861, taking with him one Sharp's carbine, the property of the United States, and which had been issued to him for his use, and did remain absent until apprehended and brought back on the evening of the same day."

CHARGE 2nd.:

"*Violation of the 9th. Article of War.*"

SPECIFICATION: "In this, that the aforesaid private Thomas Little, on being ordered by 1st Sergeant James Cahill, of the same company and Regiment to come out from under a bed, where he at the time was secreted, did disobey said order, making it necessary for said Sergeant Cahill to call for assistance to pull the aforesaid Little from under the bed. This on or about the 9th day of January 1861, at a grocery near Fort Inge, Texas, where the said 1st Sergeant Cahill was apprehending the aforesaid Little from desertion."

CHARGE 3rd:.

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

SPECIFICATION: "In this, that private Thomas Little. of company C, 2nd Cavalry, at Fort Inge, Texas, on or about the 9th of January, 1861, did sell, lose through neglect or otherwise dispose of, one Brushwiper with thong, one Sharp's carbine screw driver, one pair spurs and straps, one hammer screw, one horse brush and one curry comb, the property of the United States, and which had been issued to him for his use, and did fail properly to account for the same."

FINDINGS AND SENTENCE.

The Court finds the accused private, *Thomas Little*, of company C, 2nd. Cavalry, as follows: "Of the specification of the 1st charge *guilty*, except the words 'did desert the service of the United States,' of the 1st. charge *not guilty*, but *guilty* of absence without leave; of the specification 2nd. charge *guilty*, except the words 'from desertion,' of the 2nd. charge *not guilty*; of the specification of the 3rd. charge *not guilty*, of the 3rd. charge *not guilty*," and sentences him "to be confined at hard labor in charge of the guard for the period of ten days, and to forfeit ten dollars of his monthly pay for one month."

III.....The proceedings findings and sentences in the foregoing cases are approved: Captain Johns and Lieutenants Whipple and Hildt having been acquitted by the Court will resume their swords. Private Wm. H. Vanransler, of company C, 2nd. Cavalry, having also been acquitted will be restored to duty: the sentences awarded in the remaining three cases are confirmed and will be carried into execution.

IV.....The General Court Martial of which Colonel B. L. E. BONNEVILLE, 3rd. Infantry, is President, is hereby dissolved.

BY ORDER OF BREVET MAJOR GENERAL TWIGGS:

W. A. Nichols

ASST. ADJ'T. GENERAL.

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GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS

Department of Texas.

1865.

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HEADQUARTERS DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, SEPTEMBER 15th 1865.

GENERAL COURT MARTIAL ORDERS, No. 1.

I. Before a General Court Martial, which convened at Galveston, Texas, on the 18th of July 1865, by virtue of Special Orders No. 24. Headquarters District of Texas, July 17th 1865, and of which Bvt. Brig. Gen'l. *S. L. Glasgow*, Col. 23d Regiment Iowa Volunteers is President, were arraigned and tried—

1. Private *William Covey*, "B" Company, 23d Regiment Iowa Vols.

CHARGE I. Drunkenness on duty,

CHARGE II. Disobedience of orders,

CHARGE III. Disrespectful language toward his Commanding Officer.

CHARGE IV. Striking his superior officer in violation of the 9th Article of War.

CHARGE V. Mutiny.

FINDING.

CHARGE I.

Of the *specification* Guilty.

Of the CHARGE Guilty.

CHARGE II.

Of the *specification* Guilty.

Of the CHARGE Guilty.

CHARGE III.

Of the 1st *specification* Guilty, except the words, "we will run this thing ourselves awhile."

Of the 2nd *specification* Not Guilty.

Of the CHARGE Guilty.

CHARGE IV.

Of the *specification* Guilty, except the words and figures, "and also struck the guard while assisting the Sergeant of the Guard *Serena C. Beals*, Company "B" 23d Regiment Iowa Vols. to tie him."

Of the CHARGE Guilty.

CHARGE V.

Of the *specification* Not Guilty.

Of the CHARGE Not Guilty.

SENTENCE.

To be confined at hard labor for three months at such place as the Commanding General may direct.

2. Private *Thomas J. McCune*, "B" Company, Battalion 18th Ohio Vet. Vols.

CHARGE I. Drunkenness and disorderly conduct prejudical to good order and military discipline.

CHARGE II. Offering violence against his superior officer in violation of the 9th, Article of War

CHARGE III. Behaving with contempt and disrespect to his Commanding Officer in violation of the 6th Article of War.

FINDING.

CHARGE I.

Of the 1st *specification* Guilty

Of the 2nd *specification* Guilty, except the words "and strike the guards."

Of the CHARGE Guilty.

CHARGE II.

Of the *specification* Not Guilty.

Of the CHARGE Not Guilty.

CHARGE III.

Of the 1st *specification* Guilty except the words "beastly drunk."

Of the 2nd *specification* Not Guilty.

Of the CHARGE Guilty.

SENTENCE.

To be confined at hard labor for three months at such place as the Commanding General may direct.

II. Before a General Court Martial wich convened at Headquarters 1st Brigade, 2nd Division, Central District of Texas, by virtue of Special Orders No. 150, Headquarters 2nd Division, Central District of Texas, August 27th 1865, and of which Lieut. Col. *William Clark*, is President, was arraigned and tried

Captain *Anthony Vallender*, 125th Regiment Ohio Vols.

CHARGE I. Perjury.

CHARGE II. Conduct unbecoming an officer and a gentleman.

FINDING.

CHARGE I.

Of the *specification* Guilty, except the words "he was the only man dancing and making a noise."

Of the CHARGE Guilty.

CHARGE II.

Of the 1st *specification* Guilty.

Of the 2nd *specification* Not Guilty.

Of the CHARGE Guilty.

SENTENCE.

To be dismissed the service of the United States.

III. The findings and sentences in the cases of Privates *William Cuney*, "B" Company, 23d Regiment Iowa Vols., and *Thomas J. McCune*,

"B" Company, Bat. 48th Ohio Vols. are confirmed, and the Dry Tortugas designated as the place of their confinement. The prisoners will be sent, under guard, with a copy of the order in their cases, to New Orleans, there to be delivered to the Provost Marshal General, Military Division of the Gulf, for the execution of their sentences.

The finding and sentence in the case of Captain *Anthony Vallender*, 125th Regiment Ohio Vols, are approved. Upon the unanimous recommendation of the Court, approved by the Division Commander, the sentence is remitted. Captain *Vallender*, will be released from arrest and restored to duty.

By Command of MAJ. GEN. WRIGHT.

C. H. WHITTELSEY,

Bvt. Col and Ass't. Adjt. Gen'l.

OFFICIAL:

R. F. Walcott

Br. Lt. Col. A. *Assistant Adjutant General.*

HEADQUARTERS DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, OCTOBER 10th 1865.

GENERAL COURT MARTIAL ORDERS,
No. 2.

I. Before a General Court Martial, which convened at Head Quarters, 1st Brigade, 2d Division, Central District of Texas, on the 20th of September, 1865, by virtue of Special Orders No. 162, Head Quarters, 2d Division, Central District of Texas, September 19th, 1865, and of which Lt. Col. Wm. Clark, 26th Ohio Vet. Vol. Infantry is President, was arraigned and tried—

Capt *Freeman Thorman*, 125th Regiment Ohio Vol. Infantry.

CHARGE I. Theft.

CHARGE II. Conduct unbecoming an officer and a gentleman.

FINDIING.

CHARGE I.

Of the *specification*	Guilty.
Of the CHARGE	Guilty.

CHARGE II.

Of the *specification*	Guilty.
Of the CHARGE	Guilty.

SENTENCE.

To be dismissed from the service of the United States.

II. The findings and sentence in the foregoing case of Capt *Freeman Thorman*, 125th Ohio Vol. Infantry, are approved; but, in consideration of the recommendation of the Court, and the belief that the act for which he was found guilty, was the result of thoughtlessness, and not of an intent to commit crime the sentence is remitted—He will be mustered out of service, on the receipt of this order at the post where he may be—his Regiment having been already mustered out.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, OCTOBER 18th 1865,

GENERAL COURT MARTIAL ORDERS,
No. 3.

I. Before a General Court Martial, which convened at Brownsville, Texas, pursuant to Special Orders No. 36, Head Quarters, Army of the Rio Grande, Brownsville, Texas, July 19th, 1865, and of which Colonel *R. M. Hall*, 38th U. S. Colored Troops is President, were arraigned and tried—

1. 1st Lt. *Porter B. Earle*, 114th U. S. Colored Troops.

CHARGE, Making a false statement in an application for a leave of absence.

FINDINGS.

Of the *Specification*, Guilty.
Of the CHARGE, Guilty.

SENTENCE.

To be dismissed the service of the United States.

2. Captain *Orin H. Granville*, 9th U. S. Colored Troops.
CHARGE I. Conduct prejudicial to good order and Military discipline.
CHARGE II Disobedience of orders.

FINDINGS.

CHARGE I.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty.
Of the 3rd *Specification*. Guilty, except the words "while charges of a disgraceful character were pending against him, thus seeking to defraud the men of his Company out of the money due them by him, and avoid the consequences of a trial by Court Martial,"
Of the CHARGE, Guilty.

CHARGE II.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty.
Of the CHARGE, Guilty.

SENTENCE.

To be dishonorably dismissed the service of the United States.

3. Surgeon *George W. Potts*, 23rd U. S. Colored Troops.

CHARGE I. Disobedience of orders.
CHARGE II. Making false statements.
CHARGE III. Breach of arrest.
CHARGE IV. Violation of the 45th Article of War.

FINDINGS.

CHARGE I.

Of the 1st *Specification*,	Guilty.
Of the 2nd *Specification*,	Guilty.
Of the CHARGE,	Guilty.

CHARGE II.

Of the *Specification*,	Guilty.
Of the CHARGE.	Guilty.

CHARGE III.

Of the *Specification*,	Guilty.
Of the CHARGE	Guilty.

CHARGE IV.

Of the 1st *Specification*,	Guilty
Of the 2nd *Specification*,	Guilty,
Of the CHARGE,	Guilty.

SENTENCE.

To forfeit all pay and allowances that are now, or may become due him, and to be Cashiered.

4. Private *James Owens*, Company C. 43rd U. S. Colored Troops.

CHARGE. Violation of the 9th Article of War.

FINDINGS.

Of the 1st *Specification*,	Guilty.
Of the 2nd *Specification*	Guilty
Of the CHARGE	Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct;—two thirds of the members concurring therein.

5. Corporal *John W. Smith*, Company F. 19th U. S. Colored Troops.

CHARGE. Violation of the 9th Article of War.

FINDINGS.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty, except the words "having been arrested by the said Captain *A. D. Wright*, 43rd U, S. Colored Troops"
Of the CHARGE, Guilty.

SENTENCE.

To be shot to death with musketry, at such time and place as the Commanding General may direct;—two thirds of the members of the Court concurring therein.

6. Private *Robert Cuffey*, Company E., 29th Connecticut Volunteers, (Colored.)

CHARGE, Mutiny.

FINDINGS.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty.
Of the 3rd *Specification*, Guilty
Of the CHARGE Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct;—two thirds of the members of the Court concurring therein.

7. Private *George Douglass*, Company K., 38th U. S. Colored Troops.

CHARGE I. Mutiny.
CHARGE II. Drawing or lifting up a weapon against his superior Officer.

FINDINGS.

CHARGE I.

Of the 1st *Specification*, Guilty.
Of the CHARGE, Guilty.

CHARGE II.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty.

Of the CHARGE, Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring therein.

II. Before a General Court Martial which convened at Ringgold Barracks, Texas pursuant to Special Orders No. 123, Head Quarters, 2d Division 25th Army Corps, Ringgold Barracks, Texas, August 1st 1865, and of which Lieut. Col. *Loren Burritt* 8th U. S. Colored Troops, is President, was arraigned and tried—

Captain *Willard E. Daggett*, 29th U. S. Colored Troops.

CHARGE I. Conduct to the prejudice of good order and Military discipline

CHARGE II. Disobedience of orders.

CHARGE III. Conduct unbecoming an officer and a gentleman.

FINDINGS.

CHARGE I.

Of the 1st *Specification*, Guilty.
Of the 2nd *Specification*, Guilty.
Of the 3d *Specification*,—Guilty. except the words "for Corporal *Nathan Ashby*, and other enlisted men on which they became intoxicated."
Of the CHARGE, Guilty.

CHARGE II.

Of the *Specification*, Guilty.
Of the CHARGE, Guilty.

CHARGE III.

Of the 1st *Specification*, Guilty.
Of the 2d *Specification*, Guilty
Of the CHARGE Guilty.

SENTENCE.

To be dismissed the service of the United States.

III. The proceedings, findings, and sentences in the foregoing cases of 1st Lt. *Porter B. Earle*, 114th U. S. Colored Troops, Capt., *Orin H. Granville*, 9th U. S. Colored Troops. Surgeon *George J. Potts*, 23d U. S. Colored Troops, and Captain *Willard E. Daggett*,

29th U. S. Colored Troops, are approved, and the sentences confirmed. They accordingly cease to be officers in the Military service of the United States from this date.

IV. The proceedings, findings, and sentences, in the foregoing cases of Privates *James Owens*, Company C., 43d U. S. Colored Troops *Robert Cuffey*, Company E., 29th Connecticut Vols. (Colored,), *George Douglass*, Company K., 38th U. S. Colored Troops, and Corporal *John W. Smith*, Company F. 19th U. S. Colored Troops are approved and confirmed, but the sentences are mitigated to Ten (10) years confinement at hard labor at a Military prison or post.

The Military Station at Tortugas is designated as the place of confinement, and the prisoners will be sent under guard to New Orleans, Louisiana., where they will be delivered over to the Provost Marshal General of the Military Division of the Gulf, with a copy of this order, for the execution of their revised sentences.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, OCTOBER 24th 1865,

GENERAL COURT MARTIAL ORDERS, No. 4.

I. Before a General Court Martial, which convened at Headquarters, 3d Division, 25th Army Corps, Brazos Santiago, Texas, by virtue of Special Orders Nos. 9, 13, and 14, from those Headquarters, July 21st, 27th, and 28th, 1865, respectively, and of which Major *W. H. Seip*, 1st U. S. C. Cavalry is President, was arraigned and tried.

1. Private *William Carter*, "G" Company, 2nd, U. S. C. Cavalry.

CHARGE, Mutiny.

FINDINGS.

Of the *Specification* Guilty.
Of the CHARGE, Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct; (two thirds of the members of the Court concurring in said sentence.)

II. Before a General Court Martial, which convened at Headquarters 3d Division, 25th Army Corps, Brazos Santiago, Texas, by virtue of Special Orders No 13, from those Headquarters, and of which Major *W. H. Seip*, 1st U. S. C Cavalry is President. were arraigned and tried:—

1. Private *William Respers*, "G," Company, 1st U. S. C. Cavalry.

CHARGE, Mutiny.

FINDINGS.

Of the *Specification*, Guilty.
Of the CHARGE, Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring therein.

2. Private *Charles Mumford*. "C," Company, 2d U. S. C. Cavalry.

CHARGE, Mutiny.

FINDINGS.

CHARGE I.

Of the *Specification*, Guilty.
Of the CHARGE, Guilty.

CHARGE II.

Of the *Specification*, Guilty.

Of the CHARGE Guilty.

SENTENCE.

To be shot to death with musketry at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring in said sentence.

3. 2d Lieut. *F. H. Wurdeman*, 1st U. S. C. Cavalry.

CHARGE I. Conduct unbecoming an officer and a gentleman.

CHARGE II. Conduct to the prejudice of good order and military discipline.

FINDINGS.

CHARGE I.

Of the *Specification*, Guilty.

Of the CHARGE, Guilty.

CHARGE II.

Of the *Specification*. Guilty.

Of the CHARGE, Guilty.

SENTENCE.

To be dismissed the service

III. Before a Military Commission which convened at Houston, Texas, by virtue of Par. 1, of Special Orders No. 2[illegible], and Par. 4, of Special Orders No. 40, Headquarters, Department of Texas, Sept. 13th and 27th, respectively, and of which Captain *G. G. Trull*, 4th Mass. Battery is President, were arraigned and tried:—

1. *Richard Williams, Citizen.*

CHARGE I. Murder.

CHARGE. II. Armed resistance to the authority of the United States Government.

FINDINGS.

CHARGE I.

Of the *Specification*, Guilty of the facts as stated; but not guilty as to any criminal intention.

Of the CHARGE, Not Guilty.

CHARGE II.

Of the *Specification*, Guilty of the facts as stated; but not guilty as to any criminal intention.

Of the CHARGE, Guilty as to the facts as stated; but not guilty as to any criminal intention; and the Commission does therefore, acquit him.

2nd. *Joseph Lary. Citizen.*

CHARGE: Attempting to release a prisoner confined in Military Prison at Houston Texas, by bribing the guard.

FINDINGS.

"Of the Charge and Specification under it, not guilty as charged; but guilty of an attempt to bribe a United States soldier, and other illegal acts done for the purpose of effecting the escape of one *Mr. Sharp*, held as a prisoner by the military authorities of the United States; and the Commission do therefore, sentence him, *Joseph Lary*, to be confined at hard labor for the period of three months, at such place as the Commanding General may direct."

IV. The proceedings and findings in the cases of Privates *Wm. Carter*, "G." Company, 2nd U. S. C. Cavalry, *William Respers*, "G." Company, 1st U. S. C. Cavalry, and *Charles Mumford*, "C." Company, 1st U. S. C. Cavalry, are approved, and the sentences confirmed: but the sentences are commuted to ten years imprisonment at hard labor.

The prisoners will be sent to the Provost Marshal General, Military Division of the Gulf, at New Orleans, with a copy of the order in their cases, for the execution of their sentences at the Dry Tortugas.

The proceedings and finding in the case of 2nd Lieut. *F. H. Wurdeman*, 1st U. S. C. Cavalry, are approved, and the sentence confirmed. Lieut. F. H. Wurdeman, accordingly, ceases to be an officer in the service of the United States.

The proceedings and findings in the case of *Richard Williams*, Citizen, are approved; and the prisoner will be discharged from custody.

In the case of Citizen *Joseph Lary*, the Commission having found the accused not guilty of both Charge and Specification; and having then found him guilty of an offence with which he was not charged, and of which there was no Specification, the findings are disapproved. The prisoner will be discharged from custody.

V. In the cases of Privates *Theo. Davis*, and *Geo. Washington*, "F" Company, 41st U. S. C. T.; *Weden Lee*, *Charles Aken* and *Jesse Brown*, "A" Company, 45th U. S. C. T, tried before a General Court Martial convened by Special Orders No. 123, Headquarters, 2nd Division, 25th Army Corps, so much of their respective sentences as directs the forfeiture of pay to indemnify private persons, is hereby declared *null* and *void*; a Court Martial having no power to appropri-

ate by its sentence, the pay due a convicted prisoner otherwise than in forfeiture to the United States.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, OCTOBER 28th 1865.

GENERAL COURT MARTIAL ORDERS, No. 5.

I. Before a General Court Martial, which convened at Headquarters, 2d Division, 25th Army Corps, Brazos Santiago, Texas, by virtue of Special Orders No. 106, from those Headquarters, June 23d 1865, and of which Bvt Brig. Gen'l. *S. C. Armstrong*, is President, was arraigned and tried:—

First Lieut. *Fred W. Brownell*, "F" Company, 29th U. S. C. T.

CHARGE I. Drunkenness on duty.

CHARGE II. Breach of arrest.

FINDINGS.

CHARGE I.

Of the *Specification*,	Guilty.
Of the CHARGE,	Guilty.

CHARGE II.

Of the first *Specification*,	Guilty.
Of the second *Specification*,	Not Guilty.
Of the CHARGE,	Guilty.

SENTENCE,

To be cashiered.

II. Before a Military Commission which convened at Houston, Texas, by virtue of Par. 2, of Special Orders No. 53, Headquarters, Department of Texas, Oct 12th, 1865, and of which *Major A. H. Langholz*, 12th Illinois Cavalry is President, was arraigned and tried:—

Citizen Thomas Yancey.

CHARGE. Assuming illegal authority under the United States Government.

FINDINGS,

Of the first *Specification*,	Guilty.
Of the second *Specification*,	Guilty.
Of the CHARGE,	Guilty.

SENTENCE.

To be confined at hard labor for six months in such prison as the Commanding General may direct.

III. The proceedings, findings and sentence in the foregoing case of First Lieut, *Fred W. Brownell*, "F" Company, 29th U. S. C. T. are approved and confirmed, but in consideration of the recommendation to mercy by a majority of the members of the Court, concurred in by the Division Commander, the sentence is mitigated to a suspension from rank and pay for the period of three months.

The proceedings, findings and sentence in the case of *Citizen Thomas Yancey*, are approved and confirmed, and the Dry Tortugas designated as the place of his confinement. The prisoner will be sent under suitable guard, with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, for the execution of his sentence.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

R. F. Halsted

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS.
GALVESTON, TEXAS, November 14th, 1865.

GENERAL COURT MARTIAL ORDERS,
No. 6.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders No. 74, from these Headquarters, November 4, 1865; and of which *Lieut. Col. J. R. Lynch*, 48th Ohio Vols, is President, were arraigned and tried :—

1st. Second Lieut *Charles Snyder*, 24th Regt. Ind. Vet. Vols..

CHARGE I.

Conduct prejudicial to good order and military discipline.

CHARGE II.

Conduct unbecoming an officer and a gentleman.

FINDINGS.

CHARGE I.

Of the 1st *Specification*,	Not guilty.
Of the 2nd *Specification*,	Guilty.
Of the CHARGE,	Guilty.

CHARGE II.

Of the 1st *Specification*,	Not guilty.
Of the 2nd *Specification*,	Not guilty.
Of the CHARGE,	Not guilty.

SENTENCE.

To be dismissed the service of the United States,

2nd. Corporal *Nathaniel Summers*,
Private *Edwin Bucklin*,
" *Dominicus V. Craig*, all of "E" Company, 24th Ind. Vet. Volunteers.

CHARGE.

Conduct prejudicial to good order and military discipline.

FINDINGS.

Of the 1st *Specification*,	Not guilty.
Of the 2nd *Specification*,	Not guilty.
Of the 3rd *Specification*,	Not guilty.
Of the CHARGE,	Not guilty

And the Court do therefore acquit them.

II. The findings and sentences in the case of Second Lieut. *Charles Snyder*, 24th Indiana Veteran Volunteers, are approved and the sen-

tence confirmed. The members of the Court unanimously recommend him to the clemency of the reviewing authority, on the ground of previous good character; but as the act of which he was found guilty, is one which the evidence shows to have been deliberately committed, with the intent to shield a prisoner charged with murder, the recommendation cannot be entertained. Lieutenant *Snyder*, accordingly ceases from this date to be an officer in the military service of the United States.

The proceedings and findings in the case of Corporal *Summers* and Privates *Bucklin* and *Crager*, are disapproved. The testimony shows most conclusively that the accused were cognizant of a premeditated attempt, by soldiers of their own regiment, to release a prisoner confined on the charge of murder, and yet were so grossly neglectful of their duty, as to fail to give any information of the matter, or to take the slightest precaution against the outrage. The condition of things as brought out in evidence goes to show a state of discipline in the regiment to which they belong, which is highly disgraceful and which merits the severest censure of the Commanding General. The prisoners will be released from arrest and returned to duty.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

C. H. Whittelsey

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, November 14th, 1865.

GENERAL COURT MARTIAL ORDERS, No. 7.

I Before a Military Commission which convened at Houston, Texas, by virtue of Special Orders No. 53 from these Headquarters, Oct. 12th 1865, and of which Major *A. H. Langholz*, 12th Illinois Cavalry, is President, were arraigned and tried :

Augustus Boyd, Mary Boyd and Moses Smith Park—Citizens.

CHARGE.

Armed resistance to the authorities of the United States Government.

FINDINGS.

Of the 1st *specification*	Not guilty.
Of the 2d *specification*	Not guilty.
Of the CHARGE	Not guilty.

And the Commission do therefore acquit them.

II. Before a General Court Martial which convened at Brazos Santiago, Texas, by virtue of General Orders, No. 26, Headquarters 3d Division, 25th Army Corps, Sept. 30th 1865, and of which Major *W. H. Hart*, 36th J. S. C. T. is President, was arraigned and tried:

Captain *Charles W. Emerson*, 1st U. S. C. Cavalry.

CHARGE I. Conduct unbecoming an officer and a gentleman.

CHARGE II. Breach of arrest.

ADDITIONAL CHARGE I. Conspiring to defraud enlisted men out of their bounties or portions thereof, to the prejudice of good order and military discipline.

ADDITIONAL CHARGE II. Breach of arrest.

FINDINGS.

CHARGE I.

Of the *specification*	Not guilty.
Of the CHARGE	Not guilty.

CHARGE II.

Of the *specification*	Guilty.
Of the CHARGE	Guilty.

ADDITIONAL CHARGE I.

Of the *specification*	Not guilty.
Of the CHARGE	Not guilty.

ADDITIONAL CHARGE II.

Of the *specification*	Not guilty.
Of the CHARGE	Not guilty.

SENTENCE.

To be Cashiered.

III. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders No. 74 from these Headquarters, November 4th 1865, and of which Lt. Col. *J. R. Lynch*, 48th Ohio Vols., is President, were arraigned and tried:

1. Private *William R. Shelton*, "B" Company, 48th Ohio Vols.

CHARGE. Desertion.

FINDINGS.

Of the *specification*	Not guilty.
Of the CHARGE	Not guilty.

And the Court do therefore acquit him.

2. Private *Francis M. Smith*, "A" Company, 24th Ind. Vol.

CHARGE, Conduct to the prejudice of good order and military discipline.

FINDINGS.

Of the *specification*	Not guilty.
Of the CHARGE	Not guilty.

And the Court do therefore acquit him.

IV. The proceedings and findings in the case of Citizens *Augustus Boyd*, *Mary Boyd* and *Moses Smith Park* are approved. The prisoners will be discharged from military custody.

In the case of Captain *Charles W. Emerson*, 1st U. S. C. Cavalry, the proceedings, findings and sentence are approved; but as it appears from the evidence that the action of this officer, which gave rise to the charge of "breach of arrest," of which he is found guilty, was based upon a misconstruction of the provisions of the law in the case, and was not a willful violation of discipline, the sentence is remitted. Captain *Emerson* will be released from arrest and restored to duty.

In the cases of Privates *William R. Shelton*, "B" Company, 48th Ohio Vols. and *Francis M. Smith*, "A" Company, 24th Ind. Vols. the proceedings and findings are approved. The prisoners will be released from confinement and returned to duty.

By Command of MAJ. GEN. WRIGHT,

C. H. WHITTELSEY,

Bvt. Col., Ass't. Adjt. Gen'l.

OFFICIAL:

F. L. Hayden
Bt. Maj. and A.A.G.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Nov. 30, 1865.

GENERAL COURT MARTIAL ORDERS, No. 8.

I. Before a General Court Martial which convened at Houston, Texas, by virtue of Special Orders No. 64, from these Headquarters, Oct. 26th, 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, were arraigned and tried:

1. Private *Wm. D. Cunningham*, "G" Comp'y, 12th Illinois Cavalry.

CHARGE I. Robbery and attempt to murder.

CHARGE II. Larceny.

CHARGE III. Conduct to the prejudice of good order and military discipline.

FINDING Not guilty.

And the Court does therefore acquit him.

2. Private *Richard Majors*, "C" Company, 12th Illinois Cavalry.

CHARGE—Desertion.

FINDING Not guilty.

And the Court does therefore acquit him.

3. Private *John Duba*, "C" Company, 12th Illinois Cavalry.

CHARGE—Desertion.

FINDING Not guilty.

And the Court does therefore acquit him.

4. Private *Edward B. Tudor*, "B" Company, 48th Ohio Vols.

CHARGE—Desertion.

FINDING Guilty.

SENTENCE. To forfeit all pay and allowances that are or may become due him, and to be confined at hard labor for the period of one year, at any place the Commanding General may direct.

5. Private *Wm. R. Campbell*, "H" Company, 12th Illinois Cavalry.

CHARGE I. Desertion.

CHARGE II. Theft.

FINDING Guilty.

SENTENCE. To be dishonorably discharged the service of the United States, with a forfeiture of all pay and allowances due or may become due and to be confined at hard labor for three months at any place the Commanding General may direct.

II. The findings in the cases of Privates *William D. Cunningham*, "G" Company, *Richard Miers* and *John Duba*, "C" Company, all of 12th Illinois Cavalry, are approved. The prisoners will be released from arrest and returned to duty.

In the cases of Private *Edward B. Tudor*, "B" Company, 48th Ohio Vols. and Private *William R. Campbell*, "H" Company, 12th Illinois Cavalry, the findings and sentences are approved and confirmed, and the Dry Tortugas designated as the place of confinement. The prisoners will be sent, under suitable guard, with a copy of the order in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their sentences as relates to confinement at hard labor.

By Command of MAJ. GEN. WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Dec. 4, 1865.

GENERAL COURT MARTIAL ORDERS,
No. 9.

I. Before a General Court Martial which convened at Green Lake, Texas, by virtue of Special Orders No. 121, Headquarters, 3d Division 4th Army Corps, July 23d 1865, and of which Lieut. Col. *H. Elum*, 32d Indiana Vol's, is President, was arraigned and tried:

2d Lieut. *Josiah W. Beaber*, 59th Illinois Veteran Volunteers.

CHARGE I. Conduct prejudicial to good order and military discipline.

CHARGE II. Conduct unbecoming an officer and a gentleman.

FINDING Guilty.

SENTENCE. To forfeit two months pay and allowances and be dishonorably dismissed the service of the United States.

II. The findings and sentence in the foregoing case of 2d Lieut. *Josiah W. Beaber*, 59th Illinois Veteran Volunteers, are approved, but, in consideration of the recommendation to clemency of his Division and District Commanders, so much of the sentence as relates to dismissal from the service of the United States is remitted. The prisoner will be released from arrest and restored to duty.

By Command of MAJ. GEN. WRIGHT.

C. H. WHITTELSEY,
Bv't Col Ass't. Ad,'t Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS
GALVESTON, TEXAS, Dec. 11, 1865.

GENERAL COURT MARTIAL ORDERS,
No. 10.

I. Before a General Court Martial which convened at Indianola, Texas, by virtue of Special Orders, No. 197, Headquarters, Central Dist. of Texas, and of which Major *M. Bailey*, 7th U. S. C. T. is President, was arraigned and tried :

1st Lieut. *J. B. Topping* R. Q. M. 115th U. S. C. T.

CHARGE I. Violation of the 45th Article of War.

CHARGE II. Violation of the 9th Article of War.

CHARGE III. Conduct to the prejudice of good order and military discipline

FINDINGS.

Of the 1st CHARGE	Not guilty.
Of the 2d CHARGE	Guilty.
Of the 3d CHARGE	Guilty.

SENTENCE.

To be dismissed the service of the United States.

II. The proceedings in the foregoing case of 1st Lieut. *J. B. Topping*, R. Q. M. 115th U. S. C. T. having been approved and forwarded by the proper commander to the Commanding General of the Department for his action, the following are his orders thereon:

The findings and sentence are approved and confirmed, and Lieut. *J. B. Topping* accordingly ceases to be an officer in the service of the United States. The proceedings showing, also, that Mr. *Herrick*, a clerk in the office of Lieut. *Topping*, by his abusive and profane language and improper conduct toward Capt. *Dunn*, occasioned the difficulty which results in Lieut. *Topping's* dismissal, and his conduct in the affair, toward an officer who had called for the transaction of business, proving him to be unfit for his present position, he will be dismissed from the service of the Quartermaster's Department and not again employed within the limits of this command.

By Command of MAJ. GEN. WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Dec. 19, 1865.

GENERAL COURT MARTIAL ORDERS, No. 11.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders No. 74, from these Headquarters, and of which Lieut.-Col. *Lynch*, 48th Ohio Vols. is President, were arraigned and tried:

1. Private *Henry Glunt*, "D" Comp'y, 48th Ohio Vols.

CHARGE—Desertion.

FINDING Not guilty, but guilty of absence without leave.

SENTENCE. To forfeit all pay proper from Sept. 5th to Nov. 7th 1864.

2. Private *Elias C. Hamilton*, "C" Company, 48th Ohio Vols.

CHARGE Assault and battery with intent to kill.

FINDING Guilty.

SENTENCE. Two years hard labor, with loss of all pay and allowances during such time.

II. Before a General Court Martial which convened at Houston, Texas, by virtue of Special Orders, No 64, from these Headquarters, October 25th, 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, was arraigned and tried:

Private *John Brown*, "C" Company, 12th Illinois Cavalry.

CHARGE I. Absence without leave.

CHARGE II. Drunkenness on duty.

CHARGE III. Conduct to the prejudice of good order and military discipline.

CHARGE IV. Violation of the 9th Article of War.

FINDINGS

CHARGE I. Not guilty.

CHARGE II, III and IV. Guilty.

SENTENCE. Two years hard labor at any place of confinement the Commanding General may direct.

III. Before a General Court Martial which convened at Brownsville, Texas, by virtue of Special Orders No. 222, Headquarters, 1st Division 25th Army Corps, Oct. 19, 1865, and of which Col. *J. G. Perkins* 19th U. S. C. T. is President, was arraigned and tried:

Private *John Edwards*, "K" Company, 38th U. S. C. T.

CHARGE I. Mutiny.

CHARGE II. Drawing or lifting up a weapon against his superior officer.

FINDING. Guilty

SENTENCE. To be shot to death with musketry at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring therein.

IV. The findings and sentence in the case of Private *Henry Glunt*, "D" Company, 48th Ohio Vols. are approved and confirmed. The sentence will be carried into effect under the direction of his Commanding Officer.

The findings and sentences in the cases of Privates *John Brown*, "C" Company, 12th Illinois Cavalry, and *Elias C. Hamilton*, "C" Company 48th Ohio Vols. are approved and confirmed, and the Dry Tortugas designated as the place of their confinement at hard labor. The prisoners will be sent under suitable guard, and with copies of the order in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

The findings and sentence in the case of Private *John Edwards*, "K" Company, 38th U. S. C. T. having been approved by the proper commander and forwarded by him to the Commanding General of the Department, recommending a mitigation of the sentence, it is directed that the sentence be commuted to ten (10) years imprisonment at hard labor, and the Dry Tortugas designated as the place of confinement. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, for the execution of his sentence.]

By Command of MAJ. GEN. WRIGHT.

C. H. WHITTELSEY,
Bv'l Col., Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Dec. 22, 1865.

GENERAL COURT MARTIAL ORDERS,
No. 12.

I. Before a General Court Martial which convened at Houston, Texas, by virtue of Special Orders, No. 64, from these Headquarters, Oct. 25th, 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, were arraigned and tried :

1. Private *Noel Contier*, "C" Company, 12th Illinois Cavalry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE. To forfeit all pay and allowances for the period of three months.

2. Private *John Charleston*, "B" Company, 37th Illinois Vols.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE. To forfeit all pay and allowances for the period of one month.

II. The findings and sentences in the cases of Privates *Noel Contier*, "C" Company, 12th Illinois Cavalry, and *John Charleston*, "B" Company, 37th Illinois Vols. are approved and confirmed, and the sentences will be carried into effect by the proper officers.

BY COMMAND OF MAJ. GEN. H. G. WRIGHT.

C. H. WHITTELSEY,
Bv'l Col Ass't. Adj'l Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, December 28, 1865.

GENERAL COURT MARTIAL ORDERS. }
No. 13. }

I. Before a General Court Martial which convened at Hempstead, Texas, by virtue of General Orders, No. 24, Headquarters 2d Cavalry Division, October 12, 1865, and of which Lieut. Col. *A. G. McQueen*, 1st Iowa Cavalry, is President, was arraigned and tried:—

2d Lieut. *Charles Jones*, "F" Company, 7th Indiana Cavalry Vols.

CHARGE I.—Conduct prejudicial to good order and military discipline.

CHARGE II.—Conduct unbecoming an officer and a gentleman.

CHARGE III.—Drunkenness.

FINDINGS:—Guilty.

SENTENCE:—To be dismissed the service of the United States.

II. The findings and sentence in the foregoing case are approved and confirmed. Lieut. *Charles Jones*, 7th Indiana Cavalry, accordingly, ceases to be an officer in the service of the United States.

BY COMMAND OF MAJOR GENERAL H. G. WRIGHT:

C. H. WHITTELSEY,
Bv't Col., Ass't. Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

GENERAL COURT MARTIAL ORDERS

FROM THE

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Department of Texas.

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1866.

HEADQUARTERS, DEPARTMENT OF TEXAS.

GALVESTON, TEXAS, January 2, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 1.

I. Before a General Court Martial which convened at Houston, Texas, by virtue of Special Orders, No. 64, from these Headquarters, Oct. 25th 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, was arraigned and tried;

Private *Mathew Fitzgerald*, "D" Company, 12th Illinois Cavalry.

CHARGE I. Violation of the 50th Article of War.
CHARGE II. Drunkenness on duty.
CHARGE III. Violation of the 9th Article of War.

FINDINGS.

CHARGE I.	Not guilty.
CHARGE II.	Guilty.
CHARGE III.	Not guilty.

SENTENCE. To forfeit to the United States all pay and allowances for the period of three months.

II. The findings and sentence in the foregoing case of Private *Mathew Fitzgerald*, "D" Company, 12th Illinois Cavalry, are approved and confirmed, and the sentence will be carried into effect by the proper officers.

By command of Major General WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, February 5, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 2. }

I. Before a General Court Martial which convened at Houston, Texas, by virtue of Special Orders, No. 64, from these Headquarters, Oct. 25th, 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, were arraigned and tried :

1. Private *John Brink*, "D" Company, 37th Illinois Vet. Vol. Infantry.

CHARGE.—Disorderly conduct.

FINDING. Guilty.

SENTENCE.—To forfeit to the United States all pay and allowances, for the period of three months, and to be confined in the Houston military prison for the period of one month.

2. Private *Adolph Savaugh*, "K" Company, 37th Illinois Vet. Vol. Infantry.

CHARGE I.—Robbery.

CHARGE II.—Conduct to the prejudice of good order and military discipline.

FINDINGS.

CHARGE I. Not guilty.

CHARGE II. Not guilty.

And the Court do therefore acquit him.

II. The findings and sentence in the foregoing case of Private *John Brink*, "D" Co. 37th Illinois Infantry, are disapproved, and the prisoner will be released from arrest and returned to duty.

The findings in the foregoing case of Private *Adolph Savaugh*, "K" Co. 37th Illinois Infantry, are approved and confirmed. He will be released from arrest and restored to duty.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv'l Col., Ass't. Adj't Gen'l.

OFFICIAL:

F. L. Hayden
Pvt. Reg. A

Assistant Adjutant General.

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HEADQUARTERS DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Feb. 22, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 3.

I. Before a General Court Martial which convened at the camp of the 28th Illinois Inf'y Vet. Vol's, near Brownsville, Texas, by virtue of Special Orders, No. 160, Headquarters, Separate Brigade, District of the Rio Grande, November 29, 1865, and of which Colonel *Hinman Rhodes*, 28th Illinois Infantry Vet. Vol's, is President, was arraigned and tried:

Capt. *John W. Johann*. Co. F, 35th Wis. Inf'y Vol's.

CHARGE I.—Disorderly conduct.
CHARGE II.—Making false returns to his superior officer.
CHARGE III.—Conduct highly prejudicial to good order and military discipline.
CHARGE IV.—Conduct unbecoming an officer and a gentleman.

FINDINGS.

CHARGE 1st.

Of the 1st SPECIFICATION — Guilty.
Of the 2d SPECIFICATION — Guilty.
Of the 3d SPECIFICATION — Not guilty.
Of the CHARGE — Guilty.

CHARGE 2d.

Of the 1st SPECIFICATION — Guilty.

Of the 2d SPECIFICATION—Not guilty, but guilty of the specification amended to read "did cause to be reported &c."

Of the 3d SPECIFICATION—Not guilty, but guilty of the specification amended to read "did cause to be reported &c."

Of the CHARGE—Not guilty, but guilty of the charge amended to read "causing to be made false &c."

CHARGE 3d.

Of the SPECIFICATION—Guilty, except the words "with his knowledge and permission sold to enlisted men of the regt."

Of the CHARGE — Not guilty.

CHARGE 4th,

Of the 1st SPECIFICATION—Guilty except the words "the intent and purpose &c."

Of the 2d SPECIFICATION—Guilty, except the words "the intent and purpose &c."

Of the 3d SPECIFICATION — Guilty.
Of the CHARGE — Guilty.

SENTENCE.

To be cashiered, and utterly disabled to have or hold any office or employment in the service of the United States.

II. The findings and sentence in the foregoing case of Capt. *John W. Johann*, Co. F, 35th Wis. Infantry Vol's, not being sustained by the evidence, are disapproved, and Capt. *John W. Johann*, is released from arrest and returned to duty.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col Ass't. Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, February 23, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 4. }

I. The sentence by General Court Martial which convened at Houston, Texas, by virtue of Special Orders, No. 64, from these Headquarters, dated October 25, 1865, and of which Major *A. T. Search*, 12th Illinois Cavalry, is President, being illegal, General Court Martial Orders, No. 1, current series, from these Headquarters, dated January 2d 1866, approving and confirming the same, are hereby revoked. The sentence in the case aforesaid, of Private *Mathew Fitzgerald*, Company "D" 12th Illinois Cavalry, is disapproved and the pay retained pursuant to said sentence and orders, is hereby ordered to be refunded to the accused.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, February 23, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 5. }

Upon the recommendation of his Company, Regimental and District Commanders, the unexpired portion of the sentence of Private *E. P. Wheeler*, "C" Company, 6th U. S. Cavalry, as promulgated in General Orders, No. 5, current series, Headquarters Cavalry Department of Texas, is hereby remitted.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Feb. 21, 1866.

GENERAL COURT MARTIAL ORDERS, No. 6.

I. Before a Military Commission which convened at Houston, Texas, by virtue of Special Orders, No 53, from these Headquarters, October 12th, 1865, and of which Major *Andrew H. Langhlz*, 12th Illinois Cavalry, is President, was arraigned and tried:

Private *Emanuel Hoover*, Company "D" 12th Illinois Cavalry.

CHARGE—Murder.

FINDING—Not guilty of murder but guilty of man-slaughter.

SENTENCE—To forfeit all pay and allowances now due or that may become due, and to be confined at hard labor for the term of eight (8) years, at such place as the Commanding General may direct.

II. Before a Military Commission which convened at Galveston, Texas, by virtue of Special Orders No. 15, from these Headquarters, Jan. 18, 1866, and of which Major *W. T. Baker*, 10th U. S. C. T. is President, was arraigned and tried.

W. C. Howard, citizen.

CHARGE—Attempt to defraud the Government of the United States.

FINDING—Not guilty.

And the Commission does therefore acquit him.

III. The proceedings, findings and sentence in the foregoing case of Private *Emanuel Hoover*, Company "D," 12th Illinois Cavalry, are approved and confirmed, and the Dry Tortugas, Florida, designated as the place of his confinement at hard labor. The prisoner will be sent, under suitable guard, and with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of his sentence as relates to confinement at hard labor.

The proceedings and finding in the case of *W. C. Howard*, citizen, are approved and confirmed, and he will be at once released from arrest.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col Ass't. Ad,'t Gen'l.

OFFICIAL:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 3, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 7. }

In the case of *Jesus Castro*, citizen, tried by a Military Commission, convened by Special Orders, No. 239, Headquarters Central District of Texas, November 22nd, 1865, on the charge of murder, and sentenced "to be hung by the neck until he be dead," the proceedings were forwarded for the action of the President; and it having been held by the Judge Advocate General of the Army that the proceedings are illegal and the sentence therefore void by reason of the Commission having continued its session without authority after the hour of 3 o'clock, P. M., the prisoner, *Jesus Castro*, is hereby ordered to be released from confinement.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass't Adj't Gen'l.

OFFICIAL:

C H Whittelsey

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 7, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 8. }

I. Before a Military Commission which convened at Galveston, Texas, by virtue of Special Orders, No. 15, from these Headquarters, January 18, 1866, and of which Major *W. F. Baker*, 10th U. S. C. T., is President, was arraigned and tried:

Polk Martin, citizen.

CHARGE I,—Murder.

CHARGE II,—Aiding and assisting to murder.

FINDINGS.

Of the 1st charge—Not guilty.

Of the 2nd charge—Guilty.

SENTENCE.

To be confined at hard labor for the period of fifteen years at such place as the Commanding General may direct.

II. Before a General Court Martial which convened at Brownsville, Texas, by virtue of Special Orders, No. 28, Headquarters, District of Rio Grande, January 30, 1866, and of which Lieut.-Col. *G. M. Dennett*, 9th U. S. C. T., is President, was arraigned and tried:

1st Lieut. *E. B. Cooper*, 117th U. S. Colored Troops.

CHARGE I—Disobedience of orders.

CHARGE II—Conduct prejudicial to good order and military discipline.

CHARGE III—Conduct unbecoming an officer and a gentleman.

CHARGE IV—Fraudulently disposing of government property.

FINDINGS:—Guilty.

SENTENCE.

To be dishonorably dismissed the service of the United States; to make good at his own expense the loss to the government of forage, mules, &c., unlawfully sold by him, and to forfeit to the United States all pay and allowances now due or that shall hereafter become due him.

III. The proceedings, findings and sentence in the foregoing case of *Polk Mexin*, citizen, are approved and confirmed, and the Dry Tortugas, Florida, designated as the place of his confinement. The prisoner will be sent under suitable guard, with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

The proceedings, findings and sentence in the foregoing case of 1st Lieut. *E. B. Cooper*, 117th U. S. Colored Troops, having been reviewed by the proper commander, the record was forwarded for the action of the Department Commander. The findings of the Court upon the 2nd and 3rd specifications of the 2nd charge, and the 2nd and 3rd specifications of the 3rd charge, and the 4th charge and specification not being sustained by the evidence, are disapproved.

The proceedings and findings of the Court upon the 1st charge and specification, and the 1st specification of the 2nd charge and the 2nd charge, and the 1st specification of the 3rd charge and the 3rd charge are approved, and so much of the sentence of the Court as dishonorably dismisses the accused from the service of the United States, is approved and confirmed.

1st Lieut *E. B. Cooper*, 117th U. S. Colored Troops, accordingly ceases to be an officer in the military service of the United States.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bv'l Co'l Ass't Adj't Gen'l.

Official:

C. H. Whittelsey

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 8, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 9. }

Upon the recommendation of the regimental and company commanders in the case of Sergeant *John Ager*, Co. "C," 6th U. S. Cavalry, sentenced by a General Court Martial which convened at Frederick, Maryland, pursuant to Special Orders, No. 56, Headquarters, M. M. Department, Baltimore, Maryland, September 20, 1865, "to be reduced to the ranks, and be confined at hard labor in charge of the guard, at such place as may be designated by the proper authority, for the period of eighteen months, wearing a ball weighing twenty four pounds attached to his left leg by a log-chain three feet long, and to forfeit all pay that is or may become due him for the same period, and be dishonorably discharged the service of the United States at the expiration of said term," and promulgated in General Orders, No. 26, Headq'rs M. M. Dep't, Baltimore, Maryland, Oct. 24, 1865, the unexpired portion of the sentence is hereby remitted and private *Ager* will be returned to duty with his regiment.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Co'l Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 9, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 109 }

I. Before a Military Commission which convened at Galveston, Texas, by virtue of Special Orders, No. 15, from these Headquarters, January 18, 1866, and of which Major *W. F. Baker*, 10th U. S. C. T., is President, was arraigned and tried:

P. T. Early, citizen.

CHARGE:—Murder.

SPECIFICATION:

In this, that he, *P. T. Early*, citizen, a resident of Brenham, Washington Co., Texas, did, while in company with other persons (names unknown) and without proper cause or provocation, point a pistol or revolver towards one *Andrew Hunter*, private Co "A," 37th Illinois Vet. Vol. Inf., and fire on him, the said *Andrew Hunter*, killing him within the period of about fifteen minutes after the wound was received;

All this at Brenham, Washington county, Texas, on or about the 11th day of February, A. D. 1866.

FINDING:—Not guilty.

And the Commission do therefore acquit him, *P. T. Early*, citizen.

II. The proceedings and findings in the foregoing case of *P. T. Early*, citizen, are approved, and the prisoner will be discharged from custody.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass't Adj't Gen'l.

OFFICIAL:

R. F. Halstead

Assistant Adjutant General.

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HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 22, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 11.

I. Before a Military Commission which was convened at San Antonio, Texas, by virtue of Special Orders, No. 26, Headquarters, Central District of Texas, March 11, 1866, and of which Col. and Brevet Brig. Gen. *M. B. Houghton*, 3d Mich. Infantry, is President, was arraigned and tried:

Patrick Kinney, citizen.

CHARGE I—Assaulting and threatening the life of a freedman.

CHARGE II—Taking and detaining property of a freedman unlawfully.

FINDINGS.

Of the 1st charge—Guilty.

Of the 2nd charge—Guilty.

SENTENCE.

"To pay a fine of fifty ($50) dollars, and in default of the same to be confined thirty (30) days in such prison as the General Commanding shall direct."

II The proceedings, findings and sentence in the foregoing case of *Patrick Kinney*, citizen, having been approved by the proper commander, the record was forwarded for the action of the Department Commander, with a recommendation that the sentence be remitted.

It appearing from the original charges and specifications, that the accused was tried by a Commission which was convened by his accuser or prosecutor, contrary to law, the proceedings and sentence are therefore invalid and inoperative. The record is also fatally defective in not showing that the Court and Judge Advocate were sworn in the presence of the accused.

The proceedings and sentence of the Commission are disapproved, and the accused, *Patrick Kinney*, will be discharged from military custody.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walton
Bv't Lt Col. Ca, *Assistant Adjutant General.*

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 27, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 12.

I. Before a General Court Martial which convened near Brownsville, Texas, pursuant to Special Orders, No. 19, Headquarters, Separate Brigade, District of the Rio Grande, February 17, 1866, and of which Lieut.-Col. *W. E. Stevens*, 77th Ohio Vet. Vol. Inf., is President, was arraigned and tried:

Private *Robert Rodgers*, Co. "B," 77th Ohio Vet. Vol. Infantry.

CHARGE I—Assault and Battery with intent to kill.
CHARGE II—Murder.
CHARGE III—Intent to commit murder.

FINDINGS.

Of the 1st charge—Not Guilty.
Of the 2nd charge—Guilty.
Of the 3rd charge—Guilty.

SENTENCE.

"And the Court does therefore sentence the accused, Private *Robert Rodgers*, Co. "B," 77th Ohio Vet. Vol. Inf., to be hanged by the neck until he be dead, at such time and place as the Commanding General may direct; two thirds of the members of the Court concurring in the finding and sentence."

II. Before a Military Commission which convened at Galveston, Texas, pursuant to Special Orders, No. 15, from these Headquarters, January 18, 1866, and of which Major *W. F. Baker*, 10th U. S. C. T., is President, was arraigned and tried:

Daniel P. Gallagher, citizen.

CHARGE I—Murder.
CHARGE II—Aiding and assisting to murder.

FINDINGS.

Of the 1st charge—Guilty.
Of the 2nd charge—Not guilty.

SENTENCE.

"And the Court do therefore sentence him to be hung by the neck until he is dead, at such time and place as the Commanding General may direct, two thirds of the members concurring therein."

III. The proceedings, findings and sentence in the foregoing case of Private *Robert Rodgers*, Co. "B," 77th Ohio Vet. Vol. Inf., having been approved by the proper reviewing officer, the record was forwarded for the action of the Department Commander, who confirms the sentence of the Court. The sentence will be carried into effect between the hours of 12 o'clock, M., and 4 o'clock, P. M., on Friday the 27th day of April, 1866, under the direction of the District Commander, in the presence of such of the troops stationed in the vicinity of Brownsville, Texas, as can be conveniently assembled for the purpose.

The proceedings, findings and sentence of the Commission in the above case of *Daniel P. Gallagher*, citizen, are approved and confirmed. The sentence will be carried into execution, on Friday the 27th day of April 1866, between the hours of 12 o'clock, M., and 4 o'clock, P. M., at Galveston, Texas, under the direction of the Post Commander.

By Command of Major General Wright.

C. H. WHITTELSEY,

Bv'l Col. and Ass't Adj't Gen'l.

Official:

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, March 29, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 13.

In the case of *Daniel P. Gallagher*, citizen, tried before a Military Commission, and sentenced to be hung, certain important facts having been brought to light since the review of the proceedings, of such a nature as to make it proper to refer the case to the President of the United States for his action; it is therefore ordered that the execution of the sentence, as directed in General Court Martial Orders, No. 12, current series, from these Headquarters, be suspended until the pleasure of the President thereupon shall be known.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col. and Ass'l Adj'l Gen'l.

OFFICIAL:

R. F. Roberts

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, April 9, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 14.

I. Before a Military Commission which convened at Galveston, Texas, pursuant to Special Orders, No. 15, from these Headquarters, January 18, 1866, and of which Major *W. F. Baker*, 10th U. S. C. T., is President, was arraigned and tried:

George W. Kay, citizen.

CHARGE.—Inciting to, and engaging in riotous proceedings.

FINDING.—Not guilty.

"And the Court do therefore acquit him, *George W. Kay*, citizen."

II. The proceedings and finding of the Commission, in the above case of *George W. Kay*, citizen, are approved, and the accused will be discharged from military custody.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Co'l Ass't Adj't Gen'l.

OFFICIAL:

R. T. Walton

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, April 30, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 15.

I. It having been decided by the Judge Advocate General that the proceedings of the General Court Martial convened by Special Orders, No. 21, Headquarters, 1st Cavalry Division, Military Division of the Gulf, San Antonio, Texas, Nov. 20th 1865, should be declared void, for errors in the proceedings, and the absence of the endorsement of the proper reviewing authority, in the following cases, viz:

James C. Gill, Private Co. "G," 4th U. S. Cavalry.
CHARGE—Selling Government property.
FINDING—Guilty.
SENTENCE—"To be confined at such military prison as the Commanding General may direct for the period of three months, and to forfeit his monthly pay for the same period."

Daniel H. Hayes, Private Co. "L," 4th U. S. Cavalry.
CHARGE—Desertion.
FINDING:—Not guilty, but guilty of absence without leave.
SENTENCE—"To forfeit two months of his pay, and to be confined in such military prison as the Commanding General may direct for the remainder of his term of service."

Charles E. Bates, Private Co. "E," 4th U. S. Cavalry.
CHARGE—Violation of the 36th Article of War.
FINDING—Of the Specification—Guilty.
Of the Charge—Not guilty.
SENTENCE—"To be confined in such military prison as the Commanding General may direct, for the unexpired term of his enlistment, with loss of all pay and allowances now due or to become due.

Benjamin A. Sissom, Private Co. "E," 3d Michigan Cavalry.
CHARGE—Desertion.
FINDING—"Not guilty, and the accused acquitted."

George Austin, Private Co. "M," 3d Michigan Cavalry.
CHARGE—Sleeping on post.
FINDING—Guilty.

SENTENCE.—"To be confined at hard labor for three months, at such place as the Commanding General may direct, with loss of all pay and allowance for the same time."

The proceedings and sentences of the Court in the above cases are therefore held to be void.

II. It is further ordered, that the enlisted men now in confinement by reason of said sentences, be released, and Privates James C. Gill, Company "G," Daniel H. Hayes, Company "L," and Charles E. Bates, Company "E," 4th United States Cavalry, returned to duty with their regiment, and that those who have suffered loss of pay by reason of said sentences, shall have the same refunded to them.

BY COMMAND OF MAJOR GENERAL WRIGHT.

R. F. HALSTED,

Bvt. Lieut. Col., Act'g Ass't Adj't Gen'l.

OFFICIAL:

Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, May 4, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 16.

I. Before a General Court Martial which convened at San Antonio, Texas, pursuant to Special Orders No. 62, Headquarters Separate Brigade Central District of Texas, March 14, 1866, and of which Bv't Brig. Gen. M. B. Houghton, 3d Michigan Infantry, is President, was arraigned and tried:

2d Lieut. *Charles Van Dorn*, Co. "C," 18th New York Cavalry.

CHARGE I—Absence without leave.

CHARGE II—Violation of his arrest, to the prejudice of good order and military discipline.

CHARGE III—Conduct unbecoming an officer and a gentleman, to the prejudice of good order and military discipline.

CHARGE IV—Discharging of firearms and disorderly conduct, to the prejudice of good order and military discipline.

FINDINGS.

Of the 1st Charge—Guilty.

Of the 2d Charge—Guilty.

Of the 3d Charge—Guilty.

Of the 4th Charge—Guilty of "disorderly conduct, to the prejudice of good order and military discipline."

SENTENCE—"And the Court do therefore sentence him, the said 2d Lieut. *Chas. Van Dorn*, Company "C," 18th New York Cavalry, to be cashiered the service of the United States."

II. The proceedings, findings, and sentence in the above case of 2d Lieut. *Chas. Van Dorn*, Co. "C," 18th New York Cavalry, were approved by the proper Commander, and the record forwarded for the action of the Department Commander, who approves and confirms the same.

2d Lieut. *Chas. Van Dorn* accordingly ceases to be an officer in the military service of the United States.

BY COMMAND OF MAJOR GENERAL WRIGHT.

R. F. HALSTED,
Bv't Lieut. Col. Act. Ass't Adj't Gen'l.

OFFICIAL:

Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, May 16, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 17.

In the case of Private *Chas. Filzimmons*, 1st Company Pontoniers, U. S. Volunteers, sentenced by a General Court Martial, which convened at Brownsville, Texas, pursuant to Special Orders, No. 91, Headquarters, Separate Brigade, District of the Rio Grande, April 7, 1866, "To be dishonorably dismissed the United States service, and be confined at hard labor, in such penitentiary as the Commanding General may direct, for the period of two years," the penitentiary at Jefferson City, Missouri, is designated as the place of confinement. The prisoner will be sent, under suitable guard, with copies of the orders in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

BY COMMAND OF MAJOR GENERAL WEIGHT.

C. H. WHITTELSEY,
Bvt. Col. and Ass't Adj't Gen'l.

OFFICIAL:

Assistant Adjutant General.

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HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, May 17, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 18.

I. Before a General Court Martial which convened near Brownsville, Texas, pursuant to Special Orders, No. 49, Headquarters, 2d Separate Brigade and District of the Rio Grande, Brownsville, Texas, February 20, 1866, and of which Lieut. Col. G. M. DENNETT is President, was arraigned and tried—

2d Lieut. *James T. Murphy*, 19th U. S. C. Troops.

CHARGE—Conduct prejudicial to good order and military discipline.

1st ADDITIONAL CHARGE—Breach of arrest.

2d ADDITIONAL CHARGE—Conduct unbecoming an officer and a gentleman.

FINDING.

Of the Charge—Guilty.

Of the 1st additional Charge—Guilty.

Of the 2d additional Charge—Not guilty.

SENTENCE—"To be cashiered, and to forfeit all pay and allowances now due or to become due him."

II. The proceedings, findings, and sentence in the above case of 2d Lieut. *James T. Murphy*, 19th U. S. C. Troops, were approved by the proper reviewing authority, and the record forwarded for the action of the Department Commander, who approves and confirms the same. 2d Lieut. *James T. Murphy* accordingly ceases to be an officer in the military service of the United States.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Nalitt

1st Lt. Co. *Assistant Adjutant General.*

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HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, May 22, 1866.

GENERAL COURT MARTIAL ORDERS, No. 19.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried:

Private *Maurice Cune*, Co. "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States ten (10) dollars of his pay for one month."

Private *John Kimball*, Co. "A," 3d Battalion, 17th U. S. Infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline.

FINDING—Not guilty, and the Court do therefore acquit him.

Private *Charles Keene*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Theft, to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States all pay and allowances which are or may become due for the period of six months, excepting such amount as may be justly due the laundress and sutler."

Private *William D. Cornwall*, Co. "E," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 38th Article of War.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States seven (7) dollars of his monthly pay for two months."

Private *Frederick Brown*, Co. "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Absence without leave.

CHARGE II.—Conduct to the prejudice of good order and military discipline.

FINDINGS: Of the 1st Charge—Guilty.
Of the 2d Charge—Not guilty.

SENTENCE.—"To be confined at hard labor for eighteen (18) months on government works, with a loss of all pay and allowances for a like period, except the just dues of the laundress and sutler.

Private *John McMahon*, Co. "G," 3d Battalion, 17th U. S. Infantry.
CHARGE—Absence without leave.
FINDING—Guilty.
SENTENCE—"To be confined at hard labor for six (6) months, at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances which are or may become due, excepting the just dues of the laundress and sutler, for the same period.

Private *Frank Walling*, Co. "G," 3d Battalion, 17th U. S. Infantry.
CHARGE—Absence without leave.
FINDING—Guilty.
SENTENCE—"To be confined at hard labor for six (6) months at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances which are or may become due, excepting the just dues of the laundress and sutler, for the same period."

Private *John Hurley*, Co. "G," 3d Battalion, 17th U. S. Infantry.
CHARGE—Absence without leave.
FINDING—Guilty.
SENTENCE—"To be confined at hard labor for six (6) months, at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances which are or may become due for the same period, excepting the just dues of the laundress and sutler.

Private *Lewis Ulmme*, Co. "C," 3d Battalion, 17th U. S. Infantry.
CHARGE—Violation of the 46th Article of War.
FINDING—Guilty.
SENTENCE—"To be dishonorably discharged, and to be confined at hard labor, at such point as the Commanding General may direct, for the remainder of the period for which he was enlisted, and to forfeit to the United States all pay and allowances which are or may become due, excepting the just dues of the laundress and sutler."

Private *John Coyle*, Co. "E," 3d Battalion, 17th U. S. Infantry.
CHARGE I—Absence without leave.
CHARGE II—Conduct to the prejudice of good order and military discipline.
FINDING—Guilty.
SENTENCE—"To be confined at hard labor for one (1) year, at such point as the Commanding General shall direct, and to forfeit to the

United States all pay and allowances for the same period, excepting the just dues of the sutler and laundress."

Private *Thomas Carney*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Neglect of duty as sentinel, to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor for four months on Government fortifications, at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances for a like period, excepting the just dues of the laundress and sutler."

II. The proceedings, findings, and sentences of the Court in the above cases of Privates Charles Keene, Co. "C," Wm. D. Cornwall, Co. "E," Maurice Clune, Co. "G," Thomas Carney, Co. "C," John Coyle, Co. "E," Louis Hemme, Co. "C," John Hardy, Co. "G," Frank Walling, Co. "G," Frederick Brown, Co. "E," and John McMahon, Co. "G," of the 3d Battalion, 17th U. S. Infantry, are approved and confirmed.

The proceedings and finding of the Court in the above case of Private John Kimball, Co. "A," 3d Battalion, 17th U. S. Infantry, are approved, and Private John Kimball will be released and returned to duty.

In the cases of Privates Maurice Clune, Co. "D," Charles Keene, Co. "C," and Wm. D. Cornwall, Co. "E," of the 3d Battalion, 17th U. S. Infantry, the Commanding Officer of the 17th U. S. Infantry is charged with the execution of their respective sentences.

In the cases of Privates John McMahon, Co. "G," Frederick Brown, Co. "E," Frank Walling, Co. "G," John Hardy, Co. "G," Lewis Hemme, Co. "C," John Coyle, Co. "E," and Thomas Carney, Co. "C," of the 3d Battalion, 17th U. S. Infantry, the Dry Tortugas, Florida, is designated as the place for their confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General of the Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walitt

Bvt Lt Col *Assistant Adjutant General.*

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, May 28, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 20.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried—

1. Corporal *Daniel Crowley*, Co. "F," 3d Battalion, 17th U. S. Infantry.

CHARGE—Conduct prejudicial to good order and military discipline.

FINDING—Guilty.

SENTENCE—"To be reduced to the ranks."

2. Corporal *Edward Drum*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 45th Article of War.

FINDING—Guilty.

SENTENCE—"To be reduced to the ranks, and to be confined, under charge of the guard, at hard labor for two months."

3. Private *James Dunn*, an unassigned recruit of the 17th U. S. Infantry, temporarily attached to Co. "B," 3d Battalion.

CHARGE—Violation of the 46th Article of War.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for six months, and to forfeit to the United States all pay and allowances which are or may become due for the same period, excepting the just dues of the laundress and sutler. The Court is thus lenient from the fact that it appears, from circumstances which have come to the knowledge of the Court, the prisoner should not have been posted as a sentinel at all, he being drunk when so posted."

4. Private *John Reid*, Co. "A," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States two months pay, except the just dues of the laundress and sutler. The Court is thus lenient on account of the youth, inexperience and previous good character of the prisoner."

5. Private *George Lees*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor at such place as the Commanding General may direct, for the period of six months, with loss of all pay and allowances, excepting the just dues of the laundress and sutler, for the same period."

6. Private *Henry Pflucker*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 46th Article of War.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, and to be confined at hard labor, for the remainder of the time for which he was enlisted, on Government works, with the loss of all pay and allowances which are or may become due for the same period."

7. Private *Austin O'Toole*, Co. "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—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 dishonorably discharged the service of the United States, and to be confined at hard labor for the remainder of the period for which he was enlisted, at such place as the Commanding General may direct."

8. Private *Lester Dormer*, Co. "A," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States two months pay, except the just dues of the laundress and sutler. The Court is thus lenient on account of the youth, inexperience and previous good character of the prisoner."

II. The proceedings, findings and sentences of the Court in the foregoing cases of Privates Lester Dormer, Co. "A," John Reid, Co.

"A," James Dunn, Co. "B," George Lees, Co. "C," Henry Pflucker, Co. "C," Austin O'Toole, Co. "C," Corporals Edward Dunn, Co. "B," and Daniel Crowley, Co. "F," of the 3d Battalion, 17th U. S. Infantry, are approved, and the sentences will be duly executed.

In the cases of Privates Lester Dormer, Co. "A," John Reid, Co. "A," Corporals Daniel Crowley, Co. "F," and Edward Dunn, Co. "B," of the 3d Battalion 17th U. S. Infantry, the proper officers are charged with the execution of their respective sentences.

In the cases of Privates Austin O'Toole, Co. "C," Henry Pflucker, Co. "C," George Lees, Co. "C," and James Dunn, Co. "B," of the 3d Battalion, 17th U. S. Infantry, the Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

Official:

Bv't Lt Col., Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, May 28, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 21.

I. Private *Robert Rodgers*, Co. B, 77th Regiment Ohio Vet. Vol. Infantry, whose execution was ordered to take place on the 27th day of April, 1866, in General Court Martial Orders No. 12, current series, from these Headquarters, and who escaped custody previous to the time fixed for his execution, having been since arrested, the sentence in his case will be carried into effect on Friday, the 8th day of June, 1866 between the hours of 12, M. and 4 o'clock, P. M. under the direction of the District Commander in the presence of such troops statloned in the vicinity of Brownsville, Texas, as can be conveniently assembled for the purpose.

BY COMMAND OF MAJOR GENERAL WEIGHT.

C. H. WHITTELSEY
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walted

Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, May 29, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 22.

I. The designation by Lieut. Col. E. H. POWELL, commanding Eastern District, of the Dry Tortugas, Florida, as the place of confinement in the case of Private *James K. Postley*, 18th New York Cavalry, sentenced by a General Court Martial "to forfeit to the United States all pay and allowances that are now due or may hereafter become due ; that he be dishonorably discharged the service of the United States, and be confined at hard labor for the period of twenty-one (21) years, at such place as the Commanding General may direct," as promulgated in General Court Martial Orders, No. 12, Headquarters, Eastern District of Texas, Houston, Texas, April 3, 1866, is approved.

II. The designation by Lieut. Col. E. H. POWELL, commanding Eastern District, of the Dry Tortugas, Florida, as the place of confinement in the case of Private *Andrew J. Cox*, Co. "B," 37th Ill's. Inf'ty, sentenced by a General Court Martial, "that he be confined at hard labor for the period of six (6) months, at such place as the Commanding General may direct," as promulgated in General Court Martial Orders, No. 12, Headquarters, Eastern District of Texas, Houston, Texas, April 3, 1866, is approved.

III. The designation by Lieut. Col. E. H. POWELL, commanding Eastern District, of the Dry Tortugas, Florida, as the place of confinement in the case of Private *Benjamin Allot*, Co. "B," 37th Ill's. Inf 'ty, sentenced by a General Court Martial, " that he be confined at hard labor for the period of six (6) months, at such place as the Commanding General may direct," as promulgated in General Court Martial Orders, No. 12, Headquarters, Eastern District of Texas, Houston, Texas, April 3, 1866, is approved.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

Bv't L't Col., Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, MAY 30, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 23.

In the case of *Daniel S. Tolson*, Principal Musician 9th U. S. C. T., sentenced by General Court Martial, which convened at Brownsville, Texas, pursuant to Special Orders, No. 91, Headquarters, Separate Brigade, District of the Rio Grande, April 7, 1866, "to be confined for two (2) years at such Penitentiary as the Commanding General may direct," the penitentiary at Jefferson City, Missouri, is designated as the place of confinement.

The prisoner will be sent, under suitable guard, with copies of the orders in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walker

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 1, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 24.

In the case of *Daniel P. Gallagher*, citizen, sentenced by a military commission to be hung, whose execution was ordered on the 27th day of April, 1866, in General Court Martial Orders, No. 12, and suspended by General Court Martial Orders, No. 13, current series, from these Headquarters, to await the pleasure of the President, the Judge Advocate General of the Army having decided that a fatal error occurred in the proceedings of the commission, and that the sentence is therefore void and inoperative, it will be so held and considered.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Halsted

Bv't L't Col., Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 5, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 25.

I. Before a General Court Martial which convened at Brownsville, Texas, pursuant to Special Orders, No. 83, April 20, 1866, from these Headquarters, and of which Lieut. Col. GEO. M. DENNETT, 9th U. S. C. T., was president, was arraigned and tried:—

Capt. *Henry Brooks*, 4th Wisconsin Cavalry Volunteers.

CHARGE I—Violation of the 36th Article of War.

CHARGE II—Disobedience of orders.

CHARGE III—Conduct prejudicial to good order and military discipline.

FINDINGS.

Of the 1st Charge—Not Guilty.

Of the 2d Charge—Not Guilty.

Of the 3d Charge—Guilty.

SENTENCE—"To be reprimanded by his commanding officer."

II. The proceedings, findings, and sentence of the Court in the above case of Capt. HENRY BROOKS, 4th Wis. Cav. Vol's, are approved. Upon the unanimous recommendation of the Court, to clemency, based upon "his excellent record and meritorious services in the field during the past five years," the sentence of the Court is remitted, and Capt. BROOKS will be released from arrest and returned to duty.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Dalton

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, JUNE 5, 1866.

GENERAL COURT MARTIAL ORDERS, No. 26.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. Private *Joseph Conyers*, unassigned recruit 6th U. S. Cavalry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—To be confined at hard labor for one (1) year, at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances for the same period."

2. Private *James Kelly*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Worthlessness, to the prejudice of good order and military discipline.

CHARGE II—Violation of the 46th Article of War.

CHARGE III—Mutiny.

FINDING—Guilty.

SENTENCE—"To forfeit all pay and allowances that are or may become due, except the just dues of the laundress and sutler; to be dishonorably discharged the service of the United States, and to be drummed out of camp and confined at hard labor for the remainder of the period for which he enlisted, at such place as the Commanding General may direct.

3. Private *Joseph McElwaine*, unassigned recruit 6th U. S. Cavalry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, and to be confined at hard labor for three (3) years, in such Government works as the Major General Commanding may direct, and 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."

4. Corporal *J. J. Cloughesy*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him."

5. Sergeant *James F. Tuttle*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Desertion.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDING—"Not guilty," and the Court does therefore acquit him.

6. Private *Henry Remiger*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him.

7. Private *Charles Henry*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him.

8. Corporal *E. H. Pepenbring*, Company "B," 3d Battalion 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him.

II. The proceedings and findings of the Court in the above cases of Corporals J. J. Cloughesy, Company "B," E. H. Pepenbring, Company "B," Privates Charles Henry, Company "B," Henry Remiger, Company "B," and Sergeant James F. Tuttle, Company "B," of the 3d Battalion, 17th U. S. Infantry, are approved, and the prisoners will be released and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Privates Joseph Conyers, unassigned recruit, 6th U. S. Cavalry, James Kelly, Company "C," 3d Battalion, 17th U. S. Infantry, and Joseph McElwaine, unassigned recruit, 6th U. S. Cavalry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 8, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 27.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. Sergeant *Asa H. Hackett*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Desertion.

CHARGE II—Violation of the 38th Article of War.

FINDING—Guilty.

SENTENCE—"To be shot to death with musketry, at such time and place as the Commanding General shall direct, two-thirds of the members of the Court concurring therein."

2. Private *George H. Jacobs*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service; to be confined at hard labor, at such point as the Commanding General may direct, for four (4) years and to forfeit to the United States all pay and allowances which are now or may become due for a like period.

3. Private *Benjamin Mulvey*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Desertion.

CHARGE II—Violation of the 38th Article of War.

FINDING—Guilty.

SENTENCE—To be dishonorably discharged the service; to be confined at hard labor for five (5) years, at such point as the Commanding General may direct, and to forfeit to the United States all pay and allowances for the same period."

4. Private *William Keith*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, to be confined at hard labor, at such point as the Commanding General may direct, for five (5) years, and to forfeit to the United States all pay and allowances which are or may become due for the same period, excepting the just dues of the laundress and sutler."

5. Private *Joseph Arnold*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged; to be confined at hard labor, at such point as the Commanding General may direct, for five (5) years, and to forfeit all pay and allowances for the same period."

II. The proceedings, findings and sentence of the Court in the above case of Sergeant *Asa H. Hackett*, Company "A," 3d Battalion, 17th U. S. Infantry, are approved. The sentence is commuted to forfeiture of all pay and allowances that are or may become due; to be dishonorably discharged the service, and to be confined at hard labor, at the Dry Tortugas, Florida, for the term of five (5) years. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, for the execution of so much of his sentence as relates to confinement.

The proceedings, findings and sentences of the Court in the above cases of Privates *George H. Jacobs*, Company "A," *William Keith*, Company "B," *Benjamin Mulvey*, Company "A," and *Joseph Arnold*, Company "B," of the 3d Battalion, 17th U. S. Infantry, are approved, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their sentences as relates to confinement.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 9, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 28.

I. Before a Military Commission which convened at Brownsville, Texas, pursuant to Special Orders, No. 33, Headquarters, District of the Rio Grande, Brownsville, Texas, December 14th, 1865, and of which Col. Jos. G. PERKINS, 19th U. S. C. T., is President, was arraigned and tried:—

Antonio Abad Diaz, citizen.

CHARGE I—Murder.

CHARGE II—Robbery.

CHARGE III—Threatening to hang a citizen.

FINDING.

Of the 1st Charge, guilty.

Of the 2d Charge, guilty.

The 3d Charge was rejected by the Commission.

SENTENCE—"The Court does therefore sentence him, said *Antonio Abad Diaz*, citizen, two-thirds of the members of the Court concurring in said sentence, to be hanged by the neck until he is dead, at such place and time as the Commanding General may direct."

II. The proceedings and sentence of the Commission in the above case of *Antonio Abad Diaz*, having been approved by the proper reviewing officer, the record was forwarded for the action of the Department Commander, with the recommendation that the sentence be commuted to imprisonment. The sentence is commuted to ten (10) years imprisonment at hard labor, in the Penitentiary, Jefferson City, Missouri. The prisoner will be sent, under suitable guard, with a copy of the orders in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walker

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 9, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 29.

I. In the case of *Santiago Arreas*, citizen, tried by a Military Commission convened at Brownsville, Texas, pursuant to Special Orders, No. 122, Headquarters, Separate Brigade and District of the Rio Grande, Brownsville, Texas, May 24th, 1866, and sentenced "To be confined at hard labor, in such Penitentiary as the Commanding General may direct, for the period of five (5) years," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement at hard labor.

II. In the case of Private *James Albert*, Company "B," 36th U. S. C. T., tried by a General Court Martial convened at Brownsville, Texas, pursuant to Special Orders, No. 49, Headquarters, 2d Separate Brigade and District of the Rio Grande, Brownsville, Texas, February 20, 1866, and sentenced "To be confined in such Penitentiary as the Commanding General may direct, at hard labor, for the period of two (2) years," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement at hard labor.

III. In the case of Private *Sewell Hart*, Company "B," 36th U. S. C. Troops, tried by a General Court Martial convened at Brownsville, Texas, pursuant to Special Orders, No. 49, Headquarters 2d Separate Brigade and District of the Rio Grande, Brownsville, Texas, February 20, 1866, and sentenced "To be confined at hard labor, at such Penitentiary as the Commanding General may direct, for the term of five (5) years," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement at hard labor.

IV. In the case of Private *William Taylor*, Company "B," 36th U. S. C. Troops, tried by a General Court Martial convened at Brownsville, Texas, pursuant to Special Orders, No. 49, Headquarters, 2d Separate Brigade and District of the Rio Grande, Brownsville, Texas, February 20, 1866, and sentenced "To be confined at hard labor, at such Penitentiary as the Commanding General may direct, for the period of three (3) years," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement at hard labor.

V. In the case of Private *William Wright*, Company "B," 36th U. S. C. Troops, tried by a General Court Martial convened at Browns-

ville, Texas, pursuant to Special Orders, No, 49, Headquarters, 2d Separate Brigade and District of the Rio Grande, Brownsville, Texas, February 20, 1866, and sentenced "To be confined at hard labor for the term of three years, at such Penitentiary as the Commanding General may direct," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement at hard labor.

VI. The prisoners, *Santiago Aneas*, citizen, Privates *James Albert*, *Samuel Hart*, *William Taylor*, and *William Wright*, of Company "B," 36th U. S. C. Troops, will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshall General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Ev't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 12, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 30.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. Private *Daniel W. Barrell*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Sleeping on Post.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor for the period of six (6) months, on such Government works as the Commanding General may direct, and to forfeit all pay and allowances for the same period, just dues of sutler and laundress excepted. The Court is thus lenient on account of the excellent character of the prisoner."

2. Private *John Winters*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—To be dishonorably discharged the service of the United States , to forfeit all pay and allowances that may be or become due, except the just dues of the laundress and sutler, and to be confined at hard labor for the period of five (5) years, on such Government works as the Commanding General may direct."

3. Private *Frederick Shultz*, Company "H," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Conduct prejudicial to good order and military discipline.

CHARGE II—Violation of the 7th Article of War.

CHARGE III—Violation of the 6th Article of War.

FINDINGS—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States all pay and allowances which are or may become due for the same period."

4. Private *Thomas Coyle*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor on Government works, at such place as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States all pay and allowances now due or to become due him for the same time, just dues of the laundress and sutler excepted."

5. Private *William Gibbons*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged from the service; to forfeit to the United States all pay and allowances due or to become due him, except the just dues of the laundress and sutler, and to be confined at hard labor for the period of five (5) years, on such Government works as the Commanding General may direct."

6. Private *Michael Dooring*. Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Drunkenness on guard.

FINDING—"Not guilty," and the Court does therefore acquit him.

II. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 101, May 15, 1866, and Special Orders, No. 117, June 4, 1866, current series, from these Headquarters, and of which Lieut. Col. L. H. WARREN, 38th U. S. C. Troops, is President, was arraigned and tried .—

Private *Joseph Fletcher*, Company "D," 10th U. S. C. Troops.

CHARGE—Murder.

FINDING—"Not guilty," and the Court does therefore acquit him.

III. The proceedings, findings and sentences of the Court in the above cases of Privates *William Gibbons*, Company "G," *Thomas Coyle*, Company "G," *Frederick Shultz*, Company "H," and *John Winters*, Company "G," of the 3d Battalion, and *Daniel W. Barrett*, Company "F," 1st Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

The proceedings and finding of the Court in the above case of Private *Michael Dooring*, Company "F," 1st Battalion, 17th U. S. Infantry, are approved. The prisoner will be released and returned to duty.

The proceedings and findings of the Court in the above case of Private *Joseph Fletcher*, Company "D," 10th U. S. C. T., are approved. The prisoner will be released from arrest and sent to the State rendezvous of his regiment for final payment and discharge.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

R. F. Halsted

Bv't L't. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, JUNE 13, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 31.

I. Before a General Court Martial which convened at Indianola, Texas, pursuant to Special Orders, No. 101, May 15, 1866, from these Headquarters, and of which Lieut. Col. L. H. WARREN, 38th U. S. C. Troops, is President, was arraigned and tried :—

Capt. *Charles L. Bjornmark*, 7th U. S. C. Troops.

CHARGE I—Neglect of duty, to the prejudice of good order and military discipline.

CHARGE II—Conduct prejudicial to good order and military discipline.

CHARGE III—Conduct unbecoming an officer and a gentleman.

FINDINGS—Of the 1st Charge, "Not guilty."
Of the 2d Charge, "Guilty."
Of the 3d Charge, "Guilty, but no criminality attached thereto."

SENTENCE—"To be reprimanded in General Orders."

II. The action of the Court in finding the accused guilty of the 3d charge, but attaching no criminality thereto, is disapproved. If, in the opinion of the Court, the acts set forth in the specifications did not constitute "conduct unbecoming an officer and a gentleman," the finding upon the charge should have been *not guilty*.

The proceedings and findings of the Court upon the 1st and 2d charges and their specifications are approved, and the sentence is confirmed. Capt. *Bjornmark's* conduct, as shown in the record, was highly unsoldierlike and improper, and it is hoped that his long arrest and public trial will be a sufficient warning to him for the future.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walsted

Bv't L't. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 19, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 32.

I. In the case of *Macdonia Pares*, civilian, tried by a Military Commission convened at Brownsville, Texas, pursuant to Special Orders, No. 132, Headquarters, Separate Brigade and District of the Rio Grande, Brownsville, Texas, May 24, 1866, and sentenced "To be confined at hard labor, at such Penitentiary as the Commanding General may direct, for the period of two and one-half years," the Penitentiary at Jefferson City, Missouri, is designated as the place of confinement.

II. In the case of Private *George W. Washington*, Company "D," 7th U. S. C. T., tried by a General Court Martial which convened at Indianola, Texas, pursuant to Special Orders No. 97, Headquarters, Separate Brigade and Central District of Texas, San Antonio, Texas, April 20, 1866, and sentenced "To be confined at hard labor, at Dry Tortugas, Florida, or such other place as the Commanding General may direct, for the period of six (6) calendar months," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

III. The designation by Bv't Brig. Gen. S. P. HEINTZELMAN, commanding Central District of Texas, of the Dry Tortugas, Florida, as the place of confinement in the case of Private *Lorenzo Becket*, Company "D," 7th U. S. C. T., sentenced by General Court Martial "To be confined at Fort Pickens, or such other place as the Commanding General may direct, for the period of nine (9) calendar months," as promulgated in General Court Martial Orders, No. 15, Headquarters, Separate Brigade, Central District of Texas, June 5, 1866, is approved.

IV. In the case of Private *Anthony Lawson*, Company "C," 7th U. S. C. T., tried by a General Court Martial, convened at Indianola, Texas, pursuant to Special Orders, No. 97, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, April 20, 1866, and sentenced "To be confined at hard labor at Dry Tortugas, Florida, or such other place as the Commanding General may direct, for the period of six (6) calendar months, to wear a 24-pound ball attached to his right leg by a chain six feet long, and to forfeit to the United States one-half his monthly pay during that period," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

V. In the case of Private *William Miller*, Company "L," 4th U. S. Cavalry, tried by a General Court Martial convened at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, May 18, 1866, and sentenced "To

forfeit all pay and allowances that are or may become due, except the just dues of the laundress and sutler, and to be confined at hard labor at the Dry Tortugas for the balance of the term of his enlistment, making good the time lost by desertion, and then to be drummed out of the service," the Dry Tortugas Florida, is designated as the place of confinement at hard labor.

VI. In the case of Private *Thomas D. Phelps*, Company "G," 4th U. S. Cavalry, tried by a General Court Martial convened at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, May 18, 1866, and sentenced "To be confined at hard labor at the Dry Tortugas for the remaining portion of his term of enlistment, and to forfeit all pay and allowances that are or may become due him for that period, except the just dues of the laundress and sutler, and to make good to the Government the time lost by desertion, the Dry Tortugas is designated as the place of confinement at hard labor.

VII. In the case of Private *Francis Williams*, Company "G," 2d Battalion, 17th U. S. Infantry, tried by a General Court Martial convened at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, May 18, 1866, and sentenced "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 at hard labor at the Dry Tortugas, or such other place as the Commanding General may designate, for the period of three (3) years, and then to be dishonorably discharged from the service of the United States," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

VIII. The prisoners, Privates *Anthony Lawson*, Company "C," *Lorenzo Beckett*, Company "D," and *George Washington*, Company "D," 7th U. S. C. T., Privates *Thomas D. Phelps*, Company "G," and *William Miller*, Company "L," 4th U. S. Cavalry, Private *Francis Williams*, 2d Battalion, 17th U. S. Infantry, and *Macedonia Pares*, civilian, will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

O. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Bv't Lt. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 25, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 33.

I. Before a Military Commission which convened at Houston, Texas, pursuant to Special Orders, No. 111, Headquarters, Department of Texas, Galveston, Texas, May 26, 1866, and of which Major SAMUEL H. STARR, 6th U. S. Cavalry, is President, was arraigned and tried :—

William C. Wiebusch, citizen.

CHARGE—Harboring deserters and assisting them to escape.

FINDING—"Not guilty, and the Commission does therefore acquit him, *William C. Wiebusch*, citizen, of Brenham, Washington County, Texas."

II. The proceedings and findings of the Commission in the above case of *William C. Wiebusch*, citizen, are approved. The prisoner will be discharged from military custody.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

R. F. Walcott

Bv't Lieut. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 26, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 34.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. Corporal *Gustave Lecroit*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Neglect of duty, to the prejudice of good order and military discipline.

CHARGE II—Violation of the 45th Article of War.

FINDINGS—Guilty.

SENTENCE.—"To be reduced to the ranks. The Court is thus lenient in consideration of the fact that from the testimony it appears that the Articles of War have never been read to the prisoner, and further, that he is a Frenchman, and speaks the English language very imperfectly."

2. Private *Marc Mielke*, Company "H," 3d Battalion, 17th U. S. Infantry.

CHARGE - Conduct prejudicial to good order and military discipline.

FINDING—"Not guilty," and the Court does therefore acquit him.

3. Privates *John Stewart* and *Samuel Green*, Company "D," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"And the Court does therefore sentence them, Privates *John Stewart* and *Samuel Green*, both of Company "D," 3d Battalion, 17th U. S. Infantry, to forfeit to the United States ten ($10) dollars of their monthly pay for six months."

4. Private *Francis Oleri*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him.

5. Private *August Guenther*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Conduct prejudicial to good order and military discipline.

CHARGE II—Desertion.

FINDINGS—Guilty.

SENTENCE—"To be dishonorably discharged the service; to forfeit to the United States all pay and allowances which are or may become due, excepting the just dues of the sutler and laundress, and to be confined at hard labor, at such point as the Commanding General may direct, for five (5) years.

6. Private *Michael Gallagher*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE I—Conduct prejudicial to good order and military discipline.

CHARGE II—Assault and battery.

CHARGE III—Theft.

FINDINGS—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, and to be confined at hard labor on such government works as the Commanding General may direct for the balance of the period for which he was enlisted, with the loss of all pay and allowances that are or may become due."

7. Private *Henry Molz*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service; to forfeit to the United States all pay and allowances which are or may become due, excepting the just dues of the sutler and laundress, and to be confined at hard labor, at such point as the Commanding General may direct, for five (5) years."

II. Before a Military Commission which convened at Houston, Texas, pursuant to Special Orders, No. 111, Headquarters, Department of Texas, Galveston, Texas, May 26, 1866, and of which Major SAMUEL H. STARR, 6th U. S. Cavalry, is President, was arraigned and tried:—

Lee Shepherd, freedman.

CHARGE—Murder.

FINDING—"Of the specification, guilty, with the exception of the words 'wilfully and with malice aforethought,' and the words, 'loaded with buckshot,' but attach no criminality thereto.

"Of the Charge—Not guilty, but pronounce it justifiable homicide."

III. The proceedings and findings of the Court in the above cases of Privates Marc Mielke, Company "H," and Francis Oteri, Company "E," 17th U. S. Infantry, are approved. The prisoners will be released from arrest and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Corporal Gustave Lecroit, Company "E," and Privates John Stewart and Samuel Green, Company "D," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and their respective sentences will be carried into effect by the proper officers. The prisoners will be released from arrest and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Privates August Guenther, Company "E," 3d Battalion, Michael Gallagher, Company "F," 1st Battalion, and Henry Moltz, Company "G," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with a copy of the order in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

The proceedings and findings of the Commission in the above case of Lee Shepherd, freedman, are approved. The prisoner will be discharged from military custody.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Bv't Lieut. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JUNE 28, 1866.

GENERAL COURT MARTIAL ORDERS, No. 35.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. Private *Louis La Porte*, Company "F," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor at the post at which his company is serving for two (2) months, and to forfeit to the United States ten ($10) dollars of his monthly pay for six (6) months."

2. Private *James Harrahar*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 46th Article of War.

FINDING—"Not guilty," and the Court does therefore acquit him.

3. Private *John Bronikowsky*, Company "D," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Neglect of duty as a sentinel, to the prejudice of good order and military discipline.

FINDING—"Not guilty," and the Court does therefore acquit him.

4. Private *John Unger*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Theft and housebreaking.

CHARGE II—Desertion.

FINDING—"Not guilty," and the Court does therefore acquit him.

5. Private *Conrad Ehrig*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service. The Court is thus lenient on account of the youth, ignorance of the English language, and weakness of mind of the prisoner."

6. Corporal *Edward Hogan*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Disobedience of orders.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDINGS—Guilty.

SENTENCE.—"To be reduced to the ranks; to be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, and to forfeit all pay and allowances which are or may become due, except the just dues of the sutler and laundress, for the same period."

7. Private *John Ryan*, Company "B," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 46th Article of War.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States all pay and allowances for the same period, just dues of laundress and sutler excepted."

II. The proceedings and findings of the Court in the above cases of Privates James Hanrahan, Company "B," John Brownikowsky, Company "D," and John Unger, Company "E," 3d Battalion, 17th U. S. Infantry, are approved. The prisoners will be released and returned to duty.

The proceedings, findings and sentences of the Court in the above case of Private Louis La Porte, Company "F," 3d Battalion, 17th U. S. Infantry are approved, and the sentence will be carried into effect by the proper officer.

The proceedings, finding and sentence of the Court in the above case of Private Conrad Ehrig, Company "E," 3d Battalion, 17th U. S. Infantry, are approved and confirmed. The Commanding Officer of his Battalion is charged with the execution of his sentence.

The proceedings, findings and sentences of the Court in the above cases of Corporal Edward Hogan, Company "E," and Private John Ryan, Company "G," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with a copy of the

orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Bv't Lieut. Col. Acting Assistant Adjutant General.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JULY 2, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 36.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 100, May 12, 1866, and Special Orders, No. 102, May 16, 1866, from these Headquarters, and of which Brevet Lieut. Col. E. C. MASON, 17th U. S. Infantry, is President, was arraigned and tried :—

1. Private *Morris Deck*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Theft.

CHARGE II—Conduct to the prejudice of good order and military discipline.

FINDINGS—Guilty.

SENTENCE - "To be dishonorably discharged the service of the United States ; to forfeit all pay and allowances that are or may become due, except the just dues of the sutler and laundress ; to have one-half of his head shaved ; to be drummed out of service, and to be confined at hard labor, at such point as the General Commanding may direct, for the period of one (1) year."

II. Before a Military Commission which convened at Galveston, Texas, pursuant to Special Orders, No. 131, from these Headquarters, June 22, 1866, and of which Brevet Lieut. Col. P. W. L. PLYMPTON, 17th U. S. Infantry, is President, were arraigned and tried :—

1. *H. C. Smith*, citizen.

CHARGE—Purchasing or procuring soldier's clothing.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor in the Post Guard-house for the period of six (6) months, and to be fined one hundred ($100) dollars, the prisoner to be confined beyond the period of six months until said fine be liquidated, should it not be paid before the six months have expired."

2. *Daniel McCullum*, citizen.

CHARGE—Purchasing or procuring soldiers clothing.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor in the Post Guard-house for the period of three (3) months."

3. *Joseph Jacobs*, citizen.

CHARGE I.—Aiding and harboring deserters.

CHARGE II—Purchasing or procuring clothing from soldiers in violation of law.

FINDING—"Not guilty, and the Court does therefore acquit him, *Joseph Jacobs*, citizen, of Galveston, Texas."

Charles Wineberg, citizen.

CHARGE—Purchasing or procuring soldiers clothing.

FINDING—"Not guilty, and the Court does therefore acquit him, *Charles Wineberg*, a citizen, of Galveston, Texas."

III. The proceedings and findings of the Commission in the above cases of Charles Wineberg and Joseph Jacobs, citizens, are approved, and they will be discharged from military custody.

The proceedings, findings and sentence of the Commission in the above case of Daniel McCullum, citizen, are approved. Upon the unanimous recommendation of the members of the Commission to clemency, the sentence in his case is remitted, and he will be released from military custody.

The proceedings, findings and sentence of the Commission in the above case of H. C. Smith, citizen, are approved and confirmed. The Post Commander, Galveston, Texas, is charged with the execution of so much of his sentence as relates to confinement at hard labor.

The proceedings, findings and sentence of the Court in the above case of Private Morris Beck, Company "E," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentence will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of his sentence as relates to confinement.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Bv't Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JULY 5, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 37.

I. In the case of Corporal *John Hersey*, Company "G," 4th U. S. Cavalry, tried by a General Court Martial which convened at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, May 18, 1866, and sentenced "To be reduced to the ranks, and to be confined at hard labor, at such place as the Commanding General may direct, for the period of three (3) years, and to forfeit to the United States all pay and allowances that are or may become due him during that period, except the just dues of the laundress and sutler, and at the expiration of sentence to be dishonorably discharged from the service of the United States," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

II. In the case of Private *Thomas Dooley*, Company "F," 4th U. S. Cavalry, tried by a General Court Martial which convened at San Antonio, Texas, pursuant to Special Oders, No. 119, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, May 18, 1866, and sentenced "To be confined at hard labor, at such place as the Commanding General may direct, for the period of five years, and to forfeit to the United States all pay and allowances that are due or may become due, except the just dues of the laundress and sutler, for the entire period of his confinement," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

III. In the case of Private *William Clapsaddle*, Company "G," 4th U. S. Cavalry, tried by a General Court Martial which convened at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, May 18, 1866, and sentenced "To be confined for the period of three (3) years, at such place as the Commanding General may direct, and 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, for the entire period of his confinement, and then to be dishonorably discharged from the service of the United States," the Dry Tortugas, Florida, is designated as the place of confinement.

IV. In the case of Private *Cornelius J. Callahan*, Company "G," 4th U. S. Cavalry, tried by a General Court Martial, which convened

at San Antonio, Texas, pursuant to Special Orders, No. 119, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, May 18, 1866, and sentenced "To be confined at hard labor, at such a place as the Commanding General may direct, for the period of six (6) years, and 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, for the entire period of his confinement, and to be then dishonorably discharged the service of the United States," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

V. In the case of Private *William Hazleton*, Company "C," 7th U. S. C. Troops, tried by a General Court Martial, which convened at Indianola, Texas, pursuant to Special Orders, No. 97, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, April 20, 1866, and sentenced "To be confined at hard labor at Dry Tortugas, Florida, or such other place as the Commanding General may direct, for six (6) calendar months," the Dry Tortugas, Florida, is designated as the place of confinement at hard labor.

VI. The prisoners, Private William Hazleton, Company "C," 7th U. S. C. Troops, Corporal John Hersey, Company "G," Privates Thomas Dooley, Company "F," Cornelius J. Callahan and William Clapsaddle, Company "G," 4th U. S. Cavalry, will be sent, under suitable guard, with a copy of the orders in their case, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JULY 10, 1866.

GENERAL COURT MARTIAL ORDERS, No. 38.

I. Before a Military Commission which convened at Houston, Texas, pursuant to Special Orders, No. 111, Headquarters, Department of Texas, Galveston, Texas, May 26, 1866, and of which Major SAMUEL H. STARR, 6th U. S. Cavalry, is President, were arraigned and tried :—

1. *Jack Givens*, freedman.

CHARGE—Murder.

FINDING—"Not guilty, but pronounce it justifiable homicide, and the Court does therefore acquit him, the said *Jack Givens*, freedman."

2. *E. B. Mains*, *Wiley Hickerson*, *Thomas Hickerson*, and *John Pruitt*, citizens, of Falls county, Texas.

CHARGE I—Being guerillas.

CHARGE II—Assault with intent to kill.

FINDINGS.

E. B. Mains.

Of the 1st Charge—Not guilty, but guilty of a murderous assault upon United States soldiers while in the discharge of their duties.

Of the 2d Charge—Not guilty, but guilty of an assault with intent to wound or kill.

SENTENCE—"And the Commission do therefore sentence him, the said *E. B. Mains*, citizen, to be confined at hard labor, (wearing a ball and chain attached to his left leg weighing twenty-four pounds,) at such military prison as the Commanding General may designate, for the period of three years."

Wiley Hickerson.

Of the 1st Charge—Not guilty, but guilty of a murderous assault upon United States soldiers while in the discharge of their duty.

Of the 2d Charge—Not guilty, but guilty of an assault with intent to wound or kill.

SENTENCE—"To be confined at hard labor, (wearing a ball and chain attached to his left leg weighing twenty-four pounds,) at such military

prison as the Commanding General may designate, for the period of ten years."

Thomas Hickerson.

Of the 1st Charge—Not guilty.

Of the 2d Charge—"Not guilty, and the Commission do therefore acquit him, the said *Thomas Hickerson*, citizen.

John Pruitt.

Of the 1st Charge—Not guilty, but guilty of a murderous assault upon United States soldiers in the discharge of their duty.

Of the 2d Charge—Not guilty, but guilty of an assault with intent to wound or kill.

SENTENCE—"To be confined at hard labor, (wearing a ball and chain attached to his left leg weighing twenty-four pounds,) at such military prison as the Commanding General may designate, for the period of ten years."

II. The proceedings and findings of the Commission in the above cases of *James Givens*, freedman, and *Thomas Hickerson*, citizen, are approved, and the prisoners will be discharged from military custody.

The proceedings, findings and sentences of the Commission in the above cases of *E. B. Mains*, *Wiley Hickerson*, and *John Pruitt*, citizens, are approved and confirmed. The military prison at Ship Island, La., is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with a copy of the order in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JULY 11, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 39.

I. In the case of *Ventura Morelis*, civilian, tried by a Military Commission convened at Brownsville, Texas, pursuant to Special Orders, No. 132, Headquarters, Separate Brigade, and District of the Rio Grande, Brownsville, Texas, May 24, 1866, and sentenced "To be confined at hard labor, at such Penitentiary as the Commanding General may direct, for the term of five (5) years," the military prison at Ship Island, La., is designated as the place of confinement at hard labor.

II. In the case of *Damacia Cantun*, civilian, tried by a Military Commission convened at Brownsville, Texas, pursuant to Special Orders, No. 132, Headquarters, Separate Brigade and District of the Rio Grande, Brownsville, Texas, May 24, 1866, and sentenced "To be confined at hard labor in the State Penitentiary at Huntsville, Texas, or such other Penitentiary as the Commanding General may direct, for the period of ten years," the military prison at Ship Island, La., is designated as the place of confinement at hard labor.

III. The prisoners, *Ventura Morelis* and *Damacia Cantun*, civilians, will be sent, under suitable guard, with copies of the orders in their cases, to the Provost Marshal General, Military Division of the Gulf, at New Orleans, La., for the execution of their sentences.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, JULY 12, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 40.

I. Upon representations made to these Headquarters, and upon the recommendation of the Post Commander, Galveston, Texas, the unexpired portion of the sentence in the case of *H. C. Smith*, citizen, tried by a Military Commission and sentenced "To be confined at hard labor in the Post Guard-house for the period of six (6) months, and to be fined one hundred (100) dollars, the prisoner to be confined beyond the period of six months until said fine be liquidated, should it not be paid before the six months have expired," as promulgated in General Court Martial Orders, No. 36, current series, from these Headquarters, is hereby remitted, and the prisoner will be discharged from military custody.

BY COMMAND OF MAJOR GENERAL WEIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,

GALVESTON, TEXAS, JULY 19, 1866.

GENERAL COURT MARTIAL ORDERS, }
No. 41. }

I. Before a Regimental Court Martial, consisting of Major P. W. L. PLYMPTON, 17th U. S. Infantry, Brevet Lieut. Col., U. S. A., appointed pursuant to Special Orders, No. 82, Headquarters, 17th U. S. Infantry, San Antonio, Texas, June 9, 1866, under the provisions of sec. 7, chap. 21, Act of Congress, July 17, 1862, was arraigned and tried :—

Corporal *John Kohler*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To be reduced to the ranks, and to a stoppage of eight ($8) dollars of his pay.

II. The proceedings, finding and sentence of the Court in the above case of Corporal *John Kohler*, Company "F," 1st Battalion, 17th U. S. Infantry, are approved and confirmed. The sentence will be carried into execution by the proper officer.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 21, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 42.

I. Before a General Court Martial which convened at Galveston, Texas, pursuant to Special Orders, No. 144, Headquarters, Department of Texas, Galveston, Texas, July 14, 1866, and of which Brevet Lieut. Col. E. D. MASON, A. A. G., U. S. Vols., is President, were arraigned and tried:

1. Corporal *Charles Shields*, Company "G," 36th U. S. C. Troops.
CHARGE I—Drunkenness on duty.
CHARGE II—Conduct prejudicial to good order and military discipline.
FINDINGS—Guilty.
SENTENCE—"To be reduced to the ranks, to forfeit two months pay proper, and to be confined two (2) months in the Post Guard-house."

2. Private *Hubert J. Cogswell*, Company "E," 38th U. S. C. Troops.
CHARGE—Drunkenness on duty.
FINDING—Guilty.
SENTENCE—"To be confined at hard labor at the Dry Tortugas for the period of one year."

II. Before a Regimental Court Martial, consisting of Major P. W. L. PLYMPTON, 17th U. S. Infantry, Brevet Lieut. Col. U. S. A., appointed pursuant to Special Orders, No. 82, Headquarters, 17th U. S. Infantry, San Antonio, Texas, June 9, 1866, under the provisions of sec. 7, chap. 21, Act of Congress, July 17, 1866, was arraigned and tried:—

Private *Patrick Joyce*, Company "F," 1st Battalion, 17th U. S. Infantry.
CHARGE—Conduct prejudicial to good order and military discipline.
FINDING—Guilty.
SENTENCE—"To a stoppage of six dollars ($6) of his pay."

III. The proceedings, findings and sentences of the Court in the above cases of Corporal *Charles Shields*, Company "G," 36th U. S. C. T., and Private *Patrick Joyce*, Company "F," 1st Battalion, 17th U. S. Infantry, are approved and confirmed. Their respective sentences will be carried into execution by the proper officers.

The proceedings, findings and sentence of the Court in the above case of Private *Hubert J. Cogswell*, Company "E," 38th U. S. C. T., are approved and confirmed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

C. H. Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 23, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 43.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders, No. 143, Headquarters, Department of Texas, Galveston, Texas, July 12, 1866, and of which Brevet Lieut. Col. P. W. L. TLYMPTON, 17th U. S. Infantry, is President, were arraigned and tried:

1. Private *Robert Bisby*, Company "F," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, 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, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of four (4) years."

2. Privates *Charles Kimball* and *Sylvester Kimball*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, 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, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of five (5) years."

3. Privates *George P. Billings*, *John Slaterly*, and *Curtis W. Reynolds*, Company "D," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, 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, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of five (5) years."

4. Private *Peter Comley*, Company "F," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, 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, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of five (5) years."

5. Corporal *Frederick Hecker*, Company "D," 3d Battalion, 17th U. S. Infantry.

CHARGE—Conduct to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To be reduced to the ranks, and to forfeit to the United States ten dollars ($10) of his monthly pay for two (2) months.

6. Private *Michael Harrington*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To make good to the United States the value of the articles lost, if it has not already been done, and to be confined at the Post where his company is serving on bread and water for fourteen (14) days."

7. Private *Henry W. Lewis*, unassigned recruit, 6th U. S. Cavalry.

CHARGE I—Violation of the 45th Article of War.

CHARGE II—Neglect of duty to the prejudice of good order and military discipline.

CHARGE III—Larceny.

FINDINGS—Of the 1st Charge—Guilty.
Of the 2d Charge—Guilty.
Of the 3d Charge—Not guilty.

SENTENCE—"To forfeit to the United States five dollars ($5) of his monthly pay for six months."

8. Private *Edward E. Tinsdale*, Company "D," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 46th Article of War.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, 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, and to be confined at such point as the Commanding General may direct for the remainder of the period for which he was enlisted."

II. The proceedings, findings and sentences of the Court in the above cases of Privates Henry W. Lewis, unassigned recruit, 6th U. S. Cavalry, Michael Harrington, Company "G," and Corporal Frederick

Hecker, Company "D," 3d Battalion, 17th U. S. Infantry, are approved and confirmed. Their respective sentences will be carried into execution by the proper officers. Corporal Hecker and Private Lewis will be returned to duty.

The proceedings, findings and sentence of the Court in the above case of Private Edward E. Tinsdale, Company "D," 3d Battalion, 17th U. S. Infantry, are approved. Upon the recommendation to clemency by the members of the Court, based upon the evidence showing the impaired physical condition of the prisoner at the time the offence was committed, the sentence is mitigated to confinement for one month at the guard house, Post of Galveston, Texas, with loss of all pay and allowances for the same period.

The proceedings, findings and sentences of the Court in the above cases of Privates Peter Conley and Robert Bisby, of Company "F," George P. Billings, John Slatterly, and Curtis W. Reynolds, of Company "D," Charles Kimball and Sylvester Kimball, of Company "C," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the order in their cases, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

C H Whittelsey

Bvt. Col., Ass't Adj't Gen'l.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 26, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 44.

I. In the case of Private *John W. Johnson*, Company "A," 117th U. S. C. T., tried by a General Court Martial which convened at Brownsville, Texas, pursuant to Special Orders, No. 154, Headquarters, Separate Brigade and District of the Rio Grande, Brownsville, Texas, June 20, 1866, and sentenced "To be confined at such Penitentiary as the Commanding General may direct for the period of two (2) years," the military prison at Ship Island, La., is designated as the place of confinement.

II. In the case of Private *John Howard*, Company "B," 9th U. S. C. T., tried by a General Court Martial which convened at Brownsville, Texas, pursuant to Special Orders, No. 154, Headquarters, Separate Brigade and District of the Rio Grande, Brownsville, Texas, June 20, 1866, and sentenced "To be confined at hard labor, at such Penitentiary as the Commanding General may direct, for the period of two (2) years," the military prison at Ship Island, La., is designated as the place of confinement at hard labor.

III. In the case of Private *Miles Butts*, Company "D," 38th U. S. C. T., tried by a General Court Martial which convened at Brazos Santiago, Texas, pursuant to Special Orders, No. 79, Headquarters, Separate Brigade and District of the Rio Grade, Brownsville, Texas, March 26, 1866, and sentenced "To forfeit to the United States eight (8) dollars per month of his monthly pay during the remainder of his term of enlistment, to be confined at the Dry Tortugas for the period of three (3) years, and to wear a ball weighing twenty-four (24) pounds attached to his left leg by a chain four (4) feet long for the first six (6) months of his confinement," the Dry Tortugas, Florida, is designated as the place of confinement."

IV. In the case of Private *Daniel Small*, Company "M," 4th U. S. Cavalry, tried by a General Court Martial which convened at San Antonio, Texas, pursuant to Special Orders, No. 135, Headquarters, Separate Brigade, Central District of Texas, San Antonio, June 21, 1866, and sentenced "To be confined in such prison as the Commanding Officer of the Department may designate for five (5) years, and to forfeit all pay and allowances that are or which may become due

him," the Dry Tortugas, Florida, is designated as the place of confinement.

V. In the case of Private *Joseph Hubner*, Company "C," 4th U. S. Cavalry, tried by a General Court Martial which convened at San Antonio, Texas, pursuant to Special Orders, No. 135, Headquarters, Separate Brigade, Central District of Texas, San Antonio, June 21, 1866, and sentenced "To be confined at the Dry Tortugas, or such other military prison as the Commanding General may deem proper, for twelve months, to forfeit all pay for the time so confined, at the expiration of which to be dishonorably discharged," the Dry Tortugas, Florida, is designated as the place of confinement.

VI. The prisoners, *John Howard*, Company "B," 9th U. S. C. T., *John W. Johnson*, Company "A," 117th U. S. C. T., *Miles Butts*, Company "D," 38th U. S. C. T., *Daniel Small*, Company "M," and *Joseph Hubner* Company "C," 4th U. S. Cavalry, will be sent, under suitable guard, with copies of the orders in their cases, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Jas. W. Divoo
2d Lt 3d U.S. Cav.
A.D.C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 27, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 45.

I. Before a Regimental Court Martial, consisting of Major P. W. L. PLYMPTON, 17th U. S. Infantry, Brevet Lieut. Col. U. S. A., appointed pursuant to Special Orders, No. 82, Headquarters, 17th U. S. Infantry, San Antonio, Texas, June 9, 1866, under the provisions of sec. 7, chap. 21, Act of Congress, July 17, 1862, were arraigned and tried:—

1. Private *John Dooley*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit twelve (12) dollars of his monthly pay."

2. Private *Conrad Schweitzer*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit nine (9) dollars of his monthly pay."

II. The proceedings, findings and sentences of the Court in the above cases of Privates *John Dooley* and *Conrad Schweitzer*, Company "F," 1st Battalion, 17th U. S. Infantry, are approved and confirmed. Their respective sentences will be carried into execution by the proper officers.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Chas. W. Dixon
2d Lt 3d Cav.
A. D. C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 30, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 46.

I. Upon the recommendation of his Company and Regimental Commanders, so much of the unexpired portion of the sentence in the case of Private *Nelson R. Sheckles*, Company "I," 6th U. S. Cavalry, relating to confinement, as promulgated in General Court Martial Orders, No. 4, Headquarters, Separate Brigade, Central District of Texas, April 12, 1866, is remitted. He will be released from confinement and returned to duty.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Chas W. Davis
2d Lt 3d U. S. Cav.
A. D. C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, July 30, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 47.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders, No. 143, Headquarters, Department of Texas, Galveston, Texas, July 12, 1866, and of which Brevet Lieut. Col. P. W. L. PLYMPTON, 17th U. S. Infantry, is President, were arraigned and tried:

1. Private *James Sullivan*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 46th Article of War.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may designate, for the period of six (6) months, and to forfeit to the United States all pay and allowances that are or may become due for the same time, the just dues of the laundress and sutler excepted."

2. Private *Maurice Clune*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Violation of the 6th Article of War.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States ten dollars ($10) of his monthly pay for four months."

3. Corporal *Patrick Farren*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Drunkenness on guard.

FINDING—"Not guilty," and the Court does therefore acquit him.

4. Sergeant *George Geibel*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Conduct prejudicial to good order and military discipline.

CHARGE II—Violation of the 45th Article of War.

FINDINGS—Guilty.

SENTENCE—"To be reduced to the ranks; to have his chevrons removed in the presence of his company paraded under arms, and to forfeit to the United States ten dollars ($10) of his monthly pay for three (3) months."

5. Private *Samuel Hawksworth*, Company "E," 3d Battalion, 17th U. S. Infantry. and Private *James Bury*, unassigned recruit, 6th U. S. Cavalry.

CHARGE—Riotous and disorderly conduct, to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States eight dollars ($8) of their monthly pay for one (1) month."

6. Private *John Kimball*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Absence without leave.

CHARGE II—Disobedience of orders.

FINDINGS—Guilty.

SENTENCE—"To forfeit to the United States twelve dollars ($12) per month of his monthly pay for six (6) months."

7. Private *John Reid*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Violation of the 42d Article of War.

CHARGE II—Violation of the 44th Article of War.

CHARGE—Disobedience of orders.

FINDINGS—Guilty.

SENTENCE—"To forfeit to the United States ten dollars ($10) per month of his monthly pay for six (6) months."

8. Private *James White*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Violation of the 45th Article of War.

CHARGE II—Absence without leave.

FINDINGS—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States all pay and allowances that are or may become due for the same time, except the just dues of the laundress and sutler."

9. Private *Timothy Guiney*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Absence without leave.

CHARGE II—Desertion.

FINDINGS—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, to forfeit to the United States all pay and allowances that are due or may become due, except the just dues of the laundress and sutler, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of five (5) years."

10. Private *James Hayes*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Drunkenness on duty, in violation of the 45th Article of War.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDINGS—Of the 1st Charge—Guilty.

Of the 2d Charge—Not guilty.

SENTENCE—To be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, and to forfeit to the United States all pay and allowances that are now due or to become due for the same time, excepting the just dues of the laundress and sutler."

11. Bugler *James Williams*, Company "A," 3d Battalion, 17th U. S. Infantry.

CHARGE—Theft.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service, 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 sutler, and to be confined at hard labor, at such point as the Commanding General may direct, for the remainder of the period for which he was enlisted.

II. The proceedings and findings of the Court in the above case of Corporal Patrick Farren, Company "F," 1st Battalion, 17th U. S. Infantry, are approved. He will be released from arrest and returned to duty.

The proceedings, findings and sentence of the Court in the above case of Private James Sullivan, Company "C," 3d Battalion, 17th U. S. Infantry, are approved. Upon the recommendation to clemency by the members of the Court, the sentence is mitigated to the forfeiture of one month's pay. The sentence, as mitigated, will be carried into execution by the proper officers. The prisoner will be released and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Sergeant George Geibel, Company "G," Privates Maurice Clune, Company "G," John Kimball and John Reid, Company "A," and Samuel Hawksworth, Company "E," 3d Battalion, 17th U. S. Infantry, and Privates James Burey, unassigned recruit, 6th U. S. Cavalry, are approved and confirmed. Their respective sentences will be carried into execution by the proper officers. The prisoners will be released from confinement and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Bugler James Williams and Privates James White, Company "A," Privates James Hayes, Company "C," and Timothy Guiney, Company "E," 3d Battalion, 17th U. S. Infantry, are approved and

confirmed. The Dry Tortugas, Florida, is designated as the place of confinement at hard labor. The prisoner will be sent, under suitable guard, with copies of the orders in their cases, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their respective sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Jas W. Dixon
2d Lt 3d U.S. Cav
A. D. C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Aug. 2, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 48.

I. In the case of *Leo Scholl*, citizen, of Texas, tried by a Military Commission convened at Indianola, Texas, pursuant to Special Orders, No. 142, Headquarters, Separate Brigade, Central District of Texas, San Antonio, Texas, June 29, 1866, and sentenced "To be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five (5) years," which sentence was mitigated by the proper reviewing authority "to confinement at hard labor, at such military prison as the Commanding General may direct, for the period of one (1) year," the military prison at Ship Island, La., is designated as the place of confinement at hard labor. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Jas. W. Quinn
1st Lt. 3d Cav.
A. A. G.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Aug. 3, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 49.

I. Pursuant to instructions from the Secretary of War, Washington, D. C., July 26, 1866, so much of the sentences in the cases of *E. B. Mains*, *Wiley Hickerson*, and *John Pruitt*, citizens of Falls county, Texas, as relates to the wearing of a ball and chain during the term of their imprisonment, as published in General Court Martial Orders, No. 38, Headquarters, Department of Texas, July 10, 1866, is remitted.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

OFFICIAL:

Geo. W. Dixon
2d Lt. 3d Cav
A. D. C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Aug. 6, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 50.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders, No. 14?, Headquarters, Department of Texas, Galveston, Texas, July 12, 1866, and of which Brevet Lieut. Col. P. W. L. PLYMPTON, 17th U. S. Infantry, is President, were arraigned and tried:

1. Private *Thomas Boucher*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States five dollars ($5) of his monthly pay for one month."

2. Private *John McGuire*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States ten dollars ($10) per month of his monthly pay for four (4) months."

3. Corporal *William C. Ringold*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Violation of the 45th Article of War.

CHARGE II—Conduct to the prejudice of good order and military discipline.

FINDINGS—Of the 1st Charge—Not guilty.
Of the 2d Charge—Guilty.

SENTENCE—"To be reduced to the ranks, and to forfeit to the United States ten dollars ($10) of his monthly pay for four (4) months."

4. Private *James McLaughlin*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Absence without leave.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDINGS—Guilty.

SENTENCE—"To forfeit to the United States ten dollars ($10) per month of his monthly pay for four (4) months."

5. Private *John Smith*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To forfeit to the United States ten dollars ($10) per month of his monthly pay for four (4) months, and to be confined at the post at which his company is serving, with a twenty-four pound (24 lb.) weight attached to his left leg for the same time."

6. Private *John Cordon*, Company "G," 3d Battalion, 17th U. S. Infantry.

CHARGE I—Absence without leave

CHARGE II—Violation of the 45th Article of War.

FINDINGS—Guilty.

SENTENCE—"To forfeit to the United States thirteen dollars ($13) per month of his monthly pay for four (4) months, and to be confined at the post at which his company is serving, with a twenty-four pound (24 lb.) weight attached by a chain three (3) feet long to his left leg, for the period of two (2) months."

7. Private *Rufus Williams*, Company "B," 1st Battalion, 17th U. S. Infantry.

CHARGE I—Violation of the 45th Article of War.

CHARGE II—Conduct to the prejudice of good order and military discipline.

FINDINGS—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of six ( ) months, and to forfeit to the United States all pay and allowances that are due or may become due for the same time, except the just dues of the laundress and sutler."

8. Private *Lorenzo Fields*, Company "C," 3d Battalion, 17th U. S. Infantry.

CHARGE—Desertion.

FINDING—Guilty.

SENTENCE—"To be dishonorably discharged the service of the United States, 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, and to be confined at hard labor, at such point as the Commanding General may direct, for the period of five ( ) years."

II. The proceedings, findings and sentences of the Court in the above cases of Corporal William C. Kingold, Privates Thomas Boucher,

John McGuire, James McLaughlin, John Smith, and John Cordon, of Company "G," 3d Battalion, 17th U. S. Infantry, are approved and confirmed, and their respective sentences will be carried into execution by the proper officers. The prisoners, Privates John McLaughlin, John McGuire, Thomas Boucher, and Corporal William C. Ringold, will be released from arrest and returned to duty.

The proceedings, findings and sentences of the Court in the above cases of Privates Lorenzo Fields, Company "C," 3d Battalion, 17th U. S. Infantry, and Rufus Williams, Company "B," 1st Battalion, 17th U. S. Infantry, are approved and confirmed, and the sentences will be duly executed. The Dry Tortugas, Fla., is designated as the place of confinement at hard labor. The prisoners will be sent, under suitable guard, with copies of the order in their cases, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of so much of their sentences as relates to confinement.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Jas W. Dixon
2d Lt 3d Cav
A. D. C.

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Aug. 11, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 51.

I. Before a Military Commission which convened at Houston, Texas, pursuant to Special Orders, No. 111, Headquarters, Department of Texas, Galveston, Texas, May 26, 1866, and of which Major SAMUEL H. STARR, 6th U. S. Cavalry, is President, were arraigned and tried :—

1. *James Holt* and *William Burton*, citizens, of Washington county Texas.

CHARGE—Murder.

FINDINGS.

James Holt.

Of the Specification and Charge—"Not guilty, and the Commission do therefore acquit him, the said James Holt, citizen."

William Burton.

Of the Specification and Charge—"Not guilty, and the Commission do therefore acquit him, the said William Burton, citizen."

2. *Burril B. Lee*, citizen, of Austin county, Texas.

CHARGE—Murder.

FINDING—Guilty.

SENTENCE—"To be hanged by the neck untill he be dead, at such time and place as the Major General Commanding the Department shall direct, two-thirds of the members concurring therein."

3. *Alexis M. Clay*, citizen.

CHARGE—Murder.

FINDING—Not guilty, but guilty of manslaughter.

SENTENCE—"To confinement in such prison as the Major General Commanding the Department may indicate for the period of ten (10) years."

II. The proceedings and findings of the Commission in the above cases of James Holt and William Burton, citizens, of Washington county, Texas, are approved. The prisoners will be discharged from military custody.

The proceedings, findings and sentences of the Court in the above case of Burril B. Lee, citizen, of Austin county, Texas, are approved ;

but in consideration of the unanimous recommendation to clemency by the members of the Commission, the sentence is commuted to confinement at hard labor for the term of three (3) years, at Ship Island, Miss. The prisoner will be sent, under suitable guard, with a copy of the order in his case, to the Assistant Adjutant General, Military Division of the Gulf, at New Orleans, La., for the execution of his sentence as commuted.

In the above case of Atreus M. Clay, citizen, the evidence, as disclosed by the record, does not, in the judgment of the Department Commander, fully sustain the findings of the Commission, but shows that the killing, with which the prisoner is charged, was an act of self defence. The findings and sentence are, accordingly, disapproved. The prisoner will be discharged from military custody and furnished with an official copy of this order.

By Command of Major General Wright.

C. H. WHITTELSEY,
Bvt. Col., Ass't Adj't Gen'l.

Official:

Jas W Dixon
2d Lt 3d Cav
A D C

HEADQUARTERS, DEPARTMENT OF TEXAS,
GALVESTON, TEXAS, Aug. 15, 1866.

GENERAL COURT MARTIAL ORDERS,
No. 52.

I. Before a General Court Martial which convened at Galveston, Texas, by virtue of Special Orders, No. 142, Headquarters, Department of Texas, Galveston, Texas, July 12, 1866, and of which Brevet Lieut. Col. P. W. L. PLYMPTON, 17th U. S. Infantry, is President, were arraigned and tried:

1. Private *Edward Thompson*, Company "B," 1st Battalion, 17th U. S. Infantry.

CHARGE—Sleeping on Post.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of six (6) months, with the forfeiture to the United States of all pay and allowances for the same time, except the just dues of the laundress and sutler."

2. Private *Frank Sachsse*, Company "F," 1st Battalion, 17th U. S. Infantry.

CHARGE—Neglect of duty, to the prejudice of good order and military discipline.

FINDING—Guilty.

SENTENCE—"To be confined at hard labor, at such point as the Commanding General may direct, for the period of four (4) months, with a forfeiture of all pay and allowances for the same time, except the just dues of the laundress and sutler."

3. Private *John Carrollin*, unassigned recruit, 17th U. S. Infantry.

CHARGE I—Robbery.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDINGS—"Not guilty," and the Court does therefore acquit him, Private *John Carrolin*, unassigned recruit, 17th U. S. Infantry.

4. Private *James Fleming*, unassigned recruit, 17th U. S. Infantry.

CHARGE I—Robbery.

CHARGE II—Conduct prejudicial to good order and military discipline.

FINDINGS—"Not guilty," and the Court do therefore acquit him, Private *James Fleming*, unassigned recruit, 17th U. S. Infantry

5. Corporal *Frederick Davis*, Company "E," 3d Battalion, 17th U. S. Infantry.

CHARGE—Absence without leave.

FINDING—Guilty.

SENTENCE—"To be reduced to the ranks."

II. The proceedings and findings of the Court in the above cases of Privates James Fleming, and John Carrollin, unassigned recruits, 17th U. S. Infantry, are approved. The prisoners will be released and returned to duty.

The proceedings, finding and sentence of the Court in the above case of Corporal Frederick Davis, Company "E," 3d Battalion, 17th U. S. Infantry, are approved and confirmed. The sentence will be carried into execution by the proper officers. The prisoner will be returned to duty.

The proceedings, finding and sentence of the Court in the above case of Private Frank Sachsse, Company "F," 1st Battalion, 17th U. S. Infantry, are approved. The sentence is mitigated to forfeiture of all pay and allowances (just dues of laundress and sutler excepted) for the period of four (4) months. The sentence, as mitigated, will be carried into execution by the proper officers. The prisoner will be returned to duty.

The proceedings, finding and sentence of the Court in the above case of Private Edward Thompson, Company "B," 1st Battalion, 17th U. S. Infantry, are approved. Upon the unanimous recommendation to clemency, by the members of the Court, the sentence is remitted. The prisoner will be released from arrest and returned to duty.

BY COMMAND OF MAJOR GENERAL WRIGHT.

C. H. WHITTELSEY,
Bv't Col., Ass't Adj't Gen'l.

OFFICIAL:

Chas W Dixon
2d Lt 3d Cav
A A C

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS,

Department of Texas.

1870.

INDEX OF

GENERAL ORDERS AND CIRCULARS,

DEPARTMENT OF TEXAS, 1870.

NAMES.

NOTES—The *figures* refer to the *number* of Orders; the *dates* to *Circulars* and *Orders* not numbered.

To secure uniformity, officers are indexed by their actual rank; in some cases brevet rank is given in the order referred to.

AT WACO, TEXAS.

Sergeant JAMES ANDERSON ..... Company E, 6th U. S. Cavalry.
Private GEORGE EVANS ..... Company E, 6th U. S. Cavalry.
Private JAMES ALEXANDER ..... Company I, 6th U. S. Cavalry.
Private JAMES GRENNAN ..... Company I, 6th U. S. Cavalry.
Private PATRICK MORRISSEY ..... Company I, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *April* 18, 1870.

GENERAL ORDERS, No. 4.

I. Before a General Court Martial which convened at Waco, Texas, Monday, January 17, 1870, pursuant to paragraph VIII of Special Orders No. 6, Headquarters Fifth Military District, dated Austin, Texas, January 8, 1870, and of which Brevet Lieutenant Colonel R. M. MORRIS, Major 6th U. S. Cavalry, is President, were arraigned and tried:

1. Sergeant *James Anderson*, Company E, 6th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Sergeant *James Anderson*, Company E, 6th U. S. Cavalry, did fraudulently take from the desk of James T. Lovejoy, City Marshal, Waco, Texas, forty dollars ($40) in gold, and did appropriate the same to his own use and benefit; said gold being the property of a prisoner held by the civil authorities of Waco, Texas. This at Waco, Texas, on the 19th day of February, 1870."

To which charge and specification the accused, Sergeant *James Anderson*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *James Anderson*, Company E, 6th U. S. Cavalry, as follows:

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

And the Court does therefore acquit him, Sergeant *James Anderson*, Company E, 6th U. S. Cavalry.

2. Private *George Evans*, Company E, 6th U. S. Cavalry.

CHARGE I--"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Private *George Evans*, Company E, 6th U. S. Cavalry, having been regularly detailed as a member of the post guard, and duly mounted as such, did become so drunk as to be unable to perform his duty. This at the Post of Waco, Texas, on the 16th day of January, 1870."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that Private *George Evans*, Company E, 6th U. S. Cavalry, having been detailed as one of the post guard and duly mounted as such, and having been duly posted as a sentinel on post, did desert the same. This at the Post of Waco, Texas, on the 16th day of January, 1870."

To which charges and specifications the accused, Private *George Evans*, Company E, 6th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George Evans*, Company E, 6th U. S. Cavalry, 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, Private *George Evans*, Company E, 6th U. S. Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six months."

3. Private *James Alexander*, Company I, 6th U. S. Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *James Alexander*, detachment of unassigned recruits for the 6th U. S. Cavalry, (now of Company I, 6th U. S. Cavalry,) did fail to repair at the time fixed to the place of exercise appointed by his commanding officer; and did absent himself from the cavalry camp during the day until retreat roll-call. All this on or about the 27th day of September, 1869, at the cavalry camp, Jefferson, Texas."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *James Alexander*, detachment of unassigned recruits for the 6th U. S. Cavalry, (now of Company I, 6th U. S. Cavalry,) was drunk in the ranks at retreat roll-call. All this on or about the 27th day of September, 1869, at the cavalry camp, Jefferson, Texas."

ADDITIONAL CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *James Alexander*, Company I, 6th U. S. Cavalry, did, whilst in the saloon of J. D. Scott, a citizen of the town of Tyler, Smith county, Texas, assault him, J. D. Scott, with intent to do him bodily harm. This at Tyler, Texas, on or about the 1st day of January, 1870."

Specification 2d—"In this, that he, Private *James Alexander*, Company I, 6th U. S. Cavalry, did assault J. D. Scott, a citizen of the town of Tyler, Smith county, Texas, in his saloon by throwing at his (J. D. Scott's) head a tumbler, which, missing said J. D. Scott's head, did break and utterly destroy one large mirror, the property

of said J. D. Scott, valued at sixty-four dollars. All this at the town of Tyler, Smith county, Texas, on or about the 1st day of January, 1870."

To which charges and specifications the accused, Private *James Alexander*, Company I, 6th U. S. Cavalry, pleaded as follows:

To the specification to the first charge,	"Guilty."
To the first charge,	"Guilty."
To the specification to the second charge,	"Not Guilty."
To the second charge,	"Not Guilty."
To the first specification to the additional charge,	"Not Guilty."
To to the second specification to the additional charge,	"Guilty."
To the additional charge,	"Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James Alexander*, Company I, 6th U. S. Cavalry, 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."
Of the first specification, additional charge,	"Guilty."
Of the second specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Alexander*, Company I, 6th U. S. Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six months."

4. Private *James Grennan*, Company I, 6th U. S. Cavalry.

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

Specification 1st—"That the said Private *James Grennan*, lance corporal of Company I, 6th U. S. Cavalry, did go to the quarters of his company and procure a carbine, and did threaten and attempt to shoot and kill one C. M. Winkler, a citizen of Navarro county, Texas. This in the public square in the town of Corsicana, State of Texas, on or about the 11th day of February, 1870."

Specification 2d—"That the said Private *James Grennan*, lance corporal of Company I, 6th U. S. Cavalry, having been placed in arrest by his commanding officer and ordered not to leave his quarters by his said commanding officer, did, in violation of said arrest and said orders, leave his quarters; and remain absent therefrom until arrested by the corporal of the guard and placed in confinement. This at or near the town of Corsicana, State of Texas, on or about the 11th day of February, 1870."

Specification 3d—"That the said Private *James Grennan*, lance corporal of Company I, 6th U. S. Cavalry, having been placed in arrest and ordered not to leave his quarters, did, in violation of said arrest and orders, and in violation of other well known orders, ride a troop horse belonging to Company I, 6th U. S. Cavalry, at full speed in and about the streets of the town of Corsicana; he the said Private *James Grennan* at the same time shouting and conducting himself in a boisterous and unsoldierly manner. All this

at or near the town of Corsicana, State of Texas, on or about the 11th day of February, 1870."

To which charge and specifications the accused, Private *James Grennan*, lance corporal, Company I, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James Grennan*, lance corporal, Company I, 6th U. S. Cavalry, as follows:

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

And the Court does therefore acquit him, Private *James Grennan*, lance corporal, Company I, 6th U. S. Cavalry.

5. Private *Patrick Morrissey*, Company I, 6th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that *Patrick Morrissey*, Private Company I, 6th U. S. Cavalry, being a member of the post guard, Post of Tyler, Texas, did become so much under the influence of liquor as to be unable to properly perform his duty as a sentinel. All this at camp near Tyler, Texas, on or about the 3d day of October, 1869."

To which charge and specification the accused, Private *Patrick Morrissey*, Company I, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Patrick Morrissey*, Company I, 6th U. S. Cavalry, as follows:

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

And the Court does therefore acquit him, Private *Patrick Morrissey*, Company I, 6th U. S. Cavalry.

II. The proceedings, finding and acquittal in the case of Sergeant *James Anderson*, Company E, 6th U. S. Cavalry, are approved. Sergeant *Anderson* will be released from arrest and returned to duty.

The proceedings, findings and sentences in the cases of Privates *George Evans*, Company E, and *James Alexander*, Company I, 6th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the cases of Privates *James Grennan* and *Patrick Morrissey*, Company I, 6th U. S. Cavalry, are approved. Privates *Grennan* and *Morrissey* will be released from confinement and returned to duty.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

C. Emerson
Aide-de-Camp.

AT WACO, TEXAS.

Sergeant GEORGE LOYD ..... Company I, 6th U. S. Cavalry.
Private J. C. CARROLL ..... Company I, 6th U. S. Cavalry.
Private JAMES O'BRIEN ..... Company M, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *April* 23, 1870.

GENERAL ORDERS, No. 7.

I. Before a General Court Martial which convened at Waco, Texas, Monday, January 17, 1870, pursuant to paragraph VIII of Special Orders No. 6, Headquarters Fifth Military District, dated Austin, Texas, January 8, 1870, and of which Major ABRAHAM K. ARNOLD, 6th U. S. Cavalry, is President, were arraigned and tried:

1. Sergeant *George Loyd*, Company I, 6th U. S. Cavalry.

CHARGE—"Drunk on guard, in violation of the 45th Article of War."

Specification—"In this, that he, Sergeant *George Loyd*, Company I, 6th U. S. Cavalry, having been regularly detailed and mounted as sergeant of the post guard at Corsicana, Texas, did become grossly intoxicated and utterly unfit to perform his duty. This at the Post of Corsicana, Texas, on or about the 28th day of February, 1870."

To which charge and specification the accused, Sergeant *George Loyd*, Company I, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *George Loyd*, Company I, 6th U. S. Cavalry, as follows:

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

And the Court does therefore acquit him, Sergeant *George Loyd*, Company I, 6th U. S. Cavalry.

2. Private *J. C. Carroll*, Company I, 6th U. S. Cavalry.

CHARGE I—"Drunk on guard, in violation of the 45th Article of War."

Specification—"In this, that Private *J. C. Carroll*, Company I, 6th U. S. Cavalry, having been regularly detailed and mounted as a member of the post guard at Corsicana, Texas, did get so much under the influence of intoxicating liquor as to be unable to perform his duty as a sentinel, and in consequence thereof necessitated the detail of another man in his place. This at Post of Corsicana, Texas, on or about the 5th day of March, 1870."

CHARGE II—" Theft, to the prejudice of good order and military discipline."

Specification—" In this, that Private *J. C. Carroll*, Company I, 6th U. S. Cavalry, did steal from the saddler shop of J. T. Parish two razors, one comb (large) and one pocket mirror, the property of said Parish and his employes, Williamson and Lawson. This at Corsicana, Texas, on or about the 5th day of March, 1870."

To which charges and specifications the accused, Private *J. C. Carroll*, Company I, 6th U. S. Cavalry, pleaded " Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *J. C. Carroll*, Company I, 6th U. S. Cavalry, 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, Private *J. C. Carroll*, Company I, 6th U. S. Cavalry, " To be confined at hard labor, at the post where his company may be serving, for the period of six months."

3. Private *James O'Brien*, Company M, 6th U. S. Cavalry.

CHARGE I—" Violation of the 46th Article of War."

Specification—" In this, that he, Private *James O'Brien*, Company M, 6th U. S. Cavalry, a member of the post guard, having been duly posted as a sentinel on post No. 2, directly in rear of the guard house, did leave his post before he was regularly relieved, and was found by the sergeant of the guard about two hundred yards from his post. This at Tyler, Texas, December 23, 1869, and at about 8.30 or 8.45 o'clock P. M."

CHARGE II—" Violation of the 50th Article of War."

Specification—" In this, that he, Private *James O'Brien*, Company M, 6th U. S. Cavalry, did, whilst a member of the post guard, without urgent necessity or the leave of his superior officer, quit his guard; and did remain absent about two hours or more without any permission or authority whatever. This at Tyler, Texas, December 23, 1869, and between the hours of 9 and 11.30 P. M."

To which charges and specifications the accused, Private *James O'Brien*, Company M, 6th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, " Guilty."
To the second charge and its specification, " Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James O'Brien*, Company M, 6th U. S. Cavalry, 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, Private *James O'Brien*, Company M, 6th U. S. Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six months; and to forfeit to the United States five dollars per month of his monthly pay for the same period."

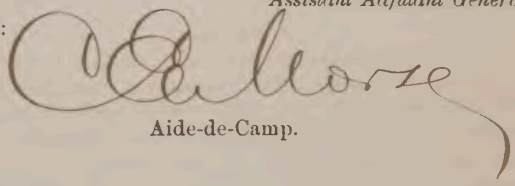
II. The proceedings, finding and acquittal in the case of Sergeant *George Loyd*, Company I, 6th U. S. Cavalry, are approved. Sergeant *Loyd* will be released from arrest and returned to duty.

The proceedings, findings and sentences in the cases of Privates *J. C. Carroll*, Company I, and *James O'Brien*, Company M, 6th U. S. Cavalry, are approved, and the sentences will be duly executed.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:



Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Austin, Texas.

Private Reese Jones. .... Company H, 4th U. S. Cavalry.
Private John Wilson .... .Company H, 4th U. S. Cavalry.
Private Robert Gaffney ....Company H, 4th U. S. Cavalry.
Private David Haley .....Company H, 4th U. S. Cavalry.
Private Thomas Burns .....Company H, 4th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)

Austin, Texas, *May* 4, 1870.

General Orders, No. 10.

I. Before a General Court Martial which convened at Austin, Texas, Thursday, April 7, 1870, pursuant to paragraph IV of Special Orders No. 74, Headquarters Fifth Military District, dated Austin, Texas, April 5, 1870, and of which Bvt. Brigadier General Lawrence P. Graham, Colonel 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Reese Jones*, Company H, 4th U. S. Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Reese Jones* was so drunk, on or about the 19th day of March, 1870, as to be wholly unable to attend to his duties as a soldier; and did lay down and sleep in the privy used by Company H, 4th U. S. Cavalry."

Specification 2d—"In this, that Private *Reese Jones*, Company H, 4th U. S. Cavalry, did say to First Sergeant Charles Newhouse, Company H, 4th U. S. Cavalry, 'Damn your Dutch heart, I can lick you,' or words to that effect. This at military camp, Austin, Texas, on or about the 19th day of March, 1870, while being conveyed to the guard house."

To which charge and specifications the accused, Private *Reese Jones*, Company H, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Reese Jones*, Company H, 4th U. S. Cavalry, as follows:

Of the first specification, "Guilty, except the words 'so as to be wholly unable to attend to his duties as a soldier; and did lay down.' Of the excepted words 'Not Guilty.'"

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

Sentence.

And the Court does therefore sentence him, Private *Reese Jones*, Company H, 4th U. S. Cavalry, "To be confined in the post guard house

where his company may be serving, for the period of one month; and to forfeit to the United States ten dollars of his monthly pay for the same period."

2. Private *John Wilson*, Company H, 4th U. S. Cavalry.

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

Specification—"In this, that he, Private *John Wilson*, Company H, 4th U. S. Cavalry, being ordered by the first sergeant of his company to attend 'water call,' did refuse to obey said order. This at military camp, Austin, Texas, on or about the 19th day of March. 1870."

To which charge and specification the accused, Private *John Wilson*, Company H, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Wilson*, Company H, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Wilson*, Company H, 4th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for one month."

3. Private *Robert Gaffney*, Company H, 4th U. S. Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that Private *Robert Gaffney*, Company H, 4th U. S. Cavalry, having been paraded and inspected as a member of the post guard, Austin, Texas, and told off for orderly at Headquarters of the Fifth Military District, did become so drunk as to be unable to perform his duties. This at or near Austin, Texas, on or about March 25, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Robert Gaffney*, Company H, 4th U. S. Cavalry, having been told off at guard mounting as mounted orderly for Headquarters Fifth Military District, did become drunk and ride his horse at a furious rate through the streets of Austin, Texas, on or about the 25th day of March 1870."

To which charges and specifications the accused, Private *Robert Gaffney*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused, Private *Robert Gaffney*, Company H, 4th U. S. Cavalry, 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, Private *Robert Gaffney*, Company H, 4th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for two months; and to be confined

at hard labor, in charge of the guard at the post where his company may be serving, for the period of one month."

4. Private *David Haley*, Company H, 4th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *David Haley*, Company H, 4th U. S. Cavalry, did enter the quarters of Sergeant Hitchcock, Company H, 4th U. S. Cavalry, and there conduct himself in a riotous manner, being armed with a revolving pistol. This at military camp near Austin, Texas, on or about the 18th day of March, 1870."

Specification 2d—"In this, that Private *David Haley*, Company H, 4th U. S. Cavalry, being ordered by Quartermaster Sergeant Patrick McGowan, Company H, 4th U. S. Cavalry, to attend to his duty as company baker, did refuse and neglect to obey such order. This at military camp, Austin, Texas, on or about the 20th day of March, 1870."

To which charge and specifications the accused, Private *David Haley*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused, Private *David Haley*, Company H, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *David Haley*, Company H, 4th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for four months; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of one month."

5. Private *Thomas Burns*, Company H, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, *Thomas Burns*, Company H, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, to serve for the period of three years from July 17, 1866, did desert the same; and did remain absent until apprehended at or near Galveston, Texas, on or about the 26th day of January, 1870. (Thirty dollars reward being paid for his apprehension.) This at Camp Sheridan, Texas, on or about the 10th day of November, 1866."

To which charge and specification the accused, Private *Thomas Burns*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused, Private *Thomas Burns*, Company H, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Burns*, Company H, 4th U. S. Cavalry, "To be dishonorably discharged the

service of the United States; to forfeit all pay now due or to become due him, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of Privates *Reese Jones*, *John Wilson*, *Robert Gaffney*, *David Haley*, and *Thomas Burns*, Company H, 4th U. S. Cavalry, are approved, and the sentences will be duly executed. In the case of Private *Thomas Burns*, Fort Jackson, La., is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Orders No. 74, current series, Headquarters Fifth Military District, and of which Brevet Brigadier General LAWRENCE P. GRAHAM, Colonel 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

C. E. Morse

Aide-de-Camp.

AT FORT QUITMAN, TEXAS.

Private JOSEPH PHILLIPS .....Company H, 9th U. S. Cavalry.
Sergeant GEORGE OWENS ....Company H, 24th U. S. Infantry.
Private JOHN ANDERSON ....Company H, 24th U. S. Infantry.
Private THOMAS SANDWICH ..... .Company H, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *May* 5, 1870.

GENERAL ORDERS, No. 11.

I. Before a General Court Martial which convened at Fort Quitman, Texas, Monday, September 6, 1869, pursuant to paragraph V of Special Orders No. 194, Headquarters Fifth Military District, dated Austin, Texas, August 18, 1869, and of which Major A. P. MORROW, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Joseph Phillips*, Company H, 9th U. S. Cavalry.

CHARGE—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that he, Private *Joseph Phillips*, Company H, 9th U. S. Cavalry, did cross the Rio Grande into Mexico, in violation of the following post order:

HEADQUARTERS FORT QUITMAN, TEXAS,
GENERAL ORDERS, No. 3. *May* 8, 1868.

Enlisted men are hereby prohibited from crossing the Rio Grande river without permission from Post Headquarters.

BY ORDER OF BREVET COLONEL PURINGTON:
(Signed) T. C. BARDEN,
Second Lieutenant 9th Cavalry,
Post Adjutant.

This at Fort Quitman, Texas, on or about the 10th day of January, 1870."

To which charge and specification the accused, Private *Joseph Phillips*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Joseph Phillips*, Company H, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph Phillips*, Company H, 9th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or to become due."

2. Sergeant *George Owens*, Company H, 24th U. S. Infantry.

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

Specification 1st—"In this, that he, Sergeant *George Owens*, Company H, 24th U. S. Infantry, having been duly mounted and on duty as sergeant of the guard, did allow prisoners to be taken from the guard house to the rear, and did neglect to examine the shackles of said prisoners to see that they were secure; and by such neglect did cause the escape from the custody of the United States of U. S. convict Buck Taylor, late a private of Company I, 9th U. S. Cavalry. This at Fort Quitman, Texas, on or about the night of January 25, 1870."

Specification 2d—"In this, that he, Sergeant *George Owens*, Company H, 24th U. S. Infantry, having been duly mounted and on duty as sergeant of the guard, did allow U. S. convict William Brooks, late a private of Company H, 24th U. S. Infantry, to leave the guard house without a guard; and did thereby cause his escape from the custody of the United States. This at Fort Quitman, Texas, on or about the morning of January 26, 1870."

To which charge and specifications the accused, Sergeant *George Owens*, Company H, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Sergeant *George Owens*, Company H, 24th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *George Owens*, Company H, 24th U. S. Infantry, "To be reduced to the ranks."

3. Private *John Anderson*, Company H, 24th U. S. Infantry.

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

Specification 1st—"In this, that he, Private *John Anderson*, Company H, 24th U. S. Infantry, did, while a member

of the post guard at Fort Quitman, Texas, take without any orders Leonce Baque, late bugler, Company I, 9th U. S. Cavalry, away from the guard house; and by reason of having been thus taken away, said prisoner Leonce Baque escaped from under guard. This at Fort Quitman, Texas, on January 9, 1870."

Specification 2d—"In this, that he, Private *John Anderson*, Company H, 24th U. S. Infantry, being on guard at Fort Quitman, Texas, and having taken away from the guard house without authority prisoner Leonce Baque, late bugler, Company I, 9th U. S Cavalry, did say to Private George Lawrence, Company H, 24th U. S. Infantry, also a member of the post guard, for him (Lawrence) to take the prisoner Baque and return him to the guard house, that the sergeant of the guard said so; he *(Anderson)* knowing such statement to be false, the sergeant of the guard never having given any such orders. All this at Fort Quitman, Texas, on the 9th day of January, 1870."

Specification 3d—"In this, that he, Private *John Anderson*, Company H, 24th U. S. Infantry, while a member of the post guard at Fort Quitman, Texas, did take away from the guard house without authority prisoner Leonce Baque, late bugler, Company I, 9th U. S. Cavalry; and after inducing, by false statement, Private George Lawrence, Company H, 24th U. S. Infantry, a member of the same guard, to take charge of said prisoner, did give the said Lawrence a musket to guard said prisoner, which musket he *(Anderson)* had rendered unserviceable, and knew at the time that it was in that condition; and by reason of its being in that condition said prisoner escaped. All this at Fort Quitman, Texas, on or about the 9th day of January, 1870."

To which charge and specifications the accused, Private *John Anderson*, Company H, 24th U. S. Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused, Private *John Anderson*, Company H, 24th U. S. Infantry, as follows:

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

Sentence.

And the court does therefore sentence him, Private *John Anderson*, Company H, 24th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged from the service of the

United States; and to be confined at the station of his company, for six months."

4. Private *Thomas Sandwich*, Company H, 24th U. S. Infantry.

CHARGE I—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that he, Private *Thomas Sandwich*, Company H, 24th U. S. Infantry, did cross the Rio Grande into Mexico, in violation of the following post order:

HEADQUARTERS FORT QUITMAN, TEXAS,
GENERAL ORDERS, No. 3. } *May* 8, 1868.

Enlisted men are hereby prohibited from crossing the Rio Grande river without permission from Post Headquarters.

BY ORDER OF BREVET COLONEL PURINGTON:

(Signed) T. C. BARDEN,
Second Lieutenant 9th Cavalry,
Post Adjutant.

This at Fort Quitman, Texas, on or about January 10, 1870."

CHARGE II—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Sandwich*, Company H, 24th U. S. Infantry, did assault with a razor and seriously wound Private Monroe Johnson, Company I, 9th U. S. Cavalry. This at Fort Quitman, Texas, on or about January 10, 1870."

To which charges and specifications the accused, Private *Thomas Sandwich*, Company H, 24th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced. finds the accused, Private *Thomas Sandwich*, Company H, 24th U. S. Infantry, as follows:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, excepting the word 'razor,' substituting therefor the word 'knife.'"
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Sandwich*, Company H, 24th 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 for seven years, at such place as the Commanding General may direct."

II. The proceedings and findings in the case of Private *Joseph Phillips*, Company H, 9th U. S. Cavalry, are approved and confirmed. So much of the sentence as imposes a forfeiture of all pay and allowances up to the date of this order is also approved; the remainder is disapproved. The prisoner will be released and returned to duty.

The proceedings, findings and sentences in the cases of Sergeant *George Owens* and Privates *John Anderson* and *Thomas Sandwich*, Company H, 24th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Thomas Sandwich*, Fort Jackson, Louisiana, is designated as the place of confinement.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Bainbridge

Aide-de-Camp.

AT JEFFERSON, TEXAS.

Private THOMAS HIND .... Company B, 6th U. S. Cavalry.
Private JAMES NOLAN .... Company G, 6th U. S. Cavalry.
Private WILLIAM T. C. DUPREE .... Company H, 6th U. S. Cavalry.
Private ANTONIO RACIE..... Company H, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *May* 6, 1870.

GENERAL ORDERS, No. 12.

I. Before a General Court Martial which convened at Jefferson, Texas, Monday, January 24, 1870, pursuant to paragraph IV of Special Orders No. 6, Headquarters Fifth Military District, dated Austin, Texas, January 8, 1870, and of which Brevet Major THEODORE J. ECKERSON, Captain and Assistant Quartermaster, U. S. Army, is President, were arraigned and tried:

1. Private *Thomas Hind*, Company B, 6th U. S. Cavalry.

CHARGE I—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, did throw at and strike Lieutenant George W. Budd, 9th U. S. Cavalry, in the back of the head with a loaf of bread while he, Lieutenant Budd, was attempting to quell a disturbance among soldiers under his command, on board steamer 'Grand Era,' Lieutenant Budd being in the execution of his office at the time. All this at Shreveport, La., on or about the 17th day of February, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, did get beastly drunk while on board steamer 'Grand Era,' *en route* to Jefferson, Texas; and did resist the guard who attempted to arrest him by order of Lieutenant George W. Budd, 9th U. S. Cavalry, under whose command he was at the time; and when Lieutenant Budd went in person to arrest him, was flourishing a bottle of liquor and defying the guard; and he, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, did refuse to give to the said Lieutenant Budd the bottle of liquor until he had demanded it several times, and until Lieutenant Budd had taken

hold of it by force. All this on board steamer 'Grand Era,' at or near Shreveport, La., on or about the 17th of February, 1870."

To which charges and specifications the accused, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, as follows:

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

Of the first charge, "Not Guilty."

Of the specification, second charge, "Guilty, excepting the words 'beastly,' 'defying the guard,' and 'by force,' and of these Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Hind*, Company B, 6th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of one year; and to forfeit ten dollars per month of his monthly pay for the same period."

2. Private *James Nolan*, Company G, 6th U. S. Cavalry.

CHARGE I—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *James Nolan*, Company G, 6th U. S. Cavalry, did interfere and attempt to strike Lieutenant George W. Budd, 9th U. S. Cavalry, while he (Lieutenant Budd) was attempting to put handcuffs on Private John Shea, Company K, 6th U. S. Cavalry; and did offer violence to Lieutenant Budd, 9th U. S. Cavalry, while he (Lieutenant Budd) was in the execution of his office, and was prevented from so doing by Sergeant Jesse Childs, permanent troop, Carlisle Barracks, Pennsylvania. All this on or about the 17th day of February, 1870, at Shreveport, La."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Nolan*, Company G, 6th U. S. Cavalry, did steal a package from steamer 'Grand Era,' at Shreveport, La., containing property of more or less value; and did conceal the same under his blouse, from which place it was taken by an unknown person who saw him place it there. All this on or about the 17th day of February, 1870, at Shreveport, La."

To which charges and specifications the accused, Private *James Nolan*, Company G, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James Nolan*, Company G, 6th U. S. Cavalry, as follows:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

(The second charge and its specification thrown out by the Court.)

And the Court does therefore sentence him, Private *James Nolan*, Company G, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances that

are or may become due, except the just dues of the laundress; and to be confined at hard labor at such military prison as the Commanding General may direct, for five years."

3. Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, did sell or cause to be sold; or dispose of for his own advantage, one horse, the property of the United States, and for which First Lieutenant Gustavus Schreyer, 6th U. S. Cavalry, is responsible. This at Jefferson, Texas, on or about January 22, 1870."

CHARGE II—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, having been ordered by his commanding officer, Second Lieutenant C. G. Gordon, 6th U. S. Cavalry, to proceed to and remain at the cavalry camp at Jefferson, Texas, with the escort of which he was a member, did fail to do so; and remained absent from said escort, failing to return with it to its proper station. This at Jefferson, Texas, on or about January 22, 1870."

CHARGE III—"Absence without leave."

Specification—"In this, that he, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, having been ordered by his commanding officer, Second Lieutenant C. G. Gordon, 6th U. S. Cavalry, to proceed to and remain at the cavalry camp at Jefferson, Texas, until the escort of which he was a member was prepared to leave for its proper station, did fail to do so; and absented himself until after said escort had left Jefferson, and until he was arrested. This at Jefferson, Texas, on or about January 22, 1870."

To which charges and specifications the accused, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, as follows:

Of the specification, first charge, "Guilty, except the words 'the property of the United States,' and of these words Not 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, Private *William T. C. Dupree*, Company H, 6th U. S. Cavalry, "To be dishonorably discharged from the service; and confined at hard labor at such place as the Commanding General may designate, for the period of two years; with loss of

all pay and allowances which are or may become due him, excepting the just dues of the laundress."

4. Private *Antonio Racie*, Company H, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Antonio Racie*, Company H, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did, on or about the 10th day of December, 1868, desert the said service; and did remain absent until the 22d day of November, 1869, when he surrendered himself to First Lieutenant S. N. Sage, 11th U. S. Infantry, at Quitman, Wood county, Texas. All of this at Salphur Springs and Quitman, Texas, on or about the time specified."

To which charge and specification the accused, Private *Antonio Racie*, Company H, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Antonio Racie*, Company H, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Antonio Racie*, Company H, 6th U. S. Cavalry, "To forfeit all pay and allowances that are or may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined at such military prison as the Commanding General may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of Privates *Thomas Hind*, Company B, *James Nolan*, Company G, and *William T. C. Dupree*, Company H, 6th U. S. Cavalry, are approved, and the sentences will be duly executed. In the cases of Privates *Nolan* and *Dupree*, Fort Jackson, La., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Antonio Racie*, Company H, 6th U. S. Cavalry, are approved. On recommendation of the Court, and in consideration of his general good character, the sentence is remitted. Private *Racie* will be released from confinement and restored to duty.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

AT JEFFERSON, TEXAS.

Corporal THOMAS BRENNAN ....Company E, 4th U. S. Cavalry.
Private JOHN W. LORENTZ .....Company C, 6th U. S. Cavalry.
Private LEWIS PEARSON . ...Company H, 6th U. S. Cavalry.
Private WILLIAM SEYMOUR . ...Company I, 6th U. S. Cavalry.
Private JOHN SHEA ... .Company K, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)

GENERAL ORDERS, No. 13. } AUSTIN, TEXAS, *May* 7, 1870.

I. Before a General Court Martial which convened at Jefferson, Texas, Monday, January 24, 1870, pursuant to paragraph IV of Special Orders No. 6, Headquarters Fifth Military District, dated Austin, Texas, January 8, 1870, and of which Brevet Major WILLIAM W. WEBB, Captain 4th U. S. Cavalry, is President, were arraigned and tried:

1. Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry.

CHARGE I—" Violation of the 38th Article of War."

Specification—" In this, that Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, did wilfully, knowingly and with fraudulent intent, sell or dispose of to one John Lakey one horse, the property of the United States, and appertaining to Company E, 4th U. S. Cavalry. This near Gray Rock, Titus county, Texas, on or about the 28th day of December, 1869."

CHARGE II—" Perjury, to the prejudice of good order and military discipline."

Specification—" In this, that Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, having, on or about the 28th day of December, 1869, sold or disposed of one Government horse to one John Lakey near Gray Rock, Titus county, Texas, did wilfully and voluntarily make oath and subscribe to the following statement: viz.,

Personally appeared before me Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, of lawful age, and after being duly sworn deposes and says, that one horse, the property of the United States, and appertaining to Company E, 4th U. S. Cavalry, for which Brevet Major W. W. Webb, Captain 4th U. S. Cavalry, is responsible, died of disease, the nature of which was unknown, on the 1st day of January, 1870, at Gray Rock, Upshur county, Texas, and that no blame can be attached to Brevet Major W. W. Webb, Captain 4th U. S. Cavalry, for the loss of the same.

(Signed) THOMAS BRENNAN,
Corporal Company E, 4th U. S. Cavalry.

Sworn to and subscribed before me, at Jefferson, Texas, this 10th day of January, 1870.

(Signed) BEN. D. BOSWELL,
Bvt. Capt. U. S. A., Second Lieut. 11th Infantry,
Judge Advocate, Military Commission.

which statement was false and fictitious, rendered so by his former

sale or disposal of said horse to John Lakey, and he, Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, knowing it to be such. This at Jefferson, Texas, on or about the 10th day of January, 1870."

To which charges and specifications the accused, Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, as follows:

Of the specification, first charge, "Guilty, excepting the words 'John Lakey,' and substituting therefor 'Sam Lewis.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, excepting the words 'John Lakey,' substituting therefor 'Sam Lewis.'"

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States; with the forfeiture of all pay and allowances that are due or may become due, except the just dues of the laundress; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of ten years."

2. Private *John W. Lorentz*, Company C, 6th U. S. Cavalry.

CHARGE I—"Violation of the 7th Article of War."

Specification—"In this, that he, Private *John W. Lorentz*, Company C, 6th U. S. Cavalry, did attempt to incite a mutiny on board steamer 'Grand Era'—while Lieutenant George W. Budd, 9th U. S. Cavalry, was trying to quell a disturbance among soldiers under his command—by crying 'Kill him, kill him, kill the son of a bitch.' All this on board steamer 'Grand Era,' at Shreveport, La., on or about 17th of February, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John W. Lorentz*, Company C, 6th U. S. Cavalry, did throw a quantity of soup upon Lieutenant Budd while he was attempting to quell a disturbance among soldiers of his command on board steamer 'Grand Era,' at Shreveport, La., Lieutenant Budd being in the execution of his office. All this on board steamer 'Grand Era,' at Shreveport, La., on or about 17th day of February, 1870."

To which charges and specifications the accused, Private *John W. Lorentz*, Company C, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John W. Lorentz*, Company C, 6th U. S. Cavalry, 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, Private *John W. Lorentz*, Company C, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of four years."

3. Private *Lewis Pearson*, Company H, 6th U. S. Cavalry.

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

Specification—"In this, that he, Private *Lewis Pearson*, Company H, 6th U. S. Cavalry, did, when Lieutenant George W. Budd, 9th U. S. Cavalry, separated two men from fighting and was taking one of them away, call upon the men not to let the said Lieutenant Budd take him; and did follow and attempt to take the said man away from Lieutenant Budd; thereby resisting Lieutenant Budd while in the execution of his office, and thus attempting to excite a mutiny. All this on board steamer 'Grand Era,' while at Shreveport, La., on or about the 17th day of February, 1870."

To which charge and specification the accused, Private *Lewis Pearson*, Company H, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Lewis Pearson*, Company H, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Lewis Pearson*, Company H, 6th U. S. Cavalry, "To forfeit ten dollars of his monthly pay for six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

4. Private *William Seymour*, Company I, 6th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Recruit *William Seymour*, Company I, 6th U. S. Cavalry, did steal from the stables of Company I, 4th U. S. Cavalry, one horse, the property of the United States. This at the cavalry camp near Jefferson, Texas, on or about 9 o'clock P. M., March 4, 1870."

To which charge and specification the accused, Private *William Seymour*, Company I, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *William Seymour*, Company I, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Seymour*, Company I, 6th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of one year; and to be confined at hard labor, under charge of a guard at the post where his company may be serving, for the period of one year."

5. Private *John Shea*, Company K, 6th U. S. Cavalry.

CHARGE—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *John Shea*, Company K, 6th U. S. Cavalry, did strike Lieutenant George W. Budd, 9th U. S. Cavalry, with a handcuff, while he Lieutenant Budd was attempting to handcuff him to Private James Nolan, Company G, 6th U. S. Cavalry, for riotous and disorderly conduct; Lieutenant Budd being in the execution of his office at the time. All this at Shreveport, La., on or about the 17th of February, 1870."

To which charge and specification the accused, Private *John Shea*, Company K, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Shea*, Company K, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Shea*, Company K, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five years."

II. The proceedings, findings and sentences in the cases of Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, Privates *John W. Lorentz*, Company C, *Lewis Pearson*, Company H, *William Seymour*, Company I, and *John Shea*, Company K, 6th U. S. Cavalry, are approved, and the sentences will be duly executed. In the cases of Corporal *Thomas Brennan*, Company E, 4th U. S. Cavalry, Private *John W. Lorentz*, Company C, and Private *John Shea*, Company K, 6th U. S. Cavalry, Fort Jackson, La., is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Orders No. 6, current series, Headquarters Fifth Military District, and of which Brevet Major WILLIAM W. WEBB, Captain 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

C. E. Morse
Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

Private EDWARD SMITH .....Company G, 4th U. S. Cavalry.
Private CHARLES SIMS..... .. Company G, 4th U. S. Cavalry.
Bugler JAMES CRAVEN ..... Company F, 10th U. S. Infantry.
Private LOUIS EDELMAN. .....Company F, 10th U. S. Infantry.
Private JAMES GIBLIN ... . Company F, 10th U. S. Infantry.
Private WILLIAM HILLIARD .....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *May* 9, 1870.

GENERAL ORDERS, No. 14.

I. Before a General Court Martial which convened at San Antonio, Texas, Thursday, April 14, 1870, pursuant to paragraph I of Special Orders, No. 77, Headquarters Fifth Military District, dated Austin, Texas, April 8, 1870, and of which Brevet Lieutenant Colonel ROBERT H. HALL, Captain 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Edward Smith*, Company G, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Edward Smith*, Company G, 4th U. S. Cavalry, being duly enlisted in the military service of the United States, did desert the same; and did remain absent until he surrendered himself at Jackson Barracks, Louisiana, on the 28th day of February, 1870. This at San Antonio, Texas, on the 11th day of May, 1866."

To which charge and specification the accused, Private *Edward Smith*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Edward Smith*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward Smith*, Company G, 4th U. S. Cavalry, "To be dishonorably

discharged from the service of the United States; to forfeit to the United States all pay and allowances now due or that may become due; and to be confined at such military prison as the General Commanding may direct, for the period of three years."

2. Private *Charles Sims*, Company G, 4th U. S. Cavalry.

CHARGE—"Utter worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Charles Sims*, Company G, 4th U. S. Cavalry, has been tried and convicted by the following Garrison Courts Martial, since January 1, 1870, to the present date—April 16, 1870—said court martial orders dated as follows: viz., January 4, January 12, January 25, February 4, March 1 and March 26, 1870. This at San Antonio, Texas, on the dates above mentioned."

Specification 2d—"In this, that Private *Charles Sims*, Company G, 4th U. S. Cavalry, has been in confinement since January 1, 1870, to the present date—April 16, 1870—forty-five days; said confinement all owing to his immoral habits, leading him to quit his quarters by night without permission and in defiance of orders. This at San Antonio, Texas, between the dates above mentioned."

Specification 3d—"In this, that Private *Charles Sims*, Company G, 4th U. S. Cavalry, having been duly detailed by First Sergeant Edward McGann, Company G, 4th U. S. Cavalry, on the 13th day of April, 1870, for guard on the following morning, did fail to appear at guard mount. This at San Antonio, Texas, on the 14th day of April, 1870."

To which charge and specifications the accused, Private *Charles Sims*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Charles Sims*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Sims*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years."

3. Bugler *James Craven*, Company F, 10th U. S. Infantry.

CHARGE—"Habitual and incorrigible drunkenness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Bugler *James Craven*, Company F, 10th U. S. Infantry, has, since his arrival in San Antonio, Texas—July 24, 1869—been tried by Garrison Courts Martial for, and found to be guilty of, drunkenness on the 4th, 10th and 28th days of September, 1869; on the 15th and 27th days of December, 1869; and on the 28th day of March, 1870. This at San Antonio, Texas."

Specification 2d—"In this, that Bugler *James Craven*, Company F, 10th U. S. Infantry, has, since his arrival in San Antonio, Texas—July 24, 1869—been confined in the post hospital by *delirium tremens*, caused by his excessive use of intoxicating liquors, from the 11th day of August, 1869, to the 16th day of August, 1869; from the 26th day of October, 1869, to the 29th day of October, 1869; from the 10th day of January, 1870, to the 25th day of January, 1870; and from the 9th day of April, 1870, to the 14th day of April, 1870. This at San Antonio, Texas."

Specification 3d—"In this, that Bugler *James Craven*, Company F, 10th U. S. Infantry, has, since his arrival in San Antonio, Texas—July 24, 1869—been in arrest or confinement sixty-seven days, more or less; all of said arrest or confinement being solely due to his intemperate habits. This at San Antonio, Texas, and during the months of July, August, September, October and December, 1869, and March and April, 1870."

To which charge and specifications the accused, Bugler *James Craven*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Bugler *James Craven*, Company F, 10th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Bugler *James Craven*, Company F, 10th U. S. Infantry. "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years."

4. Private *Louis Edelman*, Company F, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Louis Edelman*, Company F, 10th U. S. Infantry, has been—from the date of his enlistment—January 10, 1869—to the present date—April 11, 1870—in arrest or confinement two hundred and forty-three days, more or less; all of said arrest or confinement being solely due to his intemperate habits. This *en route* to and at San Antonio, Texas, during the months of June, July, August, September, October, November and December, 1869, and January, February, March and April, 1870."

To which charge and specification the accused, Private *Louis Edelman*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Louis Edelman*, Company F, 10th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Louis Edelman*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years."

5. Private *James Giblin*, Company F, 10th U. S. Infantry.

CHARGE—"Habitual and incorrigible drunkenness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *James Giblin*, Company F, 10th U. S. Infantry, has, since his transfer on August 22, 1869, to his present company, been tried by Garrison Courts Martial for and found to be guilty of drunkenness, on the 10th day of September, 1869, on the 15th, 20th and 27th days of December, 1869, on the 15th day of January, 1870, and on the 28th day of March, 1870. This at San Antonio, Texas."

Specification 2d—"In this, that Private *James Giblin*, Company F, 10th U. S. Infantry, has, since his transfer on August 22, 1869, to his present company, been in arrest or confinement sixty-five days more or less; all of said arrest or confinement being solely due to his intemperate habits. This at San Antonio, Texas, and during the months of September, October and December, 1869, and January, February, March and April, 1870."

To which charge and specifications the accused, Private

James Giblin, Company F, 10th U. S. Infantry, pleaded as follows:

To the first specification, "Guilty."

To the second specification, "Guilty, except the words 'all of said arrest or confinement being solely due to his intemperate habits.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *James Giblin*, Company F, 10th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *James Giblin*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years."

6. Private *William Hilliard*, Company F, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William Hilliard*, Company F, 10th U. S. Infantry, has been from the date of his re-enlistment—August 19, 1868—to the present date—April 11, 1870—in arrest or confinement two hundred and seventy-five days more or less; all of said arrest or confinement being solely due to his intemperate habits. This at Fort Ransom, Dakota Territory, *en route* to and at San Antonio, Texas, during the months of December, 1868, June, July, August, September, October, November, December, 1869, and January, February, March and April, 1870."

To which charge and specification the accused, Private *William Hilliard*, Company F, 10th U. S. Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'all of said arrest or confinement being solely due to his intemperate habits.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *William Hilliard*, Company F, 10th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *William Hilliard*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years."

II. The proceedings, findings and sentence in the case of Private *Edward Smith*, Company G, 4th U. S. Cavalry, are approved, and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of Private *Charles Sims*; Company G, 4th U. S. Cavalry, Bugler *James Craven*, Privates *James Giblin* and *William Hilliard*, Company F, 10th U. S. Infantry, are approved. So much of the sentence in each case as relates to imprisonment is remitted. As amended the sentences will be duly carried into effect.

The proceedings in the case of Private *Louis Edelman*, Company F, 10th U. S. Cavalry, are approved; the findings and sentence are disapproved. The evidence does not sustain the charge. It does not prove a man utterly worthless to merely show that he has been in confinement for a long time. In this case the evidence is too vague and unsatisfactory to satisfy a finding of guilty of so serious a charge as utter worthlessness. Private *Edelman* will be restored to duty.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

C. E. Morse
Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

Private WILLIAM J. BARNETT..... Company G, 4th U. S. Cavalry.
Private JOHN CONROY..... Company G, 4th U. S. Cavalry.
Private GEORGE ERDMAN ..... Company G, 4th U. S. Cavalry.
Private WILLIAM KEFFLE ..... Company G, 4th U. S. Cavalry.
Private JOHN KELLY..... Company G, 4th U. S. Cavalry.
Private EDWARD KING ..... Company G, 4th U. S. Cavalry.
Private MICHAEL RILEY..... Company G, 4th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *May* 10, 1870.

GENERAL ORDERS, No. 15.

I. Before a General Court Martial which convened at San Antonio, Texas, Thursday, April 14, 1870, pursuant to paragraph I of Special Orders No. 77, Headquarters Fifth Military District, dated Austin, Texas, April 8, 1870, and of which Brevet Lieutenant Colonel ROBERT H. HALL, Captain 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *William J. Barnett*, Company G, 4th U. S. Cavalry.

CHARGE—"Habitual drunkenness and general worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William J. Barnett*, Company G, 4th U. S. Cavalry, has been in confinement between May 22, 1869, and the present date, April 14, 1870, one hundred and twenty-eight days; said confinement all owing to his inebriate habits. This at San Antonio, Texas, between the dates above mentioned."

To which charge and specification the accused, Private *William J. Barnett*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *William J. Barnett*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *William J. Barnett*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of two years."

2. Private *John Conroy*, Company G, 4th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *John Conroy*, Company G, 4th U. S. Cavalry, being a member of the guard, did become so drunk as to be unable to perform any duty required of him. This at San Antonio, Texas, on the 25th day of March, 1870."

To which charge and specification the accused, Private *John Conroy*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Conroy*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Conroy*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, under charge of the police guard, wearing a ball weighing twenty-four pounds attached to his left leg by a chain three feet in length, for a period of three months; and then to suffer solitary confinement, upon bread and water diet, for fourteen days."

3. Private *George Erdman*, Company G, 4th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *George Erdman*, Company G, 4th U. S. Cavalry, was out of his quarters after taps without permission from proper authority, being found in the streets of San Antonio, Texas, between the hours of 10.30 and 11 o'clock, P. M. This at the Post of San Antonio, Texas, on or about the 11th day of January, 1870."

CHARGE II—"Disobedience of orders."

Specification—"In this, that Private *George Erdman*, Company G, 4th U. S. Cavalry, when ordered to go direct to his quarters by his superior officer, Brevet Major Charles C. Cresson, First Lieutenant U. S. Army, he being in the execution of his office, and it being after proper hours, did, instead of going direct to the quarters, fail to obey the order, and did go in another direction. This at the Post of San Antonio, Texas, on or about the 11th day of January, 1870."

To which charges and specifications the accused, Private *George Erdman*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *George Erdman*, Company G, 4th U. S. Cavalry, 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, Private *George Erdman*, Company G, 4th U. S. Cavalry, "To forfeit to the United States ten dol-

lars per month of his monthly pay for six months; and to be confined at hard labor, under charge of the police guard, wearing a ball weighing twenty-four pounds attached to his left leg by a chain three feet long, for the same period."

4. Private *William Keffle*, Company G, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *William Keffle*, Company G, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on the 7th day of April, 1870; and did remain absent until arrested by Corporal Jacob Schwartz, Company G, 4th U. S. Cavalry, on the 9th day of April, 1870. (Thirty dollars reward paid for his apprehension.) This at San Antonio, Texas."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that Private *William Keffle*, Company G, 4th U. S. Cavalry, did sell or lose or otherwise improperly dispose of the following ordnance and ordnance stores, the property of the United States, and for which Brevet Major Joseph Rendlebrock, Captain 4th U. S. Cavalry, is responsible: viz., one Spencer carbine, one light cavalry sabre, one carbine sling and swivel, one carbine cartridge box, one pistol holster, one sabre belt and plate, one sabre knot, one thong and brush wiper, one carbine screwdriver, twenty metallic cartridges for Spencer carbine, one saddle, complete, one curb bridle, one saddle blanket, one curry comb and horse brush. This at San Antonio, Texas, on or about the 7th day of April, 1870."

CHARGE III—"Larceny, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William Keffle*, Company G, 4th U. S. Cavalry, did steal from Sergeant Charles Morgan, Company G, 4th U. S. Cavalry, and appropriate to his own use, one hat. This at San Antonio, Texas, on the 7th day of April, 1870."

CHARGE IV—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *William Keffle*, Company G, 4th U. S. Cavalry, being ordered by First Sergeant Edward McGann, Company G, 4th U. S. Cavalry, on the 7th day of April, 1870, not to leave his company quarters until he (First Sergeant Edward McGann) saw the company commander, did absent himself; and remain absent until arrested by Corporal Jacob Schwartz, Company G, 4th U. S. Cavalry, on the 9th day of April, 1870, in citizen's clothing; Sergeant McGann being in the execution of his duty at the time. This at San Antonio, Texas, on the 7th day of April, 1870."

To which charges and specifications the accused, Private *William Keffle*, Company G, 4th U. S. Cavalry, pleaded as follows:

To the specification to the first charge, "Guilty, except the word 'desert,' substituting therefor the words 'absent himself without leave.'"

To the first charge, "Not Guilty, but guilty of 'absence without leave.'"
To the specification to the second charge, "Not Guilty."
To the second charge, "Not Guilty."
To the specification to the third charge, "Guilty."
To the third charge, "Guilty."
To the specification to the fourth charge, "Guilty."
To the fourth charge, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *William Keffle*, Company G, 4th U. S. Cavalry, 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."
Of the specification, fourth charge, "Guilty."
Of the fourth charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Keffle*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit to the United States all pay and allowances now due or that may become due; and to be confined at such military prison as the Commanding General may direct, for the period of five years."

5. Private *John Kelly*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *John Kelly*, Company G, 4th U. S. Cavalry, having been duly detailed as a member of the guard, did become so much intoxicated as to incapacitate him from the proper performance of his duty as a sentinel. This at San Antonio, Texas, on or about the 31st day of March, 1870."

To which charge and specification the accused, Private *John Kelly*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *John Kelly*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Kelly*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, under charge of the police guard, wearing a ball weighing twenty-four pounds attached to his left leg by a chain three feet in length, for a period of three months; and to suffer solitary confinement, upon bread and water diet, for fourteen days immediately thereafter."

6. Private *Edward King*, Company G, 4th U. S. Cavalry.

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

Specification—"In this, that Private *Edward King*, Company G, 4th U. S. Cavalry, having been duly posted as a sentinel (about 9 P. M.) over the stables of the post, did, without authority, allow a horse belonging to Company G, 4th U. S. Cavalry, to be taken from said stables after taps had been duly sounded. This at the Post of San Antonio, Texas, on or about January 8, 1870."

To which charge and specification the accused, Private *Edward King*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

The Judge Advocate having entered a *nolle prosequi*, the Court dismissed the proceedings against the accused, Private *Edward King*, Company G, 4th U. S. Cavalry.

7. Private *Michael Riley*, Company G, 4th U. S. Cavalry.

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

Specification 1st—"In this, that Private *Michael Riley*, Company G, 4th U. S. Cavalry, having been ordered by First Sergeant Edward McGann, Company G, 4th U. S. Cavalry, to go to the hospital and work in the post garden, on the 31st day of March, 1870, did fail to obey said order; First Sergeant Edward McGann being in the execution of his duty at the time. This at San Antonio, Texas."

Specification 2d—"In this, that Private *Michael Riley*, Company G, 4th U. S. Cavalry, having been told by First Sergeant Edward McGann, Company G, 4th U. S. Cavalry, that he was relieved off guard by order of the commanding officer for the purpose of working in the post garden, did fail to go to work; and remained absent form his work from the 31st day of March, 1870, until arrested by Corporal Jacob Schwartz, Company G, 4th U. S. Cavalry, on the 2d day of April, 1870. This at San Antonio, Texas."

To which charge and specifications the accused, Private *Michael Riley*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Michael Riley*, Company G, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Michael Riley*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for four months; and to forfeit to the United States fifteen dollars per month of his monthly pay for the same period."

II. The proceedings and findings in the case of Private *William J. Barnett*, Company G, 4th U. S. Cavalry, are approved. So much of the sentence as relates to imprisonment is remitted. As amended, the sentence will be carried into effect.

The proceedings, findings and sentences in the cases of Privates *John Conroy*, *George Erdman*, *William Keffle*, and *Michael Riley*, Company G, 4th U. S. Cavalry, are approved, and the sentences will be duly executed. In the case of Private *Keffle*, Fort Jackson, La., is designated as the place of confinement.

The proceedings and findings in the case of Private *John Kelly*, Company G, 4th U. S. Cavalry, are approved. So much of the sentence as relates to solitary confinement and diet is remitted. As amended, the sentence will be carried into effect.

The proceedings in the case of Private *Edward King*, Company G, 4th U. S. Cavalry, are disapproved. The case should have been finished by a finding by the Court. The accused is entitled to a verdict as well as the Government. Private *King* will be restored to duty.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,

Assistant Adjutant General.

Official:

Aide-de-Camp.

AT COLUMBUS, TEXAS.

Private THOMAS KELLY. .... Company E, 11th U. S. Infantry.
Private THOMAS NIXON. ... .Company E, 11th U. S. Infantry.
Private WILLIAM PARISH ....Company E, 11th U. S. Infantry.
Private MICHAEL REYNOLDS.....Company E, 11th U. S. Infantry.
Private JOSEPH STOKES ... .Company E, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *May* 11, 1870.

GENERAL ORDERS, No. 16.

I. Before a General Court Martial which convened at Columbus, Texas, Thursday, April 21, 1870, pursuant to paragraph IV of Special Orders No. 84, Headquarters Fifth Military District, dated Austin, Texas, April 16, 1870, and of which Brevet Major CHARLES A. WIKOFF, Captain 11th U. S. Infantry, is President, were arraigned and tried:

1. Private *Thomas Kelly*, Company E, 11th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Thomas Kelly*, private Company E, 11th U. S. Infantry, did, together with Joseph Stokes, a private of said company and regiment, feloniously steal and carry away from the house of Francis Dawson, (female, colored,) certain articles of woman's apparel: viz , one dark striped calico dress, one pink calico skirt, one white petticoat, one shawl and one hoop skirt, the same being the property of the said Francis Dawson (female, colored) aforesaid. This at the Post of Columbus, Columbus, Texas, on or about the 1st day of April, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Thomas Kelly*, Company E, 11th U. S. Infantry, did, together with Private Joseph Stokes, of same company and regiment, attempt to sell to one Harriet Wilson, (female, colored,) certain articles of female apparel: viz., one dark striped calico dress, one pink calico skirt, one white petticoat,

one shawl and one hoop skirt, he, the said Private *Thomas Kelly*, knowing that said articles aforesaid were stolen property. This at the Post of Columbus, Columbus, Texas, on or about the 1st day of April, 1870."

To which charges and specifications the accused, Private *Thomas Kelly*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Thomas Kelly*, Company E, 11th U. S. Infantry, 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, Private *Thomas Kelly*, Company E, 11th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted; to be dishonorably discharged from the service of the United States; and to be confined at hard labor at such place as the Commanding General may designate, for the period of two years."

2. Private *Thomas Nixon*, Company E, 11th U. S. Infantry.

CHARGE I—"Conduct prejudical to good order and military discipline."

Specification—"In this, that he, Private *Thomas Nixon*, Company E, 11th U. S. Infantry, after having asked permission twice of First Sergeant James Syman, Company E, 11th U. S. Infantry, to leave camp after taps, on the night of the 18th day of March, 1870, and having been refused both times by said First Sergeant James Syman, his superior non-commissioned officer, and positively ordered not to leave camp, did wilfully disobey said order; and did leave camp and remain absent more than one hour. All this at or near the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the 18th day of March, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that he, Private *Thomas Nixon*, Company E, 11th U. S. Infantry, did leave the camp of his company (E, 11th U. S. Infantry,) at Columbus, Texas, in the night of the 18th of March, 1870, without permission from proper authority, in direct violation of orders; and did remain absent more than one hour. All this at or near the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the 18th of March, 1870."

To which charges and specifications the accused, Private *Thomas Nixon*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Thomas Nixon*, Company E, 11th U. S. Infantry, 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, Private *Thomas Nixon*, Company E, 11th U. S. Infantry, "To forfeit to the United States fourteen dollars ($14) of his monthly pay for two months."

3. Private *William Parish*, Company E, 11th U. S. Infantry.

CHARGE—"Forgery, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Parish*, Company E, 11th U. S. Infantry, did, on the evening of the 17th of March, 1870, wilfully and with the intent to defraud the proprietor of a show, compose and write a pass for the purpose of gaining admittance into said show; and did sign to said pass the name of Second Lieutenant C. L. Snow, 11th U. S. Infantry, he, Private *William Parish*, Company E, 11th U. S. Infantry, having been told by the proprietor of said show that if he would get a pass signed by Lieutenant Snow he, Private *Parish*, would be admitted; the said pass being in words and figures, and to the effect as follows:

Please to pass seven men in the show and charge it to me.

(Signed) C. L. SNOW,
Second Lieutenant 11th U. S. Infantry,
Adjutant.

and did enter said show by aid of said pass, knowing it to be a forgery, thereby defrauding the proprietor of said show. All this at or near the Post of Columbus, Texas, on or about the 17th day of March, 1870."

To which charge and specification the accused, Private *William Parish*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *William Parish*, Company E, 11th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *William Parish*, Company E, 11th U. S. Infantry, "To be confined at hard labor, under charge of the guard, at the post of his company, for the period of six months; and to forfeit ten dollars ($10) per month of his monthly pay for the same period."

4. Private *Michael Reynolds*, Company E, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Michael Reynolds*, Company E, 11th U. S. Infantry, did appear at the monthly inspection of his company, on the morning of the 31st of March, 1870, so much under the influence of intoxicating liquor as to be unable to perform the duties of a soldier. All this at the camp of E Company, 11th U. S. Infantry, Columbus, Texas, on the 31st of March, 1870."

To which charge and specification the accused, Private *Michael Reynolds*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, Private *Michael Reynolds*, Company E, 11th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Reynolds*, Company E, 11th U. S. Infantry, "To be confined at hard labor, under charge of the guard, for the period of one month."

5. Private *Joseph Stokes*, Company E, 11th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Joseph Stokes*, private Company E, 11th U. S. Infantry, did, together with Thomas Kelly, a private of said company and regiment, feloniously steal and carry away from the house of Francis Dawson (female, colored,) certain articles of woman's apparel: viz., one dark striped calico dress, one pink calico skirt, one white petticoat, one shawl, and one hoop skirt; the same being the property of the said Francis Dawson (female, colored,) aforesaid. This at the Post of Columbus, Columbus, Texas, on or about the 1st day of April, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Joseph Stokes*, Company E, 11th U. S. Infantry, did, together with Private Thomas Kelly, of same company and regiment, attempt to sell to one Harriet Wilson (colored) certain articles of female apparel: viz., one dark striped calico dress, one pink calico skirt, one white petticoat, one shawl, and one hoop skirt; he, the said Private *Joseph Stokes*, knowing that said articles aforesaid were stolen property. This at or near the Post of Columbus, Columbus, Texas, on or about the 1st day of April, 1870."

To which charges and specifications the accused, Private *Joseph Stokes*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Joseph Stokes*, Company E, 11th U. S. Infantry, 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, Private *Joseph Stokes*, of Company E, 11th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such place as the Commanding General may designate, for the period of two years."

II. The proceedings, findings and sentences in the cases of Privates *Thomas Kelly*, *Thomas Nixon*, *William Parish*, *Michael Reynolds*, and *Joseph Stokes*, Company E, 11th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Privates *Kelly* and *Stokes*, Fort Jackson, La., is designated as the place of confinement.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge

Aide-de-Camp.

AT COLUMBUS, TEXAS.

Private JEREMIAH BUTLER .....Company E, 11th U. S. Infantry.
Private JOHN DUANE .... Company E, 11th U. S. Infantry.
Private JOHN GARDNEAR.....Company E, 11th U. S. Infantry.
Private GEORGE HOWARD..... Company E, 11th U. S. Infantry.
Private EPHRIAM UHLER.....Company E, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *May* 12, 1870.

GENERAL ORDERS, No. 17.

I. Before a General Court Martial which convened at Columbus, Texas, Thursday, April 21, 1870, pursuant to paragraph IV of Special Orders No. 84, Headquarters Fifth Military District, dated Austin, Texas, April 16, 1870, and of which Brevet Major CHARLES A. WIKOFF, Captain 11th U. S. Infantry, is President, were arraigned and tried:

1. Private *Jeremiah Butler*, Company E, 11th U. S. Infantry, (late Company E, 2d Battalion, 15th U. S. Infantry.)

CHARGE—"Desertion."

Specification—"In this, that he, Private *Jeremiah Butler*, Company E, 11th U. S. Infantry, (late Company E, 2d Battalion, 15th U. S. Infantry,) a duly enlisted soldier in the United States Army, did desert the said army at or near Vicksburg, Warren county, Mississippi, on or about the 6th day of March, 1866; and did remain absent until on or about the 18th day of December, 1869, when he was apprehended at or near Vicksburg, Warren county, Mississippi; thirty dollars reward being paid for his apprehension. All this at or near Vicksburg, Mississippi, on or about the days and dates above specified."

To which charge and specification the accused, Private *Jeremiah Butler*, Company E, 11th U. S. Infantry, (late Company E, 2d Battalion, 15th U. S. Infantry,) pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Jeremiah Butler*, Company

E, 11th U. S. Infantry, (late 2d Battalion, 15th U. S. Infantry,) as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Jeremiah Butler*, Company E, 11th U. S. Infantry, (late Company E, 2d Battalion, 15th U. S. Infantry,) "To forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted; to be dishonorably discharged from the service of the United States; and to be confined at hard labor at such place as the Commanding General may designate, for the period of two years."

2. Private *John Duane*, Company E, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *John Duane*, Company E, 11th U. S. Infantry, did appear at the monthly inspection of his company on the morning of the 31st of March, 1870, so much under the influence of intoxicating liquors as to be unable to perform the duties of a soldier. All this at the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the 31st day of March, 1870."

To which charge and specification the accused, Private *John Duane*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *John Duane*, Company E, 11th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *John Duane*, Company E, 11th U. S. Infantry, "To be confined at hard labor, under charge of the guard, for the period of one month."

3. Private *John Gardnear*, Company E, 11th U. S. Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that he, Private *John Gardnear*, Company E, 11th U. S. Infantry, did leave the camp of his company at 8.30 o'clock, on the morning of the 9th of February, 1870, without permission from proper authority; and did remain absent till taps on the evening of the same day, in direct violation of orders from his superior officer, Lieutenant C. L. Snow, Company E, 11th U. S. Infantry. All this at or near the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the 9th day of February, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Gardnear*, Company E, 11th U. S. Infantry, having been regularly detailed as a member of a fatigue party, for fatigue in the Quartermaster's Department, on the morning of the 9th of February, 1870, did absent himself from the fatigue call of said party; and did remain absent till taps on the evening of the same day. All this at or near the camp of Company E, 11th U. S. Infantry, Post of Columbus, Texas, on or about the 9th day of February, 1870."

CHARGE III—"Absence without leave."

Specification 1st—"In this, that he, Private *John Gardnear*, Company E, 11th U. S. Infantry, did absent himself from the camp of his company without permission from proper authority, from 8.30 o'clock on the morning of the 9th of February, 1870, till taps on the evening of the same day. All this at or near the camp of Company E, 11th U. S. Infantry, Post of Columbus, Texas, on or about the 9th day of February, 1870."

Specification 2d—"In this, that he, Private *John Gardnear*, Company E, 11th U. S. Infantry, did absent himself from the regular retreat roll call of his company, on the evening of the 9th day of February, 1870, without permission from proper authority. All this at or near the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the 9th day of February, 1870."

To which charges and specifications the accused, Private *John Gardnear*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *John Gardnear*, Company E, 11th U. S. Infantry, 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 first specification, third charge,	"Guilty."
Of the second specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Gardnear*, Company E, 11th U. S. Infantry, "To forfeit to the United States fourteen dollars per month of his monthly pay for the period of two months; and to be confined at hard labor, under charge of the guard, for the same period."

4. Private *George Howard*, Company E, 11th U. S. Infantry.

CHARGE I—"Unlawful appropriation of private property, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George Howard*, Company E, 11th U. S. Infantry, whilst a member of the camp guard, when inquired of by a negro as to whether he desired to purchase a watch for the sum of seven dollars, did say to said negro, 'Let me look at the watch;' and after looking at said watch did order the negro to unhook the chain of said watch from his clothes; and after said watch had been handed to him, the said *Howard*, by said negro, did place said watch in his pocket, and walk away with and retain the same without the consent of said negro, the owner thereof, and without offering said owner any consideration therefor. This at or near the post of Columbus, Texas, on or about the 10th day of April, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George Howard*, Company E, 11th U. S. Infantry, did sell to Corporal Thomas Walsh, Company E, 11th U. S. Infantry, for the sum of two dollars, a certain watch, which watch was the property of a negro, from whom he, the said Private *George Howard*, Company E, 11th U. S. Infantry, had unlawfully and feloniously obtained the same. All this at or near the camp of Company E, 11th U. S. Infantry, Post of Columbus, Texas, on or about the 10th day of April, 1870."

To which charges and specifications the accused, Private *George Howard*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *George Howard*, Company E, 11th U. S. Infantry, 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, Private *George Howard*, Company E, 11th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due, the just dues of the laundress excepted; to be dishonorably discharged the service of the United States; and to be confined at hard labor at such place as the Commanding General may designate, for the period of two years."

5. Private *Ephriam Uhler*, Company E, 11th U. S. Infantry.

CHARGE—"Absence without leave."

Specification 1st—"In this, that he, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, did absent himself from the regular monthly inspection of his company on the morning of the 31st of March, 1870, at Columbus, Texas, without permission."

Specification 2d—"In this, that he, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, did absent himself from the retreat roll call of his company on the evening of the 31st of March, 1870, at Columbus, Texas, without permission."

Specification 3d—"In this, that he, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, did absent himself from the tattoo roll call of his company on the evening of the 31st of March, 1870, at Columbus, Texas, without permission."

Specification 4th—"In this, that he, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, did absent himself from the camp of his company, and did remain absent from reveille on the morning of the 31st of March, 1870, till reveille on the morning of the 1st of April, 1870, without permission, and in direct violation of existing orders. All this at or near the camp of Company E, 11th U. S. Infantry, Columbus, Texas, on or about the dates above specified."

To which charge and specifications the accused, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, 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, Private *Ephriam Uhler*, Company E, 11th U. S. Infantry, "To forfeit to the United States fourteen dollars of his monthly pay for two months."

II. The proceedings, findings and sentence in the case of Private *Jeremiah Buller*, Company E, 11th U. S. Infantry, (late Company E, 2d Battalion, 15th U. S. Infantry,) are approved, and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *John Duane*, Company E, 11th U. S. Infantry, are approved.

On recommendation of the court, in consideration of previous good character, the sentence is remitted. Private *Duane* will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *John Gardnear*, *George Howard* and *Ephriam Uhler*, Company E, 11th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Howard*, Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Orders No. 84, current series, from Headquarters Fifth Military District, and of which Brevet Major CHARLES A. WIKOFF, Captain 11th U. S. Infantry, is President, is hereby dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

C. E. Morse

Aide-de-Camp.

AT GALVESTON, TEXAS.

Hospital Steward WALTER W. WYTHE .... U. S. Army.
Private WILLIAM BREDESTHEN ..... Company A, 6th U. S. Cavalry.
Private JOHN HANRATTY ....Company G, 11th U. S. Infantry.
Private JAMES O'BRIEN ....Company G, 11th U. S. Infantry.
Private CHARLES WALKER *alias* BURNETT..Co. G, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *May* 13, 1870.

GENERAL ORDERS, No. 18.

I. Before a General Court Martial which convened at Galveston, Texas, Thursday, April 14, 1870, pursuant to paragraph I of Special Orders No. 78, Headquarters Fifth Military District, dated Austin, Texas, April 9, 1870, and of which Brevet Major General ALVAN C. GILLEM, Colonel 11th U. S. Infantry, is President, were arraigned and tried:

1. Hospital Steward *Walter W. Wythe*, U. S. Army.

CHARGE I—"Violation of the 45th Article of War."

Specification 1st—"In this, that he, Hospital Steward *Walter W. Wythe*, U. S. Army, being on duty at the post hospital, Post of Galveston, Texas, and being called upon by Assistant Surgeon Henry McElderry, U. S. Army, post surgeon, to compound a prescription, was so drunk as to be totally unable to properly perform such duty. This at the post hospital, Post of Galveston, Texas, on or about March 31, 1870, between the hours of four and five P. M."

Specification 2d—"In this, that he, Hospital Steward *Walter W. Wythe*, U. S. Army, being on duty at the post hospital, Galveston, Texas, was so much under the influence of intoxicating liquors as to be utterly unable to properly perform the duties of hospital steward. This at the post hospital, Galveston, Texas, on or about the 12th day of April, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Hospital Steward *Walter W. Wythe*, U. S. Army, was so much under the influence of intoxicating liquors as to be utterly unable to properly perform the duties of hospital steward. This at the post hospital, Post of Galveston, at or near Galveston, Texas, on or about March 30, 1870, between the hours of four and five P. M."

Specification 2d—"In this, that he, Hospital Steward *Walter W. Wythe*, U. S. Army, after having been directed by Assistant Surgeon Henry

McElderry, U. S. Army, post surgeon, Galveston, Texas, to make up certain returns of medical and hospital property pertaining to the Post of Galveston, Texas, did send the following message to Assistant Surgeon Henry McElderry, U. S. Army, by one of the hospital attendants: viz., 'Give my compliments to Dr, McElderry, and tell him that I have made out all the papers that I am going to make out to-night; if he wants any more made out he will have to make them out himself,' or words to that effect. This at the post hospital, Galveston, Texas, on or about the 13th day of April, 1870."

To which charges and specifications the accused, Hospital Steward *Walter W. Wythe*, U. S. Army, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Hospital Steward *Walter W. Wythe*, U. S. Army, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Hospital Steward *Walter W. Wythe*, U. S. Army, "To be dishonorably discharged the service of the United States."

2. Private *William Bredesthen*, Company A, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Bredesthen*, Company A, 6th U. S. Cavalry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 3d day of October, 1869; and did remain absent therefrom until apprehended at New Orleans, La., on the 3d day of December, 1869. All this at or near Nacogdoches, Texas, and New Orleans, La., on or about the dates above specified."

To which charge and specification the accused, Private *William Bredesthen*, Company A, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *William Bredesthen*, Company A, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Bredesthen*, Company A, 6th U. S. Cavalry, "To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of two years."

3. Private *John Hanratty*, Company G, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, said *John Hanratty*, private Company G, 11th U. S. Infantry, having been regularly enlisted into the service of the United States, did desert the same; and remain absent until apprehended at New Orleans, La. This at Natchez, Miss., on or about the 9th day of March, 1869, and at New Orleans, La., on or about the 19th day of July, 1869. (Thirty dollars paid for his apprehension.)"

To which charge and specification the accused, Private *John Hanratty*, Company G, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *John Hanratty*, Company G, 11th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Hanratty*, Company G, 11th U. S. Infantry, "To forfeit ten dollars per month of his monthly pay for the period of twelve months; and to be confined at hard labor, in charge of the guard, for the same period."

4. Private *James O Brien*, Company G, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *James O'Brien*, Company G, 11th U. S. Infantry, having been regularly mounted as a member of the camp guard, did become so drunk as to be totally unable to perform the duties of a sentinel. This at the Post of Galveston, Texas, on the 11th day of April, 1870."

To which charge and specification the accused, Private *James O'Brien*, Company G, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *James O'Brien*, Company G, 11th 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 G, 11th U. S. Infantry, "To be confined at hard labor, in charge of the guard at the station of his company, for the period of six months."

5. Private *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*.

CHARGE—"Desertion."

Specification 1st—"In this, that he, the said *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*, being a duly enlisted soldier in the service of the United States, did desert said service on or about the 27th day of June, 1869; and did remain absent therefrom until apprehended on or about July 1, 1869. (Thirty dollars paid for his apprehension.) This at or near Galveston, Texas, on or about the dates specified."

Specification 2d—"In this, that he, *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*, a duly enlisted soldier in the service of the United States, did desert the said service on or about

July 21, 1869; and did remain absent therefrom until apprehended on or about the 1st day of August, 1869. (Thirty dollars paid for his apprehension.) This at or near Galveston, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles Walker*, Company G, 11th U. S. Infantry, alias *Charles Burnett*, "To forfeit to the United States all pay and allowances that are due or may become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of three years."

II. The proceedings, findings and sentences in the cases of Hospital Steward *Walter W. Wythe*, U. S. Army; Private *William Bredesthen*, Company A, 6th U. S. Cavalry; and Privates *James O'Brien*, and *Charles Walker*, alias *Charles Burnett*, Company G, 11th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Privates *Bredesthen* and *Walker*, Fort Jackson, La., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *John Hanratty*, Company G, 11th U. S. Infantry, are approved. On recomendation of the Court, based upon the general good character of the accused, the sentence is remitted. Private *Hanratty* will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph I of Special Orders No. 78, current series, from Headquarters Fifth Military District, and of which Brevet Major General ALVAN C. GILLEM, Colonel 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,

Assistant Adjutant General.

OFFICIAL:

W P Bainbridge

Aide-de-Camp.

AT BRENHAM, TEXAS.

Unassigned Recruit FREDERICK REUTER .....4th U. S. Cavalry.
Private CHARLES WILSON ..... Company G, 1st U. S. Infantry.
Private CHARLES H. ARNOLD ... ...Company A, 11th U. S. Infantry.
Private GEORGE HALFORD .....Company A, 11th U. S. Infantry.
Private ALFRED JONES *alias* ALFORD Company A, 11th U. S. Infantry.
Private FRANCIS MICHAELS .....Company A, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *May* 14, 1870.

GENERAL ORDERS, No. 20.

I. Before a General Court Martial which convened at Brenham, Texas, Thursday, April 28, 1870, pursuant to paragraph I of Special Orders No. 5, Headquarters Department of Texas, dated Austin, Texas, April 22, 1870, and of which Brevet Lieutenant Colonel JAMES BIDDLE, Captain 11th U. S. Infantry, is President, were arraigned and tried:

1. Unassigned Recruit *Frederick Reuter*, 4th U. S. Cavalry.

CHARGE—"Desertion, in violation of the 20th Article of War."

Specification—"In this, that he, *Frederick Reuter*, an unassigned recruit of the 4th U. S. Cavalry, having been duly enlisted as a soldier into the service of the United States, did desert from said service at or near Brenham, Washington county, Texas, on or about the 1st day of May, 1869, while *en route* with a detachment of recruits for the 4th U. S. Cavalry, in charge of Lieutenant D. A. Irwin, 4th U. S. Cavalry, from Brenham, Texas, to Austin, Texas; and did remain absent without proper authority until on or about the 19th day of April, 1870, when he was apprehended by Sergeant James F. Bruce, Company A, 11th U. S. Infantry. (Thirty dollars paid for his apprehension.)"

To which charge and specification the accused, Unassigned Recruit *Frederick Reuter*, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Unassigned Recruit *Frederick Reuter*, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, *Frederick Reuter*, unassigned recruit of the 4th U. S. Cavalry, "To be dishonorably discharged

the service of the United States, with forfeiture of all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor at such place as the Commanding General may direct, for the period of two years."

2. Private *Charles Wilson*, Company G, 1st U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said *Charles Wilson*, private of Company G, 1st U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Sedgwick Barracks, Greenville, La., on or about the 10th day of October, A. D. 1868; and did remain absent from said service without proper authority, until on or about the 29th day of September, A. D. 1869, when he was apprehended at or near Brenham, Washington county, Texas. This being his second act of desertion. (Thirty dollars paid for apprehension.)"

To which charge and specification the accused, Private *Charles Wilson*, Company G, 1st U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Charles Wilson*, Company G, 1st U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles Wilson*, Company G, 1st U. S. Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of two years."

3. Private *Charles H. Arnold*, Company A, 11th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, company tailor, did, on or about the 10th day of February, 1870, steal, take, carry away, and appropriate to his own use, four yards of flannel cloth, with the necessary trimmings for a suit of clothes, the property of H. F. Calkins, Acting Assistant Surgeon, U. S. Army, and of the value of about twenty dollars. This at the Post of Brenham, Texas."

Specification 2d—"In this, that he, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, company tailor, did, on or about the 10th day of February, 1870, steal, take, carry away, and appropriate to his own use, the following articles of new clothing, the property of members of Company A, 11th U. S. Infantry: viz., one flannel sack coat, value two dollars and sixty-six cents; two pairs trowsers (infantry), value six dollars and thirty cents; left in charge of Private *Arnold*, company tailor, to re-cut and fit. This at the Post of Brenham, Texas."

Specification 3d—"In this, that he, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, company tailor, did, on or about the 10th day of February, 1870, steal, take, carry away, and appropriate to his own use, one flannel sack coat and one pair of infantry trowsers, the property of Private Daniel McCarthy, Company A, 11th U. S. Infantry, value five dollars and eighty-one cents; and one pair of infantry trowsers, the property of Private Hugh Foley, Company A, 11th U. S. Infantry, value three dollars and fifteen cents. All this at the Post of Brenham, Texas, on or about the 10th day of February, 1870."

To which charge and specifications the accused, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, "To be confined in the guard house, at the station of his company, for six months; and to forfeit to the United States twelve dollars per month of his monthly pay for the period of twelve months."

4. Private *George Halford*, Company A, 11th U. S. Infantry.

CHARGE I—"Desertion, in violation of the 20th Article of War."

Specification—"In this, that he, Private *George Halford*, (late corporal) of Company A, 11th 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 26th of June, 1869, at Brenham, Washington county, Texas; and did remain absent from said service without proper authority, until apprehended at Hempstead, Austin county, Texas, (in citizen's clothing,) by J. T. Browning, civil officer, on or about the morning of the 28th of June, 1869. (Thirty dollars paid for his apprehension.)"

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *George Halford*, (late corporal) of Company A, 11th U. S. Infantry, having been duly detailed and mounted as corporal of the guard at the Post of Brenham, Washington county, Texas, did, on or about the night of the 26th of June, 1869, quit his guard without urgent necessity or leave from his superior officer, and remain absent until arrested at Hempstead, Austin county, Texas, as a deserter from the United States Army."

CHARGE III—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification—"In this, that he, Private *George Halford*, (late corporal) of Company A, 11th U. S. Infantry, while corporal of the guard at

Brenham, Washington county, Texas, did connive at, and assist in, the escape of one Lewis Clampitt, a citizen prisoner awaiting trial for 'An assault with intent to kill,' for a pecuniary consideration (paid him by said Clampitt, or his friends) of the amount of two hundred dollars, or thereabouts; and did accompany the said Clampitt in his escape; and did remain absent until arrested at Hempstead, Austin county, Texas, as a deserter from the army of the United States."

To which charges and specifications the accused, Private *George Halford*, Company A, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *George Halford*, Company A, 11th U. S. Infantry, 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, Private *George Halford*, Company A, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of two years."

5. Private *Alfred Jones*, alias *James Alford*, Company A, 11th U. S. Infantry.

CHARGE I—"Desertion, in violation of the 20th Article of War."

Specification—"In this, that he, Private *Alfred Jones*, alias *James Alford*, having been duly enlisted as a soldier into the service of the United States, on or about the 20th day of April, 1865, did desert from said service at New Orleans, La., on or about the 25th day of January, 1868."

CHARGE II—"Desertion, in violation of the 22d Article of War."

Specification—"In this, that he, Private *Alfred Jones*, alias *James Alford*, a duly enlisted soldier of Company I, 1st U. S. Infantry, while absent from his company and regiment, and without a regular discharge from the same, did again enlist into Company A, 24th U. S. Infantry, (now Company A, 11th U. S. Infantry,) at Vicksburg, Miss., on or about the 1st day of September, 1868, under the name of James Alford."

To which charges and specifications the accused, Private *Alfred Jones*, alias *James Alford*, Company A, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Alfred Jones*, alias *James Alford*, Company A, 11th U. S. Infantry, 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, Private *Alfred Jones*, alias *James Alford*, Company A, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of two years."

6. Private *Francis Michaels*, Company A, 11th U. S. Infantry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Francis Michaels*, of Company A, 11th U. S. Infantry, having been duly detailed as one of a mounted detachment sent to arrest a murderer, did, without urgent necessity, and without permission from the non-commissioned officer in charge, quit the detachment and return to camp at Brenham, Texas. This at or near Union Hill, Washington county, Texas, on or about the evening of the 15th of March, A. D. 1870."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Francis Michaels*, Company A, 11th U. S. Infantry, having been posted as a sentinel over a citizen prisoner, arrested for murder, did leave his post without being regularly relieved. All this at or near Union Hill, Washington county, Texas, on or about the 15th of March, A. D. 1870."

To which charges and specifications the accused, Private *Francis Michaels*, Company A, 11th U. S. Infantry, 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, finds the accused, Private *Francis Michaels*, Company A, 11th U. S. Infantry, 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, Private *Francis Michaels*, Company A, 11th U. S. Infantry, "To be confined at hard labor, in charge of the guard at the station of his company, for six months; and to forfeit to the United States twelve dollars of his monthly pay per month for the same period."

II. The proceedings, findings and sentences in the cases of Unassigned Recruit *Frederick Reuter*, 4th U. S. Cavalry; Privates *Charles H. Arnold*, *George Halford*, *Alfred Jones* alias *James Alford*, and *Francis Michaels*,

Company A, 11th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Recruit *Reuter*, Privates *Halford* and *Jones* alias *Alford*, Fort Jackson, La., is designated as the place of confinement.

The proceedings and findings in the case of Private *Charles Wilson*, Company G, 1st U. S. Infantry, are approved. So much of the sentence as relates to branding is remitted. As thus amended, the sentence will be duly executed. Fort Jackson, La., is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I of Special Orders No. 5, current series, from this Headquarters, and of which Brevet Lieutenant Colonel JAMES BIDDLE, Captain 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge
Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *June* 2, 1870.

GENERAL ORDERS, No. 26.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, Monday, January 24, 1870, pursuant to paragraph VI of Special Orders No. 6, Headquarters Fifth Military District, dated Austin, Texas, January 8, 1870, and of which Brevet Major General ALEXANDER McD. McCOOK, Lieutenant Colonel 10th U. S. Infantry, is President, was arraigned and tried:

Private *Edward Davis*, Company E, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Edward Davis*, an enlisted soldier in the service of the United States, private of Company E, 10th U. S. Infantry, formerly a private of Company E, 2d Battalion, 17th U. S. Infantry, did desert the said service from Hart Island, New York harbor, on or about the 19th day of November, 1865; and did remain absent from said service until apprehended and delivered as a prisoner at New York city, on or about the 10th day of May, 1869."

To which charge and specification the accused, Private *Edward Davis*, Company E, 10th U. S. Infantry, formerly private of Company E, 2d Battalion, 17th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Edward Davis*, Company E, 10th U. S. Infantry, formerly private of Company E, 2d Battalion, 17th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward Davis*, Company E, 10th U. S. Infantry, formerly private Company E, 2d Battalion, 17th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or may become due; to be dishonorably discharged the service of the United States; and to be indelibly marked on the right hip with the letter 'D,' one and one-half inches long and one inch in width; and to be confined at hard labor in such prison or penitentiary as the Commanding General may direct, for the period of two years."

II. The proceedings and findings in the foregoing case of Private *Edward Davis*, Company E, 10th U. S. Infantry, formerly private Company E, 2d Battalion, 17th U. S. Infantry, are approved. So much of the sentence as relates to branding is remitted. As amended, the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph VI of Special Orders No. 6, current series, Headquarters Fifth Military District, and of which Brevet Major General ALEXANDER McD. McCOOK, Lieutenant Colonel 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

M P Bainbridge
Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

Private FRANK DEVERE ....Company G, 4th U. S. Cavalry.
Private LOUIS WORTH .... .Company G, 4th U. S. Cavalry.
Private VICTOR GROW .... Company F, 10th U. S. Infantry.
Unassigned Recruit WILLIAM MULLER . . ...10th U. S. Infantry.
Private CHARLES H. COUNT .... Company B, 15th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *June* 6, 1870.

GENERAL ORDERS, No. 27.

I. Before a General Court Martial which convened at San Antonio, Texas, Thursday, April 14, 1870, pursuant to paragraph I, Special Orders No. 77, Headquarters Fifth Military District, dated Austin, Texas, April 8, 1870, and of which Brevet Lieutenant Colonel ROBERT H. HALL, Captain 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Frank Devere*, Company G, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Frank Devere*, Company G, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same at San Antonio, Texas, on the 20th day of April, 1870; and did remain absent until he surrendered himself at the Post of Helena, Texas, on the 21st day of April, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Frank Devere*, Company G, 4th U. S. Cavalry, did steal one Spencer carbine, the property of the United States, and for which Brevet Major Joseph Rendlebrock, Captain 4th U. S. Cavalry, is responsible. This at San Antonio, Texas, on or about the 20th day of April, 1870."

To which charges and specifications the accused, Private *Frank Devere*, Company G, 4th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except the word 'desert,' substituting therefor the words 'absent himself without proper authority from.'"

To the first charge, "Not Guilty, but guilty of absence 'without leave.'"
To the second charge and its specification, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Frank Devere*, Company G, 4th U. S. Cavalry, 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, Private *Frank Devere*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now or hereafter to become due; and to be confined at hard labor in such military prison as the reviewing officer may direct, for the period of five years."

2. Private *Louis Worth*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *Louis Worth*, of Company G, of the 4th regiment of U. S. Cavalry, having been duly posted as a sentinel at the cavalry stables, was found drunk upon his post. This at San Antonio, Texas, on the night of May 9, 1870."

To which charge and specification the accused, Private *Louis Worth*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Louis Worth*, Company G, 4th U. S. Cavalry, as follows:

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

And the Court does therefore acquit him, Private *Louis Worth*, Company G, 4th U. S. Cavalry.

3. Private *Victor Grow*, Company F, 10th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that Private *Victor Grow*, of Company F, of the 10th regiment of U. S. Infantry, did, without permission from proper authority, absent himself from the quarters of his company, from about 9.30 o'clock A. M., April 18, 1870, until about 9 o'clock P. M., April 22, 1870. This at San Antonio, Texas."

CHARGE II—"Utter worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Victor Grow*, of Company F, of the 10th regiment of U. S. Infantry, has, since his arrival in San Antonio, Texas, July 21, 1869, been tried by Garrison Courts Martial for, and found to be guilty of, absence without leave on the 9th of August, 1869; 10th of September, 1869; 9th of November, 1869; 15th of December, 1869; 10th of January, 1870; and 30th of March, 1870. This at San Antonio, Texas."

Specification 2d—"In this, that Private *Victor Grow*, of Company F, of the 10th regiment of U. S. Infantry, has, since his arrival in San Antonio, Texas, July 21, 1869, and to this date, April 23, 1870, been in confinement sixty days, more or less; all of said confinement being solely due to his repeatedly absenting himself from his company quarters, without permission from proper authority, in

defiance of, and contempt for, the written orders from Post Headquarters. This at San Antonio, Texas, and during the months of August, 1869; September, 1869; November, 1869; December, 1839; January, 1870, March, 1870; and April, 1870."

To which charges and specifications the accused, Private *Victor Grow*, Company F, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Victor Grow*, Company F, 10th U. S. Infantry, 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 second charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Victor Grow*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of two years."

4. Unassigned Recruit *William Muller*, 10th U. S. Infantry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that Unassigned Recruit *William Muller*, of the 10th regiment of U. S. Infantry, did sell, lose, or otherwise improperly dispose of, the following named articles of clothing issued to him for his own use: one uniform coat (private's), one pair of trowsers (private's), one pair of drawers, one pair of bootees (pegged), one pair of stockings, and one great coat, the money value of all which is twenty-two dollars and thirty cents, more or less. This at or near San Antonio, Texas, and on or about the 20th day of April, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Unassigned Recruit *William Muller*, of the 10th regiment of U. S. Infantry, was drunk in the quarters of Company F, 10th U. S. Infantry, to which he was attached. This at San Antonio, Texas, on or about the 20th day of April, 1870."

To which charges and specifications the accused, Unassigned Recruit *William Muller*, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Unassigned Recruit *William Muller*, 10th U. S. Infantry, 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, Unassigned Recruit *William Muller*, 10th U. S. Infantry, "To undergo weekly stoppages of one dollar and sixty cents, per week, for thirteen weeks; and a stoppage of one dollar and fifty cents for the next succeeding week; and to be confined at hard labor, under charge of the police guard at the post where his company may be serving, for the period of six months; during which time to wear a ball weighing twenty-four pounds, attached to his left leg by a chain two feet in length."

5. Private *Charles H. Count*, Company B, 15th U. S. Infantry, late of the Regimental Band, 35th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Charles H. Count*, a duly enlisted soldier in the service of the United States, private of Company B, 15th U. S. Infantry, late of the Regimental Band, 35th U. S. Infantry, did desert the said service at or near Fort Concho, Texas, on or about August 19, 1869; and did remain absent therefrom until arrested in San Antonio, Texas, on or about May 14, 1870—being in citizen's clothes at the time of such arrest. (Thirty dollars reward being paid for his apprehension.) All this at the places and on or about the times above specified."

To which charge and specification the accused, Private *Charles H. Count*, Company B, 15th U. S. Infantry, late of the Regimental Band, 35th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Charles H. Count*, Company B, 15th U. S. Infantry; late of the Regimental Band, 35th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles H. Count*, Company B, 15th U. S. Infantry, late of the Regimental Band, 35th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may hereafter become due; and to be confined at hard labor, in such military prison as the reviewing officer may direct, for the period of three years."

II. The proceedings, findings and sentences in the cases of Private *Devere*, Unassigned Recruit *Muller*, and Private *Count*, are approved, and the sentences will be duly executed. In the cases of Privates *Devere* and *Count*, Fort Jackson, La., is designated as the place of confinement.

The proceedings and findings in the case of Private *Grow* are approved. So much of the sentence as relates to confinement is remitted. As thus mitigated, the sentence will be duly executed.

The proceedings, findings and acquittal in the case of Private *Worth* are approved. He will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph I of Special Orders No. 77, current series, from Headquarters Fifth Military District, and of which Brevet Lieutenant Colonel ROBERT H. HALL, Captain 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

AT FORT DUNCAN, TEXAS.

Private HENRY JOHNSON..... Company L, 9th U. S. Cavalry.
Private CHARLES POINTS..... .... Company K, 24th U. S. Infantry.
Private JOHN WATSON.....Company K, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *June* 10, 1870.

GENERAL ORDERS, No. 29.

I. Before a General Court Martial which convened at Fort Duncan, Texas, Monday, January 17, 1870, pursuant to paragraph VII of Special Orders No. 5, Headquarters Fifth Military District, dated Austin, Texas, January 7, 1870, and re-convened April 7, 1870, pursuant to paragraph III of Special Orders No. 69, Headquarters Fifth Military District, dated Austin, Texas, March 29, 1870, and of which Brevet Major FRANK W. PERRY, Captain 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *Henry Johnson*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Henry Johnson*, Company L, 9th U. S. Cavalry, did, on or about the 25th day of March, 1870, make threats against the life of Private George Christopher, Company L, 9th U. S. Cavalry, to wit: 'I will cut his God damned guts out with a knife,' or words to that effect. All this at or near Fort Duncan, Texas, on or about the 25th day of March, 1870."

Specification 2d—"In this, that he, Private *Henry Johnson*, Company L, 9th U. S. Cavalry, did, on or about the 26th day of March, 1870, after having threatened the life of Private George Christopher, Company L, 9th U. S. Cavalry, and upon being asked by the said Christopher whether he had threatened his (Christopher's) life, draw a Bowie knife from his boot leg, with intent to commit bodily injury on the person of the said Private George Christopher. All this at Fort Duncan, Texas, on or about the 26th day of March, 1870."

To which charge and specifications the accused, Private *Henry Johnson*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Henry Johnson*, Company L, 9th U. S. Cavalry, as follows:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'from his boot leg.'"

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Johnson*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the United States service; and to forfeit to the United States all pay now due or that may become due him, except the just dues of the laundress."

2. Private *Charles Points*, Company K, 24th U. S. Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Charles Points*, Company K, 38th U. S. Infantry, while confined at post guard house at Fort Harker, Kansas, serving out sentence of a General Court Martial, did escape from the same, on or about the 3d day of July, 1867; and did remain absent therefrom until apprehended as a deserter by Mr. Breyman, and delivered at Fort Riley, Kansas, on or about August 12, 1867. (Thirty dollars having been paid for his apprehension.)"

Specification 2d—"In this, that he, Private *Charles Points*, Company K, 38th U. S. Infantry, after having been apprehended as a deserter, on or about the 12th day of August, 1867, did again make his escape from the United States service sometime during the months of August, September, or October, 1867; and remain away from the service of the United States until apprehended October 25, 1867, at Fort Leavenworth, Kansas; and thirty dollars paid for his apprehension."

CHARGE II—"Desertion."

Specification—"In this, that he, Private *Charles Points*, Company K, 38th U. S. Infantry, did, while temporarily attached to Company B, of his regiment, desert the service of the United States at Fort Harker, Kansas, March 4, 1868; and did remain absent until apprehended and delivered to the post commandant, Fort Wallace, Kansas, on or about the 23d day of August, 1868. (Thirty dollars having been paid for his apprehension.)"

To which charges and specifications the accused, Private *Charles Points*, Company K, 24th (late 38th) U. S. Infantry, pleaded as follows:

To the first charge and its specifications, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles Points*, Company K, 24th U. S. Infantry, 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, Private *Charles Points*, Company K, 24th U. S. Infantry, "To be dishonorably discharged the

service of the United States, with the loss of all pay now due or that may become due, except the just dues of the laundress; and to be confined at such penitentiary or military prison as the Commanding General may direct, for the period of five years."

3. Private *John Watson*, Company K, 24th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John Watson*, Company K, 24th U. S. Infantry, did, while in charge of and driving a six mule team, the property of the United States, maliciously strike one mule on the head, from the effects of which the said mule died. This at or near Fort Duncan, Texas, on or about the 2d day of April, 1870."

To which charge and specification the accused, Private *John Watson*, Company K, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Watson*, Company K, 24th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Watson*, Company K, 24th U. S. Infantry, "To forfeit to the United States the invoiced price of the mule killed; and to be confined at hard labor for the period of one month."

II. The proceedings in the case of Private *Henry Johnson*, Company L, 9th U. S. Cavalry, are approved. The finding and sentence are disapproved; the evidence does not sustain the charge. Private *Johnson* will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Charles Points*, Company K, 24th U. S. Infantry, are approved. The term of imprisonment is reduced to two years; as thus amended the sentence will be duly executed. Fort Jackson, La., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *John Watson*, Company K, 24th U. S. Infantry, are approved, and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph VII of Special Orders No. 5, of January 7, 1870, from Headquarters Fifth Military District, and of which Brevet Major FRANK W. PERRY, Captain 24th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

N P Dandridge

Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

Private WILLIAM DOUGLASS ..... Company A, 25th U. S. Infantry.
Private WILLIAM FIELDS .....Company A, 25th U. S. Infantry.
Private GEORGE GRIFFIN .....Company C, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *June* 22, 1870.

GENERAL ORDERS, No. 31.

I. Before a Field Officer's Court which convened at the camp of the 25th U. S. Infantry, San Antonio, Texas, Wednesday, June 15, 1870, pursuant to paragraph IV of Special Orders No. 75, Headquarters 25th U. S. Infantry, dated San Antonio, Texas, June 13, 1870, were arraigned and tried:

1. Private *William Douglass*, Company A, 25th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that Private *William Douglass*, Company A, 25th U. S. Infantry, did, without permission from proper authority, absent himself from his company and quarters from the 17th day of May, 1870, until the 21st day of May, 1870. This at or near New Orleans, La."

To which charge and specification the accused, Private *William Douglass*, Company A, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court confirms the plea of the prisoner, and finds him, Private *William Douglass*, Company A, 25th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Douglass*, Company A, 25th U. S. Infantry, "To forfeit fifteen dollars of his monthly pay for one month."

2. Private *William Fields*, Company A, 25th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that Private *William Fields*, Company A, 25th U. S. Infantry, did, without permission from proper authority, absent himself from his company and quarters from the 17th day of May, 1870, until the 21st day of May, 1870. This at or near New Orleans, La."

To which charge and specification the accused, Private *William Fields*, Company A, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court confirms the plea of the prisoner, and finds him, Private *William Fields*, Company A, 25th U. S. Infantry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Fields*, Company A, 25th U. S. Infantry, "To forfeit fifteen dollars of his monthly pay for one month."

3. Private *George Griffin*, Company C, 25th U. S. Infantry.

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

Specification—"In this, that Private *George Griffin*, Company C, 25th U. S. Infantry, having been regularly detailed for fatigue duty, and ordered by the acting first sergeant of his company to perform said duty, did refuse to obey said order; and did go to his tent and lay down. This at San Antonio, Texas, on or about the 4th day of June, 1870."

To which charge and specification the accused, Private *George Griffin*, Company C, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George Griffin*, Company C, 25th U. S. Infantry, as follows:

Of the specification, "Guilty, except the words 'did refuse to obey said order.'"
Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Griffin*, Company C, 25th U. S. Infantry, "To forfeit five dollars of his monthly pay for one month."

II. The proceedings, findings and sentences in the cases of Privates *William Douglass* and *William Fields*, Company A, and *George Griffin*, Company C, 25th U. S. Infantry, are approved, and the sentences will be duly executed.

III. The Field Officer's Court instituted by paragraph IV, Special Orders No. 75, current series, Headquarters 25th U. S. Infantry, is dissolved.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Bainbridge
Aide-de-Camp.

AT FORT CLARK, TEXAS.

Sergeant GEORGE THOMPSON.....Company G, 9th U. S. Cavalry.
Private CHARLES BOYCE.....Company G, 9th U. S. Cavalry.
Private JOSEPH COLLINS.....Company G, 9th U. S. Cavalry.
Private JESSE FUQUA.....Company G, 9th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *June* 29, 1870.

GENERAL ORDERS, No. 35.

I. Before a General Court Martial which convened at Fort Clark, Texas, Thursday, April 21, 1870, pursuant to paragraph III of Special Orders No. 84, Headquarters Fifth Militry District, dated Austin, Texas, April 16, 1870, and of which Brevet Lieutenant Colonel HENRY C. CORBIN, Captain 24th U. S. Infantry, is President, were arraigned and tried:

1. Sergeant *George Thompson*, Company G, 9th U. S. Cavalry.

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

Specification 1st—"In this, that he, the said *George Thompson*, sergeant in Company G, 9th U. S. Cavalry, did assault, with intent to kill, a woman (Jane Burrell) by throwing, or assisting in throwing, a rope around the neck of the said Jane Burrell, and attempting to strangle or hang her. This at Fort Clark, Texas, on or about the 11th day of February, 1870."

Specification 2d—"In this, that he, the said *George Thompson*, Sergeant in Company G, 9th U. S. Cavalry, after being ordered to halt several times by Brevet Captain Charles L. Hudson, First Lieutenant, U. S. Army, did fail and refuse to obey said order; and did discharge his pistol whilst being pursued by Brevet Captain Charles L. Hudson, First Lieutenant, U. S. Army. All this at Fort Clark, Texas, on or about the 11th day of February, 1870."

To which charge and specifications the accused, Sergeant *George Thompson*, Company G, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Sergeant *George Thompson*, Company G, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *George Thompson*, Company G, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States his monthly pay and allowances for three months; and to be confined at hard labor for the same period."

2. Private *Charles Boyce*, Company G, 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles Boyce*, Company G, 9th U. S. Cavalry, did feloniously take from the quarters of First Lieutenant F. S. Davidson, 9th U. S. Cavalry, one pistol, the property of said First Lieutenant F. S. Davidson, 9th U. S. Cavalry; and he, the said *Boyce*, did pawn the said pistol to one F. S. Fritter, a citizen in the town of Brackettsville, Texas, for the sum of four dollars in coin. This at or near Fort Clark, Texas, on or about the 9th day of February, 1870."

To which charge and specification the accused, Private *Charles Boyce*, Company G, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused. Private *Charles Boyce*, Company G, 9th U. S. Cavalry, as follows:

Of the specification, "Guilty, except the words 'feloniously' and 'did pawn,' substituting for the latter 'did leave the said pistol with.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Boyce*, Company G, 9th U. S. Cavalry, "To be confined at hard labor for one month; and to forfeit to the United States fourteen dollars of his monthly pay for the same period."

3. Private *Joseph Collins*, Company G, 9th U. S. Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Joseph Collins*, Company G, 9th U. S. Cavalry, did absent himself from his company without leave from his commanding officer;

and did go into the town of Brackettsville, Texas. This at or near Fort Clark, Texas, on or about the 6th day of March, 1870, between the hours of 8 and 10 o'clock P. M."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Joseph Collins*, Company G, 9th U. S. Cavalry, did enter the house of one Mr. Meade, a citizen of Brackettsville, Texas, with a felonious intent, by getting upon and going down the chimney of said house; where he was found by Mr. E. Roemer and Mr. Morgan, citizens of Brackettsville, Texas, whom Mrs. L. Meade called in to her assistance upon hearing the noise made by the said *Joseph Collins* in getting down the chimney. This at or near Fort Clark, Texas, in the town of Brackettsville, Texas, on or about the 6th day of March, 1870, between the hours of 9 and 10 o'clock P. M."

To which charges and specifications the accused, Private *Joseph Collins*, Company G, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Joseph Collins*, Company G, 9th U. S. Cavalry, 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, Private *Joseph Collins*, Company G, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may become due, except the just dues of the laundress."

4. Private *Jesse Fuqua*, Company G, 9th U. S. Cavalry.

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

Specification—"In this, that he, the said *Jesse Fuqua*, private of Company G, 9th U. S. Cavalry, did, without proper authority, enter or attempt to enter the residence of Henry V. Meade, a citizen of Brackettsville, Texas, alleging that he intended to search the house; and, upon being refused entrance by the said Meade into his house, did fire a shot with his pistol at the said house, the ball entering and going through the door of the same. All this in the village of Brackettsville, Texas, on or about the 8th day of February, 1870."

To which charge and specification the accused, Private *Jesse Fuqua*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him Private *Jesse Fuqua*, Company G, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Jesse Fuqua*, Company G, 9th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for three months; and to forfeit to the United States fourteen dollars of his monthly pay for the same period."

II. The proceedings, findings and sentences in the cases of Sergeant *George Thompson*, Privates *Charles Boyce* and *Jesse Fuqua*, Company G, 9th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Joseph Collins*, Company G, 9th U. S. Cavalry, are approved. The sentence is disapproved; it is inadequate for the offence. Private *Collins* will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph III of Special Orders No. 84, of April 16, 1870, from Headquarters Fifth Military District, and of which Brevet Lieutenant Colonel HENRY C. CORBIN, Captain 24th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W. P. Bainbridge
Aide-de-Camp.

AT FORT MCKAVETT, TEXAS.

Private JAMES BOWIE ... .Company M, 9th U. S. Cavalry.
Private WASHINGTON WHITE ....Company M, 9th U. S. Cavalry.
Private RICHARD JACKSON .....Company M, 9th U. S. Cavalry.
Private WILLIAM F. HALL ... .Company D, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *July* 2, 1870.

GENERAL ORDERS, No. 36.

I. Before a General Court Martial which convened at Fort McKavett, Texas, Monday, June 20, 1870, pursuant to paragraph III of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Captain C. N. W. CUNNINGHAM, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *James Bowie*, Company M, 9th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *James Bowie*, Company M, 9th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort McKavett, Texas, on or about April 23, 1870; and did remain absent until arrested by a guard at or near Coghlan's Ranch, Texas."

To which charge and specification the accused, Private *James Bowie*, Company M, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *James Bowie*, Company M, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *James Bowie*, Company M, 9th U. S. Cavalry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances now due, except the just dues of the laundress, and to be confined at such military prison as the Commanding General of the Department may designate, for the period of one year."

2. Private *Washington White*, Company M, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *Washington White*, Company M, 9th U. S. Cavalry, did appear with his company for inspection in a filthy and unsoldierly manner. This at the Post of Fort McKavett, Texas, on the 19th day of June, 1870."

Specification 2d—"In this, that he, the said Private *Washington White*, Company M, 9th U. S. Cavalry, did, when taken to the creek for the purpose of being washed by a guard, swim across the creek and from the opposite side utter profane oaths, and say if he (*White*) had his gun he would shoot the guard. This at the Post of Fort McKavett, Texas, on the 19th day of June, 1870."

To which charge and specifications the accused, Private *Washington White*, Company M, 9th U. S. Cavalry, 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 accused, Private *Washington White*, Company M, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Private *Washington White*, Company M, 9th U. S. Cavalry, "To be dishonorably discharged the service; and to be confined at hard labor for the period of one year."

3. Private *Richard Jackson*, Company M, 9th U. S. Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that Private *Richard Jackson*, Company M, 9th U. S. Cavalry, did shoot and seriously injure a cavalry horse, the property of the United States. This near Fort McKavitt, Texas, on or about the 25th day of April, 1870."

To which charge and specification the accused, Private *Richard Jackson*, Company M, 9th U. S. Cavalry, pleaded as follows:

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

FINDING.

The Court, after mature consideration, confirms the plea of the accused to the specification, and finds him, Private *Richard Jackson*, Company M, 9th U. S. Cavalry, as follows:

Of the specification, "Guilty, but attaches no criminality thereto."

Of the charge, "Not Guilty."

And the Court does therefore acquit him, Private *Richard Jackson*, Company M, 9th U. S. Cavalry.

4. Private *William F. Hall*, Company D, 24th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William F. Hall*, Company D, 24th U. S. Infantry, did enter the store of James Larson & Co., post traders at Fort McKavett, Texas, or did assist in so doing; and did steal and conceal, or did assist in stealing and concealing, the sum of two hundred and forty-three dollars, more or less, belonging to said firm. This at Fort McKavett, Texas, on the evening of the 29th day of December, 1869."

ADDITIONAL CHARGE—"Desertion."

Specification—"In this, that Private *William F. Hall*, Company D, 24th U. S. Infantry, did escape from the guard house while under charges, and remained absent from the 13th to the 17th day of March, 1870, when arrested by Sergeant Henry Smith, Company M, 9th U. S. Cavalry, near the Llano river. This at Fort McKavett, Texas, on or about the 13th day of March, 1870."

To which charges and specifications the accused, Private *William F. Hall*, Company D, 24th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."

To the additional charge and its specification, "Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private *William F. Hall*, Company D, 24th U. S. Infantry, as follows:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, additional charge, "Guilty."

Of the additional charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William F. Hall*, Company D, 24th U. S. Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances; and to be confined at such place as the proper authority may direct for the period of four years."

II. The proceedings, findings and sentences in the cases of Privates *James Bowie* and *Washington White*, Company M, 9th U. S. Cavalry, are approved, and the sentences will be duly executed. The post of their company is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *Richard Jackson*, Company M, 9th U. S. Cavalry, are approved. Private *Jackson* will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *William F. Hall*, Company D, 24th U. S. Infantry, are approved and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Bainbridge
Aide-de-Camp.

AT JACKSON BARRACKS, LOUISIANA.

Private WILLIAM LYNCH ..... Company C, 19th U. S. Infantry.
Private JOHN MURRY. .....Company C. 19th U. S. Infantry.
Private CHRISTOPHER ULRICH .....Company C, 19th U. S. Infantry.
Private JOHN DUNNE, 2D . .....Company D. 19th U. S. Infantry.
Private JAMES HAGERTY ... .Company D, 19th U. S. Infantry.
Private FRANK SPENCER .....Company E, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *July* 11, 1870.

GENERAL ORDERS, No. 37.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, June 20, 1870, pursuant to paragraph I of Special Orders No. 41, Headquarters Department of Texas, dated Austin, Texas, June 11, 1870, and of which Brevet Lieutenant Colonel WILLIAM T. GENTRY, Captain 19th U. S. Infantry, is President, were arraigned and tried:

1. Private *William Lynch*, Company C, 19th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *William Lynch*, Company C, 19th U. S. Infantry, having been duly detailed for guard duty, by the first sergeant of his company, failed to comply with said order. This at Jackson Barracks, La., on or about the 26th day of May, 1870."

To which charge and specification the accused, Private *William Lynch*, Company C, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused, Private *William Lynch*, Company C, 19th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *William Lynch*, Company C, 19th U. S. Infantry, "To forfeit to the United States ten dollars of his pay."

2. Private *John Murry*, Company C, 19th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that *John Murry*, private, Company C, 19th U. S. Infantry, did, without proper authority, pass a sentry and leave the garrison; and when commanded to halt (by the sentry and the officer of the guard) did refuse to obey the order; and did run into the streets until caught by the officer of the guard. This at the Post of Jackson Barracks, La., on the 27th day of May, 1870."

To which charge and specification the accused, Private *John Murry*, Company C, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused, Private *John Murry*, Company C, 19th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *John Murry*, Company C, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months; and to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of one month."

3. Private *Christopher Ulrich*, Company C, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Christopher Ulrich*, Company C, 19th U. S. Infantry, a duly enlisted soldier of the United States, did desert the said service on or about the 31st day of March; and did remain absent until arrested by the civil authorities at Little Rock, Ark., on the 1st day of April, 1870. (Thirty dollars reward paid for his apprehension.)"

To which charge and specification the accused, Private *Christopher Ulrich*, Company C, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Christopher Ulrich*, Company C, 19th U. S. Infantry, as follows:

Of the specification, "Guilty, except the words 'desert the said service,' and substituting the words 'absent himself, without leave, from his company and regiment.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Christopher Ulrich*, Company C, 19th U. S. Infantry, "To forfeit to the United States his pay for one month."

4. Private *John Dunne*, 2*d*, Company D, 19th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Private *John Dunne*, 2*d*, Company D, 19th U. S. Infantry, did absent himself, without proper authority, from the limits of his command, from June 12, 1870, until June 17, 1870. This at Jackson Barracks, New Orleans, La., on or about the 12th to the 17th of June, 1870."

To which charge and specification the accused, Private *John Dunne*, 2*d*, Company D, 19th U. S. Infantry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *John Dunne*, 2*d*, Company D, 19th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *John Dunne*, 2*d*, Company D, 19th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for two months; and to be confined at hard labor, under charge of the post guard at the post where his company may be stationed, for the period of one month."

5. Private *James Hagerty*, Company D, 19th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Private *James Hagerty*, Company D, 19th U. S. Infantry, did absent himself, without proper authority, from the limits of his command, from June 12, 1870, until June 17, 1870. This at Jackson Barracks, New Orleans, La., on or about the 12th to the 17th June, 1870."

To which charge and specification the accused, Private *James Hagerty*, Company D, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *James Hagerty*, Company D, 19th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *James Hagerty*, Company D, 19th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for two months; and to be confined at hard labor, under charge of the post guard at the post where his company may be stationed, for the period of one month."

6. Private *Frank Spencer*, Company E, 19th U. S. Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification 1st—"That *Frank Spencer*, private, Company E, 19th U. S. Infantry, did fail to appear at reveille, dinner, retreat, and tattoo roll-calls of his company; he having no authority whatever to absent himself from said roll-calls. This at Jackson Barracks, La., on the 4th day of June, 1870."

Specification 2d—"That *Frank Spencer*, private, Company E, 19th U. S. Infantry, did fail to appear at reveille roll-call, Sunday morning inspection, dinner, and retreat roll-calls of his company; he having no authority whatever to absent himself from said inspection and roll calls. This at Jackson Barracks, La., on the 5th day of June, 1870."

CHARGE II—"Disobedience of orders."

Specification—"That *Frank Spencer*, private, Company E, 19th U. S. Infantry, having been ordered by his company commander, Brevet Major George S. Pierce, Captain Company E, 19th U. S. Infantry, to report himself for confinement to First Sergeant George Edwards, Company E, 19th U. S Infantry, did fail to obey said order. This at Jackson Barracks, La., on the 5th day of June, 1870."

To which charges and specifications the accused, Private *Frank Spencer*, Company E, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused, Private *Frank Spencer*, Company E, 19th U. S. Infantry, 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, Private *Frank Spencer*, Cumpany E, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months; nd to be confined at hard labor, under charge of the guard

at the post where his company may be stationed, for the period of two months."

II. The proceedings, findings and sentences in the cases of Privates *William Lynch* and *John Murry*, Company C, *John Dunne, 2d*, and *James Hagerty*, Company D, and *Frank Spencer*, Company E, 19th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings in the case of Private *Christopher Ulrich*, Company C, 19th U. S. Infantry, are disapproved; there is no allegation in the charge or specification of the place where the offence was committed. Private *Ulrich* will be released from confinement and restored to duty.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Lambidge

Aide-de-Camp.

AT AUSTIN, TEXAS.

Private REESE JONES .... Company H, 4th U. S. Cavalry.
Private CHARLES L. BORDEN.....Company G, 6th U. S. Cavalry.
Private JOHN W. PUETT.....Company L, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *July* 14, 1870.

GENERAL ORDERS, No. 38.

I. Before a General Court Martial which convened at Austin, Texas, Thursday June 30, 1870, pursuant to paragraph V of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Brevet Lieutenant Colonel J. K. MIZNER, Major 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Reese Jones*, Company H, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Reese Jones*, of Company H, 4th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert said service; and did remain absent until apprehended by an armed escort about one mile from camp. (Thirty dollars reward having been paid for his apprehension). All this at or near the military camp near Austin, Texas, on or about the 22d day of April, 1870."

To which charge and specification the accused, Private *Reese Jones*, Company H, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Reese Jones*, Company H, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Reese Jones*, Company H, 4th U. S. Cavalry, "To forfeit to the

United States all pay and allowances that are due or may become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such military prison as the Commanding General of the Department may direct, for a period of two years."

2. Private *Charles L. Borden*, Company G, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Charles L. Borden*, Company G 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, on or about the 27th day of May, 1868, did desert the said service on or about the 1st day of January, 1869; and did remain so absent from the same until apprehended at or near Baltimore, Md., on or about the 26th day of April, 1870. All this at or near the place above mentioned, and on or about the above mentioned dates."

To which charge and specification the accused, Private *Charles L. Borden*, Company G, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Charles L. Borden*, Company G, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles L. Borden*, Company G, 6th U. S. Cavalry, "To forfeit all pay and allowances that are now due or may become due him from the United States; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such military prison as the Commanding General of the Department may designate, for the period of two years."

3. Private *John W. Puett*, Company L, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John W. Puett*, Company L, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, on or about the 1st day of October, 1868, did desert the same on or about the 31st day of August, 1869, at or near Greenville, Texas; and did so remain absent until on or about the 29th day of April, 1870, when he surrendered himself to Brevet Brigadier General George A. H. Blake, Colonel 1st U. S. Cavalry, at Carlisle Barracks, Pa. All this on or about the dates above given, and at or near the places above mentioned."

To which charge and specification the accused, Private *John W. Puett*, Company L, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *John W. Puett*, Company L, 6th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *John W. Puett*, Company L. 6th U. S. Cavalry, "To forfeit to the United States all pay and allowances that are now due or that may become due him from the United States; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such military prison as the Commanding General of the Department may direct, for the period of one year."

II. The proceedings, findings and sentences in the cases of Privates *Reese Jones*, Company H, 4th U. S. Cavalry, and *Charles L. Borden*, Company G, 6th U. S. Cavalry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, finding and sentence in the case of Private *John W. Puett*, Company L. 6th U. S. Cavalry, are approved. In consideration of mitigating circumstances, and the unanimous recommendation of the court, the sentence is remitted. Private *Puett* will be released from confinement and restored to duty.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge
Aide-de-Camp.

AT FORT MCKAVETT, TEXAS.

Private THOMAS JACKSON, 1*st* ..... Company M, 9th U. S. Cavalry.
Private CLARKSON W. COURSEY. ...(unassigned) 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *July* 18, 1870.

GENERAL ORDERS, No. 39.

I. Before a General Court Martial which convened at Fort McKavett, Texas, Monday, June 20, 1870, pursuant to paragraph III of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Captain C. N. W. CUNNINGHAM, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, the said Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry, a duly enlisted soldier in the service of the United States, having been mounted as a member of the post guard at Fort McKavett, Texas, and regularly posted as a sentinel on No. 2 post, (at the corral,) did lie down on a box near his beat and fall asleep; in which condition he was found by the officer of the day and a corporal of the guard. This at Fort McKavett, Texas, about the hour of twelve and a half o'clock A. M., on or about the 21st day of June, 1870."

To which charge and specification the accused, Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay due or that may become due him; and to be confined at such place as the Commanding General may direct, for the period of one year."

2. Private *Clarkson W. Coursey*, 24th U. S. Infantry, (unassigned.)

CHARGE—"Desertion."

Specification—"In this. that he, Private *Clarkson W. Coursey*, (unassigned) 24th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort McKavett, Texas, on or about December 4, 1869; and did remain a deserter until apprehended about February 22d, 1870."

To which charge and specification the accused, Private *Clarkson W. Coursey*, 24th U. S. Infantry, (unassigned,) pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Clarkson W. Coursey*, 24th U. S. Infantry, (unassigned,) as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Clarkson W. Coursey*, 24th U. S. Infantry, (unassigned,) "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of three years."

II. The proceedings and findings in the case of Private *Thomas Jackson*, 1*st*, Company M, 9th U. S. Cavalry, are approved. The sentence is modified to six months' confinement at hard labor at the post of his company, with a loss of six dollars per month of his pay for the same period. A sentence of dishonorable discharge should only be applied to cases involving a degree of moral turpitude, such as desertion or other disgraceful conduct, that would render the offender unfit to associate with honorable soldiers. As modified, the sentence will be carried into effect.

The proceedings, finding and sentence in the case of Private *Clarkson W. Coursey*, 24th U. S. Infantry, (unassigned,) are approved, and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Bainbridge
Aide-de-Camp.

AT JACKSON BARRACKS, LOUISIANA.

Sergeant HENRY HEGERT.....Company A, 19th U. S. Infantry.
Private ROBERT BELL.....Company A, 19th U. S. Infantry.
Private HUGH REED.....Company A, 19th U. S. Infantry.
Private OWEN QUINN... .....Company D, 19th U. S. Infantry.
Private EDWARD RUHLE ....Company D, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *July* 22, 1870.

GENERAL ORDERS, No. 40.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, June 20, 1870, pursuant to paragraph I of Special Orders No. 41, Headquarters Department of Texas, dated Austin, Texas, June 11, 1870, and of which Brevet Lieutenant Colonel WILLIAM T. GENTRY, Captain 19th U. S. Infantry, is President, were arraigned and tried:

1. Sergeant *Henry Hegert*, Company A, 19th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1*st*—"In this, that *Henry Hegert*, a sergeant of Company A, 19th U. S. Infantry, on duty in the quartermaster's department at the Post of Baton Rouge, La., being ordered to take from the stable and forage room, at said post, two bales of hay (valued at twelve dollars and forty-three cents) and five sacks of oats (valued at eight dollars and forty-three cents), the property of the United States, did unlawfully sell and dispose of the said hay and oats to one Timothy Duggan, a citizen of Baton Rouge, La., for the sum of fifteen dollars, more or less; and did convert the same to his own use and benefit, thereby defrauding the United States Government of the value of said hay and oats. This at Baton Rouge, La., on or about the 9th day of May, 1870."

Specification 2*d*—"In this, that *Henry Hegert*, a sergeant of Company A, 19th U. S. Infantry, on duty in the quartermaster's department at the Post of Baton Rouge, La., having an order from the office of Lieutenant W. M. Bandy, 19th U. S. Infantry, Post Quartermaster, to

deliver eight hundred and sixty-eight pounds of hay and seven hundred and forty-four pounds of oats to the commanding officer of said post, did, instead of delivering the said hay and oats as aforesaid, unlawfully dispose of it to one Timothy Duggan, a citizen of Baton Rouge, La., for the sum of fifteen dollars, more or less; and did unlawfully apppropriate the proceeds of said sale to his own use and benefit. This at Baton Rouge, La., on or about the 9th day of May, 1870.".

To which charge and specifications the accused, Sergeant *Henry Hegert*, Company A, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused, Sergeant *Henry Hegert*, Company A, 19th U. S Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Henry Hegert*, Company A, 19th U. S. Infantry, "To be reduced to the grade of a private soldier; to forfeit to the United States the sum of twenty dollars and eighty-six cents of his pay; and to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of six months."

2. Private *Robert Bell*, Company A, 19th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, *Robert Bell*, private of Company A, 19th U. S. Infantry, was drunk on guard, having been mounted as one of the post guard at Jackson Barracks, La., about the 25th day of May, 1870."

CHARGE II—"Habitual drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Robert Bell*, private of Company A, 19th U. S. Infantry, was drunk on or about the following days: viz., April 10, May 11, May 12, and May 29, 1870, at the Posts of Baton Rouge and Jackson Barracks, La."

To which charges and specifications the accused, Private *Robert Bell*, Company A, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Robert Bell*, Company A, 19th U. S. Infantry, as follows:

Of the specification, first charge, "Guilty, with the exception of the words 'having been mounted as one of the post guard.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, with the exception of the words 'May 11, and May 12.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Bell*, Company A, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months; and to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of two months."

3. Private *Hugh Reed*, Company A, 19th U. S. Infantry.

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

Specification—"That Private *Hugh Reed*, Company A, 19th U. S. Infantry, did take, steal, and carry away from the quarters of Company A, at Baton Rouge Barracks, one pair of Government shoes, the property of Private John B. Cowber, Company A, 19th U. S. Infantry. This at Baton Rouge Barracks, La., on or about the 21st day of March, 1870."

To which charge and specification the accused, Private *Hugh Reed*, Company A, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Hugh Reed*, Company A, 19th U. S. Infantry, as follows:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Hugh Reed*, Company A, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months; and to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of thirty days."

4. Private *Owen Quinn*, Company D, 19th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, Private *Owen Quinn*, Company D, 19th U. S. Infantry, having been mounted as one of the post guard at the Post of Little Rock, Ark., did become so drunk as to unfit him for the performance of his duty. This at Little Rock, Ark., on or about March 25, 1870."

To which charge and specification the accused, Private *Owen Quinn*, Company D, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Owen Quinn*, Company D, 19th U. S. Infantry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Owen Quinn*, Company D, 19th U. S. Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of three months."

5. Private *Edward Ruhle*, Company D, 19th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Ruhle*, Company D, 19th U. S. Infantry, having been mounted as one of the post guard of Jackson Barracks, La., and as such having been placed in charge of certain prisoners, to wit, Privates Egan and Gesenan, of A Company; Ulrich, C Company; and Gleeson, E Company, all of the 19th U. S. Infantry, with instructions to keep said prisoners at work, did permit said prisoners to quit work and go, and did accompany them, to the rear; and while there did allow one or more of said prisoners to obtain whisky or other intoxicating liquor from the hands of one Calvin Buck, a private of F Company 25th U. S. Infantry; and did permit one or more of said prisoners to drink of said liquor to such an extent as to prevent him or them from working. This at the Post of Jackson Barracks, La., between the hours of 9 and 11 o'clock A. M., on the 4th of June, 1870."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Private *Edward Ruhle*, Company D, 19th U. S. Infantry, having been mounted as a member of the post guard of Jackson Barracks, La., and as such having been placed in charge of prisoners at work, did, while on such duty, become drunk. This at the Post of Jackson Barracks, La., between the hours of 9 and 11 o'clock A. M., on the 4th day of June, 1870."

To which charges and specifications the accused, Private *Edward Ruhle*, Company D, 19th U. S. Infantry, pleaded as follows:

To the specification, first charge, "Guilty of letting prisoners quit work and go to the rear, not guilty of the remainder of the specification."

To the first charge, "Not Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Edward Ruhle*, Company D, 19th U. S. Infantry, 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, Private *Edward Ruhle*, Company D, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for three months; and to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of three months."

II. The proceedings, findings and sentences in the cases of Sergeant *Henry Hegert* and Private *Robert Bell*, Company A, and Privates *Owen Quinn* and *Edward Ruhle*, Company D, 19th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings and finding in the case of Private *Hugh Reed*, Company A, 19th U. S. Infantry, are approved. The sentence, although wholly inadequate as a punishment for the contemptible and unsoldierly crime of theft, is approved only that the offender may not entirely escape punishment.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

K P Bainbridge

Aide-de-Camp.

AT FORT QUITMAN, TEXAS.

Private HENRY ROBERTS.....Company H, 9th U. S. Cavalry.
Private WILLIAM WEAVER .....Company H, 9th U. S. Cavalry.
Co. Qmr. Sergt. JOHN C. N. B. PARKER Company I, 9th U. S. Cavalry.
Private MAJOR HAYDEN .....Company I, 9th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *July* 28, 1870.

GENERAL ORDERS, No. 41.

I. Before a General Court Martial which convened at Fort Quitman, Texas, Thursday, June 23, 1870, pursuant to paragraph II, Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Brevet Colonel GEORGE A. PURINGTON, Captain 9th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Henry Roberts*, Company H, 9th U. S. Cavalry.

CHARGE I—" Desertion."

Specification—" In this, that he, Private *Henry Roberts*, Company H, 9th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the said service. (Thirty dollars paid for his apprehension.) This at Fort Quitman, Texas, on or about the night of the 25th day of April, 1870."

CHARGE II--" Violation of the 46th Article of War."

Specification—" In this, that he, Private *Henry Roberts*, Company H, 9th U. S. Cavalry, having been detailed as a member of the guard, and duly posted as a sentinel, did leave his post and cross the Rio Grande, into the Republic of Mexico; and remain in that country until arrested by the Mexican police and delivered to the commanding officer of the Post of Fort Quitman, Texas. All this at Fort Quitman, Texas, on or about the night of the 25th day of April, 1870."

To which charges and specifications the accused, Private *Henry Roberts*, Company H, 9th U. S. Cavalry, pleaded " Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Private *Henry Roberts*, Company H, 9th U. S. Cavalry, 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, Private *Henry Roberts*, Company H, 9th 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; to be indelibly marked on the left hip with the letter D, two inches long; and to be confined at hard labor for the period of ten years at such place as the Commanding General may direct."

2. Private *William Weaver*, Company H, 9th U. S. Cavalry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, the said Private *William Weaver*, Troop H, 9th U. S. Cavalry, having been duly posted as a guard on the horses and stables of Troop H, 9th U. S. Cavalry, did leave said guard and post without authority or permission; and did cross the Rio Grande, into Mexico. This at Fort Quitman, Texas, on or about the 16th day of January, 1870."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, the said Private *William Weaver*, Troop H, 9th U. S. Cavalry, did sell, or dispose of, for his own advantage, one Spencer carbine, calibre 50, one sabre belt and plate, and one cartridge pouch, the property of the United States, and for which George A. Purington, Captain 9th U. S. Cavalry, Brevet Colonel, U. S. Army, is responsible. This at Fort Quitman, Texas, on or about the 16th day of January, 1870."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *William Weaver*, Troop H, 9th U. S. Cavalry, did, without permission from proper authority, cross the Rio Grande; and did there engage in a quarrel or affray, receiving wounds from a carbine or pistol in the back and head, disabling him from performing the duties of a soldier from the 16th day of January, 1870, to the 10th day of March, 1870. This at Fort Quitman, Texas, on or about the day and dates above specified."

To which charges and specifications the accused, Private *William Weaver*, Company H, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Guilty."
To the specification, third charge, "Guilty, except the word 'there.'"
To the third charge, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *William Weaver*, Company H, 9th U. S. Cavalry, 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, except the word 'there.'"
Of the third charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Weaver*, Company H, 9th U. S. Cavalry, "To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of seven years."

3. Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry, being duly enlisted as a soldier in the service of the United States, did desert said service. (Thirty dollars paid for his apprehension.) This at Fort Quitman, Texas, on or about the night of the 25th day of April, 1870."

To which charge and specification the accused, Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, confirms the plea of the accused, and finds him, Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry, as follows:

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

SENTENCE.

And the Court does therefore sentence him, Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked on the left hip with the letter D, one and one-half inches long; to be dishonorably discharged from the military service of the United States; and to be confined at such place as the Commanding General may direct, for the period of three years."

4. Private *Major Hayden*, Company I, 9th U. S. Cavalry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that he, the said Private *Major Hayden*, Troop I, 9th U. S. Cavalry, did, on or about the 1st day of February, 1870, sell, dispose of, or lose through neglect, one Remington revolver, the property of the United States, and for which Captain Isaac F. Moffatt, 9th U. S. Cavalry, is responsible. This at Fort Davis, Texas, on or about the date set forth."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said Private *Major Hayden*, Troop I, 9th U. S. Cavalry, did behave in a drunken and disorderly manner at Fort Davis, Texas, on the night of January 11, 1870; and

was arrested by the post guard and confined, thus preventing his marching on an Indian expedition with his troop early on the morning of January 12, 1870. This at Fort Davis, Texas, on the date set forth."

Specification 2d—"In this, that he, the said Private *Major Hayden*, Troop I, 9th U. S. Cavalry, is worthless as a soldier, untrustworthy, an habitual drunkard, a known thief, and common liar, and by his conduct and appearance continually bringing disgrace and reproach upon his troop and the military service of the United States. This from the date of his enlistment, August 11, 1868, to the present date, February 24, 1870, and at Forts Davis and Quitman, Texas."

To which charges and specifications the accused, Private *Major Hayden*, Company I, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the first specification, second charge,	"Guilty."
To the second specification, second charge,	"Not Guilty."
To the second charge,	"Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *Major Hayden*, Company I, 9th U. S. Cavalry, 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,	"Not Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Major Hayden*, Company I, 9th U. S. Cavalry, "To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged from the military service of the United States; and to be confined at the post of his company for the period of one year."

II. The proceedings and findings in the case of Private *Henry Roberts*, Company H, 9th U. S. Cavalry, are approved; so much of the sentence as relates to marking with the letter D is remitted; the period of confinement is reduced to two years; the prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended, the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *William Weaver*, Company H, 9th U. S. Cavalry, are approved; the period of confinement is reduced to one year; the prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended, the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Company Quartermaster Sergeant *John C. N. B. Parker*, Company I, 9th U. S. Cavalry, are approved; so much of the sentence as relates to marking with the letter D

is remitted; the period of confinement is reduced to two years; the prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended, the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *Major Hayden*, Company I, 9th U. S. Cavalry, are approved; the prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended, the sentence will be duly executed.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W. P. Lambidge

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *August* 1, 1870.

GENERAL ORDERS, No. 42.

I. Before a General Court Martial which convened at Austin, Texas, on Thursday, June 30, 1870, pursuant to paragraph V of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Brevet Lieutenant Colonel JOHN K. MIZNER, Major 4th U. S. Cavalry, is President, was arraigned and tried:

Sergeant *Louis Peyton*, Company H, 4th U. S. Cavalry.

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

Specification 1st—"In this, that the said *Louis Peyton*, sergeant Company H, 4th U. S. Cavalry, did obtain from Messrs. Sampson & Henricks, merchants of Austin, Texas, a lot of furniture to the value of thirty-four dollars in specie, by falsely representing to them that Lieutenant E. R. Clark, 10th U. S. Infantry, was security for the payment of the said value; and that the said Lieutenant E. R. Clark had signed his name to the note given in payment for said furniture. This at Austin, Texas, on or about the 7th of June, 1870."

Specification 2d—"In this, that the said *Louis Peyton*, sergeant Company H, 4th U. S. Cavalry, did make a certain promissory note, payable to Messrs. Sampson & Henricks, merchants of Austin, Texas, for the sum of thirty-four dollars specie (a copy of which is set forth below); and did forge, or cause to be forged, the name of E. R. Clark, Second Lieutenant 10th U. S. Infantry, Post Adjutant, to said note; and did represent to Brevet Lieutenant Colonel Thomas B. Hunt, Assistant Quartermaster, that said forged name of E. R. Clark was the true and genuine signature of said Lieutenant Clark, and did thereby induce said Brevet Lieutenant Colonel Thos. B. Hunt to sign his name to said note; and did present said note to said Messrs. Sampson & Henricks, falsely representing to them that the forged name of E. R. Clark was the true and genuine signature of said Lieutenant Clark, thereby inducing them to take said note in payment for furniture sold to the said *Louis Peyton*. This at or near Austin, Texas, on or about the 7th of June, 1870.

[COPY OF NOTE.]

AUSTIN, *June* 7, 1870.

I the undersigned promise to pay to Messrs. Sampson & Henricks the sum of thirty-four dollars, specie, ($34.00,) due them

for furniture, out of the pay due me at end of the present month.

LOUIS PEYTON,
Sergeant, Co. H, 4th Cavalry,
Provost Sergeant.

E. R. CLARK,
2d Lieut. 10th Infantry, Post Adjutant.

(Signed) THOS. B. HUNT,
Bt. Lt. Col., A. Q. M.

To which charge and specifications the accused, Sergeant *Louis Peyton*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Sergeant *Louis Peyton*, Company H, 4th U. S. Cavalry, as follows:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Louis Peyton*, Company H, 4th U. S. Cavalry, "To be reduced to the ranks; to be dishonorably discharged the service; and to forfeit to the United States all pay and allowances now due or to become due him; and to be confined at hard labor, in such military prison as the Commanding General may direct, for a period of three years."

II. The proceedings, findings and sentence in the foregoing case of Sergeant *Louis Peyton*, Company H, 4th U. S. Cavalry, are approved, and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial of which Brevet Lieutenant Colonel JOHN K. MIZNER, Major 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL JOSEPH J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W. C. Bainbridge

Aide-de-Camp.

AT JACKSON BARRACKS, NEW ORLEANS, LA.

Private JOHN CHIPMAN ....Company C, 19th U. S. Infantry.
Private CHARLES SCOTT..... .....Company C, 19th U. S. Infantry.
Sergeant WALTER COOK ....Company D, 19th U. S. Infantry.
Private LOUIS DAVIS ....Company E, 19th U. S. Infantry.
Private TIMOTHY MCCARTHY.... ...Company F, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *August* 3, 1870.

GENERAL ORDERS, No. 43.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, La., on Monday, June 20, 1870, pursuant to paragraph I of Special Orders No. 41, Headquarters Department of Texas, dated Austin, Texas, June 11, 1870, and of which Captain WILLIAM T. GENTRY, 19th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Chipman*, Company C, 19th U. S. Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"That Private *John Chipman*, Company C, 19th U. S. Infantry, having been duly mounted as a member of the post guard of Jackson Barracks, La., and posted as a sentinel on post No. 3, (rear of hospital grounds, at the gate opening upon the street railroad,) was found asleep on said post by the corporal of his relief. This between the hours of one and three o'clock P. M., of the 30th day of June, 1870."

To which charge and specification the accused, Private *John Chipman*, Company C, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Chipman*, Company C, 19th U. S. Infantry, "To be confined at hard labor, under charge of the guard at the post where his

company may be stationed, for the period of six months; and to forfeit to the United States six dollars per month of his pay for six months."

2. Private *Charles Scott*, Company C, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Charles Scott*, Company C, 19th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same at or near Jackson Barracks, La., on or about July 3, 1870; and remained absent until apprehended by civil authorities at Carrollton, La., on or about July 6, 1870. (Thirty dollars paid for his apprehension.)"

To which charge and specification the accused, Private *Charles Scott*, Company C, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Scott*, Company C, 19th U. S. Infantry, "To be confined at hard labor, at such place as the Commanding General may direct, for the period of one year; and to forfeit to the United States all pay for one year."

3. Sergeant *Walter Cook*, Company D, 19th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"That he, Sergeant *Walter Cook*, Company D, 19th U. S. Infantry, having been regularly detailed and mounted as a member of the post guard, and placed in charge of post No. 5, (viz., the magazine) did become so drunk as to be unable to perform any duty. This at Jackson Barracks, La., on or about June 23, 1870."

CHARGE II—"Violation of the 50th Article of War."

Specification—"That he, Sergeant *Walter Cook*, Company D, 19th U. S. Infantry, having been regularly detailed as a sergeant of the post guard, and placed in charge of three enlisted men (members of post guard) and detached post No. 5, (viz., the magazine,) did desert the same; and remain away from said detached post and guard until he was discovered in his company quarters and arrested by Second Lieutenant S. C. Vedder, 19th U. S Infantry, officer of the guard. All this at the post of Jackson Barracks, New Orleans, La., on or about the 23d day of June, 1870."

To which charges and specifications the accused, Sergeant *Walter Cook*, Company D, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Sergeant *Walter Cook*, Company D, 19th U. S. Infantry, "To be reduced to the grade of a private soldier; to be confined at hard labor, under charge of the guard at the post where his company may be stationed, for the period of eight months; and to forfeit to the United States six dollars per month of his pay for eight months."

4. Private *Louis Davis*, Company E, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That *Louis Davis*, a private of Company E, 19th U. S. Infantry, being duly enlisted as a soldier in the service of the United States, did desert the same at the post of Jackson Barracks, New Orleans, La., on or about the 18th day of June, 1870; and did remain absent until arrested as a deserter at the post of Key West, Florida, and returned to his command under charge of a guard on the 10th day of July, 1870. This at or near the post of Jackson Barracks, New Orleans, La., on or about the dates above specified."

To which charge and specification the accused, Private *Louis Davis*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, with the exception of the words 'arrested as a deserter at the post of Key West, Florida, and.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Louis Davis*, Company E, 19th U. S. Infantry, "To be confined at hard labor, at such place as the Commanding General may direct, for the period of one year; and to forfeit to the United States all pay for one year."

5. Private *Timothy McCarthy*, Company F, 19th U. S. Infantry.

CHARGE—"Manslaughter, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Timothy McCarthy*, Company F, 19th U. S. Infantry, while in the city of Baton Rouge, State of Louisiana, and in the immediate vicinity of the military post of Baton Rouge, did, wilfully, and without provocation, strike on the head with

a club Private Philip Haxel, an enlisted man of Company H, 19th U. S Infantry, thereby severely wounding the said Private Philip Haxel in the head, from the effects of which wound the said Philip Haxel did die. All this at Baton Rouge, La., on or about the 6th day of March, 1870."

To which charge and specification the accused, Private *Timothy McCarthy*, Company F, 19th U. S. Infantry, refused to plead, but urged in bar of trial, that he had already been tried for this offence by the civil authorities and acquitted.

The court having overruled the special plea in bar of trial, and the accused still refusing to plead generally, the court proceeded with the trial as if the accused had pleaded "Not Guilty."

FINDING.

And, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Timothy McCarthy*, Company F, 19th 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 may direct, for the period of six years."

II. The proceedings, findings and sentences in the cases of Privates *John Chipman* and *Charles Scott*, Company C, Sergeant *Walter Cook*, Company D, and Private *Timothy McCarthy*, Company F, 19th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Scott*, the post of his company is designated as the place of confinement, and Fort Jackson, La., as that of Private *McCarthy*.

The proceedings in the case of Private *Louis Davis*, Company E, 19th U. S. Infantry, are approved; but in view of evidence received at this Headquarters subsequent to the trial, and of the recommendation of his company commander, the sentence is remitted. He will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge
Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

1. Private GEORGE H. BROWN.. Regimental Band, 4th U. S. Cavalry.
2. Private NICHOLAS GITTERE...Regimental Band, 4th U. S. Cavalry.
3. Private WILLIAM P. WHITE ..Regimental Band, 4th U. S. Cavalry.
4. Sergeant THEODORE BIXLER . . . . . Company A, 4th U. S. Cavalry.
5. Private JAMES CARROLL ....Company A, 4th U. S. Cavalry.
6. Private JOHN CONNER ....Company A, 4th U. S. Cavalry.
7. Private JAMES E. HOGAN ....Company A, 4th U. S. Cavalry.
8. Private HENRY C. FINNEY .... Company A, 4th U. S. Cavalry.
9. Private MIKE MCGRATH ....Company A, 4th U. S. Cavalry.
10. Private FRANK RILEY .....Company A, 4th U. S. Cavalry.
11. Private ROBERT SHIELS .....Company A, 4th U. S. Cavalry.
12. Private JOHN STEWART..... .....Company A, 4th U. S. Cavalry.
13. Priyate PATRICK MURPHY ....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *August* 15, 1870.

GENERAL ORDERS, No. 45.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, June 30, 1870, pursuant to paragraph VI of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Captain ROBERT H. HALL, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *George H. Brown*, regimental band, 4th U. S. Cavalry.

CHARGE I—"Absence without leave."

Specification 1*st*—"That he, Private *George H. Brown*, of the regimental band, 4th U. S. Cavalry, did, without permission from proper authority, absent himself from reveille roll call. This at post of San Antonio, Texas, on the 27th day of June, 1870."

Specification 2*d*—"In this, that Private *George H. Brown*, of the regimental band, 4th U. S. Cavalry, did without permission from proper authority, absent himself from his quarters and duties, from about 9 o'clock A. M. until about 7 o'clock P. M., thereby missing retreat roll call. This at post of San Antonio, Texas, on the 27th day of June, 1870."

CHARGE II—"Willful disobedience of orders."

Specification—"That Private *George H. Brown*, of the regimental band, 4th U. S. Cavalry, having been ordered at about 9 o'clock A. M. by First Lieutenant Theodore J. Wint, Adjutant 4th U. S. Cavalry, to report to Chief Trumpeter Peter R. Held, 4th U. S. Cavalry, did willfully disobey said order by failure to so report and by absenting himself from his quarters and post until about 7 o'clock P. M. This at post of San Antonio, Texas, on the 27th day of June, 1870."

To which charges and specifications the accused, Private *George H. Brown*, regimental band, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George H. Brown*, of the regimental band, 4th U. S. Cavalry, "To forfeit to the United States fifteen dollars ($15) per month of his monthly pay for a period of four months; and to be confined at hard labor under charge of the guard, at the post where he may be serving, for a period of thirty days."

2. and 3. Privates *Nicholas Gittere* and *William P. White*, regimental band, 4th U. S. Cavalry.

CHARGE—"Absence without leave."

Specification 1st—"That they, Privates *Nicholas Gittere* and *William P. White*, of the regimental band, 4th U. S. Cavalry, did, without permission from proper authority, absent themselves from reveille roll call. This at post of San Antonio, Texas, on the 27th day of June, 1870."

Specification 2d—"In this, that Privates *Nicholas Gittere* and *William P. White*, of the regimental band, 4th U. S. Cavalry, did, without permission from proper authority, absent themselves from their quarters and duties, from about 9 o'clock A. M. until about 7 o'clock P. M., thereby missing retreat roll call. This at post of San Antonio, Texas, on the 27th day of June, 1870."

To which charge and specifications the accused, Privates *Nicholas Gittere* and *William P. White*, regimental band, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence them, Privates *Nicholas Gittere* and *William P. White*, of the regimental band, 4th U. S. Cavalry, "To forfeit to the United States, each of them, fifteen dollars ($15) of his monthly pay for one month."

4. Sergeant *Theodore Bixler*, Company A, 4th U. S. Cavalry.

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

Specification—"In this, that he, Sergeant *Theodore Bixler*, of Company A, 4th U. S. Cavalry, did in order to express his own disapproval of check roll calls, falsely report that the men were dissatisfied and would not obey his orders to stop their noise in quarters; that he, Sergeant *Bixler*, 'did not want to soldier in no such shape,' or words to that effect, meaning if check roll calls were continued he would not do his duty; and further said that he was not competent to control the men and would rather be a private. All this at the post of San Antonio, Texas, on or about the 3d day of July, 1870."

To which charge and specification the accused, Sergeant *Theodore Bixler*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Theodore Bixler*, Company A, 4th U. S. Cavalry, "To be reduced to the grade of a private soldier; and to forfeit to the United States ten dollars ($10) per month of his monthly pay for six months."

5. Private *James Carroll*, Company A, 4th U. S. Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James Carroll*, Company A, 4th U. S. Cavalry, having joined the headquarters of the 4th U. S. Cavalry on the 4th day of January, 1870, and his company on the 1st of February, 1870, has been tried and convicted by four courts martial since January 4, 1870, to the present date; said court martial orders date as follows: General Orders No. 3, Headquarters Post of Austin, Texas, January 20, 1870; General Orders No. 7, Headquarters Post of Lampasas, Texas, February 14, 1870; General Orders No. 60, Headquarters Post of San Antonio, Texas, June 8, 1870; General Orders No. 63, Headquarters Post of San Antonio, Texas, June 22, 1870. All this at the posts of Austin, Lampasas and San Antonio, Texas, from the 4th of January, 1870, to the 22d of June, 1870."

Specification 2d—"In this, that he, Private *James Carroll*, of Company A, 4th U. S. Cavalry, has by his own worthlessness and misconduct been confined under charge of the guard for forty-six days, more or less, at the posts of Lampasas and San Antonio, Texas, and for a period unknown at the post of Austin, Texas, from the time of joining his regiment, January 4, 1870, to the 30th day of June, 1870; and is now in confinement undergoing a sentence of confinement, which will expire July 11, 1870. All this at the posts and dates above mentioned."

To which charge and specifications the accused, Private *James Carroll*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty."

To the second specification, "Guilty, except the word 'worthlessness'."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Carroll*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due, or that may hereafter become due to him; and then to be confined at hard labor, in such military prison as the reviewing officer may direct, for the period of one year."

6. Private *John Conner*, Company A, 4th U. S. Cavalry.

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

Specification—"In this, that Private *John Conner*, of Company A, 4th U. S. Cavalry, while on duty as a supernumerary of the guard, in charge of two prisoners from the post guard house at work at the hospital, did allow the said prisoners to get drunk; and at recall from fatigue did return them to the guard house in a drunken condition. This at San Antonio, Texas, on the 25th day of June, 1870."

To which charge and specification the accused, Private *John Conner*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Conner*, of Company A, 4th U. S. Cavalry, "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 under charge of the police guard, at the post where his company may be serving, for the same period."

7. Private *James E Hogan*, Company A, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, the said Private *James E. Hogan*, of Company A, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same from the post of Lampasas, Texas, on or about the 12th or 13th day of April, 1870; and did remain absent from his command until near stable call on the afternoon of April 13, 1870, when he was apprehended and brought back by Corporal John H. Kennedy; he, Private *James E. Hogan*, Company A, 4th U. S. Cavalry, having been arrested about thirteen miles from the post of Lampasas, Texas, in citizen's clothes, and near the road to Austin, Texas. All this at or near the post of Lampasas, Texas, on or about the 12th or 13th day of April, 1870."

CHARGE II—"Theft."

Specification—"In this, that he, Private *James E. Hogan*, of Company A, 4th U. S. Cavalry, duly enlisted in the service of the United States, did steal and appropriate to his own use one Spencer carbine, the property of the United States, taking the same with him while deserting from the post of Lampasas, Texas; and was found with it in his posession when arrested as a deserter about thirteen miles from the post of Lampasas, Texas. All this at or near the post of Lampasas, Texas, on or about the 13th day of April, 1870."

To which charges and specifications the accused, Private *James E. Hogan*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except the word 'desert,' substituting therefor the words 'absent himself without authority from.'"

To the first charge, "Not Guilty, but guilty of 'absence without leave.'"

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James E. Hogan*, Company A, 4th U. S. Cavalry, "To be indelibly marked on the left hip with the letter 'D' one and one-half inches in length; to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may hereafter become due; and to be confined at hard labor in the penitentiary of Texas for the period of five years."

8. Private *Henry C. Finney*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Henry C. Finney*, of Company A, 4th U. S. Cavalry, did sell, barter, exchange, pledge, loan or give away the following articles of clothing and military outfit, to-wit, two pairs of drawers, one pair of pegged boots, one blanket. All this at the post of San Antonio, Texas, between the 10th and 12th of June, 1870."

To which charge and specification the accused, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, "To undergo weekly stoppages of one dollar and eighty cents ($1.80) per week for three weeks, and a stoppage of eighty two cents ($0.82) for the next succeeding week; and to be confined at hard labor under charge of the police guard, with a ball weighing twenty-four pounds attached to his left leg by a chain two feet long, for the period of sixty days."

9. Private *Mike McGrath*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Mike McGrath*, of Company A of the Fourth regiment of U. S. Cavalry, a regularly mounted member of the police guard, duly posted as a sentinel, was found sleeping upon his post. This at San Antonio, Texas, and between the hours of one and two P. M., on the thirteenth day of June, 1870."

To which charge and specification the accused, Private *Mike McGrath*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the specification, "I admit the specification except the words 'was found sleeping upon his post,' and to those words 'Not Guilty.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Mike McGrath*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances that are or may become due, except the just dues of the laundress; and to be confined at hard labor, for the period of sixteen months, in such military prison as the Commanding General may direct."

10. Private *Frank Riley*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Frank Riley*, of Company A, 4th U. S. Cavalry, being a member of the guard, was found drunk at the post guard house, between the hours of five and seven P. M., and was confined, he being unable to do his duty as a member of the guard. All this at the post of San Antonio, Texas, June 21, 1870."

To which charge and specification the accused, Private *Frank Riley*, Company A, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Riley*, Company A, 4th U. S. Cavalry, "To be confined at hard labor, under charge of the police guard at the post where his company may be serving, with a ball weighing twenty-four pounds attached to his left leg by a chain two feet long, for the period of eight months."

11. Private *Robert Shiels*, Company A, 4th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Robert Shiels*, Company A, 4th U. S. Cavalry, a regularly detailed teamster in the Post Quartermaster's Department, post of San Antonio, Texas, did, on the morning of the 12th day of June, 1870, whip, abuse and otherwise maltreat one United States mule, for which Lieutenant John M. Walton, Regimental Quartermaster, 4th U. S. Cavalry, Acting Assistant Quartermaster, U. S. Army, is responsible, to such an extent as to draw blood from the tail and back of said mule, thereby rendering said mule unfit for team service for some time. This in or near

the stables of the Post Quartermaster, post of San Antonio, Texas."

Specification 2d—"In this, that he, Private *Robert Shiels*, Company A, 4th U. S. Cavalry, a regularly detailed teamster in the Post Quartermaster's Department, post of San Antonio, Texas, on the morning of the 12th day of June, 1870, did, when told by Regimental Quartermaster Sergeant Vincent Fallover, 4th U. S. Cavalry, he being in the execution of his office, that if he ever abused an animal again in the same manner he would be confined, did reply in an insolent and insubordinate manner that he did not care; that if a mule kicked at him he was going to whip her, or words to that effect. This in the stables of the Post Quartermaster, post of San Antonio, Texas, to the prejudice of good order and military discipline."

To which charge and specifications the accused, Private *Robert Shiels*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the first specification "Guilty, except the words 'abuse and otherwise maltreat,' and the words 'to such an extent as to draw blood from the tail and back of said mule, thereby rendering said mule unfit for team service for some time.'"

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'abuse and otherwise maltreat,' and 'to such an extent as to draw blood from the tail and back of said mule, thereby rendering said mule unfit for team service for some time;' and of the excepted words 'Not Guilty.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Shiels*, Company A, 4th U. S. Cavalry, "To forfeit to the United States ten dollars ($10) of his monthly pay for one month; and to be confined at hard labor in charge of the guard for a period of ten days."

12. Private *John Stewart*, Company A, 4th U. S. Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John Stewart*, of Company A, 4th U. S. Cavalry, having joined the headquarters of the 4th U. S. Cavalry on the 4th of January, 1870, and his company on the 1st of February, 1870, has been tried and convicted by three courts martial since January 4 to the present date; said court martial

orders dated as follows, viz., General Orders No. 3, Headquarters Post of Austin, Texas, January 20, 1870; General Orders No. 60, Headquarters Post of San Antonio, Texas, June 8, 1870; General Orders No. 63, Headquarters Post of San Antonio, Texas, June 22, 1870. All this at the posts of Austin and San Antonio, Texas, between the 4th day of January, 1870, and 22d day of June, 1870."

Specification 2d—"In this, that he, Private *John Stewart*, Company A, 4th U. S. Cavalry, has by his own worthlessness and misconduct been confined under charge of the guard for thirty-five days, more or less, at the post of San Antonio, Texas, and for a period unknown at the post of Austin, Texas, from the time of joining his regiment, January 4, 1870, to the 30th of June, 1870, and is now undergoing a sentence of confinement which will expire July 11, 1870. All this at the posts and dates above mentioned."

To which charge and specifications the accused, Private *John Stewart*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty."

To the second specification, "Guilty, except the word 'worthlessness.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Stewart*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may hereafter become due to him; and then to be confined at hard labor, in such military prison as the reviewing officer may direct, for the period of one year."

13. Private *Patrick Murphy*, Company F, 10th U. S. Infantry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that Private *Patrick Murphy*, of Company F, 10th U. S. Infantry, did sell, lose, or otherwise unlawfully dispose of the following named articles of clothing which had been issued to him for his own use: one uniform coat (private's), one flannel sack coat (unlined), one pair of trowsers (private's), two flannel shirts, two pairs of drawers, one pair of bootees (pegged), and two pairs of stockings, the money value of all of which is fourteen dollars and eighteen cents ($14.18), more or

less. This at San Antonio, Texas, and on or about the fifteenth day of June, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Patrick Murphy*, of Company F, 10th U. S. Infantry, did, without permission from proper authority, absent himself from his company and quarters from about reveille on the fifteenth day of June, 1870, until about 10 o'clock P. M. on the sixteenth day of June, 1870. This at San Antonio, Texas."

To which charges and specifications the accused, Private *Patrick Murphy*, Company F, 10th U. S. Infantry, 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 accused:

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, Private *Patrick Murphy*, Company F, 10th U. S. Infantry, "To undergo weekly stoppages of one dollar and eighty-five cents ($1.85) per week for seven weeks, and a stoppage of one dollar and twenty-three cents ($1.23 for the next succeeding week; and to be confined at hard labor under charge of the police guard, wearing a ball weighing twenty-four pounds attached to his left leg by a chain two feet long, for the period of four months."

II. The proceedings, findings and sentences in the cases of Privates *George H. Brown*, *Nicholas Gittere* and *William P. White*, of the regimental band, Sergeant *Theodore Bixler*, Privates *John Conner* and *Robert Shiels*, Company A, 4th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Privates *James Carroll* and *John Stewart*, Company A, 4th U. S. Cavalry, are approved. The prisoners will be dishonorably discharged at the expiration of their sentences. As thus amended the sentences will be duly executed. The post of their company is designated as the place of confinement.

The proceedings and findings in the case of Private *James E. Hogan*, Company A, 4th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "D"

is remitted. The term of confinement is reduced to two years, and Fort Jackson, Louisiana, is designated as the place of confinement. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended the sentence will be duly executed.

The proceedings and findings in the cases of Privates *Henry C. Finney*, *Frank Riley*, Company A, 4th U. S. Cavalry, and *Patrick Murphy*, Company F, 10th U. S. Infantry, are approved. So much of the sentence in each case as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed. The post of their respective companies is designated as the place of confinement.

The proceedings and findings in the case of Private *Mike McGrath*, Company A, 4th U. S. Cavalry, are approved. The sentence is mitigated to confinement at hard labor at the post of his company for the period of six months, and forfeiture of ten dollars per month of his monthly pay for the same period. As thus mitigated the sentence will be duly executed.

III. The General Court Martial instituted by paragraph VI of Special Orders No. 49, current series, from this Headquarters, and of which Captain Robert H. Hall, 10th U. S. Infantry, is President, is dissolved.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

M P Bambridge

Aide-de-Camp.

AT JEFFERSON, TEXAS.

1. Hospital Steward WILLIAM H. GILMAN .... U. S. Army.
2. Hospital Steward COBURN S. MILLER ..... U. S. Army.
3. Private JACOB KLIMER ..... Company D, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *August* 31, 1870.

GENERAL ORDERS, No. 46.

I. Before a General Court Martial which convened at Jefferson, Texas, on Thursday, June 23, 1870, pursuant to paragraph I of Special Orders No. 42, Headquarters Department of Texas, dated Austin, Texas, June 13, 1870, and of which Captain HENRY L. CHIPMAN, 11th U. S. Infantry, is President, were arraigned and tried:

1. Hospital Steward *William H. Gilman*, U. S. Army.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Hospital Steward *William H. Gilman*, U. S. Army, having charge of, and in his custody, between the 25th and 31st December, 1869, for safe-keeping, a certain amount of sulphate of quinine, viz., one hundred and eighty-one (181) ounces, to be issued only on requisitions properly approved and in prescriptions officially signed, did, in violation of positive orders of his superior officer, the post surgeon, issue, expend, or otherwise unlawfully dispose of eighty (80) or more ounces of said quinine in his custody. This without authority and in express violation of the orders of the post surgeon, his superior officer, who is responsible for the eighty (80) or more ounces which said Hospital Steward *William H. Gilman*, U. S. Army, cannot satisfactorily account for. This at or about Jefferson, Texas, between December 25, 1869, and March 20, 1870."

To which charge and specification the accused, Hospital Steward *William H. Gilman*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Hospital Steward *William H. Gilman*, U. S. Army.

2. Hospital Steward *Coburn S. Miller*, U. S. Army.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Hospital Steward *Coburn S. Miller*, U. S. Army, while on duty at post of Tyler, near Tyler, Texas, on or about the 12th of February, 1870, did absent himself from camp without the knowledge of Acting Assistant Surgeon A. G. Kimberly, U. S. Army, surgeon in charge, at or about the hour of 'tattoo,' visit the town of Tyler, and get so drunk between the hours of 'tattoo' and midnight as to be entirely unfit for the performance of any of his duties."

CHARGE II—"Violation of the 99th Article of War. Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Hospital Steward *Coburn S. Miller*, U. S. Army, did, on or about the 12th of February, 1870, after returning from the town of Tyler, Texas, in a state of gross intoxication, at or about 11½ o'clock P. M., enter the tent of the servant of the surgeon in charge, pull said servant from his bed, and beat him with his fist in the face and on various parts of his body; that, when said servant threatened to report him, Hospital Steward *Coburn S. Miller*, U. S. Army, to the surgeon in charge if he did not desist, he, Hospital Steward *Coburn S. Miller*, did again beat him with his fist in the face and on the body; that, when said servant went to the quarters of the surgeon in charge, he, Hospital Steward *Coburn S. Miller*, U. S. Army, did follow him to the door of the quarters of the surgeon in charge, and again beat him, the said servant, in the face and on the body with his fist, and kick him; that he, Hospital Steward *Coburn S. Miller*, U. S. Army, did in the immediate vicinity of the family of the surgeon in charge, and within hearing distance, make use of profane and vulgar language while beating and kicking said servant; that, when the surgeon in charge had removed him from the vicinity of his quarters (which he was compelled to do by force) and was about delivering him to the officer of the day, he, Hospital Steward *Coburn S. Miller*, U. S. Army, did violently resist him, the surgeon in charge, in so doing by seizing hold of a gate with both hands and refusing to move, saying, 'I'll be d——d if I go,' or words to that effect; that, when delivered to the corporal of the guard by the officer of the day, he, Hospital Steward *Coburn S. Miller*, U. S. Army, did violently

resist said corporal of the guard by striking him on the head and kicking at him, while said corporal of the guard was attempting to obey the orders of the officer of the day; that he, Hospital Steward *Coburn S. Miller*, U. S. Army, did also kick on the side of the face and head one of the guard then on duty, (Private Joseph Crumby, Company M, 6th U. S. Cavalry,) who was assisting said corporal of the guard in the performance of his duty in obeying the officer of the day; and that he, Hospital Steward *Coburn S. Miller*, U. S. Army, did not cease to resist said corporal of the guard until overpowered by superior physical force; that on the morning of the next day, February 13, 1870, he, Hospital Steward *Coburn S. Miller*, U. S. Army, at the hour of 'sick call,' was insolent in both manner and language towards his superior officer, Acting Assistant Surgeon A. G. Kimberly, U. S. Army, surgeon in charge of post hospital. All this at post of Tyler, near Tyler, Texas, at or about 11½ o'clock P. M., February 12, 1870, and 8 o'clock A. M., February 13, 1870."

To which charges and specifications the accused, Hospital Steward *Coburn S. Miller*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except of the words 'visit the town of Tyler.' and of the word 'get,' substituting therefor the words 'did become;' of the excepted words 'not guilty.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except of the following words: 'after returning from the town of Tyler, Texas. to the camp near Tyler, Texas.' 'enter the tent of the servant of the surgeon in charge, pull said servant from his bed. and beat him with his fist in the face and on various parts of his body; that when said servant threatened to report him, Hospital Steward *Coburn S. Miler*, U. S. Army, to the surgeon in charge if he did not desist, he, Hospital Steward *Coburn S. Miler*, U. S. Army, did again beat him with his fist in the face and on the body; that;' of the word 'said,' and substituting therefor the word 'the,' and adding to the word 'servant' the words 'of the surgeon in charge;' of the words 'again,' 'and kick him,' 'and kicking,' 'by the officer of the day,' 'striking him on the head and,' 'the,' 'of the officer of the day,' 'that he, Hospital Steward *Coburn S. Miller*, U. S. Army, did also kick on the side of the face and head one of the guard in the performance of his duty in obeying the orders of the officer of the day,' 'that, on the morning of the next day, February 13, 1870, he, Hospital Steward *Coburn S. Miller*, U. S. Army, at the hour of "sick call," was insolent in both manner and language toward his superior officer, Acting As-

sistant Surgeon A G. Kimberly, U. S. Army, in charge of post hospital;' of these excepted words 'not guilty.'"

Of the second charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Hospital Steward *Coburn S. Miller*, U. S. Army, "To be confined within the limits of the camp where he may be serving for six calendar months; and to forfeit twenty dollars of his monthly pay to the United States for the same period"

3. Private *Jacob Klimer*, Company D, 11th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, *Jacob Klimer*, private Company D, 11th U. S. Infantry, having been detailed and duly mounted as a member of the guard at the camp of the detachment of the 11th U. S. Infantry, at Jefferson, Texas, on the 13th day of May, 1870, did, while on duty as a sentinel in charge of prisoners, become so much intoxicated as to be totally unfit to perform his duty."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, *Jacob Klimer*, private Company D, 11th U.S. Infantry, having been regularly detailed and duly mounted as a member of the guard at the infantry camp at Jefferson, Texas, on the 13th day of May, 1870, and having been placed in charge of prisoners by Sergeant Duttry, Company B, 11th U. S. Infantry, commanding said guard, did allow said prisoners to become intoxicated; and when ordered by said Sergeant Duttry, who was then and there acting in the discharge of his duty, to give up his musket and accoutrements and go into confinement, did refuse to do so; and did draw his musket on said Sergeant Duttry, and threaten to bayonet him if he, Duttry, attempted to take his musket; and did continue to disobey and resist said Sergeant Duttry's orders, until arrested by the officer of the day. All this at the camp of detachment of 11th U. S. Infantry, at Jefferson, Texas, on the 13th day of May, 1870."

To which charges and specifications the accused, Private *Jacob Klimer*, Company D, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Jacob Klimer*, Company D, 11th U. S. Infantry, "To be dishonorably dismissed the service of the United States, with loss of

all pay and allowances that are or may become due him; and to be confined, at such military prison as the Commanding General may direct, for the period of one year."

II. The proceedings, findings and acquittal in the case of Hospital Steward *William H. Gilman*, U. S. Army, are approved. He will be released from arrest and returned to duty.

The proceedings, findings and sentence in the case of Hospital Steward *Coburn S. Miller*, U. S. Army, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of Private *Jacob Klimer*, Company D, 11th U. S. Infantry, are approved. So much of the sentence as imposes dishonorable discharge is remitted; the remainder is approved and will be duly executed. The post of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I of Special Orders No. 42, current series, from this Headquarters, and of which Captain HENRY L. CHIPMAN, 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 6, 1870.

GENERAL ORDERS, No. 47.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, July 27, 1870, pursuant to paragraph I of Special Orders No. 55, Headquarters Department of Texas, dated Austin, Texas, June 27, 1870, and of which Lieutenant Colonel EDWARD W. HINKS, 25th U. S. Infantry, is President, was arraigned and tried:

Captain *Ambrose E. Hooker*, 9th U. S. Cavalry.

CHARGE I—"Conduct unbecoming an officer and a gentleman."

Specification—"In this, that he, Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, did, at the commissary storehouse, in the presence and hearing of officers, enlisted men and citizens, there on duty by orders of the commanding officer, (Brevet Colonel W. R. Shafter,) in speaking of the action of Brevet Colonel W. R. Shafter, his commanding officer, in sending him *(Hooker)* out on a scout, use the following disrespectful and insulting language: 'Colonel Shafter is sending me out on a scout to get me out of the way, and it is a damned cowardly act,' or language to that import; and he did further say, when informed by Lieutenant Dimmick that Colonel Shafter had gone fishing, (in reply to his, *Hooker's*, question as to the whereabouts of Colonel Shafter,) 'He is a coward, and did this thing to avoid me,' or words to that effect; and did also say 'Colonel Shafter ordered me to report and I have done so and he is not here, the God damned whelp.' This at Fort Concho, Texas, April 12, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, did, without the knowledge or permission of his commanding officer, take from the stables of his company, one public horse for the use of a citizen (Cloud) who accompanied him (Captain *Hooker*) on his scout; and the horse was used by the said Cloud from April 12, to May 5, 1870. This at Fort Concho, Texas, April 12, 1870, and subsequently."

CHARGE III—"Violation of the Sixth Article of War."

Specification—"In this, that he, Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, when informed by his commanding

officer (Brevet Colonel W. R. Shafter) that it had come to his (Colonel Shafter's) knowledge that he (Captain *Hooker*) had, April 12, 1870, just prior to his *(Hooker's)* leaving the post to go on a scout, at the commissary storehouse, in the presence and hearing of officers, citizens and enlisted men, there on duty by the orders of the commanding officer, (Brevet Colonel Shafter,) made use of very abusive and insulting language in speaking of his *(Hooker's)* commanding officer, (Colonel Shafter,) did, in an insolent and insubordinate manner and tone, reply: 'Yes, sir, and I meant what I said, I don't go back on my language, and I said no more than I intended to say to the commanding officer himself if I had found him; and if Colonel Shafter wishes to make this a personal instead of an official matter, he (Colonel Shafter) has my (Captain *Hooker's*) assurance that no advantage will be taken of the Regulations or Articles of War.' This at Fort Concho, Texas, May 5, 1870."

To which charges and specifications the accused, Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'damned,' and 'insulting,' and the words 'God damned whelp.'"

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

Of the specification, second charge, "Finds the facts as stated, but attach no criminality thereto."

Of the second charge, "Not Guilty."

Of the specification, third charge, "Guilty, except the words 'insolent and insubordinate manner and tone."

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

SENTENCE.

And the court does therefore sentence him, Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, "To be suspended from rank for the period of three months; and to be reprimanded in orders by the Commanding Officer of the Department of Texas. The court is thus lenient on account of the previous good character of the accused, Captain *A. E. Hooker*, 9th U. S. Cavalry, as testified to before this court, and shown by the documents appended to its record."

II. The proceedings, findings and sentence in the foregoing case of Captain *Ambrose E. Hooker*, 9th U. S. Cavalry, are approved, and the sentence will be duly executed.

Captain *Hooker* admits the substance of the charges preferred against him, and pleads in extenuation the provocation due to the course of Lieutenant Colonel Shafter. The deportment of Lieutenant Colonel Shafter, as post commander, was undignified, but in no degree warranted the conduct of the accused. The record clearly shows that the conduct of Captain *Hooker* towards Lieutenant Colonel Shafter, his immediate commander, was contumacious, insubordinate and disrespectful, for which the sentence of the court is quite inadequate.

It is hoped that the future course of Captain *Hooker* will sustain the high character awarded to him in the testimonials appended to the record.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

W P Bainbridge

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT QUITMAN, TEXAS.

1. Sergeant CALVIN TIPTON ..... Company H, 9th U. S. Cavalry.
2. Private JOHN ROBINSON .....Company H, 9th U. S. Cavalry.
3. Private CHARLES WALKER. .... ..Company H, 9th U. S. Cavalry.
4. Private WILLIAM JAMES..... Company I, 9th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 9, 1870.

GENERAL ORDERS, No. 49.

I. Before a General Court Martial which convened at Fort Quitman, Texas, on Thursday, June 23, 1870, pursuant to paragraph II of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Captain GEORGE A. PURINGTON, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Sergeant *Calvin Tipton*, Company H, 9th U. S. Cavalry.

CHARGE—"Violation of the 99th Article of War, to the prejudice of good order and military discipline."

Specification—"That Sergeant *Calvin Tipton*, Company H, 9th U. S. Cavalry, being ordered by Sergeant Felix Olevia, Company H, 9th U. S. Cavalry, his superior non-commissioned officer, to remain in his quarters and keep order, and prevent unnecessary noise, did wilfully refuse to do so in words as follows: viz., 'That he did not know how to keep order or to prevent unnecessary noise in quarters; and furthermore would not try,' or words to that effect; and 'that he intended to leave the quarters;' and did absent himself therefrom in direct violation of his superior's orders, he, Sergeant *Tipton*, well knowing that Sergeant Olevia was in the lawful performance of his duty at the time, and acting under the instructions of his company commander, Lieutenant Vincent. This at Fort Quitman, Texas, on or about the 24th of May, 1870."

To which charge and specification the accused, Sergeant *Calvin Tipton*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Calvin Tipton*, Company H, 9th U. S Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars of his monthly pay for the period of six months."

2. Private *John Robinson*, Company H, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *John Robinson*, Troop H, 9th U. S. Cavalry, having had issued to him, between the 1st day of January, 1870, and the 15th day of March, 1870, the following articles of clothing: viz., one uniform hat and trimmings, one forage cap, one flannel sack coat, three pairs trowsers, two pairs boots, one flannel shirt, two stockings, one pair drawers, one rubber poncho, one woolen blanket, did, on the morning of the 15th of March, 1870, (he having been detailed for camp guard.) appear in a ragged and dirty condition, thereby causing him to be relieved from his tour of duty. This at Fort Quitman, Texas, on or about the days and dates above mentioned"

Specification 2d—"In this, that he, the said Private *John Robinson*, Troop H, 9th U. S. Cavalry, is worthless as a soldier, untrustworthy, a known thief and liar, and by his conduct is continually bringing disgrace upon his company and the service of the United States. This at Fort Quitman, Texas, from the date of enlistment, in November, 1866, to the present time."

To which charge and specifications the accused, Private *John Robinson*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Robinson*, Company H, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged from the military service of the United States; and to be confined at hard labor for the

period of three years, at such place as the Commanding General may direct."

3. Private *Charles Walker*, Company H, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *Charles Walker*, Troop H, 9th U. S. Cavalry, being duly detailed and posted as guard over the guard house and prisoners at Fort Quitman, Texas, did allow, by gross neglect of duty, or connive at the escape of two prisoners, confined in said guard house and under his charge, viz.: citizens ——— King and John Anderson. This at Fort Quitman, Texas, on or about the 7th day of July, 1870."

To which charge and specification the accused, Private *Charles Walker*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'connive at.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Walker*, Company H, 9th U. S. Cavalry, "To forfeit to the United States the sum of ten dollars per month for the period of six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

4. Private *William James*, Company I, 9th U. S. Cavalry.

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

Specification 1st—"In this, that Private *William James*, Company I, 9th U. S. Cavalry, being at the time a patient in the post hospital at Fort Quitman, Texas, after being ordered by Hospital Steward Frank J. Clark, U. S. Army, not to leave the hospital without permission, did absent himself from said hospital without having obtained permission. This at or near Fort Quitman, Texas, on or about the 28th day of May, 1870."

Specification 2d—"In this, that he, the said Private *William James*, Company I, 9th U. S. Cavalry, did, when Hospital Steward Frank J. Clark, U. S. Army, was endeavoring to secure the person of Private William Esley Weaver, Company H, 9th U. S. Cavalry, he, the said Weaver, being in a drunken and disorderly condition and threatening the life of the said Hospital Steward Frank J. Clark, U. S. Army, take hold of and lay violent

hands on him, the said Hospital Steward Frank J Clark, U. S. Army, and did say 'You God damned son of a bitch, let that man go or I'll go for you,' or words to that effect; and did persist in his endeavors to assist and rescue the said Weaver until he, the said *James*, was taken off to the post guard house; and further that when he, the said *James*, was turned over to the sergeant of the guard by Hospital Steward Frank J. Clark, U. S. Army, he, the said *James*, did exclaim 'Oh! you God damned son of a bitch, God damn all the white sons of bitches,' or words to that effect, to the prejudice of good order and military discipline. This at or near Fort Quitman, Texas, on or about the 28th day of May, 1870."

To which charge and specifications the accused, Private *William James*, Company I, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William James*, Company I, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for ten months; and to be confined at the post of his company for the period of six months."

II. The proceedings, findings and sentences in the cases of Sergeant *Calvin Tipton*, Private *Charles Walker*, Company H, and Private *William James*, Company I, 9th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *John Robinson*, Company H, 9th U. S. Cavalry, are approved; the period of confinement is reduced to one year at the post of his company. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended, the sentence will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W P Bainbridge

Aide-de-Camp.

AT FORT RICHARDSON, TEXAS.

1. Recruit JOHN TIPPING .. General Mounted Service, U. S. Army.
2. Private ALFRED CHURCHOUSE ....Company A, 6th U. S. Cavalry.
3. Private JAMES CURRY .... Company A, 6th U. S. Cavalry.
4. Private JAMES CURRY .... Company A, 6th U. S. Cavalry.
5. Private EDWARD KELLY ... .Company A, 6th U. S. Cavalry.
6. Private JAMES H. HYDE ... .Company C, 6th U. S. Cavalry.
7. Private LOUIS ROESER..... Company G, 6th U. S. Cavalry.
8. Private JOHN WRIGHT.....Company G, 6th U. S. Cavalry.
9. Private WILLIAM BRUCE .....Company K, 6th U. S. Cavalry.
10. Private ALFRED S. WILLIAMS ....Company K, 6th U. S. Cavalry.
11. Private JOHN COOK ....Company L, 6th U. S. Cavalry.
12. Private SAMUEL H. PETTIT .....Company L, 6th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *September* 10, 1870.

GENERAL ORDERS No. 50.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, June 27, 1870, pursuant to paragraph IV of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Major ABRAHAM K. ARNOLD, 6th U. S. Cavalry, is President, were arraigned and tried :

1. Recruit *John Tipping*, General Mounted Service, U. S. Army.

CHARGE—"Desertion."

Specification—"In this, that he, Recruit *John Tipping*, General Mounted Service, U. S. Army, having been duly enlisted in the service of the United States at St. Louis, Mo., on the 14th day of June, 1869, did desert the same at Carlisle Barracks, Pa., on or about the 23d day of July, 1869 ; and did remain so absent until he was apprehended at the Post of Waco, Texas, on or about the 7th day of March, 1870."

To which charge and specification the accused, Recruit *John Tipping*, General Mounted Service, U. S. Army, pleaded "Not Guilty."

FINDING.

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

Of the specification, "Guilty, except the words 'at St. Louis, Mo., on the 14th day of June, 1869,' and the words 'on or about the 7th day of March, 1870,' and substituting for the latter the words 'during the month of January, 1870.'"

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Recruit *John Tipping*, General Mounted Service, U. S. Army, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of four years."

2. Private *Alfred Churchouse*, Company A, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Alfred Churchouse*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, to serve five years, did desert the same on or about the 6th day of May, 1870; and did remain absent until apprehended at or near Bolivar, Denton county, Texas, on or about the 9th day of May, 1870. All this at or near Fort Richardson, Texas, and Bolivar, Texas, on or about the dates above specified."

CHARGE II—"Conduct prejudicial to good order and military discipline. (Theft)."

Specification—"In this, that he, Private *Alfred Churchouse*, Company A, 6th U. S. Cavalry, did steal from the United States, carry away, or otherwise unlawfully dispose of, the following named property, to wit: one Remington revolver, No. 122,542, calibre .44, value $50; one revolver holster, value 90 cents; one revolver cartridge pouch, value 60 cents; one sabre belt and plate, value $2.15; one pistol screwdriver and cone wrench, value 20 cents; one pair of metallic scales (private's), value 47 cents; one cross sabre, value 1 cent; one cap letter, value 1 cent; one number, value 1 cent. All this at or near Fort Richardson, Texas, on or about the 6th day of May, 1870."

To which charges and specifications the accused, Private *Alfred Churchouse*, Company A, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *Alfred Churchouse*, Company A, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five years."

3. Private *James Curry*, Company A, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *James Curry*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States to serve five years, did desert the same on or

about the 6th day of May, 1870; and did remain absent until apprehended at or near Bolivar, Denton county, Texas, on or about the 9th day of May, 1870. All this at or near Fort Richardson, Texas, and Bolivar, Texas, on or about the dates above specified."

CHARGE II—"Conduct prejudicial to good order and military discipline. (Theft)."

Specification—"In this, that he, Private *James Curry*, Company A, 6th U. S. Cavalry, did steal from the United States, carry away, or otherwise unlawfully dispose of, the following named property, to wit: one Colt's revolver, calibre .44, value $50; one sabre belt and plate, value $2.15; one pair metallic scales (private's), value 47 cents; one cap letter, value 1 cent; one number, value 1 cent; one cross sabre, value 1 cent. All this at or near Fort Richardson, Texas, on or about the 6th day of May, 1870."

To which charges and specifications the accused, Private *James Curry*, Company A, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *James Curry*, Company A, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five years."

4. Private *James Curry*, Company A, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James Curry*, Company A, 6th U. S. Cavalry, after having been duly enlisted as a soldier in the service of the United States, did desert the said service; and did remain absent until apprehended and brought back. All this at or near Fort Richardson, Texas, and Weatherford, Texas, on or about the 30th day of July, and the 1st day of August, 1870."

To which charge and specification the accused, Private *James Curry*, Company A, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *James Curry*, Company A, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due him; and to be confined at hard labor, at such prison as the Department Commander may direct, for the period of four years."

5. Private *Edward Kelly*, Company A, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification 1st—"In this, that he, Private *Edward Kelly*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same at or near Austin, Texas, on or about the 29th day of September, 1866; and did remain absent until received at Carlisle Barracks, Pa., on or about the 16th day of August, 1867. All this at or near Austin, Texas, and Carlisle Barracks, Pa., on or about the dates above specified. (Thirty dollars reward having been paid for his apprehension.)"

Specification 2d—"In this, that he, Private *Edward Kelly*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same. All this at Fort Richardson, Texas, on or about the 29th day of July, 1868."

Specification 3d—"In this, that he, Private *Edward Kelly*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the same near Nacogdoches, Texas, while *en route* from Nacogdoches, Texas, to Fort Richardson, Texas, on or about the 30th day of March, 1870; and did remain absent until he surrendered himself at Nacogdoches, Texas, on or about the 2d day of April, 1870."

To which charge and specifications the accused, Private *Edward Kelly*, Company A, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Edward Kelly*, Company A, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or to become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of four years."

6. Private *James H. Hyde*, Company C, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *James H. Hyde*, Company C, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States on the 13th day of January, 1870, to serve for the period of five years, did desert the same at Fort Richardson, Texas, on the 6th day of May, 1870; and did remain absent from said service until he was arrested near Pilot Point, Denton county, Texas, on the 9th day of May, 1870. (Thirty dollars reward having been paid for his apprehension.) All this at Fort Richardson, Texas, and near Pilot Point, Denton county, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James H. Hyde*, Company C, 6th U. S. Cavalry, did steal, take away with him, or otherwise unlawfully dispose of, the following articles of ordnance and ordnance stores, camp and garrison equipage, the property of the United States, and for which Captain Daniel Madden, 6th U. S. Cavalry, is responsible: viz., one army revolver, (Colt's,) value of $50; one army revolver holster, value of 90 cents; one army revolver cartridge pouch, value of 90 cents; one army revolver screw driver, value of 15 cents; one haversack, value of 43 cents; one canteen, value of 43 cents; two numbers, (6,) value of 2 cents; two cap letters, value of 2 cents; two cross sabres, value of 2 cents; total, $52.87. All this at Fort Richardson, Texas, on or about May 6, 1870."

To which charges and specifications the accused, Private *James H. Hyde*, Company C, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *James H. Hyde*, Company C, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five years."

7. Private *Louis Roeser*, Company G, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, the said Private *Louis Roeser*, Company G, 6th U. S. Cavalry, having been duly enlisted as a soldier in the army of the United States to serve for the period of five years, did desert said service; and did remain absent until apprehended and placed in confinement. All this at Fort Richardson, Texas, and at or near Pilot Point, Texas, on or about the 4th and 9th days of May, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Louis Roeser*, Company G, 6th U. S. Cavalry, did steal, carry away, sell, or otherwise unlawfully dispose of, the following articles of ordnance and ordnance stores, and of camp and garrison equipage, the property of the United States, and for which Brevet Major T. C. Tupper, Captain 6th U. S. Cavalry, is responsible: viz., one Spencer carbine; one Colt's army pistol; one carbine cartridge box; one carbine sling and swivel; one pistol cartridge box; one pistol belt holster; one sabre belt and

plate; one saddle blanket; one screw driver; one thong and brush wiper; sixty rounds of carbine ammunition (Spencer); and twenty-four rounds of pistol ammunition (Colt's); of the value of $169.36, more or less; and one knapsack; one canteen; one haversack; one eagle; two letters; two numbers, and two cross sabres, of the value of $5.49, more or less. All this at Fort Richardson, Texas, on or about the 4th day of May, 1870."

To which charges and specifications the accused, Private *Louis Roeser*, Company G, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *Louis Roeser*, Company G, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of five years."

8. Private *John Wright*, Company G, 6th U. S. Cavalry.

CHARGE I--"Desertion."

Specification—"In this, that he, Private *John Wright*, Company G, 6th U. S. Cavalry, having been duly enlisted as a soldier in the army of the United States, did desert said service; and remain absent until apprehended as a deserter in the city of New Orleans, La. All this at New Orleans, La., on or about the 3d day of April, 1869, and 4th day of May, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Wright*, Company G, 6th U. S. Cavalry, did steal, carry away, or otherwise unlawfully dispose of, the following articles of ordnance, and camp and garrison equipage, the property of the United States, and for which Brevet Major T. C. Tupper, Captain 6th U. S. Cavalry, is responsible, and which had been issued to the said Private *John Wright*, Company G, 6th U. S. Cavalry, for his use as a soldier: one Spencer carbine, one Colt's army pistol; one carbine cartridge box; one carbine sling and swivel; one sabre belt and plate; one saddle blanket; one saddle, complete; one pistol holster; one pistol cartridge box; fifty rounds of carbine cartridges; twenty-four rounds of pistol cartridges; one pair spurs and straps; one screw driver; of the value of one hundred and ninety-four dollars and eighty-four cents ($194.84), more or less; and one bed sack; one pair metallic scales; three letters; three numbers; three crossed sabres; one haversack; one canteen; of the value of three dollars and ninety-seven cents ($3.97), more or less. All this at New Orleans, La., on or about the 3d day of April, 1869."

To which charges and specifications the accused, Private *John Wright*, Company G, 6th U. S. Cavalry, 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, finds the accused:

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, Private *John Wright*, Company G, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or that may become due him; and to be confined at hard labor, at such prison as the Department Commander may direct, for the period of four years."

9. Private *William Bruce*, Company K, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Bruce*, Company K, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 5th day of May, 1870, at Fort Richardson, Texas; and did remain absent until apprehended on or about the 9th day of May, 1870, about eight miles southwest from Pilot Point, Texas. (Thirty dollars having been paid for his apprehension.)"

To which charge and specification the accused, Private *William Bruce*, Company K, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Bruce*, Company K, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of four years."

10. Private *Alfred S. Williams*, Company K, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Alfred S. Williams*, Company K, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on or about the 5th day of May, 1870, at Fort Richardson, Texas; and did remain absent until apprehended on or about the 9th day of May, 1870, about eight miles

southwest from Pilot Point, Texas. (Thirty dollars having been paid for his apprehension.)"

To which charge and specification the accused, Private *Alfred S. Williams*, Company K, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Alfred S. Williams*, Company K, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of four years."

11. Private *John Cook*, Company L, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *John Cook*, Company L, 6th U. S. Cavalry, having been duly enlisted as a soldier in the army of the United States, did desert the same at or near Greenville, Texas, on or about the 8th day of April, 1870; and did so remain absent until arrested at or near Mount Pleasant, Texas, on or about the 6th day of June, 1870. (Thirty dollars reward having been paid for his apprehension.) All this at the places and on the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Cook*, Company L, 6th U. S. Cavalry, did steal one horse; one set cavalry horse equipments; one carbine and accoutrements; value unknown, all of which articles were the property of the United States, Brevet Major C. B. McLellan, Captain 6th U. S. Cavalry, being responsible. All this at or near Greenville, Texas, on or about the 7th day of April, 1870, and at or near Mount Pleasant, Texas, on or about the 6th day of May, 1870."

To which charges and specifications the accused, Private *John Cook*, Company L, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *John Cook*, Company L, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are now or that may become due him; and to be confined at hard labor, at such military prison as the General commanding the Department may direct, for the period of six years."

12. Private *Samuel H. Pettit*, Company L, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Samuel H. Pettit*, Company A, 6th U. S. Cavalry, having been duly enlisted as a soldier in the army of the United States, did desert the same at or near Sulphur Springs, Texas, on or about the 3d day of May, 1869; and did remain away until arrested at or near Greenville, Texas, on or about the 8th day of May, 1870. (Thirty dollars reward having been paid for his apprehension.) All this at the places and on the dates above specified."

To which charge and specification the accused, Private *Samuel H. Pettit*, Company L, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Samuel H. Pettit*, Company L, 6th U. S. Cavalry, "To forfeit all pay and allowances that are due him; to make good the time lost by desertion; to refund to the Government the thirty dollars paid for apprehension; and to be confined at hard labor, under charge of a guard, for the period of six months."

II. The proceedings, findings and sentences in the cases of Recruit *John Tipping*, General Mounted Service, U. S. Army; Privates *Alfred Churchouse* and *Edward Kelly*, Company A, *James H. Hyde*, Company C, *Louis Roeser* and *John Wright*, Company G, *William Bruce* and *Alfred S. Williams*, Company K, and *John Cook*, Company L, 6th U. S. Cavalry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the two cases of Private *James Curry*, Company A, 6th U. S. Cavalry, are approved. The sentence in the *first case* is approved, and will be duly executed. The sentence in the *second case* is approved, but will not be executed inasmuch as the sentence in the *first* case is deemed sufficient and adequate punishment for both offenses. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Samuel H. Pettit*, Company L, 6th U. S. Cavalry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

AT FORT CLARK, TEXAS.

1. Private ALBERT RANSOM... .....Company E, 9th U. S. Cavalry.
2. Private FRANK MARSHALL.. .....Company F, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 14, 1870.

GENERAL ORDERS, No. 51.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Wednesday, July 27, 1870, pursuant to paragraph I of Special Orders No. 50, Headquarters Department of Texas, dated Austin, Texas, June 27, 1870, and of which Lieutenant Colonel EDWARD W. HINKS, 25th U. S. Infantry, is President, was arraigned and tried:

1. Private *Albert Ransom*, Company E, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Albert Ransom*, Company E, 9th U. S. Cavalry, after having been repeatedly ordered by Sergeant W. Howard, Company E, 9th U. S. Cavalry, to stop fighting with Private Brown, Company E, 9th U. S. Cavalry, did fail to obey said order; and did take up his carbine, put a cartridge in it, and say 'I will kill you, Brown,' or words to that effect; and a few moments subsequently, did place his carbine to his shoulder in a position to shoot, when the gun was taken away from him by said Sergeant Howard; and did subsequently throw two glass bottles at said Brown, intending to do him (Brown) bodily injury. This at Fort Concho, Texas, on or about the 6th day of March, 1870."

To which charge and specification the accused, Private *Albert Ransom*, Company E, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Albert Ransom*, Company E, 9th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for a period of five months. The court is thus lenient on account of the excellent character borne by the prisoner, and on account of the long confinement the prisoner has already undergone."

2. Private *Frank Marshall*, Company F, 25th U. S. Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that Private *Frank Marshall*, Company F, 25th U. S. Infantry, after having been duly posted as a sentinel on post No. 4 (Q. M. corral), did stand his musket against a wagon near said post, and did get into said wagon and lie down and fall asleep; and did so remain until found by the corporal of the guard (Samuel Smith, Company F, 25th U. S. Infantry). This at Fort Clark, Texas, between the hours of 2 and 3 A. M., July 30, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Frank Marshall*, Company F, 25th U. S. Infantry, when asked by the corporal of the guard (Samuel Smith, Company F, 25th U. S. Infantry,) what he had done with his musket, did reply 'I don't know, and I don't care a damn;' also when asked why he went to sleep, and if he was drunk, did reply 'That is none of your damned business what I done.' This at Fort Clark, Texas, between the hours of 2 and 3 A. M., July 30, 1870."

To which charges and specifications the accused, Private *Frank Marshall*, Company F, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Frank Marshall*, Company F, 25th U. S. Infantry, "To forfeit ten dollars a month of his monthly pay for twelve months; and to be confined at hard labor, in charge of the guard, for six months, wearing a twenty-four pound ball attached to his left leg by a chain four feet long."

II. The proceedings, findings and sentence in the case of Private *Albert Ransom*, Company E, 9th U. S. Cavalry, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of Private *Frank Marshall*, Company F, 25th U. S. Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

III. The General Court Martial instituted by paragraph I of Special Orders No. 50, current series, from this Headquarters, and of which Lieutenant Colonel EDWARD W. HINKS, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

AT BATON ROUGE, LOUISIANA.

1. Private JOHN HENRY JOHNSON...Company G, 19th U. S. Infantry.
2. Private JAMES MCELROY. .... ..Company H, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 15, 1870.

GENERAL ORDERS, No. 52.

I. Before a General Court Martial which convened at Baton Rouge, Louisiana, on Wednesday, August 17, 1870, pursuant to paragraph IV of Special Orders No. 82, Headquarters Department of Texas, dated Austin, Texas, August 6, 1870, and of which Captain JAMES H. BRADFORD, 19th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Henry Johnson*, Company G, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In that he, Private *John Henry Johnson*, of Company G, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 16th day of November, 1869; and did remain absent until apprehended by Private and Lance Corporal William Keyser, of Company G, 19th U. S. Infantry, on or about the 5th day of May, 1870. All this at or near Baton Rouge, Louisiana."

To which charge and specification the accused, Private *John Henry Johnson*, Company G, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Henry Johnson*, Company G, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at such military prison as the proper authority may direct, for the period of four months."

2. Private *James McElroy*, Company H, 19th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *James McElroy*, Company H, 19th U. S. Infantry, having been duly detailed and mounted as a member of the post guard, did become drunk. This at Baton Rouge Barracks, Louisiana, on or about the 2d day of June, 1870."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *James McElroy*, Company H, 19th U. S. Infantry, having been duly mounted as a member of the post guard, did quit said guard without permission from proper authority. This at Baton Rouge Barracks, Louisiana, on or about the 2d day of June, 1870."

To which charges and specifications the accused, Private *James McElroy*, Company H, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James McElroy*, Company H, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of three months; and to forfeit all pay and allowances during the same period."

II. The proceedings and findings in the case of Private *John Henry Johnson*, Company G, 19th U. S. Infantry, are approved. The prisoner will be dishonorably discharged at the expiration

of his sentence. As thus amended the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *James McElroy*, Company H, 19th U. S. Infantry, are approved, and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph IV of Special Orders No. 82, current series, from this Headquarters, and of which Captain JAMES H. BRADFORD, 19th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Corporal Frank H. Mandeville..Company A, 6th U. S. Cavalry.
2. Corporal Charles Stewart .... Company E, 6th U. S. Cavalry.
3. Private Paul Handley ..... Company E, 6th U. S. Cavalry.
4. Private William Hummel ..... Company E, 6th U. S. Cavalry.
5. Private William Lefabre. .Company E, 6th U. S. Cavalry.
6. P'te (now Corp.) Daniel Magher Company E, 6th U. S. Cavalry.
7. Private George T. Mahan..... .. Company E, 6th U. S. Cavalry.
8. Private Thomas Walsh..... ..Company E, 6th U. S. Cavalry.
9. Sergeant Joseph Keenan ....Company K, 6th U. S. Cavalry.
10. Sergeant Richard Odlum .....Company K, 6th U. S. Cavalry.
11. Corporal George W. Pratt. .... Company L, 6th U. S. Cavalry.
12. Private Otis Dimmick .. .. Company L, 6th U. S. Cavalry.
13. Private Daniel Scully.... .... Company L, 6th U. S. Cavalry.
14. Corporal Patrick Stapleton...Company K, 11th U. S. Infantry.
15. Artificer Robert Hill .....Company K, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
Austin, Texas, *September* 19, 1870.

General Orders, No. 54.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, June 27, 1870, pursuant to paragraph IV of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Major Abraham K. Arnold, 6th U. S. Cavalry, is President, were arraigned and tried:

1. Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry, being at the time on extra duty as post quartermaster sergeant, did come and complain to his company commander (Captain E. Mauck, 6th U. S. Cavalry) that a horse which had been issued to him had been taken from him and re-issued; and upon being told by Captain E. Mauck, 6th U. S. Cavalry, that the aforesaid horse had been taken from him because he did not come over to the picket-line and take care of him, did make use of threatening language to his company commander in words to this effect: 'If you do not return him to me I will disobey orders to keep him, and will report the fact to higher authority.' All this at Post of Nacogdoches, Nacogdoches, Texas, March the 24th, 1870."

Specification 2d—"In this, that he, the said Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry, did address a highly disrespectful and insubordinate letter through his company commander (Captain E. Mauck, 6th U. S. Cavalry), he, the said Corporal *Frank H Mandeville*, being at the time on extra duty as post quartermaster sergeant, Post of Nacogdoches, Texas, the aforesaid letter being written in words and figures to wit: viz.,

'NACOGDOCHES, TEXAS, *March* 24, 1870.

To the Adjutant 6th Regiment of Cavalry, U. S. Army, through commanding officer, Company A, 6th U. S. Cavalry, and commanding officer, Post of Nacogdoches, Texas.

Sir: I have the honor to complain of the fact that this day I have been wrongfully deprived of the use of my horse, duly issued to me. The reason for the re-issue of my horse (as explained to me by Captain E. Mauck, commanding Company A, 6th U. S. Cavalry) is, that I did not attend A. M. stable-call since the 9th inst., when I was ordered to place my horse on the picket-line of Company A, 6th U. S. Cavalry, (this order I obeyed.) I have the honor to explain to you that my instructions from the Acting Assistant Quartermaster of this post were 'not to attend to my horse when on the picket-line of Company A, 6th U. S. Cavalry, as it would necessarily interfere with my duties as Acting Post Quartermaster and Commissary Sergeant; this order I obeyed.

I would also call your attention to the fact that when the horse in question was issued to me he was in most miserable condition, and when under my care great improvements were made, also that at the same time my horse was ordered on the picket-line of Company A, 6th U. S. Cavalry, two (2) other horses for which the commanding officer of Company A, 6th U. S. Cavalry was responsible, and at the same time in charge of enlisted men, were allowed to be retained by them, and by permission of Captain E. Mauck, commanding Company A, 6th U. S. Cavalry, one of the Government horses in question was taken by a citizen and allowed to remain in his charge (at a distance about thirty (30) miles from this post) until within a few days from this date. I would respectfully state that I have applied to Captain Mauck for my horse and have been refused the same, he stating that the horse had been re-issued. The fact that I did take due care of my horse (when in my charge) I can prove, also that no re-issue was necessary. I would state that during the absence of the Government horse above mentioned, duly issued to Private E. Farrer, Company A, 6th U. S. Cavalry, said horse was carried on the morning report of Company A, 6th U. S. Cavalry, as present, Captain E. Mauck, Company A, 6th U. S. Cavalry, thereby knowingly signing a false report.

I address this communication merely that justice may be done me in having my horse returned. Trusting that nothing can be construed in this communication as disrespectful to my company commander, I have the honor to be, sir,

Very respectfully, your obedient servant,
(Signed,) FRANK H. MANDEVILLE,
Corporal Company A, 6th U. S. Cavalry.
Acting Q'm'r and Com. Sergeant of Post.'

All this at Post of Nacogdoches, Nacogdoches, Texas, on or about the 24th of March, 1870."

Specification 3d—"In this, that he, the said Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry, did examine and pry into the morning report of Company A, 6th U. S. Cavalry, without permission from proper authority, with malicious intention of obtaining therefrom certain information that did not concern him, Corporal

Mandeville. All this at Post of Nacogdoches, Nacogdoches, Texas, on or about the 24th of March, 1870."

To which charge and specifications the accused, Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty, except the words 'did make use of threatening language or words to this effect;' 'if you do not return him to me I will disobey orders to keep him, and will report the fact to higher authority.'"

To the second specification, "Guilty, except the words 'highly disrespectful and insubordinate.'"

To the third specification, "Not Guilty."
To the charge, "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, "Guilty, except the words 'highly disrespectful and insubordinate,' but attach no criminality thereto."

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

And the Court does therefore acquit him, Corporal *Frank H. Mandeville*, Company A, 6th U. S. Cavalry.

2. Corporal *Charles Stewart*, Company E, 6th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline—Neglect of duty."

Specification—"In this, that he, Corporal *Charles Stewart*, Company E, 6th U. S. Cavalry, having been regularly mounted as corporal of the guard, did, while on duty as such corporal of the guard, permit two prisoners (John Tipping, an unassigned recruit, mounted service, awaiting sentence for desertion, and John Richardson, Company K, 6th U. S. Cavalry, undergoing sentence) to escape; this while he, Corporal *Charles Stewart*, had two sentinels on duty with him for the purpose of guarding these prisoners. All this at Fort Richardson, Texas, on the morning of July 26, 1870."

To which charge and specification the accused, Corporal *Charles Stewart*, Company E, 6th U. S. Cavalry, 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, Corporal *Charles Stewart*, Company E, 6th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States ten dollars per month of his monthly pay for the period of six months; and to walk in front of the sentinel in front of the guard house, at the post where his company may be serving, for the period of fifteen days, carrying a loaded knapsack weighing forty pounds, from reveille until retreat of each day during the period, one hour being allowed for each meal."

3. Private *Paul Handley*, Company E, 6th U. S. Cavalry.

CHARGE I--"Disobedience of orders."

Specification 1st—"In this, that Private *Paul Handley*, Company E, 6th U. S. Cavalry, having asked permission of his company commander (Captain George W. Ballantine, U. S. Army) to be absent from his quarters after tattoo, and having been refused such permission, did, in defiance of orders to the contrary, leave his quarters and remain absent until after midnight. This at or near Waco, Texas, on or about the 20th day of May, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Paul Handley*, Company E, 6th U. S. Cavalry, having been refused permission by his company commander (Captain George W. Ballantine, U. S. Army) to be absent from his quarters after tattoo, did, in defiance of orders to the contrary, leave his quarters, saying 'I will go out to-night, I don't care if there were two Captain Ballantines at the door,' or words to that effect. This at or near Waco, Texas, on or about the 27th day of May, 1870."

To which charges and specifications the accused, Private *Paul Handley*, Company G, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused 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, Private *Paul Handley*, Company E, 6th U. S. Cavalry, "To be confined in the post guard house at hard labor, under charge of the guard, for the period of fifteen days; and to forfeit to the United States ten dollars of his monthly pay for the period of four months."

4. Private *William Hummel*, Company E, 6th U. S. Cavalry.

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

Specification—"In this, that he, Private *William Hummel*, Company E, 6th U. S. Cavalry, having been duly mounted as a member of the post guard and having been placed in charge of four prisoners, did allow one of said prisoners (Private Thomas Walsh, Company E, 6th U. S. Cavalry, awaiting sentence for conduct prejudicial to good order and military discipline) to escape from him. All this at Fort Richardson, Texas, on the morning of the 2d day of August, 1870."

To which charge and specification the accused, Private *William Hummel*, Company E, 6th U. S. Cavalry, 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, Private *William Hunnet*, Company E, 6th U. S. Cavalry, "To be confined in charge of the guard, at the post where his company may be serving, for the period of two weeks; and to walk upon a ring, carrying a loaded knapsack weighing twenty-five pounds, from reveille until 11 o'clock A. M., and from 2 o'clock P. M. until retreat of each day of confinement. The Court is thus lenient owing to the fact that the accused had more prisoners in his charge than he could well take care of."

5. Private *William Lefabre*, Company E. 6th U. S. Cavalry.

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

Specification—"In this, that he, Private *William Lefabre*, Company E, 6th U. S. Cavalry, having been duly mounted as a member of the post guard, and having been duly posted as a sentinel in charge of three prisoners did allow two of said prisoners (John Tipping, an unassigned recruit, mounted service, awaiting sentence for desertion, and John Richardson, Company K, 6th U. S. Cavalry, undergoing sentence) to escape from him. All this at Fort Richardson, Texas, on the morning of July 27, 1870."

To which charge and specification the accused, Private *William Lefabre*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Private *William Lefabre*, Company E, 6th U. S. Cavalry.

6. Private (now Corporal) *Daniel Magher*, Company E, 6th U. S. Cavalry.

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

Specification—"In this, that he, Private (now Corporal) *Daniel Magher*, Company E, 6th U. S. Cavalry, having been duly mounted as a member of the post guard and having been placed in charge of three prisoners, did allow two of said prisoners (John Tipping, an unassigned recruit, mounted service, awaiting sentence for desertion, and John Richardson, Company K, 6th U. S. Cavalry, undergoing sentence) to escape from him. All this at Fort Richardson, Texas, on the morning of the 26th of July, 1870."

To which charge and specification the accused, Private (now Corporal) *Daniel Magher*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Corporal *Daniel Magher*, Company E, 6th U. S. Cavalry.

7. Private *George T. Mahan*, Company E, 6th U. S. Cavalry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said *George T. Mahan*, Company E, 6th U. S. Cavalry, did, while on herd in charge of the public animals belonging to the Quartermaster's Department at Fort Richardson, Texas, deliberately lie down and go to sleep; and did, while asleep, allow the public animals belonging to said herd to wander and stray promiscuously away to the distance of one mile, more or less. This at Fort Richardson, Texas, on or about the 29th day of July, 1870."

CHARGE II—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, *George T. Mahan*, Company E, 6th U. S. Cavalry, did, while on duty in charge of the herders herding public animals belonging to the Quartermaster's Department at Fort Richardson, Texas, become so much intoxicated as to be unable to properly perform his duties. All this at Fort Richardson, Texas, on or about the 29th day of July, 1870."

To which charges and specifications the accused, Private *George T. Mahan*, Company E, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused 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, Private *George T. Mahan*, Company E, 6th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of twenty-four months; to be confined, in charge of the guard at the post where his company may be serving, for the period of one month; and to walk upon a ring, carrying a weight of twenty-five pounds, from reveille until retreat during the period of confinement, one hour being allowed for each meal."

8. Private *Thomas Walsh*, Company E, 6th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, did become so much under the influence of intoxicating liquor as to render himself totally unfit to perform his duties as a soldier. This at or near Fort Richardson, Texas, on or about the 18th day of July, 1870."

Specification 2d—"In this, that he, Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, having been ordered by First Sergeant Eberhardt Brewer, Company E, 6th U. S. Cavalry, to stop talking while he *(Walsh)* was grooming his horse, did disobey said order; this in violation of existing orders in the company. This at or near Fort Richardson, Texas, on or about the 18th day of July, 1870."

Specification 3d—"In this, that he, Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, did, between the hours of 11 and 12 o'clock on

the night of the 17th of July, 1870, enter the tent of First Sergeant Eberhardt Brewer, Company E, 6th U. S. Cavalry, and handle and search the trowsers' pockets of First Sergeant Eberhardt Brewer, Company E, 6th U. S. Cavalry, evidently with the intention of stealing money therefrom, he *(Walsh)* knowing that First Sergeant Brewer had money in his pockets. This at or near Fort Richardson, Texas, on or about the 17th day of July, 1870."

To which charge and specifications the accused, Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States; and to forfeit all pay and allowances now due or which may become due him; and to be confined at hard labor, in charge of the guard where his company may be serving, for the period of one month."

9. Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification 1st—"In this, that he, Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did appear on duty with his company on dress parade in a state of intoxication. This at Fort Richardson, Texas, on or about the 11th of May, 1870."

Specification 2d—"In this, that he, Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did appear on duty with his company at dress parade in a state of intoxication. This at Fort Richardson, Texas, on or about the 12th of May, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did absent himself from his quarters without proper authority; and did enter the quarters of Mrs. Platt, laundress of Company L, 6th U. S. Cavalry, and did then and there raise or attempt to raise a disturbance. All this at Fort Richardson, Texas, between the hours of 8 P. M. of the 12th of May, and 1 A. M. of the 13th of May, 1870."

Specification 2d—"In this, that he, Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did absent himself without permission from proper authority from the morning stables of his company. This at Fort Richardson, Texas, on or about the 13th of May, 1870."

ADDITIONAL CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, having been placed under arrest by his company commander, and while awaiting trial, did wilfully break his arrest by going to the sutler store and obtaining whisky. All this at Fort Richardson, Texas, on the 8th day of July, 1870."

Specification 2d—"In this, that he, Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, having been placed under arrest by his company commander, and while awaiting trial, did wilfully break his arrest by going to the sutler store and obtaining whisky. All this at Fort Richardson, Texas, on the 9th day of July, 1870."

Specification 3d—"In this, that he, Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did, while under arrest and awaiting trial, become so much intoxicated that he (Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry) could not get into his quarters; and did lie in the company street, in view of the company, much to the prejudice of good order and military discipline. All this at Fort Richardson, Texas, on or about the 8th of July, 1870."

ADDITIONAL CHARGE II—"Absence without leave."

Specification—"In this, that he, Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, did absent himself from his company quarters without leave from 8 o'clock P. M. of the 8th, and did remain absent until reveille of the 9th of July, 1870. All this at Fort Richardson, Texas, on or about the 8th or 9th of July, 1870."

To which charges and specifications the accused, Quartermaster Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, pleaded as follows:

To the first charge and its specifications, "Not Guilty."
To the second charge and its specifications, "Not Guilty."
To the first specification, first additional charge, "Guilty."
To the second and third specifications, first additional charge, "Not Guilty."
To the first additional charge, "Not Guilty."
To the second additional charge and its specification, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused 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 first specification, second charge, "Guilty."
Of the second specification, second charge, "Not Guilty."
Of the second charge, "Guilty."
Of the first specification, first additional charge, "Guilty."
Of the second specification, first additional charge, "Not Guilty."
Of the third specification, first additional charge, "Not Guilty."
Of the first additional charge, "Guilty."
Of the specification, second additional charge, "Guilty."
Of the second additional charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Joseph Keenan*, Company K, 6th U. S. Cavalry, "To be reduced to the ranks; and to be confined, in charge of the guard at the post where his company may be serving, for the period of three months."

10. Sergeant *Richard Odlum*, Company K, 6th U. S. Cavalry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that he, Sergeant *Richard Odlum*, Company K, 6th U. S. Cavalry, being sergeant of the guard at Fort Richardson, Texas, and knowing that there was a standing post order that the prisoners should be put in their respective cells and in the prisoners' room, and the said cells and room closed and locked immediately after the visit of the officer of the day to the guard at retreat, did fail to obey said order by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room until they, the said prisoners, escaped by leaving said guard room about 8 o'clock P. M. This at or near Fort Richardson, Texas, on or about the 30th of July, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Sergeant *R. Odlum*, Company K, 6th U. S. Cavalry, being sergeant of the guard at Fort Richardson, Texas, and knowing that there was a standing post order that the prisoners should be put in their respective cells and in the prisoners' room, and the said cells and room closed and locked immediately after the visit of the officer of the day to the guard at retreat, did fail to obey said order by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room; and did give orders to Corporal Morris, Company K, 6th U. S. Cavalry, not to lock the doors of the cells and prisoners' room, thereby permitting the escape of three prisoners. This at or near Fort Richardson, Texas, on or about the 30th of July, 1870."

To which charges and specifications the accused, Sergeant *Richard Odlum*, Company K, 6th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room until they, the said prisoners, escaped.'"

To the first charge, "Guilty."

To the specification, second charge, "Guilty, except the words 'by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room.'"

To the second charge, "Guilty."

FINDING.

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

Of the specification, first charge, "Guilty, except the words 'by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room until they, the said prisoners, escaped.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'by leaving Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, prisoners in charge of the guard, in the guard room; and did give orders to Corporal Morris, Company K, 6th U. S. Cavalry, not to lock the doors of the cells and prisoners' room, thereby permitting the escape of three prisoners.'"

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Richard Odlum*, Company K, 6th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States eight dollars per month of his monthly pay for the period of twelve months."

11. Corporal *George W. Pratt*, Company L, 6th U. S. Cavalry.

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

Specification—"In this, that he, the said Corporal *George W. Pratt*, Company L, 6th U. S. Cavalry, being corporal of the guard at Fort Richardson, Texas, and being in charge of the guard during the absence of the sergeant of the guard, did permit three prisoners: viz., Private Powers, Company L, 6th U. S. Cavalry, and Privates Churchouse and Curry, Company A, 6th U. S. Cavalry, to escape from the guard house. This at or near Fort Richardson, Texas, on or about the 30th of July, 1870."

To which charge and specification the accused, Corporal *George W. Pratt*, Company L, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Corporal *George W. Pratt*, Company L, 6th U. S. Cavalry.

12. Private *Otis Dimmick*, Company L, 6th U. S. Cavalry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"In this, that he, Private *Otis Dimmick*, Company L, 6th U. S. Cavalry, having been regularly detailed and being on duty as member of the post guard; and being on duty as sentinel at the quartermaster's corral, did fall asleep on his post; and did remain so asleep until discovered and awakened by the officer of the day. This at Fort Richardson, Texas, between the hours of 12 and 1 A. M., July 29, 1870."

To which charge and specification the accused, Private *Otis Dimmick*, Company L, 6th U. S. Cavalry, 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, Private *Otis Dimmick*, Company L, 6th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of twenty-four months."

13. Private *Daniel Scully*, Company L, 6th U. S. Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, the said Private *Daniel Scully*, Company L, 6th U. S. Cavalry, having been issued a Remington revolver (No. 121,479) by his company commander, (the same being the property of the United States, and for which Brevet Major C. B. McLellan, Captain 6th U. S. Cavalry, is responsible,) did sell, barter, or otherwise illegally dispose of, said revolvor at the saloon of William B. Streamers, a citizen of Jacksboro', Texas, on or about the 16th day of June, 1870, where said revolver did remain until recovered by Quartermaster Sergeant James R. Riley, Company L, 6th U. S. Cavalry, on or about the 20th day of June, 1870. All this at Jacksboro', Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Daniel Scully*, Company L, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Private *Daniel Scully*, Company L, 6th U. S. Cavalry.

14. Corporal *Patrick Stapleton*, Company K, 11th U. S. Infantry.

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

Specification—"That he, Corporal *Patrick Stapleton*, Company K, 11th U. S. Infantry, having been detailed and duly mounted as corporal of the guard, Sub-Post of Sulphur Springs, Texas, and instructed in writing to count the prisoners under his charge when each relief was posted, did fail and neglect to so count said prisoners; and did allow five citizen prisoners to make their escape while he was in charge of said guard at Sub-Post at Sulphur Springs, Texas. This on or about the night of the 14th day of April, 1870."

To which charge and specification the accused, Corporal *Patrick Stapleton*, Company K, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Corporal *Patrick Stapleton*, Company K, 11th U. S. Infantry, "To be reduced to the ranks; to be confined in charge of the guard at the post where his company may be serving, for the period of six months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

15. Artificer *Robert Hill*, Company K, 11th U. S. Infantry.

CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"That he, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, did become so drunk as to be utterly incapable of performing his duties as artificer; and did remain so drunk almost incessantly from on or about the 8th day of July to the 28th day of July, 1870, to the prejudice of good order and military discipline. This at Fort Richardson, Texas."

CHARGE II—"Disobedience of orders."

Specification 1st—"That he, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, having been ordered by his company commander (Captain Mason Jackson, 11th U. S. Infantry) to build a frame work for a company cook house, did disobey said order; and did fail and neglect to build said frame work. This at Fort Richardson, Texas, on or about the 30th day of July, 1870."

Specification 2d—"That he, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, having been ordered by his company commander (Captain Mason Jackson, 11th U. S. Infantry) to build a frame work for a company cook house, did disobey said order; and did fail and neglect to build said frame work. This at Fort Richardson, Texas, on or about the 1st day of August, 1870."

Specification 3d—"That he, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, having been ordered (by direction of the post commander) by Captain Lemuel Pettee, U. S. Army, to make and letter a head board for the grave of (late) Acting Assistant Surgeon J. G. McKee, U. S. Army, did fail and neglect to make and letter said board as ordered. This at Fort Richardson, Texas, on or about the 3d day of August, 1870."

To which charges and specifications the accused, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused 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, Artificer *Robert Hill*, Company K, 11th U. S. Infantry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of twelve months."

II. The proceedings, findings and acquittal in the cases of Corporal *Frank H. Mandeville*, Company A, Private (now Corporal) *Daniel Magher* and Private *William Lefabre*, Company E, Corporal *George W. Pratt* and Private *Daniel Scully*, Company L, 6th U. S. Cavalry, are approved. They will be released from arrest and confinement and returned to duty.

The proceedings, findings and sentences in the cases of Corporal *Charles Stewart*, Privates *Paul Handley*, *William Hummel* and *George T. Mahan*, Company E, Sergeants *Joseph Keenan* and *Richard Odlum*, Company K, Private *Otis Dimmick*, Company L, 6th U. S. Cavalry; Corporal *Patrick Stapleton* and Artificer *Robert Hill*, Company K, 11th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Thomas Walsh*, Company E, 6th U. S. Cavalry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved; the remainder, although inadequate, is appproved, and will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Judge Advocate, ~~U. S. Army.~~

AT FORT MCKAVETT, TEXAS.

Private JOHN CARTER .....Company F, 9th U. S. Cavalry.
Private GEORGE WASHINGTON .....Company F, 9th U. S. Cavalry.
Sergeant JOHN H. MITCHELL ..... Company M, 9th U. S. Cavalry.
Private TASCO GRANGE .....Company D, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 21, 1870.

GENERAL ORDERS, No. 56.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, June 20, 1870, pursuant to paragraph III of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Captain C. N. W. CUNNINGHAM, 24th U. S. Infantry, is President, were arraigned and tried :

1. Private *John Carter*, Company F, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *John Carter*, Company F, 9th U. S. Cavalry, did go to Company H, 25th Infantry, cook kitchen, when a dance was in progress, and did interfere with a sentinel in the discharge of his duty; and when ordered to his quarters by the officer of the day, did obey the order in a hesitating manner. All this at Fort McKavett, Texas, on or about the night of July 26, 1870."

To which charge and specification the accused, Private *John Carter*, Company F, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused :
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Carter*, Company F, 9th U. S. Cavalry, "To forfeit to the United States his monthly pay for three months; and to be confined at hard labor for the same period."

2. Private *George Washington*, Company F, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *George Washington*, Company F, 9th U. S. Cavalry, while absent from his company quarters after taps without permission, and having been ordered to return to the same by Sergeant Larkin Williams of his company, did refuse to obey the order of said sergeant, and did assault said sergeant with stones. This at Fort McKavett, Texas, on or about the 26th day of July, 1870."

Specification 2d—"In this, that Private *George Washington*, Company F, 9th U. S. Cavalry, did violently assault Sergeant Larkin Williams, Company F, 9th U. S. Cavalry, with stones, while the said sergeant was in the execution of his office. This at Fort McKavett, Texas, on or about the 26th day of July, 1870."

To which charge and specification the accused, Private *George Washington*, Company F, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Washington*, Company F, 9th U. S. Cavalry, "To be confined at hard labor for four months; and forfeit to the United States ten dollars per month of his monthly pay for the same period."

3. First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry, did absent himself without authority from watering call; and did neglect and fail to attend with his company the watering of company horses. This at Fort McKavett, Texas, on or about the 6th day of April, 1870."

CHARGE II—"Disrespect to his superior officer."

Specification—"In this, that he, the aforesaid First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry, did go to the quarters of his company commander, Second Lieutenant W. W. Tyler, 9th U. S. Cavalry, and did ask his company commander aforesaid the following

question: 'Private Clark, Company M, 9th Cavalry, says you accuse me of stealing that corn:' and in further conversation relative thereto did make use of the following language: to-wit, 'I do not like to be accused of stealing; I am no thief or rogue; but I know I must take it whether I like it or not;' or words to that effect. And did, after he had been placed in arrest and confined to his quarters, in the hearing of his superior officer, Second Lieutenant W. W. Tyler, 9th Cavalry, make use of the following remarks: 'By God, this is the first time I was ever accused of stealing.' All this in a disrespectful and insubordinate manner, at Fort McKavett, Texas, on or about the 6th and 7th days of April, 1870."

ADDITIONAL CHARGE I—"Shooting with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said *John H. Mitchell*, first sergeant Company M, 9th U. S. Cavalry, being in arrest and not in the discharge of his duty, did without cause or provocation, maliciously and with intent to kill, shoot with a small Smith and Wesson revolver Sergeant James Naylor of his said company; the ball taking effect in his right side, inflicting a painful and dangerous wound. All this at Fort McKavett, Texas, on or about the 4th day of July, 1870."

ADDITIONAL CHARGE II—"Disobedience of orders."

Specification—"In this, that he, the said *John H. Mitchell*, first sergeant Company M, 9th U. S. Cavalry, did in violation of positive orders from his company commander, carry upon his person a small size Smith and Wesson revolver. All this at Fort McKavett, Texas, on or about the 4th day of July, 1870."

To which charges and specifications the accused, First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry, 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."
To the specification, first additional charge,	"Not Guilty."
To the first additional charge,	"Not Guilty."
To the specification, second add'l charge,	"Not Guilty."
To the second additional charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

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

SENTENCE.

And the court does therefore sentence him, First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States all pay now due or that may become due him; to be dishonorably discharged the service of the United States; and confined in such military prison as the Department Commander may direct, for a period of ten years."

4. Private *Tasco Orange*, Company D, 24th U. S. Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Tasco Orange*, Company D, 24th U. S. Infantry, having been posted as a sentinel over a herd of horses and mules, did permit six Government mules to stray off from said herd, and by his neglect did permit said six mules to become lost beyond recovery. This at the camp of an expedition on the Llano river, Texas, on or about March 22, 1870."

CHARGE II—"Manslaughter, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Tasco Orange*, Company D, 24th U. S. Infantry, did, in violation of good order and military discipline, take in his hands a loaded musket, and did in a mischievous manner point said musket and discharge the same at the body of William Williams, a private of Company D, 24th U. S. Infantry; the leaden ball discharged from said musket, passing through both hips of said Williams, by which he came to his death seven days thereafter. This at the camp of an expedition on the Llano river, Texas, on or about March 25, 1870."

To which charges and specifications the accused, Private *Tasco Orange*, Company D, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Tasco Orange*, Company D, 24th U. S. Infantry, "To be dishonor-

ably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due him; and to be confined at hard labor, at such place as the proper authority may direct, for fifteen years."

II. The proceedings and findings in the case of Private *John Carter*, Company F, 9th U. S. Cavalry, are approved. So much of the sentence as imposes forfeiture of pay is remitted; the remainder is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *George Washington*, Company F, 9th U. S. Cavalry, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of First Sergeant *John H. Mitchell*, Company M, 9th U. S. Cavalry, are approved. The period of confinement is reduced to two years. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Tasco Orange*, Company D, 24th U. S. Infantry, are approved. The period of confinement is reduced to five years. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph III of Special Orders No. 40, current series, from this Headquarters, and of which Captain C. N. W. CUNNINGHAM, 24th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

W. P. Barnbridge
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Private James Devine ....Company G, 4th U. S. Cavalry.
2. Private Henry T. O'Neill .....Company G, 4th U. S. Cavalry.
3. Private Thomas Reger .... Company G, 4th U. S. Cavalry.
4. Corporal Samuel M. Morgan... Company M, 4th U. S. Cavalry.
5. Private Henry W. Reichel .... Company M. 4th U. S. Cavalry.
6. Private Thomas Riley ... .. Company M. 4th U. S. Cavalry.
7. Private John R. Linehan .....Company B, 11th U. S. Infantry.
8. Private Charles W. Blossom...Company E, 11th U. S. Infantry.
9. Private John Ferguson .....Company E, 11th U. S. Infantry.
10. Private John Reynolds ..... Company E, 11th U. S. Infantry.
11. Private John Ryan .... Company E, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
Austin, Texas, *September* 28, 1870.

General Orders, No. 60.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, July 7, 1870, pursuant to paragraph VIII of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Captain Charles A. Wikoff, 11th U. S. Infantry, is President, were arraigned and tried:

1. Private *James Devine*, Company G, 4th U. S. Cavalry.

Charge—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *James Devine*, of Company G, 4th U. S. Cavalry, having been duly posted as a sentinel on post No. 1, at the post guard house, did sit down on a stool and go to sleep; and did remain asleep until awakened by the officer of the day. This at San Antonio, Texas, between the hours of 3 and 4 o'clock A. M., on the morning of May 11, 1870."

To which charge and specification the accused, Private *James Devine*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

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

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

Sentence.

And the Court does therefore sentence him, Private *James Devine*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, at the post where his company may be serving, for the period of six months;

and to forfeit fourteen dollars per month of his monthly pay for the same period."

2. Private *Henry T. O'Neill*, Company G, 4th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Henry T. O'Neill*, Company G, 4th U. S. Cavalry, having been ordered by Corporal William S. Barlow, Company G, 4th U. S. Cavalry, to carry wood to the company kitchen, did fail to obey said order; and did refuse in the following language: 'I will not for no bastard son of a bitch of a pimp like you, and if you want any more go and tell old Joe,' (meaning Brevet Major Rendlebrock, his company commander,) or words to that effect. This at the Guadalupe river, on or about the 31st day of May, 1870."

Specification 2d—"In this, that he, Private *Henry T. O'Neill*, Company G, 4th U. S. Cavalry, having been ordered by First Sergeant Edward McGann to carry wood to the company kitchen, did fail to obey said order; and did refuse to leave where he was standing until arrested by an armed party sent after him. First Sergeant Edward McGann, Company G, 4th U. S. Cavalry, being in the execution of his duty at the time. This at the Guadalupe river, on or about the 31st day of May, 1870."

To which charge and specifications the accused, Private *Henry T. O'Neill*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the first specification, "Guilty, with the exception of the words '"and if you want any more go and tell old Joe," (meaning Brevet Major Joseph Rendelbrock, Captain 4th U. S. Cavalry.)'"

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

SENTENCE.

And the Court does therefore sentence him, Private *Henry T. O'Neill*, Company G, 4th U. S. Cavalry, "To forfeit to the United States fourteen dollars per month of his monthly pay for the period of ten months; and to be confined at hard labor at the post where his company may be serving, for the same period."

3. Private *Thomas Reger*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *Thomas Reger*, Company G, 4th U. S. Cavalry, did become so drunk as to be unable to march with his company, or to perform any duty required of him, on or about the 4th day of June, 1870. This *en route* from San Antonio to Fort Concho, Texas, on the date above mentioned."

To which charge and specification the accused, Private *Thomas Reger*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Reger*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, at such place as his company may be serving, for the period of six months."

4. Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same on or about the 16th day of January, 1870, at Austin, Texas; and did not return till brought back by an armed escort, having been apprehended at or near Bricksburg, New Jersey, on or about the 30th day of March, 1870. (Thirty dollars reward having been paid for his apprehension.) This at or near the places above enumerated."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry, did steal the following public property for which Brevet Major William O'Connell, Captain 4th U. S. Cavalry, commanding Company M, is responsible: viz., quartermaster's stores valued at $135.40; ordnance stores valued at $90.41; and camp and garrison equipage valued at 46 cents. This at or near the Post of Austin, Texas, on or about the 16th day of January, 1870."

To which charges and specifications the accused, Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry, pleaded as follows:

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

FINDING.

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

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, Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry, "To be reduced to the ranks; and dishonorably dismissed the service of the United States; to forfeit all pay and allowances due or which may become due; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of eight years."

5. Private *Henry W. Reichel*, Company M, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Henry W. Reichel*, of Company M, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same on or about the 25th day of May, 1870, at Lampasas, Texas; and did not return until brought back by an armed escort, having been apprehended at or about twenty (20) miles from the Post of Lampasas, Texas, on or about

the 26th day of May, 1870. (Thirty dollars reward having been paid for his apprehension.) This at or near the Post of Lampasas, Texas, on or about the 25th and 26th days of May, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry W. Reichel*, of Company M, 4th U. S. Cavalry, did steal the following public property, for which Brevet Major William O'Connell, Captain 4th U. S. Cavalry, commanding Company M, is responsible: viz., one sabre belt and plate, total value of ordnance stores stolen two dollars and sixty cents ($2.60); also one canteen, one crossed sabres, one letter (M), one number (4), total value of camp and garrison equipage stolen forty-six (46) cents. This at or near the Post of Lampasas, Texas, on or about the 25th day of May, 1870."

To which charges and specifications the accused, Private *Henry W. Reichel*, Company M, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *Henry W. Reichel*, Company M, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or which may become due; and to be confined at hard labor, at such place as the Commanding General may direct, for the unexpired portion of his enlistment."

6. Private *Thomas Riley*, Company M, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, after being duly mounted as a member of the guard, did become so intoxicated as to be unable to perform properly his duties as a sentinel. All this on or about the 21st day of July, 1870, at the post guard house at Fort Concho, Texas."

To which charge and specification the accused, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of six months."

7. Private *John R. Linehan*, Company B, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—" In this, that he, Private *John R. Linehan*, Company B, 11th U. S. Infantry, (formerly Company G, 3d Battalion, 11th U. S. Infantry,) a duly enlisted soldier in the service of the United States, did desert the same at Fort Monroe, Virginia, on or about the 18th day of March, 1867; and did remain absent until he delivered himself up at Jackson Barracks, New Orleans, Louisiana, on the 31st day of May, 1870. This on or about the dates and places above specified."

To which charge and specification the accused, Private *John R. Linehan*, Company B, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *John R. Linehan*, Company B, 11th U. S. Infantry, "To make good the time lost by desertion; and to be confined at hard labor, at the post where his company may be serving, for the space of six months."

8. Private *Charles W. Blossom*, Company E, 11th U. S. Infantry.

CHARGE—" Desertion."

Specification—" In this, that he, Private *Charles W. Blossom*, Company E, 11th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service, his company and regiment, at or near Columbus, Texas, on or about the 13th day of May, 1870; and did remain absent until apprehended at or near Stafford's Point, Texas, on or about the 18th day of May, 1870. (Thirty dollars reward being paid for his apprehension.) All this at or near the Post of Columbus, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Charles W. Blossom*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles W. Blossom*, Company E, 11th 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 such place as the reviewing authority may direct, for the unexpired term of his enlistment."

9. Private *John Ferguson*, Company E, 11th U. S. Infantry.

CHARGE—" Desertion."

Specification—" In this, that he, Private *John Ferguson*, Company E, 11th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service, his company and regiment, at or near Columbus, Texas, on or about the 13th day of May, 1870; and did remain absent until apprehended at or near Stafford's Point, on or about the 18th day of May, 1870. (Thirty dollars reward being paid for his apprehension.) All this at or near the Post of Columbus, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *John Ferguson*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Ferguson*, Company E, 11th 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 such a place as the reviewing authority may direct, for the unexpired portion of his enlistment."

10. Private *John Reynolds*, Company E. 11th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *John Reynolds*, Company E, 11th U. S. Infantry, did absent himself from the camp of his company without permission, from retreat on the 4th day of July, 1870, until the morning of the 5th of July, 1870. This at Fort Concho, Texas, on or about the days and dates above specified."

CHARGE II--"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *John Reynolds*, Company E, 11th U. S. Infantry, did absent himself from the retreat, tattoo, and reveille roll calls of his company without permission from proper authority. This at or near Fort Concho, Texas, on or about the 4th and 5th days of July, 1870."

To which charges and specifications the accused, Private *John Reynolds*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused 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, Private *John Reynolds*, Company E, 11th U. S. Infantry, "To forfeit to the United States fourteen dollars of his monthly pay for the period of one month; and to be confined at hard labor at the post where his company is serving, for the same period."

11. Private *John Ryan*, Company E, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Ryan*, Company E, 11th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service, his company and regiment, at or near Columbus, Texas, on or about the 12th day of May, 1870; and remain so absent until apprehended at or near Richmond, Texas, on or about the 13th day of May, 1870; thirty dollars reward being paid for his apprehension. All this at or near the post of Columbus, Columbus, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *John Ryan*, Company E, 11th U. S. Infantry, pleaded "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, Private *John Ryan*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentences in the cases of Privates *James Devine*, *Henry T. O'Neill* and *Thomas Reger*, Company G, *Thomas Riley*, Company M, 4th U. S. Cavalry; *John R. Linehan*, Company B, and *John Reynolds*, Company E, 11th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceeding and findings in the case of Corporal *Samuel M. Morgan*, Company M, 4th U. S. Cavalry, are approved. The period of confinement will be for the unexpired term of his enlistment, at the expiration of which the prisoner will be dishonorably discharged. As thus amended, the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the cases of Privates *Henry W. Reichel*, Company M, 4th U. S. Cavalry, and *John Ferguson*, Company E, 11th U. S. Infantry, are approved. The prisoners will be dishonorably discharged at the expiration of their sentences. As thus amended, the sentences will be duly executed. The post of their respective companies is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Charles W. Blossom*, Company E, 11th U. S. Infantry, are approved. In consideration of the youth and inexperience of the prisoner, and the unanimous recommendation of the Court, the sentence is remitted, and Private *Blossom* will be restored to duty.

The proceedings and findings in the case of Private *John Ryan*, Company E, 11th U. S. Infantry, are approved. The sentence, although not deemed adequate, is approved and will be duly executed, as it appears in evidence that the man is of unsound mind.

III. The General Court Martial instituted by paragraph VIII, of Special Orders No. 49, current series, from this Headquarters, and of which Captain CHARLES A. WIKOFF, 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate, U. S. Army.

AT WACO, TEXAS.

1. Private CHARLES H. ARNOLD.....Company A, 11th U. S. Infantry.
2. Private FRANCIS MICHAELS..... .Company A, 11th U. S. Infantry.
3. Private FRANK MILLER .....Company F, 11th U. S. Infantry.
4. Recruit RICHARD WATSON.....Company F, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *September* 30, 1870.

GENERAL ORDERS, No. 61.

I. Before a General Court Martial which convened at Waco, Texas, Friday, August 19, 1870, pursuant to paragraph IV of Special Orders No. 88, Headquarters Department of Texas, dated Austin, Texas, August 13, 1870, and of which Captain LYNDE CATLIN, 11th U. S. Infantry, is President, were arraigned and tried:

1. Private *Charles H. Arnold*, Company A, 11th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, a general prisoner, serving sentence of General Court Martial for theft, did make his escape from the guard (house or tent) at the Post of Waco, Waco, Texas; and did remain absent until arrested by the corporal of the guard with a file of men, near the town of Waco, Texas. All this at or near the Post of Waco, Waco, Texas, on or about the evening of the 9th day of August, 1870."

To which charge and specification the accused, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, pleaded as follows:

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

FINDING.

The court, after mature consideration, finds the accused, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry, as follows:

Of the specification, "Guilty, but attaches no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Charles H. Arnold*, Company A, 11th U. S. Infantry.

2. Private *Francis Michaels*, Company A, 11th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Francis Michaels*, Company A, 11th U. S. Infantry, a general prisoner serving sentence of a General Court Martial for a violation of the 46th and 50th Articles of War, did make his escape from the guard house (or tent) at the Post of Waco, Waco, Texas; and did remain absent until arrested in the town of Waco, Texas, by First Lieutenant R. P. Warren, U. S. Army. All this at or near the Post of Waco, Texas, on or about the evening of the 9th day of August, 1870."

To which charge and specification the accused, Private *Francis Michaels*, Company A, 11th U. S. Infantry, pleaded as follows:

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

FINDING.

The Court, after mature consideration, finds the accused, Private *Francis Michaels*, Company A, 11th U. S. Infantry, as follows:

Of the specification, "Guilty, but attaches no criminality thereto."

Of the charge, "Not Guilty."

And the Court does therefore acquit him, Private *Francis Michaels*, Company A, 11th U. S. Infantry.

3. Private *Frank Miller*, Company F, 11th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Frank Miller*, of Company F, 11th U. S. Infantry, while on duty as nurse in the post hospital, at Cameron, Texas, did assault and strike Private Peter J. Deegan, Company F, 11th U. S. Infantry, a patient confided to his care; and did abuse said Private Peter J. Deegan, saying, 'I owe you a grudge, and now that you are in my power I will pay you off,' or words to that effect. This at Cameron, Texas, on or about the 24th day of May, 1870."

To which charge and specification the accused, Private *Frank Miller*, Company F, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Frank Miller*, Company F, 11th U. S. Infantry, as follows :

Of the specification, "Guilty, with the exception of the word 'assault.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, the said Private *Frank Miller*, Company F, 11th U. S. Infantry, "To be confined at hard labor in the guard house for one month; and to forfeit ten dollars of his monthly pay for the same period."

4. Recruit *Richard Watson*, Company F, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Recruit *Richard Watson*, Tompany F, 11th U. S. Infantry, having been duly enlisted in the army of the United States, on or about February the 9th, 1870, did desert the same on or about the 21st day of March, 1870, at Cameron, Milam county, Texas; and did so remain absent until apprehended on the Austin road, about (7) seven miles from Cameron, on the 23d day of March, 1870. Thirty dollars paid for his apprehension."

To which charge and specification the accused, Recruit *Richard Watson*, Company F, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Recruit *Richard Watson*, Company F, 11th U. S. Infantry, as follows :

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

SENTENCE.

And the court does therefore sentence him, the said Recruit *Richard Watson*, Company F, 11th U. S. Infantry, "To be dishonorably discharged from the service of the United States, with a forfeiture of all pay and allowances now due, or that may become due, except the just dues of the laundress; and to be confined at such military prison as the Commanding General may direct, for the period of two years."

II. The proceedings in the cases of Privates *Charles H. Arnold* and *Francis Michaels*, Company A, 11th U. S. Infantry, are approved. The findings and acquittal are disapproved.

The proceedings, findings and sentence in the case of Private *Frank Miller*, Company F 11th U. S. Infantry, are approved and the sentence will be duly executed.

The proceedings, findings and sentence in the case of Recruit *Richard Watson*, Company F, 11th U. S. Infantry, are approved. On the recommendation of the court, based on the good character of the accused, the sentence is remitted. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph IV of Special Orders No. 88, current series, from this Headquarters, and of which Captain LYNDE CATLIN, 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 1, 1870.

GENERAL ORDERS, No. 62.

I. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, September 5, 1870, pursuant to paragraph IX of Special Orders No. 94, Headquarters Department of Texas, dated Austin, Texas, August 23, 1870, and of which Captain WILLIAM WELSH, 25th U. S. Infantry, is President, was arraigned and tried:

Private *James Scott*, Company A, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That he, Private *James Scott*, Company A, 9th U. S. Cavalry, being a regularly enlisted soldier of the United States, and having been regularly detailed and duly posted as a sentinel over Government horses pertaining to Companies A and D, 9th U. S. Cavalry, did permit, allow, assist or connive with, certain person or persons unknown to steal four of the aforesaid Government horses which he had under his charge. This at or near Fort Quitman, Texas, on or about the 25th day of May, 1870."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"That he, Private *James Scott*, Company A, 9th U. S. Cavalry, being a regularly enlisted soldier of the United States, and having been regularly detailed and duly posted as a sentinel over Government horses pertaining to Companies A and D, 9th U. S. Cavalry, did so far neglect his duty as to allow four of the aforesaid Government horses to escape or be taken away; and that he, knowing the aforesaid horses to be missing, did fail and neglect to report the same to the corporal of the guard or the non-commissioned officer in command. This at or near Fort Quitman, Texas, on or about the 25th day of May, 1870."

To which charges and specifications the accused, Private *James Scott*, Company A, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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, Private *James Scott*, Company A, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; and to be confined at hard labor in charge of the guard for one year, at such place as the Commanding Officer, Department of Texas, may direct."

II. The proceedings and findings in the foregoing case of Private *James Scott*, Company A, 9th U. S. Cavalry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved; the remainder is approved and will be duly executed. The post of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IX of Special Orders No. 94, current series, from this Headquarters, and of which Captain WILLIAM WELSH, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT FORT STOCKTON, TEXAS.

1. First Sergeant FRANK COLWELL....Company A, 9th U. S. Cavalry.
2. Private HARRY HENDERSON.....Company A, 9th U. S. Cavalry.
3. Private JOHN BRIGHT.....Company D, 9th U. S. Cavalry.
4. Private JOSEPH JOHNSON, 2*d*.....Company D, 9th U. S. Cavalry.
5. Private HENRY CLARK.....Company K, 25th U. S. Infantry.
6. Private HENRY LEONARD.....Company K, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *October* 3, 1870.

GENERAL ORDERS, No. 63.

I. Before a General Court Martial which convened at Fort Stockton, Texas, on Thursday, August 11, 1870, pursuant to paragraph III of Special Orders No. 76, Headquarters Department of Texas, dated Austin, Texas, July 29, 1870, and of which Captain WILLIAM WELSH, 25th U. S. Infantry, is President, were arraigned and tried:

1. First Sergeant *Frank Colwell*, Company A, late sergeant Company I, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Frank Colwell*, Troop I, 9th U. S. Cavalry, did on or about the 18th day of February, 1870, between the hours of 11 and 12 A. M. (being at the time in a state of intoxication) enter the house of one Mr. Newman, a citizen, near the Post of Fort Quitman, Texas; and did endeavor to create a disturbance by knocking eatables off the table, and saying to and in the presence of females, 'You are all damned rebel bitches;' and on being remonstrated with by Private Joseph Ross, Troop I, 9th U. S. Cavalry, in words to-wit: 'Sergeant, let us be respectful, and we will be respected; that is not proper talk before ladies,' did, without cause or provocation, strike repeatedly with his fist the said Private Ross; and did follow him out into the street, cursing and striking at him; and did attempt to wrest a gun or musket from the hands of Sergeant James H. Edwards, Company H, 24th U. S. Infantry, the sergeant of the post guard, with the intention of doing bodily harm or injury with the said gun or musket to the person of the said Private Ross, saying to him, 'I will bore a hole through you, you mother's son of a bitch.'"

Specification 2d—"In this, that he, the said Sergeant *Frank Colwell*, Troop I, 9th U. S. Cavalry, was found lying on the ground in the rear of the wood-yard at the Post of Fort Quitman, Texas, on or about the 11th day of February, 1870, about 4 o'clock in the afternoon, in a state of intoxication, and covered with dirt and filth; this to the great scandal and disgrace of his troop and the military service of the United States."

To which charge and specifications the accused, First Sergeant *Frank Colwell*, Company A, 9th U. S. Cavalry, late sergeant Company I, 9th U. S. Cavalry, pleaded as follows:

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

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, First Sergeant *Frank Colwell*, Company A, 9th U. S. Cavalry, late sergeant Company I, 9th U. S. Cavalry, as follows:

Of the first specification, "Guilty, except 'being at the time in a state of intoxication,' 'and saying to and in the presence of females, "you are all damned rebel bitches,"' 'and did strike repeatedly with his fist said Private Ross; and did follow him into the street cursing and striking at him.'"

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

SENTENCE.

And the Court does therefore sentence him, First Sergeant *Frank Colwell*, Company A, 9th U. S. Cavalry, late sergeant Company I, 9th U. S. Cavalry, "To forfeit to the United States twelve dollars and fifty cents ($12 50) of his monthly pay for two months. The Court is thus lenient owing to the very excellent character given the accused by his company commander."

2. Private *Harry Henderson*, Company A, 9th U. S. Cavalry.

CHARGE--"Conduct prejudicial to good order and military discipline."

Specification 1st—"That he. *Harry Henderson*, private Company A, 9th U. S. Cavalry, did waste or gamble away the ammunition delivered out to him, to be employed in the service of the United States. This while in camp at Independence Springs, Guadalupe mountains, on or about the 9th day of May, 1870."

Specification 2d—"That he, Private *Harry Henderson*, Company A, 9th U. S. Cavalry, did take, steal or carry away from Private Henry Seddles, one hundred rounds, more or less, carbine ammunition. This while in camp at Independence Springs, Guadalupe mountains, on or about the 9th day of May, 1870."

To which charge and specifications the accused, Private *Harry Henderson*, Company A, 9th U. S. Cavalry, 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 accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Harry Henderson*, Company A, 9th U. S. Cavalry, "To forfeit all pay and allowances due or to become due him; and then to be discharged the service of the United States (dishonorably); and to be confined at hard labor for the period of six months, at such place as the proper authority may designate."

3. Private *John Bright*, Company D, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That he, Private *John Bright*, of Company D, 9th U. S. Cavalry, did wilfully and maliciously discharge a carbine loaded with powder and ball at or against the person of Private Boats Christopher, Company D, 9th U. S. Cavalry, thereby intending to take the life of the said Boats Christopher; and whereby he did inflict dangerous if not mortal wounds upon the person of the said Boats Christopher. All this at Fort Stockton, Texas, on or about the 27th day of June, 1870."

CHARGE II—"Disobedience of orders."

Specification—"That he, Private *John Bright*, of Company D, 9th U. S. Cavalry, in direct violation of the orders of his company commander, 'that the enlisted men of his company should not point or snap their carbines or pistols at each other, and further, that they should not keep said carbines and pistols loaded in their company quarters,' did enter his company quarters with a loaded carbine, and did then and there discharge said carbine at Private Boats Christopher, Company D, 9th U. S. Cavalry, thereby inflicting several serious wounds upon the person of the said Boats Christopher. All this at Fort Stockton, Texas, on or about the 27th day of June, 1870."

To which charges and specifications the accused, Private *John Bright*, Company D, 9th U. S. Cavalry, 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 accused:

Of the specification, first charge, "Guilty, except the words 'wilfully and maliciously,' and the words 'thereby intending to take the life of said Boats Christopher.'"

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

SENTENCE.

And the Court does therefore sentence him, Private *John Bright*, Company D, 9th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at such place as the commanding officer Department of Texas may direct, for the period of two years, with forfeiture of his pay for the same period."

4. Private *Joseph Johnson*, 2*d*, Company D, 9th U. S. Cavalry.

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

Specification—"That he, Private *Joseph Johnson*, 2*d*, Company D, 9th U. S. Cavalry, having been detailed to assist in leading or driving the pack mules, did wantonly and without authority kill one mule, the property of the United States. This while on the march in the vicinity of the Guadalupe mountains, on or about the 26th day of April, 1870."

To which charge and specification the accused, Private *Joseph Johnson*, 2*d*, Company D, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the specification, "Guilty, except the words 'having been detailed to assist in leading or driving the pack mules,' and 'wantonly.'"

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Johnson*, 2*d*, Company D, 9th U. S. Cavalry, "To be confined at hard labor in charge of the guard at the post where his company is serving, for the period of two months."

5. Private *Henry Clark*, Company K, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification 1st—"That *Henry Clark*, private Company A, 39th U. S. Infantry, (now Company K, 25th U. S. Infantry,) having been duly enlisted in the service of the United States at Greenville, La., on the 22d day of October, 1866, did desert the same at Fort Pike, La., on the 21st day of March, 1869; and did remain absent until apprehended on or about the 16th day of December, 1869."

Specification 2d—"That *Henry Clark*, private Company A, 39th U. S. Infantry, (now Company K, 25th U. S. Infantry,) having been duly enlisted in the service of the United States at Greenville, La., on the 22d day of October, 1866, did desert said service and his company on or about the 15th day of January, 1870, at Jackson Barracks, La.; and did remain absent until apprehended on or about the 17th day of May, 1870."

To which charge and specifications the accused, Private *Henry Clark*, Company K, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Clark*, Company A, 39th U. S. Infantry, (now Company K, 25th U. S. Infantry,) "To be dishonorably discharged the service of the United States, with forfeiture of all pay now due or to become due; and to be confined at hard labor at such place as the commanding officer Department of Texas may direct, for the period of two years."

6. Private *Henry Leonard*, Company K, 25th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Henry Leonard*, Company K, 25th U. S. Infantry, did without permission absent himself from his company from May 23 to June 11, 1870, when he was arrested and returned to his company. This while *en route* from New Orleans, La., to San Antonio, Texas, on or about the dates above given."

CHARGE II—"Disobedience of orders."

Specification—"In this, that Private *Henry Leonard*, Company K, 25th U. S. Infantry, did disobey the orders of his company commander, Brevet Lieutenant Colonel William Welsh, Captain 25th U. S. Infantry, by leaving the steamer Harlin, and not returning until arrested and returned to his company. This while *en route* from New Orleans, La., to San Antonio, Texas, on or about May 23, 1870."

To which charges and specifications the accused, Private *Henry Leonard*, Company K, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *Henry Leonard*, Company K, 25th U. S. Infantry, "To be confined at hard labor for one month, in charge of the guard; and forfeit his pay for the same period."

II. The proceedings, findings and sentences in the cases of First Sergeant *Frank Colwell*, Company A, late sergeant Company I; Privates *John Bright* and *Joseph Johnson*, 2d, Company D, 9th U. S. Cavalry; and *Henry Leonard*, Company K, 25th U. S. Infantry, are approved and the sentences will be duly executed. The post of their respective companies is designated as the place of confinement.

The proceedings and findings in the case of Private *Harry Henderson*, Company A, 9th U. S. Cavalry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved; the remainder is approved and will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *Henry Clark*, Company A, 39th U. S. Infantry, (now Company K, 25th U. S. Infantry,)

are approved. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus amended the sentence will be duly executed. The post of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph III, of Special Orders No. 76, current series, from this Headquarters, and of which Captain WILLIAM WELSH, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT RINGGOLD BARRACKS, TEXAS.

1. Private PATRICK O'BRIEN ... . Company C, 4th U. S. Cavalry.
2. Private RICHARD WILLIAMSON ....Company L, 4th U. S. Cavalry.
3. Private ROBERT G. BRADFORD....Company B, 10th U. S. Infantry.
4. Corporal BERNARD LYONS.....Company E, 10th U. S. Infantry.
5. Private JAMES J. BENTON .....Company E, 10th U. S. Infantry.
6. Private EDWARD MCJOHN .... . Company I, 10th U. S. Infantry.
7. Private THOMAS SHEEHAN.. .... Company I, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 10, 1870.

GENERAL ORDERS, No. 65.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, August 15, 1870, pursuant to paragraph V, Special Orders No. 76, Headquarters Department of Texas, dated Austin, Texas, July 29, 1870, and of which Captain EDWARD G. BUSH, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Patrick O Brien*, Company C, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, *Patrick O'Brien*, an enlisted soldier in the service of the United States, private of Company C, 4th Cavalry, United States Army, did desert the said service from Ringgold Barracks, Texas, on or about the 13th day of July, 1870; and did remain absent from said service until apprehended near Edinburg, Texas, on or about the 9th day of August, 1870."

To which charge and specification the accused, Private *Patrick O'Brien*, Company C, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Patrick O'Brien*, Company C, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States; 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 to be confined in such military prison as the Commanding General may direct, for the period of two years."

2. Private *Richard Williamson*, Company L, 4th U. S. Cavalry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Richard Williamson*, Company L, 4th U. S. Cavalry, having been duly mounted and posted as a sentinel over the horses of Company L, 4th U. S. Cavalry, did become so drunk as to be unable to perform his duties properly. This at Fort Brown, Texas, on or about the 19th day of July, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Richard Williamson*, Company L, 4th U. S. Cavalry, whilst being taken to the guard house by Sergeant Thomas King, Company L, 4th U. S. Cavalry, did make use of the following language to the said Sergeant King, to-wit: 'You are a damned son of a bitch,' or words to that effect."

Specification 2d—"In this, that the said Private *Richard Williamson*, Company L, 4th U. S. Cavalry, did assault, and did attempt to strike Sergeant Thomas King, Company L, 4th U. S. Cavalry, the said Sergeant King being in the execution of his office. All this at Ringgold Barracks, Texas, on or about the 29th day of July, 1870."

To which charges and specifications the accused, Private *Richard Williamson*, Company L, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the specification, first charge, "Guilty, except the words 'duly mounted and posted as a sentinel over,' and substituting therefor the words 'placed in charge of.'"

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

SENTENCE.

And the Court does therefore sentence him, Private *Richard Williamson*, Company L, 4th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for three months; and to be confined at hard labor, in charge of the post guard at the place where his company may be serving, for the same period."

3. Private *Robert G. Bradford*, Company B, 10th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, *Robert G. Bradford*, a duly enlisted soldier in the service of the United States, and private of Company B 10th U. S. Infantry, did desert from the said service at Ringgold Barracks, Texas, on or about the 8th day of July, 1870; and remained absent until the 27th day of July, 1870, when he surrendered himself to the post guard at Ringgold Barracks, Texas."

CHARGE II—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Robert G. Bradford*, Company B, 10th U. S. Infantry, has been tried and convicted by four

Garrison Courts Martial since the date of his enlistment, February 25, 1870, to the date of his desertion, July 8, 1870. This at the Posts of Jackson Barracks, Louisiana, Fort Brown, Texas, and Ringgold Barracks, Texas, during the months of March, April and June, 1870."

Specification 2d—"In this, that he, Private *Robert G. Bradford*, has been, since his transfer to Company B, 10th U. S. Infantry, May 25, 1870, to date of his desertion, July 8, 1870, in confinement twenty-eight days; said confinement being solely due to his intemperate habits. This at the Post of Ringgold Barracks, Texas, during the months of May, June and July, 1870."

To which charges and specifications the accused, Private *Robert G. Bradford*, Company B, 10th U. S. Infantry, pleaded as follows:

To the first charge and specification, "Guilty."
To the specifications, second charge, "Guilty."
To the second charge, "Not Guilty."

FINDING.

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

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 second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Robert G. Bradford*, Company B, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and to be confined at such military prison as the Commanding General may direct, for the period of two years."

4. Corporal *Bernard Lyons*, Company E, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, *Bernard Lyons*, a corporal of Company E, 10th U. S. Infantry, having been regularly detailed and mounted as corporal of the town guard, posted over the quartermaster's storehouses in Rio Grande city, Texas, did become so much under the influence of intoxicating liquor as to be unable to perform his duties properly. This at or near Ringgold Barracks, Texas, and on or about the 14th day of August, 1870."

To which charge and specification the accused, Corporal *Bernard Lyons*, Company E, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Corporal *Bernard Lyons*, Company E, 10th U. S. Infantry, "To be reduced to the rank of a private

soldier; and to be confined at hard labor, at the post where his company may be serving, for the period of six months."

5. Private *James J. Benton*, Company E, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Recruit *James J. Benton*, having been duly enlisted in the military service of the United States, and assigned to Company E, 10th U. S. Infantry, per Special Orders No. 42, dated Headquarters 10th U. S. Infantry, Fort Brown, Brownsville, Texas, May 17, 1870, did desert the said service from off the steamer 'San Roman,' at or near Reynosa, Mexico, on or about the 23d day of May, 1870, while *en route* to join his company; and did remain absent until apprehended at Brownsville, Texas, on or about the 19th day of June, 1870. This while *en route* from Brownsville, Texas, to Ringgold Barracks, Texas, and on or about the dates above specified."

To which charge and specification the accused, Private *James J. Benton*, Company E, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *James J. Benton*, Company E, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States; 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 to be confined in such military prison as the Commanding General may direct, for the period of two years."

6. Private *Edward McJohn*, Company I, 10th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Edward McJohn*, Company I, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Ringgold Barracks, Texas, at or about 7 o'clock P. M., the 13th day of July, 1870; and did not return until apprehended by First Sergeant John Kohler, Company I, 10th U. S. Infantry, on board the ferry boat which runs between the Texas and Mexican shores, at or about 11.30 o'clock A. M., the 14th day of July, 1870. This at or near Ringgold Barracks, Texas, on or about the above mentioned dates."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Edward McJohn*, Company I, 10th U. S. Infantry, did, after having been repeatedly ordered by First Sergeant John Kohler, Company I, 10th U. S. Infantry, to leave a ferry boat upon which he was working and accompany him to barracks, fail to do so; and did direct a blow with his clenched fist at the said First Sergeant John Kohler, Company I, 10th U. S. Infantry. This at the ferry boat near Ringgold Barracks, Texas, on or about the 14th day of July, 1870."

To which charges and specifications the accused, Private *Edward McJohn*, Company I, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

Of the specification, first charge, "Guilty, except the words 'did desert the same,' and substituting therefor 'did absent himself without proper authority from his company and quarters.'"

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

Of the specification, second charge, "Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward McJohn*, Company I, 10th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for two months; and to be confined at hard labor, in charge of the post guard, for a like period."

7. Private *Thomas Sheehan*, Company I, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Thomas Sheehan*, of Company I, 10th Infantry, U. S. Army, has been, during the last six months, from January 13, 1870, to the present date, August 13, 1870, in arrest or confinement one hundred and fifteen days, or upwards, said arrest or confinement being solely due to his intemperate habits. This at Ringgold Barracks, Texas, during the time above specified."

Specification 2d—"In this, that Private *Thomas Sheehan*, of Company I, 10th Infantry, U. S. Army, since the consolidation of Companies I, 10th U. S. Infantry, and I, 26th U. S. Infantry, July 8, 1869, has been tried by Garrison Courts Martial for and found to be guilty of 'conduct prejudicial to good order and military discipline' on August 20, 1869, and January 20, March 19, June 17, August 11, 1870. This at Ringgold Barracks, Texas, during the time above specified."

To which charge and specifications the accused, Private *Thomas Sheehan*, Company I, 10th U. S. Infantry, pleaded as follows:

To the first specification, "Guilty, except the words 'said arrest or confinement being solely due to his intemperate habits,' and to this part 'Not Guilty.'"

To the second specification, "Guilty."

To the charge, "Not Guilty."

FINDING.

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

Of the first specification, "Guilty, except the word 'solely,' and of the word thus excepted 'Not Guilty.'"

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Sheehan*, Company I, 10th Infantry, U. S. Army, "To be dishonorably discharged

the service of the United States with loss of all pay and allowances now due or that may become due, except the just dues of the laundress. The Court is thus lenient on account of the previous good character of the soldier."

II. The proceedings, findings and sentences in the cases of Privates *Patrick O'Brien*, Company C, 4th U. S. Cavalry; *Robert G. Bradford*, Company B, and *James J. Benton*, Company E, 10th U. S. Infantry, are approved, and the sentences will be duly executed. Fort Jackson, La., is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Private *Richard Williamson*, Company L, 4th U. S. Cavalry; Corporal *Bernard Lyons*, Company E, and Private *Edward McJohn*, Company I, 10th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings in the case of Private *Thomas Sheehan*, Company I, 10th U. S. Infantry, are approved. The findings and sentence are disapproved. Private *Sheehan* will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph V, of Special Orders No. 76, current series, from this Headquarters, and of which Captain Edward G. Bush, 10th U. S. Infantry, is President, is dissolved.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Judge Advocate.

AT FORT BROWN, TEXAS.

1. Trumpeter LEWIS BUCHTA .....Company K, 4th U. S. Cavalry.
2. Private ROBERT ANDERSON .....Company A, 10th U. S. Infantry.
3. First Sergeant ANDREW C. MCKENNA Company G, 10th U. S. Infantry.
4. Private JOHN MOHR .....Company G, 10th U. S. Infantry.
5. Private AUGUST SPRINGER .....Company G, 10th U. S. Infantry.
6. Private JOSEPH BURNS .....Company H, 10th U. S. Infantry.
7. Private ELI BUSHWELL .....Company H, 10th U. S. Infantry.
8. Private HENRY R. CLARKE.....Company H, 10th U. S. Infantry.
9. Private MARTIN GLEESON .....Company H, 10th U. S. Infantry.
10. Private ALPHONSO R. TAYLOR .....Company H, 10th U. S. Infantry.
11. First Sergeant LOUIS FOX .....Company K, 10th U. S. Infantry.
12. Sergeant EDWARD H. FERGUSON ....Company K, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 10, 1870.

GENERAL ORDERS, No. 66.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, June 20, 1870, pursuant to paragraph II of Special Orders No. 38, Headquarters Department of Texas, dated Austin, Texas, June 6, 1870, and of which Captain WILLIAM L. KELLOGG, 10th U. S. Infantry, is President, were arraigned and tried:

1. Trumpeter *Lewis Buchta*, Company K, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"That *Lewis Buchta*, trumpeter Company K, 4th U. S. Cavalry, a duly enlisted soldier in the U. S. Army, did desert the service of the United States at Fort Brown, Texas, on or about the 9th of April, 1870; and did remain absent until apprehended at or near Brazos Santiago, Texas, on or about the 16th of April, 1870."

To which charge and specification the accused, Trumpeter *Lewis Buchta*, Company K, 4th U. S. Cavalry pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Trumpeter *Lewis Buchta*, Company K, 4th U. S. Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due, except the dues of the laundress; and to be confined at hard labor at such place as the reviewing authority may direct, for the period of two years."

2. Private *Robert Anderson*, Company A, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Robert Anderson*, Company A, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did on the 4th of August, 1870, absent himself from, and desert the said service; and remain so absent until 9 o'clock P. M., of the above date, when he was apprehended by a patrol, about one mile north of Clarksville, Texas. All this at or near the Sub-post of Point Isabel, Texas, on or about the 4th of August, 1870."

To which charge and specification the accused, Private *Robert Anderson*, Company A, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'desert.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Anderson*, of Company A, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for one month; and to forfeit ten dollars per month of his monthly pay for one month."

3. First Sergeant *Andrew C. McKenna*, Company G, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Sergeant *Andrew C. McKenna*, a duly enlisted soldier in the army of the United States, first sergeant of Company G, 10th U. S. Infantry, did absent himself from and desert the said service at Fort Brown, Brownsville, Texas, on or about the 25th day of July, 1870; and did remain absent from the said service until apprehended at or near Brazos de Santiago, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, First Sergeant *Andrew C. McKenna*, Company G, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, First Sergeant *Andrew C. McKenna*, of Company G, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded with the letter 'D,' two inches in length, on the left hip; and to be confined at hard labor for the period of four years, having a ball and chain attached to his left leg for the last two years of his confinement; said ball and chain to weigh not less than twelve pounds."

4. Private *John Mohr*, Company G, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *John Mohr*, a private of Company G, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States; did desert the said service at Post of Fort Brown, Brownsville, Texas, on or about the 26th day of July, 1870; and did remain absent until arrested by Lieutenant Charles A. Vernou, 4th U. S. Cavalry, near Brownsville, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, Private *John Mohr*, Company G, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Mohr*, of Company G, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded on the left hip with the letter 'D,' two inches in length; and to be confined at hard labor for three years, having a ball and chain weighing not less than twelve pounds attached to his left leg during the last year of his confinement."

5. Private *August Springer*, Company G, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *August Springer*, a private of Company G, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Post of Fort Brown, Brownsville, Texas, on

or about the 26th day of July, 1870; and did remain absent until arrested by Lieutenant Charles A. Vernou, 4th U. S. Cavalry, near Brownsville, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, Private *August Springer*, Company G, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *August Springer*, of Company G, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded on the left hip with the letter 'D,' two inches in length; and to be confined at hard labor for three years, having a ball and chain weighing not less than twelve pounds attached to his left leg for and during the last year of his confinement."

6. Private *Joseph Burns*, Company H, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Joseph Burns*, Company H, 10th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Brown, Texas, on or about the 26th day of July, 1870; and did remain absent until apprehended at or near Brazos Santiago, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, Private *Joseph Burns*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph Burns*, of Company H, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded on the left hip with the letter 'D,' two inches in length; and to be confined at hard labor at such place as the reviewing authority may direct, for four years, having a ball and chain weighing not less than twelve pounds attached to his left leg for the last two years of his confinement."

7. Private *Eli Bushwell*, Company H, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Eli Bushwell*, Company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Brown, Brownsville, Texas, on the 16th day of April, 1870; and did remain absent until apprehended at or near Brazos Santiago, Texas, on the 27th day of April, 1870. All this at or near the places, on or about the dates above specified."

To which charge and specification the accused, Private *Eli Bushwell*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Eli Bushwell*, of Company H, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due, except the dues of the laundress; and to be confined at hard labor for the period of two years."

8. Private *Henry R. Clark*, Company H, 10th U. S. Infantry."

CHARGE—"Desertion."

Specification—"In this, that he, Private *Henry R. Clark*, Company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Brown, Texas, on the 12th day of May, 1870; and did remain absent until apprehended at or near Brownsville, Texas, on or about the 22d day of July, 1870."

To which charge and specification the accused, Private *Henry R. Clark*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry R. Clark*, of Company H, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or to become due him, except the dues of the laundress; to be indelibly branded with the letter 'D' on the left hip; and to confined at hard labor for the period of three years, having a ball and chain weighing not less than twelve pounds attached to his left leg during the last year of his confinement."

9. Private *Martin Gleeson*, Company H, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Martin Gleeson*, Company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did, on the 4th of August, 1870, absent himself from and desert the said service; and remain so absent until about 9 o'clock P. M. of the above date, when he was apprehended by the patrol about one mile north of Clarksville, Texas. All this at or near the Sub-Post of Point Isabel, Texas, on or about the 4th of August, 1870."

To which charge and specification the accused, Private *Martin Gleeson*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'desert.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Martin Gleeson*, of Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for one month; and to forfeit ten dollars per month of his monthly pay for one month."

10. Private *Alphonso R. Taylor*, Company H, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Alphonso R. Taylor*, Company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Brown, Texas, on or about the 10th day of July, 1870; and did remain absent until about the 6th day of August, 1870, when he voluntarily surrendered himself to the military authorities at Fort Brown, Texas. All this at or near Fort Brown, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Alphonso R. Taylor*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alphonso R. Taylor*, of Company H, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allow-

ances now due or that may become due him; and to be confined at hard labor for the period of two years."

11. First Sergeant *Louis Fox*, Company K, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Louis Fox*, a duly enlisted soldier in the army of the United States, first sergeant of Company K, 10th U. S. Infantry, did absent himself from and desert the said service at Fort Brown, Brownsville, Texas, on or about the 25th day of July, 1870; and did remain absent from the said service until apprehended at or near Brazos de Santiago, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, First Sergeant *Louis Fox*, Company K, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, First Sergeant *Louis Fox*, of Company K, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded on the left hip with the letter 'D' two inches in length; and to be confined at hard labor, at such place as the reviewing authority may direct, for four years, having a ball and chain weighing not less than twelve pounds attached to his left leg for the last two years of his confinement."

12. Sergeant *Edward H. Ferguson*, Company K, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Sergeant *Edward H. Ferguson*, a duly enlisted soldier in the army of the United States, and quartermaster sergeant of Company K, 10th U. S. Infantry, did absent himself from and desert the said service at Fort Brown, Brownsville, Texas, on or about the 25th day of July, 1870; and did remain absent from the said service until apprehended at or near Brazos de Santiago, Texas, on or about the 29th day of July, 1870."

To which charge and specification the accused, Sergeant *Edward H. Ferguson*, Company K, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Edward H. Ferguson*, of Company K, 10th U. S. Infantry, "To be reduced to the ranks; to be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him, except the dues of the laundress; to be indelibly branded on the left hip with the letter 'D' two inches long; and to be confined at hard labor, at such place as the reviewing authority may direct, for four years, having a ball and chain weighing not less than twelve pounds attached to his left leg for the last two years of his confinement."

II. The proceedings, findings and sentences in the cases of Trumpeter *Lewis Buchta*, Company K, 4th U. S. Cavalry; Privates *Robert Anderson*, Company A, *Eli Bushwell* and *Martin Gleeson*, Company H, 10th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Trumpeter *Buchta*, and Private *Bushwell*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of First Sergeant *Andrew C. McKenna*, Privates *John Mohr*, *August Springer*, Company G, *Joseph Burns*, *Henry R. Clark*, Company H, and First Sergeant *Louis Fox*, and Sergeant *Edward H. Ferguson*, Company K, 10th U. S. Infantry, are approved. So much of the sentences as relates to branding with the letter "D" and wearing a ball and chain, is remitted. As thus amended, the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Alphonso R. Taylor*, Company H, 10th U. S. Infantry, are approved. The sentence is mitigated to confinement at hard labor at the post of his company for the period of one year, and forfeiture of twelve dollars per month of his monthly pay for the same period. As thus mitigated, the sentence will be duly executed.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT FORT MCINTOSH, TEXAS.

1. Private JOHN GLEASON.....Company C, 4th U. S. Cavalry.
2. Private PATRICK D. LAWLER .....Company C, 4th U. S. Cavalry.
3. Private WILLIAM H. BAKER .....Company C, 10th U. S. Infantry.
4. Private GEORGE S. CHAPMAN ....Company C, 10th U. S. Infantry.
5. Private JOHN J. HEALY .....Company C, 10th U. S. Infantry.
6. Private CHARLES E. HERRMAN....Company C, 10th U. S. Infantry.
7. Private JOHN KLEIN ..... Company C, 10th U. S. Infantry.
8. Private JOHN MCVICKER .....Company C, 10th U. S. Infantry.
9. Recruit JAMES RILEY .....Company C, 10th U. S. Infantry.
10. Private AUGUST SCHROEDER .....Company C, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 11, 1870.

GENERAL ORDERS, No. 67.

I. Before a General Court Martial which convened at Fort McIntosh, Texas, on Thursday, July 7, 1870, pursuant to paragraph IX of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Major THOMAS M. ANDERSON, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Gleason*, Company C, 4th U. S. Cavalry.

CHARGE I—"Violation of the 6th Article of War."

Specification—"In this, that he, Private *John Gleason*, Company C, 4th U. S. Cavalry, did, upon hearing his captain say 'I will prefer charges against him,' use the following language towards his commanding officer, Captain J. A. Wilcox, 4th U. S. Cavalry, in a contemptuous and disrespectful manner: 'Captain, prefer general charges against me,' or words to that effect. This at Laredo, Texas, May 31, 1870."

CHARGE II—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *John Gleason*, Company C, 4th U. S. Cavalry, did, after hearing the Articles of War read in his presence, to which his attention was particularly called by his commanding officer, Captain J. A. Wilcox, 4th U. S. Cavalry, disobey the lawful order of his company commander, Captain J. A. Wilcox, Company C, 4th U. S. Cavalry, by leaving the company when told not to do so. This at Laredo, Texas, on or about May 31, 1870."

CHARGE III—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *John Gleason*, Company C, 4th U. S. Cavalry, having been ordered by his company commander,

Captain J. A. Wilcox, 4th U. S. Cavalry, to get ready to go to camp and not to leave or go away from the company, did absent himself from his troop or detachment; and when seen and called by his commanding officer did run away, and remain away from his company and detachment until found lying down in the house of a person called Evans, where he was arrested by his company commander and turned over to the sergeant of the guard for confinement. This at Laredo, Texas, on or about May 31, 1870."

To which charges and specifications the accused, Private *John Gleason*, Company C, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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, Private *John Gleason*, Company C, 4th U. S. Cavalry, "To be confined at hard labor in such military prison as the Department Commander may direct, for two years; and to forfeit all pay except the just dues of the laundress, for the same period."

2. Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry.

CHARGE I—"Disobedience of orders, (9th Article of War.)"

Specification 1st—"In this, that Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry, being under the direct orders of First Lieutenant A. C. Taylor, U. S. Army, Post Adjutant, and having been ordered to go to his quarters three successive times, did disobey said order by going back to the quarters of his company. This at or near the town of Laredo, Texas, on or about the 17th day of March, 1870."

Specification 2d—"In this, that Private *Patrick D. Lawler*, of Company C, 4th U. S. Cavalry, having received positive and direct orders from First Lieutenant A. C. Taylor, U. S. Army, Post Adjutant, to go to his quarters and stay there, did disobey said orders and go to the town of Laredo, Texas, distant three-fourths of a mile, more or less. This at or near Laredo, Texas, on or about the 17th day of March, 1870."

Specification 3d—"In this, that Private *Patrick D. Lawler*, of Company C, 4th U. S. Cavalry, having been repeatedly ordered to go to his duty in the post bakery, did disobey said order and go to the town of Laredo, Texas, distant three-fourths of a mile, more or less. This at or near Laredo, Texas, on or about the 17th day of March, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Patrick D. Lawler*, of Company C, 4th U. S. Cavalry, was absent from his quarters and did visit

the town of Laredo, Texas, distant three-fourths of a mile, more or less, after taps; and did stay in said town of Laredo, Texas, until arrested by First Lieutenant A. C. Taylor, U. S. Army, officer of the day. This at or near the town of Laredo, Texas, on or about the 13th day of March, 1870."

CHARGE III—"Violation of the 6th Article of War."

Specification—"In this, that Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry, when ordered to his quarters by his commanding officer, First Lieutenant A. C. Taylor, U. S. Army, did reply, 'I will obey you as concerns my duty, and no further. I am not obliged to stay in the United States service any longer than I choose to do so,' or words to that effect; and when cautioned against the use of such language did reply, 'I want to go to the guard house; you have no right to detail me for more than ten days at a time,' or words to that effect; all this in a disrespectful and defiant manner. This at or near the Post of Fort McIntosh, Texas, on or about the 17th day of March, 1870."

To which charges and specifications the accused, Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

Of the specification, third charge, "Guilty, excepting the words 'when ordered to his quarters,' and substituting therefor the words 'when asked why he didn't return to his duties,' and except the word 'reply,' substituting therefor the words 'make use of the language,' and except the words 'and defiant.'"

Of the third charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard at the post at which his company may be serving, for one year; and to forfeit to the United States five (5) dollars per month of his monthly pay for the same period."

3. Private *William H. Baker*, Company C, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *William H. Baker*, Company C, 10th U. S. Infantry, did insult and abuse a sergeant of his company in his company quarters, in words to effect as follows: 'The God damned son of a bitch, I'd like to see him take his sword to me.' This with reference to action the said sergeant had taken in confining one of the company for almost mutinous conduct the day previous, thereby tending to excite disrespect and a spirit of in-

subordination through the company. This at or near Fort McIntosh, Texas, on or about the 10th day of August, 1870."

To which charge and specification the accused, Private *William H. Baker*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

Of the specification, "Guilty, except the words 'God damn,' and except the words 'I'd like to see him take his sword to me,' substituting therefor the words, 'Fowler, hit me with a sword.'"

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Baker*, Company C, 10th U. S. Infantry, "To be confined the rest of his term of enlistment, to-wit, to the —— day of November, 1870, at hard labor in post guard house; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

4. Private *George S. Chapman*, Company C, 10th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *George S. Chapman*, Company C, 10th U. S. Infantry, being a member of the police guard at Post of Fort McIntosh, Texas, and on duty as orderly to the commanding officer, did get drunk, and in consequence thereof was unable to properly perform his duty. This at or near the Post of Fort McIntosh, Texas, on or about the 1st day of March, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George S. Chapman*, Company C, 10th U. S. Infantry, was drunk and disorderly in front of the quarters of his company. This at or near Post of Fort McIntosh, Texas, on or about the 1st day of March, 1870."

To which charges and specifications the accused, Private *George S. Chapman*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *George S. Chapman*, Company C, 10th U. S. Infantry, "To be confined at hard labor in such military prison as the Department Commander may direct, for two years; and to forfeit to the United States his monthly pay for the same period, except the just dues of the laundress."

5. Private *John J. Healy*, Company C, 10th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *John J. Healy*, Company C, 10th U. S. Infantry, a member of the post guard, having been regu-

larly posted as a sentinel, with orders to watch over the commissary storehouse, was found sitting on a chair asleep on his post. This at or near Laredo, Texas, on or about June 8, 1870, and at or near the hour of 1 A. M."

To which charge and specification the accused, Private *John J. Healy*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *John J. Healy*, Company C, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay now due or which may become due, except the just dues of the laundress; and to be confined in such military prison as the Department Commander may direct, for the period of one year."

6. Private *Charles E. Herrman*, Company C, 10th U. S. Infantry.

CHARGE—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles E. Herrman*, Company C, 10th U. S. Infantry, did become so much under the influence of liquor, after having been duly warned and detailed for guard by his first sergeant, Fernando C. Buckholdt, Company C, 10th U. S. Infantry, that he was so drunk as to be entirely unfit to be mounted as a member of the guard. This at Fort McIntosh, Texas, on or about the evening of the 1st of May, 1870."

To which charge and specification the accused, Private *Charles E. Herrman*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles E. Herrman*, Company C, 10th U. S. Infantry, "To be confined at hard labor under charge of the post guard for the period of three months."

7. Private *John Klein*, Company C, 10th U. S. Infantry.

CHARGE I—"Absence without leave, in violation of the 21st Article of War."

Specification—"In this, that he, Private *John Klein*, Company C, 10th U. S. Infantry, did absent himself from his company and from reveille roll call without leave from his commanding officer; and did remain absent all night, visiting the town of Laredo, Texas. This at Fort McIntosh, Texas, on or about the 1st day of August, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John Klein*, Company C, 10th U. S. Infantry, did at or about the hour of 11 o'clock at night make his appearance at the latticed door of the quarters of Brevet Captain Jacob Wagner, First Lieutenant 10th U. S. Infantry; and did look in upon the family of the said Brevet Captain Wagner, which was asleep at the time; and did, by creating a noise and rattling the door, awaken, arouse and disturb the said Brevet Captain Wagner and his family; and upon being ordered to leave, by the said Brevet Captain Wagner, did fail to do so, but remained and continued the noise, making sneering and insolent responses, in words to the following effect: 'You wouldn't shoot a drunken man, would you. Yes; shoot a drunken man,' to the orders given him by Brevet Captain Wagner; he, the said Private *John Klein*, being at the same time fully aware who it was that gave such orders. This at Laredo, Texas, on or about August 1, 1870."

CHARGE III—"Disobedience of the orders of his superior officer, in violation of the 9th Article of War."

Specification—"In this, that he, Private *John Klein*, Company C, 10th U. S. Infantry, having been found in the town of Laredo, Texas, at 11 o'clock at night, by his superior officer, First Lieutenant Jacob Wagner, 10th U. S. Infantry, Brevet Captain, U. S. Army, creating a disturbance, and ordered by him, being in the execution of his office, to proceed to the quarters of his company, did fail to do so; but remained in town all night, absenting himself from reveille roll call. This at Laredo, Texas, on or about the 1st day of August, 1870."

To which charges and specifications the accused, Private *John Klein*, Company C, 10th U. S. Infantry, 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."
To the specification, third charge,	"Not Guilty."
To the third charge,	"Not Guilty."

FINDING.

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

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, Private *John Klein*, Company C, 10th U. S. Infantry, "To be confined at hard labor at the post where his company may be serving, for a period of one year; and to

forfeit to the United States all his pay for the same period, except the just dues of the laundress."

8. Private *John McVicker*, Company C, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *John McVicker*, Company C, 10th U. S. Infantry, while undergoing punishment for dirty appearance at retreat roll call, did dispute the authority of the first sergeant and claim a hearing from his commanding officer; and in reply to inquiry from the first sergeant did answer in words to this effect: 'It's none of your damned business,' at the same time resisting the sergeant in the discharge of his duties by striking at him. This at Fort McIntosh, Texas, on or about the 9th day of August, 1870."

Specification 2d—"In this, that he, Private *John McVicker*, Company C, 10th U. S. Infantry, having been ordered to the guard house by the first sergeant of his company, did resist his authority by striking at the sergeant under whose charge he was, and by abusing him in words to this effect: 'You God damned son of a bitch, I won't go to the guard house; I want to see Captain Wagner.' This at Fort McIntosh, Texas, on or about the 9th day of August, 1870."

To which charge and specifications the accused, Private *John McVicker*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

Of the first specification, "Guilty, except the words 'commanding officer,' substituting the words 'the first lieutenant of his company.'"

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John McVicker*, Company C, 10th U. S. Infantry, "To be confined in the post guard house for the period of two months—the first fourteen days of each month in solitary confinement on bread and water; and to forfeit to the United States his monthly pay for the same period."

9. Recruit *James Riley*, Company C, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Recruit *James Riley*, Company C, 10th U. S. Infantry, having been duly enlisted in the service of the United States to serve for a period of five years, from April 14, 1870, did desert the same at or near Edinburgh, Texas, on or about the 23d of May, 1870, the detachment to which he belonged being at the time *en route* to rejoin its company at Fort McIntosh, Texas; and did remain absent from said service till on or about the 1st day of June, 1870, when he voluntarily surrendered himself at Fort Brown, Texas. All this *en route* from Fort Brown, Texas, to Fort McIntosh, Texas, on or about the times and at the places specified."

To which charge and specification the accused, Recruit *James Riley*, Company C, 10th U. S. Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did desert the same,' and substituting therefor the words 'did absent himself from the same.'"

To the charge, "Not Guilty, but guilty of 'absence without leave.'"

FINDING.

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

Of the specification, "Guilty, except the words 'did desert the same,' and substituting therefor the words 'did absent himself from the same.'"

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

SENTENCE.

And the Court does therefore sentence him, Recruit *James Riley*, Company C, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for one month; and to forfeit to the United States five (5) dollars of his monthly pay for the same period."

10. Private *August Schroeder*, Company C, 10th U. S. Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *August Schroeder*, Company C, 10th U. S. Infantry, did absent himself, without authority, from retreat and tattoo roll call on or about the 15th day of July, 1870. This at or near Fort McIntosh, Texas, on or about the 15th day of July, 1870."

Specification 2d—"In this, that he, Private *August Schroeder*, Company C, 10th U. S. Infantry, did absent himself, without authority, from tattoo roll call on the 24th day of July, 1870, and from reveille roll call on the 25th day of July, 1870. This at or near Fort McIntosh, Texas, on or about the 24th and 25th days of July, 1870."

CHARGE II—"Disobedience of orders."

Specification—"In this, that he, Private *August Schroeder*, Company C, 10th U. S. Infantry, having been met in the streets of Laredo, by Lieutenant Asher C. Taylor, U. S. Army, and by him ordered to immediately return to camp, did fail to comply with said order; and did remain absent from his quarters till arrested on or about 9 o'clock A. M., of the 25th of July, 1870. This on or about the 24th and 25th of July, 1870. All this at or near Fort McIntosh, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *August Schroeder*, Company C, 10th U. S. Infantry, pleaded as follows:

To the first specification, first charge,	"Not Guilty."
To the second 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, finds the accused:

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, except the words 'nine o'clock A. M., of.'"

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *August Schroeder*, Company C, 10th U. S. Infantry, "To forfeit to the United States his monthly pay for six months, except the just dues of the laundress; and to be confined at hard labor in charge of the guard for the period of two months."

II. The proceedings and findings in the cases of Privates *John Gleason*, Company C, 4th U. S. Cavalry, and *John Klein*, Company C, 10th U. S. Infantry, are approved. The sentences are mitigated to six months' confinement at hard labor at the posts of their respective companies, and forfeiture of ten dollars per month of their monthly pay for the same period. As thus mitigated the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Patrick D. Lawler*, Company C, 4th U. S. Cavalry, are approved. On the recommendation of the members of the Court, and in view of the harsh treatment of the prisoner—wholly uncalled for so far as shown by the record—the sentence is remitted.

The proceedings, findings and sentences in the cases of Privates *William H. Baker*, *Charles E. Herrman*, *John McVicker*, *August Schroeder* and Recruit *James Riley*, Company C, 10th U. S. Infantry, are approved and the sentences will be duly executed.

The proceedings and findings in the case of Private *George S. Chapman*, Company C, 10th U. S. Infantry, are approved. The sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for the period of twelve months. As thus mitigated the sentence will be duly executed.

The proceedings and findings in the case of Private *John J. Healy*, Company C, 10th U. S. Infantry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved. The remainder is mitigated to confinement at the post of his company until the expiration of his term of enlistment, (October 15, 1870.) As thus amended the sentence will be duly executed.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT FORT QUITMAN, TEXAS.

1. Corporal CHARLES GILPIN .....Company H, 9th U. S. Cavalry.
2. Private JOSEPH JENKINS .... Company H, 9th U. S. Cavalry.
3. Sergeat HENRY TAYLOR. ....Company I, 9th U. S. Cavalry.
4. Corporal JOSEPH ROSS .....Company I, 9th U. S. Cavalry.
5. Private BRYANT J. KING ....Company I, 9th U. S. Cavalry.
6. Private JAMES L. THOMPSON .....Company I, 9th U. S. Cavalry.
7. Private AMOS ANDERSON .....Company B, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 12, 1870.

GENERAL ORDERS, No. 68.

I. Before a General Court Martial which convened at Fort Quitman, Texas, on Thursday, June 23, 1870, pursuant to paragraph II of Special Orders No. 40, Headquarters Department of Texas, dated Austin, Texas, June 10, 1870, and of which Captain GEORGE A. PURINGTON, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Corporal *Charles Gilpin*, Company H, 9th U. S. Cavalry.

CHARGE I—"Absence without leave, in violation of the 21st Article of War."

Specification—"In this, that he, the said Corporal *Charles Gilpin*, Troop H, 9th U. S. Cavalry, did, without permission, absent himself from his quarters and post from the morning of July 15, 1870, until the evening of July 16, 1870. This at Fort Quitman, Texas, on or about the day and dates above specified."

CHARGE II—"Violation of the 99th Article of War, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Corporal *Charles Gilpin*, Troop H, 9th U. S. Cavalry, being under arrest and ordered to remain in his quarters, did break his arrest by leaving his quarters and post, and crossing the Rio Grande into Mexico. This at Fort Quitman, Texas, on or about the 15th day of July, 1870."

CHARGE III—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that he, the said Corporal *Charles Gilpin*, Troop H, 9th U. S. Cavalry, did, in violation of the following order, cross the Rio Grande: viz.,

'HEADQUARTERS FORT QUITMAN, TEXAS,
GENERAL ORDERS, No. 3. } *May* 8, 1868.

I. Enlisted men are hereby prohibited from crossing the Rio Grande without permission from post headquarters.

BY ORDER OF BREVET COLONEL GEORGE A. PURINGTON:
(Signed, T. C. BARDEN,
Second Lieutenant 9th U. S. Cavalry,
Post Adjutant.'

This at Fort Quitman, Texas, on or about the 15th day of July, 1870."

ADDITIONAL CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Charles Gilpin*, Company H, 9th U. S. Cavalry, while a prisoner under guard having been ordered by Private Frederick May, Company H, 9th U. S. Cavalry, a duly posted sentinel in the execution of his duty, to remain with the other prisoners, did reply, 'God damn you, I'll knock you off the wagon with the bucket; and I'll get away from you if you give me half a chance.' All this at Fort Quitman, Texas, July 28, 1870."

Specification 2d—"In this, that he, Private *Charles Gilpin*, Company H, 9th U. S. Cavalry, while a prisoner under guard, having been ordered the second time by Frederick May, private of Company H, 9th U. S. Cavalry, a duly posted sentinel in the execution of his duty, to remain with the other prisoners, did reply, 'God damn you, I'll knock you off the wagon and break your damned neck with a bucket; and I'll take your own gun and kill you with it.' All this at Fort Quitman, Texas, July 28, 1870."

To which charges and specifications the accused, Corporal *Charles Gilpin*, Company H, 9th U. S. Cavalry, pleaded as follows:

To the first charge and specification,	"Guilty."
To the second charge and specification,	"Guilty."
To the third charge and specification,	"Guilty."
To the first specification, additional charge,	"Not Guilty."
To the second specification, additional charge,	"Not Guilty."
To the additional charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *Charles Gilpin*, Company H, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged from the military service of the United States; and to be confined at hard labor, at such place as the proper authority may direct, for the period of one year."

2. Private *Joseph Jenkins*, Company H, 9th U. S. Cavalry.

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

Specification—"In this, that he, the said Private *Joseph Jenkins*, Company H, 9th U. S. Cavalry, having been duly mounted as a member of the post guard and posted as a sentinel in charge of the prisoners with the post water wagon, did allow prisoner Thomas Foster, Company I, 9th U. S. Cavalry, to leave his charge and go to the house of one Willis Walker, a citizen, a distance of half a mile. This at Fort Quitman, Texas, on or about August 24, 1870."

To which charge and specification the accused, Private *Joseph Jenkins*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Jenkins*, Company H, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of two months."

3. Sergeant *Henry Taylor*, Company I, 9th U. S. Cavalry.

CHARGE—"Violation of the 99th Article of War, to the prejudice of good order and military discipline."

Specification—"That Sergeant *Henry Taylor*, Company I, 9th U. S. Cavalry, having been properly detailed and mounted as sergeant of the guard, did, by gross neglect, allow a prisoner, G. W. Jackson, late private Company H, 24th U. S. Infantry, to escape from the guard tent in which he confined, between the hours of 12 M. and 2 o'clock P. M., July 14. 1870. This at Fort Quitman, Texas, on or about July 14, 1870."

To which charge and specification the accused, Sergeant *Henry Taylor*, Company I, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Henry Taylor*, Company I, 9th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars of his monthly pay for the period of six months."

4. Corporal *Joseph Ross*, Company I, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Corporal *Joseph Ross*, Company I, 9th U. S. Cavalry, being in the store of G. W. Wahl, a post trader at Fort Quitman, Texas, in the presence of several citizens, did use the following mutinous, contemptous and disrespectful language in regard to his commanding officer, in words as follows, to wit: 'If I am over the river (meaning across the Rio Grande, in the Republic of Mexico) Major Morrow has no God damn business with me; and by God I would not take any orders from him, or any other officer.' This to the prejudice of good order and the military discipline of the post, and in a place where private soldiers might have heard his language. All this at or near Fort Quitman, Texas, on or about the 20th day of June, 1870."

To which charge and specification the accused, Corporal *Joseph Ross*, Company I, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *Joseph Ross*, Company I, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States ten dollars of his monthly pay for the period of six months; and to be confined at hard labor at the post of his company, for the period of six months."

5. Private *Bryant J. King*, Company I, 9th U. S. Cavalry.

CHARGE—"Violation of the 99th Article of War, to the prejudice of good order and military discipline."

Specification—"That Private *Bryant J. King*, Company I, 9th U. S. Cavalry, having been properly posted as a sentinel on post No. 1, at the guard tent, did, by gross ne-

glect, allow a prisoner, G. W. Jackson, late private Company H, 24th U. S. Infantry, to escape from the guard tent in which he was confined, between the hours of 12 M. and 2 o'clock P. M., July 14, 1870. This at Fort Quitman, Texas, on or about July 14, 1870."

To which charge and specification the accused, Private *Bryant J. King*, Company I, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Bryant J. King*, Company I, 9th U. S. Cavalry.

6. Private *James L. Thompson*, Company I, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *James L. Thompson*, Company I, 9th U. S. Cavalry, having been ordered by his superior non-commissioned officer, Corporal William Johnson, Company I, 9th U. S. Cavalry, (he being in the execution of his office,) to take a broom and assist in policing about the quarters of his company, did fail and refuse to obey said order; and did say to the said Corporal that he had permission to remain where he was, and that he would not sweep, he knowing that said statement in regard to permission was false; and when asked by Corporal Johnson from whom he had permission, did reply: 'Not from you, by God,' or words to that effect; and furthermore, that he would not be punished for such a son of a bitch as you (meaning Corporal Johnson); and did take a knife and did say that he would cut Corporal Johnson or any son of a bitch that laid hands on him. This at Fort Quitman, Texas, on or about the 30th day of August, 1870."

CHARGE II—"General worthlessness as a soldier."

Specification—"In this, that he, Private *James L. Thompson*, Company I, 9th U. S. Cavalry, is habitually dirty and filthy, neglectful of his duties, and worthless as a soldier, thereby constantly bringing reproach upon his company and the service of the United States. This at Fort Quitman, Texas, for the past eight (8) months. Fort Quitman, Texas, September 1, 1870."

To which charges and specifications the accused, Private *James L. Thompson*, Company I, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James L. Thompson*, Company I, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such place as the proper authority may direct, for the period of one year."

7. Private *Amos Anderson*, Company B, 25th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Amos Anderson*, Company B, 25th U. S. Infantry, having been duly mounted as a sentinel of the camp guard, 25th U. S. Infantry, was found sleeping on his post. This at camp near San Antonio, Texas, at about 1 A. M. on the 14th of June, 1870."

To which charge and specification the accused, Private *Amos Anderson*, Company B, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Amos Anderson*, Company B, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due; to be dishonorably discharged the service of the United States; and to be confined at such place as the proper authority may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of Corporal *Charles Gilpin*, Company H, and Private *James L. Thompson*, Company I, 9th U. S. Cavalry, are approved and the sentences will be duly executed. The posts of their respective companies are designated as the places of confinement.

The proceedings, findings and sentences in the cases of Private *Joseph Jenkins*, Company H, and Sergeant *Henry Taylor*, Company I, 9th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings and findings in the case of Corporal *Joseph Ross*, Company I, 9th U. S. Cavalry, are approved. So much

of the sentence as imposes forfeiture of pay is remitted. The remainder is approved and will be duly executed.

The proceedings, findings and acquittal in the case of Private *Bryant J. King*, Company I, 9th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *Amos Anderson*, Company B, 25th U. S. Infantry, are approved. Upon the recommendation of the court, and in consideration of the long confinement the prisoner has undergone, the sentence is remitted. He will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph II, of Special Orders No. 40, current series, from this Headquarters, and of which Captain George A. Purington, 9th U. S. Cavalry, is President, is dissolved.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Judge Advocate.

AT FORT BROWN, TEXAS.

1. Private RUDOLH OBRIST ..... Company K, 4th U. S. Cavalry.
2. Private WILLIAM RHEIMER .....Company K, 4th U. S. Cavalry.
3. Private JOHN HURLEY ....Company A, 10th U. S. Infantry.
4. Private JOHN MCCORMICK.....Company A, 10th U. S. Infantry.
5. Private CHARLES GERLINGER .....Company G, 10th U. S. Infantry.
6. Private JOHN HENRY.....Company G, 10th U. S. Infantry.
7. Private GEORGE BAILEY .... Company H, 10th U. S. Infantry.
8. Private JOSEPH BURNS.... .....Company H, 10th U. S. Infantry.
9. Private FRANK J. CAVANAUGH.....Company H, 10th U. S. Infantry.
10. Private PATRICK CONNORS .....Company H, 10th U. S. Infantry.
11. Private WILLIAM B. CONWAY.. ...Company H, 10th U. S. Infantry.
12. Private JOHN GRANT .... Company H, 10th U. S. Infantry.
13. Private FRANCIS MCQUADE .... ..Company H, 10th U. S. Infantry.
14. Private JOHN O'KEEFFE .....Company H, 10th U. S. Infantry.
15. Private EDWARD O'MALLEY.....Company H, 10th U. S. Infantry.
16. Private JAMES REILEY .... .Company H, 10th U. S. Infantry.
17. Private JOHN ALLEN.....Company K, 10th U. S. Infantry.
18. Private JOHN MCCOY ..... .Company K, 10th U. S. Infantry.
19. Private JOHN MURRAY .... .Company K, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

AUSTIN, TEXAS, *October* 14, 1870.

GENERAL ORDERS, No. 69.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, June 20, 1870, pursuant to paragraph II of Special Orders No. 38, Headquarters Department of Texas, dated Austin, Texas, June 6, 1870, and of which Captain WILLIAM L. KELLOGG, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Rudolph Obrist*, Company K, 4th U. S. Cavalry.

CHARGE—"Absence without leave."

Specification—"That *Rudolph Obrist*, private Company K, 4th U. S. Cavalry, did absent himself from (without authority) the service of the United States, at Fort Brown, Texas, from the morning of the 27th of July until the forenoon of the 3d of August, 1870."

To which charge and specification the accused, Private *Rudolph Obrist*, Company K, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Rudolph Obrist*, Company K, 4th U. S. Cavalry, "To forfeit twelve dollars per month of his monthly pay for three months; and to be confined at hard labor under charge of the guard for three months."

2. Private *William Rheimer*, Company K, 4th U. S. Cavalry.

CHARGE—"Absence without leave."

Specification—"That *William Rheimer*, private Company K, 4th U. S. Cavalry, did absent himself without authority from the service of the United States, at Fort Brown, Texas, from the morning of the 26th of July until the night of the 2d of August, 1870."

To which charge and specification the accused, Private *William Rheimer*, Company K, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Rheimer*, Company K, 4th U. S. Cavalry, "To forfeit twelve (12) dollars per month of his monthly pay for three months; and to be confined at hard labor under charge of the guard, for three months."

3. Private *John Hurley*, Company A, 10th U. S. Infantry.

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

Specification 1st—"In this, that *John Hurley*, a private of Company A, 10th U. S. Infantry, a member of the post guard at Fort Brown, Texas, regularly detailed as such and posted as a sentinel on post No. 4, between the hours of 12.45 A. M. and 2.45 A. M., on the 31st day of July, 1870, did, whilst on duty as such sentinel, sit down."

Specification 2d—"In this, that he, *John Hurley*, a private of Company A, 10th U. S. Infantry, a member of the post guard at post of Fort Brown, Texas, regularly detailed as such and posted as a sentinel on post No. 4, between the hours of 12.45 A. M. and 2.45 A. M., on the 31st day of July, 1870, did, upon the approach of the relief under charge of Corporal James McBride, of Company G, 10th U. S. Infantry, fail to challenge said relief. All this at or near Fort Brown, Texas, on or about the date specified."

To which charge and specifications the accused, Private *John Hurley*, Company A, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Hurley*, Company A, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for one month."

4. Private *John McCormick*, Company A, 10th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that Private *John McCormick*, Company A, 10th U. S. Infantry, having been duly detailed for guard, did appear at the inspection of the detail from his company so much under the influence of liquor as to unfit him for the proper performance of duty as a soldier. This at Fort Brown, Texas, on or about the 28th day of May, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *John McCormick*, Company A, 10th U. S. Infantry, having been duly detailed for guard, did appear at the inspection of the detail from his company so much under the influence of liquor as to unfit him for the proper performance of duty as a soldier. This at Fort Brown, Texas, on or about the 28th day of May, 1870."

To which charges and specifications the accused, Private *John McCormick*, Company A, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *John McCormick*, Company A, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for two months."

5. Private *Charles Gerlinger*, Company G, 10th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Charles Gerlinger*, Company G, 10th U. S. Infantry, a member of the post guard, having been duly posted as a sentinel on post No. 3, did sleep on said post. This at Fort Brown, Texas, on or about the 17th day of August, 1870."

To which charge and specification the accused, Private *Charles Gerlinger*, Company G, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Charles Gerlinger*, Company G, 10th U. S. Infantry, "To be confined at hard labor in charge of the guard for four months."

6. Private *John Henry*, Company G, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that *John Henry*, a private of Company G, 10th U. S. Infantry, being a member of the post guard, and having been

regularly posted as sentinel at the guard house, (post No. 1,) did permit the escape of Patrick Rafferty, a prisoner undergoing confinement in the post guard house by order of Brevet Major General J. J. Reynolds, U. S. Army, commanding Fifth Military District. This at the camp of Company G, 10th U. S. Infantry, near the town of Helena, Texas, at or about 12 o'clock A. M., on or about the 13th of April, 1870."

To which charge and specification the accused, Private *John Henry*, Company G, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Private *John Henry*, Company G, 10th U. S. Infantry.

7. Private *George Bailey*, Company H, 10th U. S. Infantry.

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

Specification 1st—"In this, that he, Private *George Bailey*, Company H, 10th U. S. Infantry, did, while being conducted to the guard house by Sergeant Daniel McEvoy, Company H, 10th U. S. Infantry, (he being at the time in the execution of his office,) threaten said Sergeant McEvoy, and say 'Look out for me to-night, Sergeant McEvoy,' or words to that effect. All this at or near Fort Brown, Texas, on or about the 25th day of July, 1870."

Specification 2d—"In this, that he, Private *George Bailey*, Company H, 10th U. S. Infantry, did, after being confined, and escaping from the guard house, go to the quarters of his company and take a gun and point it at Sergeant Daniel McEvoy and other members of Company H, 10th U. S. Infantry, and say 'Look out there; I am going to shoot,' or words to that effect. All this at or near Fort Brown, Texas, on or about the 25th day of July, 1870."

Specification 3d—"In this, that he, Private *George Bailey*, Company H, 10th U. S. Infantry, did, after being confined, and escaping from the guard house, go to the quarters of his company and take a gun and point it at Sergeant Daniel McEvoy, Corporal John Bush and Corporal John Hamilton, Company H, 10th U. S. Infantry, and say 'I will shoot any son of a bitch that stirs,' or words to that effect. All this at or near Fort Brown, Texas, on or about the 25th day of July, 1870."

To which charge and specifications the accused, Private *George Bailey*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *George Bailey*, Company H, 10th U. S. Infantry, "To be dishonorably discharged; to forfeit all pay and allowances now due or that may become due, except the dues of the laundress; and to be confined at hard labor for one year, having a ball and chain weighing not less than twelve pounds attached to his left leg during the last six months of his confinement."

8. Private *Joseph Burns*, Company H, 10th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Joseph Burns*, Company H, 10th U. S. Infantry, did behave himself in a disorderly manner in the ranks, at his company roll call at retreat; and when ordered by Corporal William Laerz, Company H, 10th U. S. Infantry, to remain silent, did fail to do so, said Corporal William Laerz being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

Specification 2d—"In this, that he, Private *Joseph Burns*, Company H, 10th U. S. Infantry, did repeatedly lift his hand and push and strike Corporal William Laerz, Company H, 10th U. S. Infantry, while he, Corporal Laerz, was conducting Private William B. Conway, Company H, 10th U. S. Infantry, to the post guard house, attempting thereby to assist the said Private William B. Conway to escape from the said Corporal William Laerz; he, Corporal William Laerz, being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

Specification 3d—"In this, that he, Private *Joseph Burns*, Company H, 10th U. S. Infantry, did wilfully, feloniously and with malice aforethought, violently assault Corporal William Laerz, Company H, 10th U. S. Infantry; and did strike him with his fist, a stick, a gun or other weapon, knocking down the said Corporal William Laerz, and leaving him in a senseless condition; he, the said Corporal William Laerz, being at that time in the execution of his office. This in the quarters of Company H, 10th U. S. Infantry, at Fort Brown, Texas, on the night of the 26th of April, 1870."

CHARGE II—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Joseph Burns*, Company H, 10th U. S. Infantry, did repeatedly lift his hand and push and strike Corporal William Laerz, Company H, 10th U. S. Infantry, while he, Corporal Laerz, was conducting Private William B. Conway, Company H, 10th U. S. Infantry, to the post guard house, attempting thereby to assist Private William B. Conway to escape from the said Corporal William Laerz; he, Corporal Laerz, being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

To which charges and specifications the accused, Private *Joseph Burns*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the third 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, Private *Joseph Burns*, Company H, 10th U. S. Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due, except the dues of the laundress; and to be branded with the letter 'M' on the left hip; and to be confined at hard labor at such place as the reviewing authority may direct, for four years."

9. Private *Frank J. Cavanaugh*, Company H, 10th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *Frank J. Cavanaugh*, Company H, 10th U. S. Infantry, a member of the post guard, and a duly posted sentinel over a prisoner at work, did become so much under the influence of liquor as to be unable to perform the duty of a soldier properly. All this at or near Fort Brown, Texas, on or about the 22d day of June, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification--"In this, that he, Private *Frank J. Cavanaugh*, Company H, 10th U. S. Infantry, being placed in charge of a general prisoner, did allow said prisoner to become under the influence of liquor. All this at or near Fort Brown, Texas, on or about the 22d day of June, 1870."

To which charges and specifications the accused, Private *Frank J. Cavanaugh*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *Frank J. Cavanaugh*, Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for one month."

10. Private *Patrick Connors*, Company H, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Patrick Connors*, Company H, 10th U. S. Infantry, did, after being regularly detailed and mounted as a member of the post guard, become so much under the in-

fluence of liquor as to be unable to perform his duties properly. All this at Fort Brown, Texas, on or about the 11th day of April, 1870."

To which charge and specification the accused, Private *Patrick Connors*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Connors*, Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for three months."

11. Private *William B. Conway*, Company H, 10th U. S. Infantry.

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

Specification 1st—"In this, that he, Private *William B. Conway*, Company H, 10th U. S. Infantry, did behave himself in a disorderly manner in the ranks at his company roll call, and when ordered by Corporal Laerz, Company H, 10th U. S. Infantry, to remain silent, did fail to do so; he, Corporal Laerz, being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

Specification 2d—"In this, that he, Private *William B. Conway*, Company H, 10th U. S. Infantry, did, while being conducted to the post guard house by Corporal George M. Shane, Company H, 10th U. S. Infantry, run away and escape from the said Corporal Shane; and when ordered to halt by the said Corporal Shane, did fail to do so; he, Corporal Shane, being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

Specification 3d—"In this, that he, Private *William B. Conway*, Company H, 10th U. S. Infantry, did, while being conducted to the post guard house by Corporal William Laerz, Company H, 10th U. S. Infantry, lift his hand and strike the said Corporal William Laerz, and run away and escape from him; he, Corporal Laerz, being at that time in the execution of his office. This at Fort Brown, Texas, on or about the 26th day of April, 1870."

To which charge and specifications the accused, Private *William B. Conway*, Company H, 10th U. S. Infantry, pleaded as follows:

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

FINDING.

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

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

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

SENTENCE.

And the Court does therefore sentence him, Private *William B. Conway*, Company H, 10th U. S. Infantry, "To forfeit to the United States fourteen (14) dollars per month of his monthly pay for four months; and to be confined at hard labor under charge of the guard for four months."

12. Private *John Grant*, Company H, 10th U. S. Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"In this, that he, Private *John Grant*, Company H, 10th U. S. Infantry, a member of the guard, regularly mounted as such at Brownsville, Texas, on or about the 9th day of June, 1870, and posted as a sentinel on post No. 4, did, while on duty as such sentinel, between the hours of 11 o'clock P. M. and 1 o'clock A. M., sleep on his post. This at Post of Fort Brown, Texas, on or about the 9th day of June, 1870."

To which charge and specification the accused, Private *John Grant*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *John Grant*, Company H, 10th U. S. Infantry, "To be confined at hard labor under guard for four months."

13. Private *Francis McQuade*, Company H, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Francis McQuade*, Company H, 10th U. S. Infantry, having been mounted as a member of the guard at Fort Brown, Texas, on or about the 9th day of June, 1870, did become drunk. This at Brownsville, Texas, on or about the 9th day of June, 1870."

To which charge and specification the accused, Private *Francis McQuade*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Francis McQuade*, Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for two months."

14. Private *John O'Keeffe*, Company H, 10th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John O'Keeffe*, Company H, 10th U. S. Infantry, did act as an accomplice and assist Private James Reiley, Company H, 10th U. S. Infantry, to steal one uniform overcoat from the quarters of Company H, 10th U. S. Infantry, said overcoat being the property of Private John Jentter, Company H, 10th U. S. Infantry. All this at Fort Brown, Texas, on or about the 23d day of August, 1870."

Specification 2d—"In this, that he, Private *John O'Keeffe*, Company H, 10th U. S. Infantry, did act as an accomplice, and assist Private James Reiley, Company H, 10th U. S. Infantry, to steal one uniform overcoat from Private John Jentter, Company H, 10th U. S. Infantry; and did proceed with him, Private James Reiley, to the city of Brownsville, Texas, for the purpose of selling said overcoat. All this at or near Fort Brown, Texas, on or about the 23d day of August, 1870."

To which charge and specifications the accused, Private *John O'Keeffe*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *John O'Keeffe*, Company H, 10th U. S. Infantry, "To forfeit all pay and allowances now due or that may become due him; to be dishonorably discharged the service; and to be drummed out of camp."

15. Private *Edward O'Malley*, Company H, 10th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, being a member of the post guard at Fort Brown, Texas, on or about the 9th day of April, 1870, did become so much under the influence of intoxicating liquor as to unfit him to perform properly the duties of a sentinel. All this at or near Fort Brown, Texas, on or about the 9th of April, 1870."

To which charge and specification the accused, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of the guard for two months."

16. Private *James Reiley*, Company H, 10th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James Reiley*, Company H, 10th U. S. Infantry, did feloniously take and steal one uniform overcoat from the quarters of Company H, 10th U. S. Infantry, said coat being the property of Private John Jentter, Company H, 10th U. S. Infantry. All this at Fort Brown, Texas, on or about the 23d day of August, 1870."

Specification 2d—"In this, that he, Private *James Reiley*, Company H, 10th U. S. Infantry, did steal one uniform overcoat from Private John Jentter, Company H, 10th U. S. Infantry; and did proceed to the city of Brownsville, Texas, with the said overcoat for the purpose of selling the same. All this at or near Fort Brown, Texas, on or about the 23d day of August, 1870."

To which charge and specifications the accused, Private *James Reiley*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *James Reiley*, Company H, 10th U. S. Infantry, "To forfeit all pay and allowances now due or that may become due him; to be dishonorably discharged the service; and to be drummed out of the camp of his command."

17. Private *John Allen*, Company K, 10th U. S. Infantry.

CHARGE—"Deserting his post, in violation of the 46th Article of War."

Specification—"In this, that he, *John Allen*, a duly enlisted soldier in the army of the United States, private of Company K, 10th U. S. Infantry, and member of the post guard duly mounted at Fort Brown, Texas, July 11, 1870, having been regularly posted as a sentinel on post No. 4, Fort Brown, Texas, at 8.30 o'clock P. M., July 11, 1870, was found absent from said post at 10.30 P. M. the same date, without having been regularly relieved; and was still absent at 12.30 A. M., July 12, 1870, when a second relief was posted; and did remain absent until arrested at about a quarter to 3 o'clock A. M., July 12, 1870."

To which charge and specification the accused, Private *John Allen*, Company K, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Allen*, Company K, 10th U. S. Infantry, "To forfeit all pay for one year, except the dues of the laundress; and to be confined at hard labor under charge of the guard, having a ball and chain attached to his left leg weighing not less than twelve pounds, for one year."

18. Private *John McCoy*, Company K, 10th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that *John McCoy*, a private of Company K, 10th U. S. Infantry, having been regularly mounted as a member of the post guard, did become so drunk as to be unable to perform the duties of a sentinel. All this at or near Fort Brown, Texas, on or about the 4th of July, 1870."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that *John McCoy*, a private of Company K, 10th U. S. Infantry, did, without proper authority, quit his guard and leave the camp of his command; and did remain absent until arrested by the patrol in the city of Brownsville, Texas. All this at or near Fort Brown, Texas, on or about the 4th day of July, 1870."

To which charges and specifications the accused, Private *John McCoy*, Company K, 10th U. S. Infantry, pleaded as follows:

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

FINDING.

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

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, Private *John McCoy*, Company K, 10th U. S. Infantry, "To forfeit fourteen dollars per month of his monthly pay for eighteen months; and to be confined at hard labor under charge of the guard for eighteen months, having a ball and chain weighing not less than twelve pounds attached to his left leg during his confinement."

19. Private *John Murray*, Company K, 10th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, *John Murray*, Company K, 10th U. S. Infantry, having been duly posted as a sentinel on post No. 3, at the commissary storehouse, did leave said post without having been regularly relieved. This at Fort Brown, Texas, between the hours of 8 and 10 o'clock P. M., June 13, 1870."

To which charge and specification the accused, Private *John Murray*, Company K, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *John Murray*, Compay K, 10th U. S. Infantry, "To forfeit all pay for one year, except the dues of the laundress; and to be confined at hard labor under charge

of the guard for one year, having a ball and chain weighing not less than twelve pounds attached to his left leg during his confinement."

II. The proceedings, findings and sentences in the cases of Privates *Rudolph Obrist* and *William Rheimer*, Company K, 4th U. S. Cavalry; *John Hurley* and *John McCormick*, Company A, *Charles Gerlinger*, Company G, *Frank J. Cavanaugh*, *Patrick Connors*, *William B. Conway*, *John Grant*, *Francis McQuade*, *John O'Keeffe*, *Edward O'Malley* and *James Reiley*, Company H, 10th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *John Henry*, Company G, 10th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *George Bailey*, Company H, 10th U. S. Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted. As thus amended the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Joseph Burns*, Company H, 10th U. S. Infantry, are approved. So much of the sentence as relates to branding with the letter "M" is remitted. As thus amended, the sentence will be duly executed Fort Jackson, Louisiana, is designated as the place of confinemeut.

The proceedings and findings in the cases of Privates *John Allen*, *John McCoy* and *John Murray*, Company K, 10th U. S. Infantry, are approved. So much of the sentences as relates to wearing a ball and chain is remitted. As thus amended, the sentences will be duly executed.

III. The General Court Martial instituted by paragraph II of Special Orders No. 38, current series, from this Headquarters, and of which Captain WILLIAM L. KELLOGG, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF BREVET MAJOR GENERAL REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT SAN ANTONIO, TEXAS.

1. Corporal HOYT HENRY.....Company A, 4th U. S. Cavalry.
2. Private JOHN ALSHEIMER.....Company A, 4th U. S. Cavalry.
3. Private JOHN BETKIE.....Company A, 4th U. S. Cavalry.
4. Private JOHN J. ELVINE.....Company A, 4th U. S. Cavalry.
5. Private JOSEPH FRICKS.....Company A, 4th U. S. Cavalry.
6. Private JOHN STEWART.....Company A, 4th U. S. Cavalry.
7. Private JOHN O'GORMAN.....Company K, 4th U. S. Cavalry.
8. Private FRANCIS CLINE.....Company F, 10th U. S. Infantry.
9. Recruit RICHARD ROGERS.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
AUSTIN, TEXAS, *October* 14, 1870.

GENERAL ORDERS, No. 70.

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, August 19, 1870, pursuant to paragraph III of Special Orders No. 88, and paragraph I of Special Orders No. 110, Headquarters Department of Texas, dated Austin, Texas, August 13, and September 14, 1870, and of which Captain ROBERT H. HALL, 10th U. S. Infantry, is President, were arraigned and tried:

1. Corporal *Hoyt Henry*, Company A, 4th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Corporal *Hoyt Henry*, of Company A, 4th U. S. Cavalry, did steal from a box belonging to Private Jefferson Aults, Company A, 4th U. S. Cavalry, one pair of cavalry sewed boots, the property of the said Aults; and did give the same to Private John J. Elvine, of Company A, 4th U. S. Cavalry, with directions to sell said boots; and that he did receive from the said Private John J. Elvine and apply to his own use, the sum of one dollar and twenty-five cents, which amount the said Private John J. Elvine, of Company A, 4th U. S. Cavalry, received from Antonio Malamuda, a citizen, for the said cavalry boots. This at San Antonio, Texas, on or about the 13th day of July, 1870."

To which charge and specification the accused, Corporal *Hoyt Henry*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'from Antonio Malamuda, a citizen.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Hoyt Henry*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may hereafter become due to him; and then to be confined at hard labor in the penitentiary of the State of Texas, for the period of three years."

2. Private *John Alsheimer*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification 1st—"In this, that he, Private *John Alsheimer*, Company A, 4th U. S. Cavalry, having been duly posted as a sentinel, did, while in the performance of his duty as a sentinel, sleep on his post. This at the Post of San Antonio, Texas, on or about July 20, 1870."

Specification 2d—"In this, that he, Private *John Alsheimer*, of Company A, 4th U. S. Cavalry, having been duly detailed and mounted on guard on the morning of July 20, 1870, and having been placed as a sentinel over four prisoners at work at the post stables, did, without having been regularly relieved from his duties, or having any permission or leave from any superior officer, leave his post as a sentinel. This at the Post of San Antonio, Texas, on or about July 20, 1870."

To which charge and specifications the accused, Private *John Alsheimer*, Company A, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Alsheimer*, Company A, 4th U. S. Cavalry, "To forfeit to the United States fifteen dollars per month of his monthly pay for twelve months; and to be confined at hard labor under charge of the police guard, for the same period."

3. Private *John Betkie*, Company A, 4th U. S. Cavalry.

CHARGE I—"Violation of the 46th Article of War,"

Specification—"In this, that he, Private *John Betkie*, of Company A, of the 4th Regiment of Cavalry, a member of the police guard, duly posted as a sentinel, did leave his post before he was regularly relieved. This at San Antonio, Texas, on or about the 19th day of July, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *John Betkie*, of Company A, of the 4th Regiment of Cavalry, a member of the police guard, duly posted as a sentinel over a number of garrison prisoners with orders to keep them at a designated work, did nevertheless permit the said prisoners to quit that work and sit down and lounge in the vicinity thereof; and did laugh and talk with the said prisoners, to the prejudice of good order and military discipline. This at San Antonio, Texas, on or about the 19th day of July, 1870."

To which charges and specifications the accused, Private *John Betkie*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Betkie*, Company A, 4th U. S. Cavalry, "To forfeit to the United States fifteen dollars per month of his monthly pay for the period of three months."

4. Private *John J. Elvine*, Company A, 4th U. S. Cavalry.

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

Specification—"In this, that Private *John J. Elvine*, of Company A, 4th U. S. Cavalry, did sell one pair of cavalry boots for one dollar and twenty-five cents to Antonio Malamuda, a citizen, which boots he (Private *John J. Elvine*) saw taken from the box of Private Jefferson Aults, of Company I, 4th U. S. Cavalry, by Corporal Hoyt Henry of the same company. This at San Antonio, Texas, on or about the 13th day of July, 1870."

To which charge and specification the accused, Private *John J. Elvine*, Company A, 4th U. S. Cavalry, pleaded Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John J. Elvine*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now or may hereafter become due; and then to be confined at hard labor for one year in the penitentiary of the State of Texas."

5. Private *Joseph Fricks*, Company A, 4th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Joseph Fricks*, of Company A, 4th U. S. Cavalry, having received permission from Sergeant George W. St. Clair, of Company A, 4th U. S. Cavalry, to leave the command for a necessary purpose, did fail to rejoin the command; and did remain absent without leave from 10 o'clock P. M., on the 11th instant, until 4 o'clock A. M., the 13th instant, when he reported to his company commander at the Post of San Antonio, Texas. This while the detachment, of which he was a member, was *en route* to Hoffman's Ranche, Bexar county, Texas, July 11, 1870."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Joseph Fricks*, of Company A, 4th U. S. Cavalry, did lose, sell, or otherwise dispose of, one Government horse (which was subsequently returned), for which eight (8) dollars was paid; and the following articles of ordnance and ordnance stores which have not been returned: forty rounds ammunition, Spencer's carbine (cal. 50); one saddle complete; one bridle; one saddle-blanket; one carbine; one cartridge-box; one lariat; one sling and swivel; one saber belt and plate; one screw-driver. This while the detail, of which he was a member, was *en route* for Gallagher's Ranche, Bexar county, Texas, July 11 and 13, 1870."

To which charges and specifications the accused, Private *Joseph Fricks*, Company A, 4th U. S. Cavalry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, except the words 'for which eight dollars was paid.'"
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Fricks*, Company A, 4th U. S. Cavalry, "To forfeit to the United States twelve dollars per month of his monthly pay for twelve months; and to be confined at hard labor under charge of the police guard for the same period."

6. Private *John Stewart*, Company A, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Stewart*, Company A, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same from the Post of San Antonio, Texas, on or about the 21st day of July, 1870; and did remain absent until apprehended at San Miguel creek, Atascosa county, on the 29th of July, 1870, and brought back to San Antonio, Texas, on or about the 31st day of July, 1870. (Thirty dollars paid for his apprehension.) All this at the places and dates above specified."

To which charge and specification the accused, Private *John Stewart*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Stewart*, Company A, 4th U. S. Cavalry, "To be indelibly marked on the left hip with the letter D, one and one-half inches long and one inch in width; to be dishonorably discharged the service, with the loss of all pay and allowances now due or that may hereafter become due to him; and then to be confined at hard labor, in such military prison as the reviewing officer may direct, for the period of five years."

7. Private *John O'Gorman*, Company K, 4th U. S. Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that Private *John O'Gorman*, of Company K, 4th U. S. Cavalry, on daily duty in the Regimental Adjutant's office, was so drunk as to be unable to perform his duties in said office. This at San Antonio, Texas, on the 1st day of September, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *John O'Gorman*, of Company K, 4th U. S. Cavalry, did strike with his hand and resist Corporal F. A. Marsh, of Company G, 4th U. S. Cavalry, he at the time being in the execution of his

duty. This at the Post Adjutant's office, Post of San Antonio, Texas, on the 1st of September, 1870."

Specification 2d—"In this, that Private *John O'Gorman*, of Company K, 4th U. S. Cavalry, when ordered to the post guard house by competent authority, did willfully disobey said order by resisting and fighting until assistance was called by Corporal F. A. Marsh. This in the street, at San Antonio, Texas, on the 1st day of September, 1870, and to the prejudice of good order and military discipline."

To which charges and specifications the accused, Private *John O'Gorman*, Company K, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John O'Gorman*, Company K, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due him; and to be confined, with a twenty-four pound ball attached to his left leg by a chain three feet long, at such military prison as the reviewing officer may designate, for the period of three years."

8. Private *Francis Cline*, Company F, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Francis Cline*, of Company F, 10th U. S. Infantry, being in a public drinking saloon, under the influence of intoxicating liquor, and disorderly, did, when ordered by Private John Wandell, a member of the patrol, to quit said saloon and go to his quarters, refuse to go; and did attempt to take away from the said Private Wandell his musket, he being at the time in the execution of his duty and complying with orders from Brevet Major Charles C. Cresson, officer of the day. This at the Post of San Antonio, Texas, on or about July 31, 1870."

Specification 2d—"In this, that Private *Francis Cline*, of Company F, 10th U. S. Infantry, being in a public drinking saloon, under the influence of intoxicating liquor, and disorderly, did, when ordered by Private John Wandell, a member of the patrol, to quit said saloon and go to

his quarters, refuse to go; and remained in said saloon until additional force was called. This at the Post of San Antonio, Texas, on or about July 31, 1870."

To which charge and specifications the accused, Private *Francis Cline*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'in a public drinking saloon.'"

Of the second specification, "Guilty, except the words 'in a public drinking saloon.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Francis Cline*, Company F, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may hereafter become due him; to be dishonorably discharged the service of the United States; and then to be confined in such military prison as the reviewing officer may direct, for the period of one year."

9. Recruit *Richard Rogers*, Company F, 10th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Recruit *Richard Rogers*, Company F, 10th U. S. Infantry, was drunk at the drill of his company on the 20th day of July, 1870. This at San Antonio, Texas."

To which charge and specification the accused, Recruit *Richard Rogers*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Richard Rogers*, Company F, 10th U. S. Infantry, "To be confined at hard labor under charge of the police guard, for the period of three months."

II. The proceedings, findings and sentences in the cases of Corporal *Hoyt Henry*, and Private *John J. Elvine*, Company A, 4th U. S. Cavalry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is substituted instead of the penitentiary of the State of Texas as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *John Alsheimer*, *John Betkie* and *Joseph Fricks*, Company A, 4th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *John Stewart*, Company A, 4th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "D" is remitted. The remainder is approved, and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *John O'Gorman*, Company K, 4th U. S. Cavalry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved. The remainder is mitigated to six months' confinement the post where his company is now serving. As thus amended, the sentence will be duly executed.

The proceedings and findings in the case of Private *Francis Cline*, Company F, 10th U. S. Infantry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved. The remainder is mitigated to three months' confinement at the post of his company. As thus amended, the sentence will be duly executed.

The proceedings, findings and sentence in the case of Recruit *Richard Rogers*, Company F, 10th U. S. Infantry, are approved. On the recommendation of the court, based on the good character of the accused, the sentence is remitted. He will be released from confinement and restored to duty.

By Command of Brevet Major General Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Judge Advocate.

AT SAN ANTONIO, TEXAS.

1. Private WILLIAM CONWAY ...Regimental Band, 4th U. S. Cavalry.
2. Sergeant JOSEPH M. BRIDGE .....Company A, 4th U. S. Cavalry.
3. Private FREDERICK KAMMERRA.....Company A, 4th U. S. Cavalry.
4. Private JOHN WANDEL.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 12, 1870.

GENERAL ORDERS, No. 71.

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, August 19, 1870, pursuant to paragraph III of Special Orders No. 88, and paragraph I of Special Orders No. 110, Headquarters Department of Texas, dated Austin, Texas, August 13, and September 14, 1870, and of which Captain ROBERT H. HALL, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *William Conway*, Regimental Band, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification--"In this, that Private *William Conway*, of the Regimental Band of the 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at San Antonio, Texas, on the night of the 18th of July, 1870; and did not return until arrested and brought back as a deserter on the 21st day of July, 1870; he having been apprehended at Somerset, Atascosa county, Texas, on the 20th of July, 1870. (Thirty dollars having been paid for his apprehension.)"

To which charge and specification the accused, Private *William Conway*, of the Regimental Band, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *William Conway*, of the Regimental Band, 4th U. S. Cavalry, "To be indelibly marked on the left hip with the letter D, one and one-half inches long and one inch in width; to be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now or may hereafter become due to him; and then to be confined at hard labor, in such military prison as the reviewing officer may direct, for the period of five years."

2. Sergeant *Joseph M. Bridge*, Company A, 4th U. S. Cavalry.

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

Specification 1st—"In this, that Sergeant *Joseph M. Bridge*, of Company A, 4th U. S. Cavalry, being sergeant of the police guard mounted at Post of San Antonio, Texas, on the 19th day of August, 1870, did fail to transmit to the sentinels on post at the guard house the orders of the officer of the day, to prevent noise in the guard house. This at Post of San Antonio, Texas."

Specification 2d—"In this, that Sergeant *Joseph M. Bridge*, of Company A, 4th U. S. Cavalry, being sergeant of the police guard mounted at Post of San Antonio, Texas, on the 19th day of August, 1870, and having charge of prisoners in the post guard house, did allow said prisoners to make a great noise, during which a hole was made through the roof of the guard house, through which several prisoners made their escape. This at Post of San Antonio, Texas, on or about the 19th day of August, 1870, between the hours of 6.30 and 8.30 o'clock P. M."

To which charge and specifications the accused, Sergeant *Joseph M. Bridge*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the first specification, "Guilty."
Of the second specification, "Guilty, except the word 'great.'"
Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Joseph M. Bridge*, Company A, 4th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars per month of his monthly pay for four months."

3. Private *Frederick Kammerra*, Company A, 4th U. S. Cavalry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Frederick Kammerra*, of Company A, 4th U. S. Cavalry, a member of the guard, having been duly posted as sentinel, was found sleeping on his post. This at the Post of San Antonio, Texas, on or about August 18, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Frederick Kammerra*, of Company A, 4th U. S. Cavalry, a member of the guard, did state to the officer of the day, First Lieutenant Charles C. Cresson, U. S. Army, that he had been relieved from duty as sentinel during his previous relief by the sergeant of the guard on account of sickness, which statement was false. This at the Post of San Antonio, Texas, on or about August 18, 1870."

To which charges and specifications the accused, Private *Frederick Kammerra*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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, Private *Frederick Kammerra*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may hereafter become due to him; and then to be confined at hard labor in such military prison as the reviewing officer may direct, for the period of five years."

4. Private *John Wandel*, Company F, 10th U. S. Infantry.

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

Specification—"In this, that he, Private *John Wandel*, of Company F, 10th U. S. Infantry, a member of the police guard of the Post of San Antonio, Texas, did allow two prisoners, working under his charge at the hay-stacks outside the city of San Antonio, to escape. This at San Antonio, Texas, on or about the 27th day of September, 1870."

To which charge and specification the accused, Private *John Wandel*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Private *John Wandel*, Company F, 10th U. S. Infantry.

II. The proceedings and findings in the case of Private *William Conway*, of the Regimental Band, 4th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "D," is remitted. The remainder is approved and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Sergeant *Joseph M. Bridge*, Company A, 4th U. S. Cavalry, are approved and the sentence will be duly executed.

The proceedings and findings in the case of Private *Frederick Kammerra*, Company A, 4th U. S. Cavalry, are approved. The sentence is mitigated to confinement at the post of his company for one year. As thus modified the sentence will be duly executed.

The proceedings, findings and acquittal in the case of Private *John Wandel*, Company F, 10th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Judge Advocate.

AT RINGGOLD BARRACKS, TEXAS.

1. Private JOHN HAYES .....Company E, 10th U. S. Infantry.
2. Private JAMES MCELROY.....Company I, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 14, 1870.

GENERAL ORDERS, No. 72.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, August 15, 1870, pursuant to paragraph V of Special Orders No. 76, Headquarters Department of Texas, dated Austin, Texas, July 29, 1870, and of which Captain EDWARD G. BUSH, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Hayes*, Company E, 10th U. S. Infantry.

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

Specification 1st—"In this, that Private *John Hayes*, Company E, 10th U. S. Infantry, was drunk and disorderly in the quarters and at the retreat roll call of his company. This at Ringgold Barracks, Texas, on or about the 2d day of September, 1870."

Specification 2d—"In this, that Private *John Hayes*, Company E, 10th U. S. Infantry, while a prisoner under charge of the post guard, did assault and strike Sergeant Patrick J. Boyce, Company B, 10th U. S. Infantry, the said Sergeant Boyce being in the performance of his duty as sergeant of the guard. This at Ringgold Barracks, Texas, on or about the 2d day of September, 1870."

Specification 3d—"In this, that Private *John Hayes*, Company E, 10th U. S. Infantry, while a prisoner under charge of the post guard, did assault and did strike Private Francis Johnson, Company E, 10th U. S. Infantry, the said Private Johnson being in the performance of his duty as a member of the guard. This at Ringgold Barracks, Texas, on or about the 2d day of September, 1870."

To which charge and specifications the accused, Private *John Hayes*, Company E, 10th U. S. Infantry, pleaded:

To the first specification, "Guilty, except the words 'and disorderly,' and to this not guilty."

To the second specification, "Not Guilty."

To the third specification, "Not Guilty."

To the charge, "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *John Hayes*, Company E, 10th U. S. Infantry, "To be confined in charge of the post guard for the period of one month; and to forfeit to the United States ten dollars of his monthly pay for two months."

2. Private *James McElroy*, Company I, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, *James McElroy*, a private of Company I, 10th U. S. Infantry, having been duly mounted and posted as a sentinel, did become so drunk as to be unfit to perform his duty. This at, or near Ringgold Barracks, Texas, on or about the 14th day of October, 1870."

To which charge and specification the accused, Private *James McElroy*, Company I, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James McElroy*, Company I, 10th U. S. Infantry, "To be confined at hard labor, under charge of the post guard at the post where his company may be serving, for the period of four months."

II. The proceedings, findings and sentences in the cases of Privates *John Hayes*, Company E, and *James McElroy*, Company I, 10th U. S. Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieut. 11th U. S. Infantry,
Acting Assistant Adjutant General.

AT FORT DUNCAN, TEXAS.

1. Saddler RILEY CROWDER .....Company L, 9th U. S. Cavalry.
2. Private DUDLEY HARRIS .....Company L, 9th U. S. Cavalry.
3. Private DANIEL THOMAS .....Company E, 25th U. S. Infantry.
4. Private WILLIAM WATSON .....Company E, 25th U. S. Infantry.
5. Private JOSEPH BUSH .....Company I, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 15, 1870.

GENERAL ORDERS, No. 73.

I. Before a General Court Martial which convened at Fort Duncan, Texas, Monday, September 26, 1870, pursuant to paragraph V of Special Orders No. 112, Headquarters Department of Texas, dated Austin, Texas, September 16, 1870, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, is President, were arraigned and tried:

1. Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry, did leave his company quarters, and the Post of Fort Duncan, Texas, and visit the town of Eagle Pass, Texas, without the permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 19th day of September, 1870."

ADDITIONAL CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry, did absent himself from his quarters on the evening of the 18th day of September, 1870, and visit the town of Eagle Pass, without permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 18th day of September, 1870."

Specification 2d—"In this, that Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry, did take from the store-room of Company L, 9th U. S. Cavalry, one Remington revolver, and visit the town of Eagle Pass, without the permission of his company commander, and in direct violation of General Orders No. 24, from Headquarters Post of Fort Duncan, Texas, series of 1869. All this at or near Fort Duncan, Texas, on or about the 18th day of September, 1870."

To which charges and specifications the accused, Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the specification of the charge,	"Guilty."
Of the charge,	"Guilty."
Of the first specification, additional charge,	"Guilty."
Of the second specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Saddler *Riley Crowder*, Company L, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay per month for six months."

2. Private *Dudley Harris*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Dudley Harris*, of Company L, 9th U. S. Cavalry, did leave his company quarters and the Post of Fort Duncan, and visit the town of Eagle Pass without the permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 19th day of September, 1870."

ADDITIONAL CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Dudley Harris*, Company L, 9th U. S. Cavalry, after having been directed by the corporal of the stable guard to assist Private Joseph Warner, cart driver of Company L, 9th U. S. Cavalry, to drive a young mule, did disobey the said order; and leave the cart driver and enter a house in the town of Eagle Pass, and did not return until arrested by the patrol. All this at or near Fort Duncan, Texas, on or about the 27th day of September, 1870."

To which charges and specifications the accused, Private *Dudley Harris*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the specification of the charge,	"Guilty."
Of the charge,	"Guilty."
Of the specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Dudley Harris*, Company L, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay per month for the period of four months."

3. Private *Daniel Thomas*, Company E, 25th U. S. Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Daniel Thomas*, Company E, 25th U. S. Infantry, being a member of the post guard, and on duty in charge of certain prisoners of the post at work, did leave his post with five of said prisoners, and did allow them to escape. This at Fort Duncan, Texas, on or about the 15th day of July, 1870."

CHARGE II—"Desertion."

Specification—"In this, that Private *Daniel Thomas*, Company E, 25th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 18th day of July, 1870; and remain absent until apprehended on or about the 19th

day of July, 1870. (A reward of thirty dollars ($30) having been paid for his apprehension.) This at Fort Duncan, Texas."

CHARGE III—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Daniel Thomas*, Company E, 25th U. S. Infantry, did, while deserting the service of the United States, carry away with him one breech-loading rifled musket; one bayonet scabbard, one cartridge box and plate; one cartridge box belt and plate; one gun sling; one waist belt and plate; and ten rounds centre-primed metallic ball cartridges; all the property of the United States, for which Captain Daniel Schooley, 25th U. S. Infantry, is responsible. This at Fort Duncan, Texas, on or about the 18th day of July, 1870."

To which charges and specifications the accused, Private *Daniel Thomas*, Company E, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *Daniel Thomas*, Company E, 25th U. S. Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are now or may become due him; and to be confined in such penitentiary as the Commanding Officer of the Department may direct, for the period of ten years."

4. Private *William Watson*, Company E, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *William Watson*, Company E, 25th U. S. Infantry, having been duly enlisted into the service of the United States, January 20, 1870, for the period of five years, did desert the same on the 15th day of May, 1870; and did remain absent until he was arrested and returned to his company under guard May 19, 1870. (A reward of thirty dollars having been paid for his apprehension.) This at Jackson Barracks, New Orleans, Louisiana."

To which charge and specification the accused, Private *William Watson*, Company E, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *William Watson*, Company E, 25th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay per month for six months; and to be confined at

hard labor, at the post where his company may be serving, for the same period."

5. Private *Joseph Bush*, Company I, 25th U. S. Infantry.

CHARGE—"Neglect of duty."

Specification—"That Private *Joseph Bush*, Company I, 25th U. S. Infantry, having been regularly detailed and mounted as a member of the post guard at Fort Duncan, Texas, did, while on duty as a sentinel over three of the prisoners belonging to the garrison of said post, allow one of said prisoners (Private George Embry, Company L, 9th U. S. Cavalry) to escape from him. This at Fort Duncan, Texas, on or about the 21st day of September, 1870."

To which charge and specification the accused, Private *Joseph Bush*, Campany I, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Bush*, Company I, 25th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are now due or may become due him, except the just dues of the laundress; and to be confined at hard labor, at such military prison as the Commanding General may direct, for the period of one year."

II. The proceedings, findings and sentences in the cases of Saddler *Riley Crowder* and Private *Dudley Harris*, Company L, 9th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Daniel Thomas*, Company E, 25th U. S. Infantry, are approved. The period of confinement is reduced to five years. As thus mitigated the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *William Watson*, Company E, 25th U. S. Infantry, are approved, although the evidence does not sustain the charge of desertion. This man should have been found guilty of 'absence without leave.' The sentence is approved, and will be duly executed.

The proceedings and findings in the case of Private *Joseph Bush*, Company I, 25th U. S. Infantry, are approved. The sentence is mitigated to confinement at the post of his company for the period of one year. As thus mitigated the sentence is approved, and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieutenant 11th U. S. Infantry,
Acting Assistant Adjutant General.

AT FORT MCINTOSH, TEXAS.

1. Private PHILIP BOSS.....Company C, 4th U. S. Cavalry.
2. Private JAMES DONNELLY .....Company C, 4th U. S. Cavalry.
3. Private JOHN GOFF .....Company C, 4th U. S. Cavalry.
4. Private GEORGE PECHAN .....Company C, 4th U. S. Cavalry.
5. Private WILLIAM H. RABER.....Company C, 4th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 18, 1870.

GENERAL ORDERS, No. 74.

I. Before a General Court Martial which convened at Fort McIntosh, Texas, on Thursday, July 7, 1870, pursuant to paragraph IX of Special Orders No. 49, Headquarters Department of Texas, dated Austin, Texas, June 25, 1870, and of which Major THOMAS M. ANDERSON, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Philip Boss*, Company C, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Philip Boss*, Company C, 4th U. S. Cavalry, a member of the post guard, having been regularly posted as a sentinel on post No. 2, in rear of the guard and prison tents, did leave his post without being regularly relieved; and did go into the prison tent and remain there until found asleep by the sergeant of the guard at or about the hour of 3 o'clock A. M. This at Fort McIntosh, Texas, on or about August 30, 1870."

To which charge and specification the accused, Private *Philip Boss*, Company C, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Philip Boss*, Company C, 4th U. S. Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined at such military prison as the Department Commander may direct, for the period of one year."

2. Private *James Donnelly*, Company C, 4th U. S. Cavalry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"In this, that he, Private *James Donnelly*, Company C, 4th U. S. Cavalry, having been regularly posted as a sentinel on post No. 3, did sleep on his post; and was found asleep by the officer of the day at or about the hour of 3.30 A. M. This at Fort McIntosh, Texas, on or about the 11th of September, 1870."

To which charge and specification the accused, Private *James Donnelly*, Company C, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *James Donnelly*, Company C, 4th U. S. Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined at hard labor, in such military prison as the Department Commander may direct, for the period of two years."

3. Private *John Goff*, Company C, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *John Goff*, Company C, 4th U. S. Cavalry, having been duly enlisted, did desert the service of the United States; and did remain absent therefrom until apprehended and delivered up at Fort McIntosh, Texas, on or about September 28, 1870. All this at or near Fort McIntosh, Texas, on or about September 25, 1870. (Thirty dollars paid for his apprehension.)"

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *John Goff*, Company C, 4th U. S. Cavalry, did lose, sell, or otherwise dispose of, the following property belonging to the United States, and for which Captain John A. Wilcox, commanding Company C, 4th U. S. Cavalry, is responsible: viz., eleven rounds carbine ammunition; one curry comb; one horse brush; one canteen; one cross sabre; one letter (C); one number (4); and one mosquito bar. All this at or near Fort McIntosh, Texas, on or about September 25, 1870."

To which charges and specifications the accused, Private *John Goff*, Company C, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

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

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, Private *John Goff*, Company C, 4th U. S. Cavalry, "To have his head shaved; and be dishonorably discharged and drummed out of the service; to have the letter 'D' indelibly marked on his left hip; to be confined at such military prison as the Department Commander may direct, for a period of six years; and to forfeit all pay due or which may become due, except just dues of laundress for same period."

4. Private *George Pechan*, Company C, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *George Pechan*, Company C, 4th U. S. Cavalry, having been duly enlisted, did desert the service of the United States; and did remain absent therefrom until apprehended and delivered up at Fort McIntosh, Texas, on September 28, 1870. All this at or near Fort McIntosh, Texas, on or about September 25, 1870. (Thirty dollars paid for his apprehension.)"

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *George Pechan*, Company C, 4th U. S. Cavalry, did lose, sell, or otherwise dispose of, the following property for which Captain John A. Wilcox, commanding Company C, 4th U. S. Cavalry, is responsible: viz., ten rounds carbine ammunition; twenty-four rounds of pistol ammunition; one pair of spurs and straps; one lariat; one curry comb; one horse brush; one canteen; one cross sabre; one letter (C); and one number (4). All this at or near Fort McIntosh, Texas, on or about September 25, 1870."

To which charges and specifications the accused, Private *George Pechan*, Company C, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused 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, Private *George Pechan*, Company C, 4th U. S. Cavalry, "To be dishonorably discharged the service; to be indelibly marked with the letter 'D' on the left hip; to be confined at such military prison as the Department Commander may direct, for the period of five years; and to forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress."

5. Private *William H. Raber*, Company C, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *William H. Raber*, Company C, 4th U. S. Cavalry, having been duly enlisted, did desert the service of the United States; and did remain absent therefrom until apprehended and delivered up on the 28th September, 1870, at Fort McIntosh, Texas. All this at or near Fort McIntosh, Texas, on or about September 25, 1870. (Thirty dollars paid for his apprehension.)"

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *William H. Raber*, Company C, 4th U. S. Cavalry, did lose, sell, or otherwise dispose of, the following property belonging to the United States, and for which Captain John A. Wilcox, 4th U. S. Cavalry, commanding Company C, is responsible: viz., one Spencer carbine, calibre .56, No. 18,065; one Colt's revolver pistol, calibre .44, No. 71,080; one pistol belt holster; ten rounds carbine ammunition; twenty-four rounds pistol ammu-

nition, one pair of spurs and straps; one curry comb; one horse brush; one canteen, cross sabres, letter C, number 4. All this at or near Fort McIntosh, Texas, on or about September 25, 1870."

To which charges and specifications the accused, Private *William H. Raber*, Company C, 4th U. S. Caxalry, pleaded as follows;

To the first charge and specification, "Guilty."

To the specification, second charge, "Guilty, except the words 'one Spencer carbine, cahbre .50, No. 18,065.'"

To the second charge, "Guilty."

FINDING.

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

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'one Spencer carbine, calibre .50, No. 18,065.'"

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Raber*, Company C, 4th U. S. Cavalry, "To have his head shaved; to be dishonorably discharged and drummed out the service; to have a letter 'D' indelibly marked on his left hip; to be confined in such military prison as the Department Commander may direct, for a period of ten years; and to forfeit all pay and allowances now due or which may become due, except the just dues of the laundress."

II. The proceedings and findings in the case of Private *Philip Boss*, Company C, 4th U. S. Cavalry, are approved. So much of the sentence as imposes dishonorable discharge is disapproved. The remainder is mitigated to six months' confinement at the post of his company. As thus amended, the sentence will be duly executed.

The proceedings and findings in the case of Private *James Donnelly*, Company C, 4th U. S. Cavalry, are approved. The sentence is mitigated to confinement at the post of his company for the period of six months. As thus mitigated the sentence is approved, and will be duly executed.

The proceedings and findings in the cases of Privates *John Goff*, *George Pechan* and *William H. Raber*, Company C, 4th U. S. Cavalry, are approved. So much of the sentences as relates to marking with the letter "D" is remitted. The period of confinement is reduced to three years. As thus mitigated the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IX of Special Orders No. 49, current series, from Department Headquarters, and of which Major THOMAS M. ANDERSON, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieutenant 11th U. S. Infantry,
Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *November* 18, 1870.

GENERAL ORDERS, No. 75.

I. Before a General Court Martial which convened at San Antonio, Texas, on Tuesday, November 15, 1870, pursuant to paragraph II of Special Orders No. 137, Headquarters Department of Texas, dated San Antonio, Texas, November 4, 1870, and of which Lieutenant Colonel JAMES H. CARLETON, 4th U. S. Cavalry, is President, was arraigned and tried:

First Lieutenant *George W. Smith*, U. S. Army.

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

Specification—"In this, that First Lieutenant *George W. Smith*, of the U. S. Army, did invite an enlisted man to accompany him into a public drinking saloon; and did pass five hours, more or less, in the said saloon in the society of the said enlisted man, with whom he did frequently, during this period, drink intoxicating liquors. This at San Antonio, Texas, on or about the 14th day of August, 1870."

To which charge and specification the accused, First Lieutenant *George W. Smith*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, First Lieutenant *George W. Smith*, U. S. Army, "To be suspended from rank and pay for the period of two months."

II. In the opinion of the Department Commander, the charge in this case is not supported by the evidence. The proceedings, findings and sentence are disapproved and set aside. Lieutenant *Smith* is released from arrest and restored to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieutenant 11th U. S. Infantry,
Acting Assistant Adjutant General.

AT FORT CONCHO, TEXAS.

1. Private WILLIAM TUCKER.....Company B, 4th U. S. Cavalry.
2. Private ERASTUS W. FORBES .....Company E, 4th U. S. Cavalry.
3. Corporal JOHN DUANE . .....Company E, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 22, 1870.

GENERAL ORDERS, No. 76.

I. Before a General Court Martial which convened at Fort Concho, Texas, Thursday, August 18, 1870, pursuant to paragraph III of Special Order No. 86, Headquarters Department of Texas, dated Austin, Texas, August 11, 1870, and of which Major JOHN P. HATCH, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *William Tucker*, Company B, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *William Tucker*, Company B, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, Post of Fort Concho, Texas, and having been posted as a sentinel over public property, was found sleeping on his post by the officer of the day when making his rounds. All this at or near the Post of Fort Concho, Texas, on or about the 27th day of July, 1870."

To which charge and specification the accused, Private *William Tucker*, Company B, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *William Tucker*, Company B, 4th U. S. Cavalry, "To be confined, in charge of the guard, at hard labor for the period of four months."

2. Private *Erastus W. Forbes*, Company E, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Erastus W. Forbes*, Company E, 4th U. S. Cavalry, having been duly posted as a sentinel in charge of the animals belonging to Company I, of the 4th U. S. Cavalry, did leave his post without proper authority, and remain absent until found by the officer of the day. All this at Fort Concho, Texas, between the hours of 4 and 5 A. M. of the 28th of July, 1870."

To which charge and specification the accused, Private *Erastus W. Forbes*, Company E, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

And the Court does therefore acquit him, Private *Erastus W. Forbes*, Company E, 4th U. S. Cavalry.

3. Corporal *John Duane*, Company E, 11th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification--"In this, that he, Corporal *John Duane*, Company E, 11th U. S. Infantry, having been regularly detailed in charge of a fatigue party, and ordered to go to the woods and cut brush to make brooms for police purposes, did return from said duty so much under the influence of liquor as to be unable to perform his duties properly. All this at or near the Post of Fort Concho, Texas, on or about the 19th day of August, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said Corporal *John Duane*, Company E, 11th U. S. Infantry, being in an intoxicated condition in the company street of said company, when ordered by acting First Sergeant Henry Ruhland, Company E, 11th U. S. Infantry, to go to his quarters in arrest, did refuse to obey said order. All this at or near Fort Concho, Texas, on or about the 19th day of August, 1870."

Specification 2d—"In this, that he, the said Corporal *John Duane*, Company E, 11th U. S. Infantry, having been told by acting First Sergeant Henry Ruhland, Company E, 11th U. S. Infantry, that he *(Duane)* would be confined in the guard house if he did not go to his quarters in arrest, did say to Sergeant Ruhland, 'I will not go, I know more than you do,' or, 'I have forgot more than ever you knew, you damned Dutch thief,' or words to that effect; and did strike the said acting First Sergeant Henry Ruhland, Company E, 11th U. S. Infantry, with his fist or hand, the said sergeant being then and there in the discharge of his duty. All this at or near the Post of Fort Concho, Texas, on or about the 19th day of August, 1870."

To which charges and specifications the accused, Corporal *John Duane*, Company E, 11th U. S, Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."

To the first specification, second charge, "Guilty, with the exception of the words 'being in an intoxicated condition,' and of these words Not Guilty."

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

To the second charge, "Not Guilty."

FINDING.

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

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 second charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *John Duane*, Company E, 11th U. S. Infantry, "To be reduced to the ranks as a private soldier; and to be confined at hard labor in charge of the guard, for the period of four months."

II. The proceedings, findings and sentences in the cases of Private *William Tucker*, Company B, 4th U. S. Cavalry, and Corporal *John Duane*, Company E, 11th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Erastus W. Forbes*, Company E, 4th U. S. Cavalry, are approved. He will be released from confinement and returned to duty. The trial of this man might have been avoided if the officer preferring the charges had made a more careful and thorough examination into the circumstances of the case.

III. The General Court Martial instituted by paragraph III of Special Order No.86, current series, from Department Headquarters, and of which Major JOHN P. HATCH, 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieutenant 11th U. S. Infantry,
Acting Assistant Adjutant General.

AT SAN ANTONIO, TEXAS.

1. Private HENRY C. FINNEY ....Company A, 4th U. S. Cavalry.
2. Private THOMAS T. ROONEY.....Company A, 4th U. S. Cavalry.
3. Private PATRICK BURNS .....Company F, 10th U. S. Infantry.
4. Private HENRY H. HALLETT.....Company F, 10th U. S. Infantry.
5. Corporal JOHN W. WILSON.....Company H, 25th U. S. Infantry.
6. Private JAMES WILSON .....Company H, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 1, 1870.

GENERAL ORDERS, No. 78.

I. Before a General Court Martial which convened at San Antonio, Texas, Tuesday, November 15, 1870, pursuant to paragraph II of Special Order No. 137, Headquarters Department of Texas, dated San Antonio, Texas, November 4, 1870, and of which Lieutenant Colonel JAMES H. CARLETON, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Henry C. Finney*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, having had issued to him the following articles of United States clothing, viz., three pairs of Canton-flannel drawers on or about the 15th day of October, 1870, and one cavalry great-coat on or about the 18th day of October, 1870, did sell, lose or otherwise dispose of these articles of clothing between the 15th and 20th days of October, 1870. This at the Post of San Antonio, Texas, on or about the dates mentioned."

To which charge and specification the accused, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

And the Court does therefore acquit him, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry.

2. Private *Thomas T. Rooney*, Company A, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Thomas T. Rooney*, Company A, 4th U. S. Cavalry, a member of the police guard, was drunk at the parade and inspection of his guard by the officer of the day, between the hours of 8 and 9 P. M. of the 2d day of November, 1870. This at San Antonio, Texas."

To which charge and specification the accused, Private *Thomas T. Rooney*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *Thomas T. Rooney*, of Company A, 4th U. S. Cavalry, "To be confined under charge of the police guard for the period of six months, every alternate fourteen days of which time to be in solitary confinement; and during the intermediate period of fourteen days to be kept at hard labor."

3. Private *Patrick Burns*, Company F, 10th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Patrick Burns*, of Company F, 10th U. S. Infantry, a member of the police guard, regularly posted as a sentinel on post No. 3, over the stables of Company A, 4th U. S. Cavalry, was found drunk by the sergeant of the guard between the hours of 9 and 10 P. M. on the 2d day of November, 1870. All this at the Post of San Antonio, Texas."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Patrick Burns*, of Company F, 10th U. S. Infantry, a member of the police guard, regularly posted as a sentinel on post No. 3, over the stables of Company A, 4th U. S. Cavalry, was found asleep on his post by the sergeant of the guard between the hours of 9 and 10 P. M. of the 2d day of November, 1870. All this at San Antonio, Texas."

To which charges and specifications the accused, Private *Patrick Burns*, Company F, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Private *Patrick Burns*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now or that may hereafter become due him; and thereafter to be confined at hard labor at Fort Jackson, Louisiana, for the period of six months."

4. Private *Henry H. Hallett*, Company F, 10th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that Private *Henry H. Hallett*, of Company F, 10th U. S. Infantry, having been regularly mounted as a member of the post guard, did become under the influence of intoxicating liquor to such a degree as to wholly incapacitate him from the performance of his duties as a sentinel. This at San Antonio, Texas, on the 5th day of November, 1870."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry H. Hallett*, of Company F, 10th U. S. Infantry, while on duty as a supernumerary of the post guard, in charge of a detail of prisoners from the post guard house, did abandon said prisoners, permit them to become under the influence of liquor, and to neglect the work required of them, to the prejudice of good order and military discipline. This at San Antonio, Texas, on the 5th day of November, 1870."

To which charges and specifications the accused, Private *Henry H. Hallett*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'abandon said prisoners,' and of the excepted words Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry H. Hallett*, Company F, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now or that may hereafter become due to him; and thereafter to be confined at hard labor at Fort Jackson, Louisiana, for the period of six months."

5. Corporal *John W. Wilson*, Company H, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification--"That Corporal *John W. Wilson*, Company H, 25th U. S. Infantry, who enlisted in the service of the United States February 23, 1870, did desert his company and said service at Fort McKavett, Texas, on or about September 30, 1870; and did remain absent until apprehended near San Antonio, Texas, on or about October 7, 1870."

To which charge and specification the accused. Corporal *John W. Wilson*, Company H, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *John W. Wilson*, Company H, 25th U. S. Infantry, "To be reduced to the ranks; to be discharged from the military service of the United States, with the loss of all pay and allowances that are now or that may become due him; and thereafter to be confined at hard labor, in such military prison as the reviewing authority may direct, for the period of three years."

6. Private *James Wilson*, Company H, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *James Wilson*, Company H, 25th U. S. Infantry, who enlisted in the service of the United States July 2, 1870,

did desert his company and said service at Fort McKavett, Texas, on or about September 30, 1870; and did remain absent until apprehended near San Antonio, Texas, on or about October 7, 1870."

To which charge and specification the accused, Private *James Wilson*, Company H, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *James Wilson*, Company H, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may hereafter become due to him; to be indelibly marked on the left hip with the letter 'D' one and one-half inches in length; and then to be confined in such military prison as the reviewing officer may direct, for the period of five years."

II. The proceedings, findings and acquittal in the case of Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *Thomas T. Rooney*, Company A, 4th U. S. Cavalry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Patrick Burns* and *Henry H. Hallett*, Company F, 10th U. S. Infantry, are approved, and the sentences will be duly executed. The post of their company is designated, instead of Fort Jackson, Louisiana, as the place of confinement.

The proceedings, findings and sentence in the case of Corporal *John W. Wilson*, Company H, 25th U. S. Infantry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *James Wilson*, Company H, 25th U. S. Infantry, are approved. So much of the sentence as relates to marking with the letter "D" is remitted; so much as relates to confinement is mitigated to confinement at the post of his company for the remainder of his enlistment. As thus modified, the sentence will be duly executed.

III. The General Court Martial instituted by paragraph II of Special Order No. 137, current series, from Department Headquarters, and of which Lieutenant Colonel JAMES H. CARLETON, 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

First Lieutenant 11th U. S. Infantry,
Acting Assistant Adjutant General.

At Fort Griffin, Texas.

1. Trumpeter George D. Musser...Company D, 4th U. S. Cavalry.
2. Private David P. Johnson.....Company D, 4th U. S. Cavalry.
3. Private Thomas L. Clark.....Company F, 4th U. S. Cavalry.
4. Sergeant Thomas Curtis.....Company H, 4th U. S. Cavalry.
5. Corporal Robert Gaffney.....Company H, 4th U. S. Cavalry.
6. Sergeant James Proffatt .....Company B, 6th U. S. Cavalry.
7. Saddler David Link ..... Company B, 6th U. S. Cavalry.
8. Bugler Edward Verplanck .....Company B, 6th U. S. Cavalry.
9. Private Jen Jensen .....Company B, 6th U. S. Cavalry.
10. Private William Keyes ... . Company B, 6th U. S. Cavalry.
11. Corporal Alexander Fairley....Company I, 6th U. S. Cavalry.
12. Private James Alexander .....Company I, 6th U. S. Cavalry.
13. Private William Nolken.....Company I, 6th U. S. Cavalry.
14. Private Patrick McGuire... ..Company G, 11th U. S. Infantry.
15. Private Charles Smith.....Company G, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *December* 14, 1870.

General Orders, No. 80.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, August 15, 1870, pursuant to paragraph IV of Special Order No. 76, Headquarters Department of Texas, dated Austin, Texas, July 29, 1870, and of which Major George A. Gordon, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Trumpeter *George D. Musser*, Company D, 4th U. S. Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Trumpeter *George D. Musser*, Company D, 4th U. S. Cavalry, did steal from the quarters of Private Andrew Evans, Company D, 4th U. S. Cavalry, one pair cavalry trowsers, the property of the said Private Andrew Evans, Company D, 4th U. S. Cavalry. This at Fort Griffin, Texas, on the 27th day of August, 1870."

Specification 2d—"In this, that he, Trumpeter *George D. Musser*, Company D, 4th U. S. Cavalry, did steal one Remington revolver (the property of the United States, and for which Captain John Lee, 4th U. S. Cavalry, commanding Company D, is responsible) from Private Anton Dielman, Company D, 4th U. S. Cavalry; and did dispose of and sell the same to Private Charles Smith, Company G, 11th U. S. Infantry, for the sum of five dollars ($5). This at Fort Griffin, Texas, on or about the 28th day of August, 1870."

To which charge and specifications the accused, Trumpeter *George D. Musser*, Company D, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Trumpeter *George D. Musser*, Company D, 4th U. S. Cavalry, "To be dishonorably discharged, and to be bugled out of the service of the United States; to forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as may be designated by the Department Commander, for the period of eighteen months."

2. Private *David P. Johnson*, Company D, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *David P. Johnson*, Company D, 4th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the said service at St. Louis, Missouri, on or about the 2d day of March, 1862; and did remain absent until the 20th day of December, 1869, when he surrendered himself at Alleghany Arsenal, Pennsylvania."

To which charge and specification the accused, Private *David P. Johnson*, Company D, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *David P. Johnson*, Company D, 4th U. S. Cavalry, "To forfeit to the United States fourteen dollars of his monthly pay per month for the period of eighteen months; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the same period."

3. Private *Thomas L. Clark*, Company F, 4th U. S. Cavalry.

CHARGE I—"Sleeping upon post."

Specification—"In this, that Private *Thomas L. Clark*, Company F, 4th U. S. Cavalry, whilst on detached service from the post of Fort Griffin, Texas, and after having been duly posted as a sentinel over the camp of the detachment of which he was a member, did sit down and sleep upon his post; and whilst in this condition was surprised by the officer in charge of the detachment coming upon him with a party of mounted men. This near the village of Stephensville, Texas, between the hours of 10 and 12 P. M., on the 15th of July, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Thomas L. Clark*, Company F, 4th U. S. Cavalry, whilst on duty with a detachment from the post of Fort Griffin, Texas, and having been necessarily left at the village

of Stephensville, Texas, did, without authority, absent himself from his command from the 16th to the 20th day of July, 1870, notwithstanding the distances marched each day by his detachment were so short that with slight effort he could have overtaken it. This at and in the vicinity of Stephensville, Texas, from the 16th to the 20th of July, 1870."

To which charges and specifications the accused, Private *Thomas L. Clark*, Company F, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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, Private *Thomas L. Clark*, Company F, 4th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay per month for the period of one year; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period."

4. Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry.

CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *Thomas Curtis*, of Company H, 4th U. S. Cavalry, did become so much under the influence of intoxicating liquor as to be unfit to perform his duty as a non-commissioned officer. This at Fort Griffin, Texas, on the 16th day of September, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry, did, while intoxicated, enter the quarters of Private Melvin A. King, Company H, 4th U. S. Cavalry; and did there insult and abuse him (Private Melvin A. King) without cause or provocation. This at the quarters of Company H, 4th U. S. Cavalry, at Fort Griffin, Texas, on or about the 16th day of September, 1870."

Specification 2d—"In this, that he, Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry, did, without cause or provocation, strike and kick at Private Melvin A. King, Company H, 4th U. S. Cavalry. This at the stables of Company H, 4th U. S. Cavalry, at Fort Griffin, Texas, on or about the 16th day of September, 1870."

To which charges and specifications the accused, Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

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

And the Court does therefore acquit him, Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry.

5. Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry.

CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry, did become so much under the influence of intoxicating liquor as to be unfit to perform his duty as a non-commissioned officer. This at Fort Griffin, Texas, the 16th day of September, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry, did, without cause or provocation, strike and kick at Private Melvin A. King, Company H, 4th U. S. Cavalry. This at the stables of Company H, 4th U. S. Cavalry, at Fort Griffin, Texas, on or about the 16th day of September, 1870."

To which charges and specifications the accused, Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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, Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars of his monthly pay for one month."

6. Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry.

CHARGE I--"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry, did become so drunk as to be unable properly to perform the duties of a non-commissioned officer. This at Fort Griffin, Texas, on or about the 16th day of September, 1870."

CHARGE II—"Conduct highly prejudicial to good order and military discipline."

Specification 1st—"In this, that Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry, did, while drunk, enter the quarters of Private Brust, Company B, 6th U. S. Cavalry; and did, without any cause or provocation, attempt to provoke a quarrel with said private while in said private's quarters; and further, did follow said Private Brust out into the company grounds and thence into the quarters of another company, continuing in his attempt to provoke a fight or quarrel with said private, abusing him and kicking and striking at him. All this at Fort Griffin, Texas, on or about the evening of the 16th of September, 1870."

Specification 2d—"In this, that Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry, having been properly placed in close arrest, did, within a few minutes afterwards, break his arrest and leave his quarters; and did remain absent about three quarters of an hour. This at Fort Griffin, Texas, on the evening of the 16th of September, 1870."

To which charges and specifications the accused, Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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 second charge,	"Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *James Proffatt*, Company B, 6th U. S. Cavalry, "To be reduced to the ranks."

7. Saddler *David Link*, Company B, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Saddler *David Link*, Company B, 6th U. S. Cavalry, being duly enlisted in the military service of the United States, did desert the same at Livingston, Texas, April 12, 1869; and did remain absent until arrested in Erath county, Texas, July 22, 1870. (Thirty dollars being paid for his apprehension.) All this at the places and dates above specified."

To which charge and specification the accused, Saddler *David Link*, Company B, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Saddler *David Link*, Company B, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due or that may become due him, the just dues of the laundress excepted; and to be confined at hard labor, at such place as the Department Commander may direct, for the period of one year."

8. Bugler *Edward Verplanck*, Company B, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Bugler *Edward Verplanck*, Company B, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Livingston, Polk county, Texas, on or about June 3, 1870; and did remain absent until arrested about twenty miles from Livingston by three citizens, and brought back to his company and post June 4, 1870. (Thirty dollars being paid for his apprehension and delivery.) All this at or near Livingston, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Bugler *Edward Verplanck*, Company B, 6th U. S. Cavalry, did unlawfully and feloniously steal, take and carry away, from the post of Livingston, Texas, one Spencer carbine, the property of the United States, and for which Brevet Major Samuel M. Whitside, Captain 6th U. S. Cavalry, is responsible, which was found in his *(Verplanck's)* possession when arrested. All this at or near Livingston, Texas, on or about June 4, 1870."

To which charges and specifications the accused, Bugler *Edward Verplanck*, Company B, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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, Bugler *Edward Verplanck*, Company B, 6th U. S. Cavalry, "To be dishonorably discharged, and to be bugled out of the service of the United States; to be confined at hard labor, at such place as the Department Commander may designate, for two years; and 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 laundress."

9. Private *Jen Jensen*, Company B, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Jen Jensen*, Company B, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Livingston, Polk county, Texas, June 4, 1870; and did remain absent until arrested near Nacogdoches, Texas, and brought back to his company and post June 7, 1870. (Thirty dollars being paid for his apprehension.) All this at or near Livingston, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Jen Jensen*, Company B, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

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

SENTENCE.

And the Court does therefore sentence him, Private *Jen Jensen*, Company B, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due him—the just dues of the laundress excepted; and to be confined at hard labor, at such place as the Department Commander may designate, for the period of one year."

10. Private *William Keyes*, Company B, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Keyes*, Company B, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Livingston, Polk county, Texas, June 3, 1870; and did remain absent until arrested (dressed in citizens' clothes) by three citizens, about fifteen miles from Liv-

ingston, Texas, and brought back to his company and post, June 4, 1870; thirty dollars being paid for his apprehension. All this at or near Livingston, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *William Keyes*, Company B, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The Court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Keyes*, Company B, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due him—the just dues of the laundress excepted; and to be confined at hard labor, at such place as the Department Commander may designate, for the period of one year."

11. Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry.

CHARGE I—"Drunkenness on duty."

Specification 1st—"In this, that Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, having been regularly detailed at the post of Fort Griffin, Texas, as a member of a detachment leaving the same upon duty, and under command of Second Lieutenant H. F. Winchester, 6th U. S. Cavalry, was, upon the morning of the first day's absence from the post, so drunk as to reel in his saddle whilst riding with the column and in full view of the privates of the dedetachment. This on the march, near Fort Griffin, Texas, July 3, 1870."

Specification 2d—"In this, that Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, whilst upon duty on detached service, was so drunk as to be unable to be aroused; and in this beastly state of intoxication was necessarily left lying in the abandoned camp of the detachment near the village of Stephensville, Erath county, Texas. This on the 16th day of July, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, whilst upon detached service from Fort Griffin, Texas, and near the village of Stephensville, Texas, did, after having been left there too drunk to be aroused on the morning of the 16th of July, remain absent from his command, without any authority whatever, until the afternoon of the 20th of July, 1870, notwithstanding the distances marched by the detachment were not greater than would have allowed him readily to rejoin his command. This at and in the vicinity of Stephensville, Erath county, Texas, from the 16th to the 20th of July, 1870."

CHARGE III—"Disobedience of orders."

Specification—"In this, that Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, whilst upon detached service from the post of Fort Griffin, Texas, having been ordered by his commanding officer, Lieutenant H. F. Winchester, 6th U. S. Cavalry, through the senior non-commissioned officer of the detachment, to take charge of and compel a prisoner, who was being punished, to walk behind a

wagon, did allow said prisoner to get into and ride in the wagon, in direct disobedience of the orders received by him. This on the march in the county of Erath, Texas, on the 6th day of July, 1870."

CHARGE IV—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, whilst upon detached service from the post of Fort Griffin, Texas, and in charge of a prisoner being punished, with orders to compel said prisoner to walk behind a wagon, did, after having allowed the prisoner to get into and ride in the wagon, order the said prisoner quickly out of the wagon when coming suddenly within sight of the officer ordering the prisoner to walk, and in the presence of the privates composing the guard of which he, Corporal *Alexander Fairley*, was in charge. This on the march in Erath county, Texas. on the 6th day of July, 1870."

To which charges and specifications the accused, Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, pleaded as follows;

To the first charge and its specifications, "Not Guilty."
To the second charge and its specification, "Not Guilty."
To the third charge and its specification, "Guilty."
To the fourth charge and its specification, "Not Guilty."

FINDING.

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

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

Of the second specification, first charge, "Guilty, except the word 'necessarily.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'without any authority whatever.'"

Of the second charge, "Not Guilty."
Of the specification, third charge, "Guilty."
Of the third charge, "Guilty."
Of the specification, fourth charge, "Guilty."
Of the fourth charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars per month of his monthly pay for the period of six months."

12. Private *James Alexander*, Company I, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *James Alexander*, Company I, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same; and did remain absent until apprehended in citizens' clothing about fifteen miles from his post. This at Corsicana, Texas, on the 13th day of May, 1870."

To which charge and specification the accused, Private *James Alexander*, Company I, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *James Alexander*, Company I, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to be confined at hard labor, at such place as the Department Commander may designate, for the period of one year; and to forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted."

13. Private *William Nolken*, Company I, 6th U. S. Cavalry.

CHARGE I—"Leaving his post, in violation of the 46th Article of War."

Specification—"In this, that Private *William Nolken*, Company I, 6th U. S. Cavalry, being a member of the guard, and having charge of prisoners at stables, did desert his post. This at Corsicana, Texas, during afternoon stables on the 13th day of May, 1870."

CHARGE II—"Unlawfully disposing of his arms and accoutrements, in violation of the 38th Article of War."

Specification—"In this, that Private *William Nolken*, Company I, 6th U. S. Cavalry, having in his keeping certain arms and accoutrements, did unlawfully dispose of the following articles of public property, for which Brevet Major A. R. Chaffee, Captain 6th U. S. Cavalry, is responsible: viz., One (1) Spencer carbine; one (1) Remington revolver; one (1) pistol holster, and one (1) pistol cartridge pouch; the total value of which is one hundred and fifty-one dollars and fifty cents ($151 50). This at or near Corsicana, Texas, on or about the 13th day of May, 1870."

CHARGE III—"Desertion."

Specification—"In this, that Private *William Nolken*, Company I, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended in citizens' clothing about fifteen miles from his post, and brought back to it on the 14th day of May, 1870. This at Corsicana, Texas, on the 13th day of May, 1870."

CHARGE IV—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *William Nolken*, Company I, 6th U. S. Cavalry, being a member of the post guard, and in charge of prisoner James Alexander, Company I, 6th U. S. Cavalry, during afternoon stables, did, whilst conducting said prisoner to the sink, assist him to escape; and, further, did accompany said prisoner whilst both were deserting the service of the United States. All this at Corsicana, Texas, on the 13th day of May, 1870."

To which charges and specifications the accused, Private *William Nolken*, Company I, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *William Nolken*, Company I, 6th U. S. Cavalry, "To be dishonorably discharged and kicked out of the service of the United States; to be confined at hard labor, at such place as the Department Commander may designate, for the period of five years; and to forfeit to the United States all pay and allowances that are now due him, or that may become due him, the just dues of the laundress excepted."

14. Private *Patrick McGuire*, Company G, 11th U. S. Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Patrick McGuire*, Company G, 11th U. S. Infantry, being a sentinel in charge of a working party of prisoners, and having received a lawful order from Sergeant Henry Jamison, Company B, 6th U. S. Cavalry, the provost sergeant of the post—said sergeant at the time being in the execution of his duty—to proceed with the prisoners and police cart to the stables and there remove a pile of dirt, did, without any excuse whatever, fail to obey said order. This at Fort Griffin, Texas, on the afternoon of September 5, 1870."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Patrick McGuire*, Company G, 11th U. S. Infantry, being a sentinel in charge of a working party of prisoners, and having received a lawful order from Sergeant Henry Jamison, Company B, 6th U. S. Cavalry, the provost sergeant of the post—said sergeant at the time being in the execution of his duty—to proceed to the stables and there to perform certain work, did fail to obey said order; and did go with the prisoners to the opposite side of camp and there conceal himself and prisoners behind a fence, and did there remain idle some three quarters of an hour, or until found by said provost sergeant and ordered off to work. All the above at Fort Griffin, Texas, on the afternoon of September 5, 1870."

To which charges and specifications the accused, Private *Patrick McGuire*, Company G, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *Patrick McGuire*, Company G, 11th U. S. Infantry, "To forfeit to the United States five

dollars per month of his monthly pay for two months; and to be confined at hard labor, in charge of the guard, for the same period."

15. Private *Charles Smith*, Company G, 11th U. S. Infantry.

CHARGE I—"Receiving stolen property, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Charles Smith*, Company G, 11th U. S. Infantry, did receive and purchase for the sum of five dollars, more or less, from Trumpeter Musser, Company D, 4th U. S. Cavalry, a Remington revolver; he (the said *Smith*) well knowing at the time that said revolver had been issued to Trumpeter Musser as a part of his (Musser's) equipment, and was the property of the United States. This at Fort Griffin, Texas, on or about the morning of August 29, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Charles Smith*, of the company and regiment aforesaid, having been questioned by Captain Theodore Schwan, 11th U. S. Infantry, his company commander, in regard to a Remington revolver which had been sold to him, the said *Smith*, on the morning of that day, did positively deny having received said revolver, which denial was false. This at Fort Griffin, Texas, on or about the 29th day of August, 1870."

To which charges and specifications the accused, Private *Charles Smith*, Company G, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

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

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, Private *Charles Smith*, Company G, 11th U. S. Infantry, "To forfeit to the United States fourteen dollars of his monthly pay, per month, for two months; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period."

II. The proceedings, findings and sentences in the cases of Trumpeter *George D. Musser*, Company D, Private *Thomas L. Clark*, Company F, and Corporal *Robert Gaffney*, Company H, 4th U. S. Cavalry; Sergeant *James Proffatt*, Bugler *Edward Verplanck*, Company B, and Private *William Nolken*, Company I, 6th U. S. Cavalry; Privates *Patrick McGuire* and *Charles Smith*, Company G, 11th U. S. Infantry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement in the cases of Trumpeter *Musser*, Bugler *Verplanck* and Private *Nolken*.

The proceedings and findings in the case of Private *David P. Johnson*, Company D, 4th U. S. Cavalry, are approved; but in view of the peculiar circumstances of the case, it appearing from the prisoner's statement that he actually surrendered himself under President Lincoln's procla-

mation offering pardon to deserters, and the fact of his final voluntary surrender at Alleghany Arsenal, the sentence is remitted on condition that he make good the time lost by desertion. He will be released from confinement and returned to duty.

The proceedings, findings and acquittal in the case of Sergeant *Thomas Curtis*, Company H, 4th U. S. Cavalry, are approved. He will be released from arrest and returned to duty.

The proceedings and findings in the case of Saddler *David Link*, Privates *Jen Jensen*, *William Keyes*, Company B, and *James Alexander*, Company I, 6th U. S. Cavalry, are approved. So much of the sentences as imposes dishonorable discharge is remitted; the remainder is approved and will be duly executed. The posts of their respective companies are designated as the places of confinement.

The proceedings and findings in the case of Corporal *Alexander Fairley*, Company I, 6th U. S. Cavalry, are approved. The sentence, though inadequate, is approved and will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

J. Whitney

Acting Assistant Adjutant General.

AT FORT DUNCAN, TEXAS.

1. Corporal DEMBAR PERRY.....Company L, 9th U. S. Cavalry.
2. Private ELI BROWN .....Company L, 9th U. S. Cavalry.
3. Private WILLIAM H. EADES .....Company L, 9th U. S. Cavalry.
4. Private LEONARD MOORE .....Company L, 9th U. S. Cavalry.
5. Private ROSS MOORE .....Company L, 9th U. S. Cavalry.
6. Private FRANK THOMAS .....Company L, 9th U. S. Cavalry.
7. Private HUMPHREY WILLIAMS.....Company L, 9th U. S. Cavalry.
8. Corporal CHARLES LEWIS.....Company K, 24th U. S. Infantry.
9. Private JOHN FISHER .....Company K, 24th U. S. Infantry.
10. Private ALEXANDER WILKES.....Company K, 24th U. S. Infantry.
11. Private JOHN DARCY .....Company E, 25th U. S. Infantry.
12. Private GUSTAVUS LOVE .....Company I, 25th U. S. Infantry.
13. Private CHARLES T. RICHARDSON..Company I, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 17, 1870.

GENERAL ORDERS, No. 81.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 26, 1870, pursuant to paragraph V of Special Order No. 112, and paragraph II of Special Order No. 131, Headquarters Department of Texas, dated Austin, Texas, September 16 and October 11, 1870, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, is President, were arraigned and tried:

1. Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry.

CHARGE I--"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"That Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, having been detailed to take charge of a mounted escort, and having reported to First Lieutenant F. A. Kendall, 25th U. S. Infantry—the officer whom the escort was to accompany—for orders, and having been ordered by him (Lieutenant Kendall) at retreat to report himself and escort at a place called 'Donnovan's Ranch,' about four miles south from Fort Duncan, Texas, and go into camp there, did proceed with his escort in an opposite direction and visit the town of Eagle Pass, Texas, and remain there for the period of two hours, more or less, permitting his escort to separate and become drunk and disorderly, and did not reach the aforesaid ranch until 10 o'clock P. M., and then having with him only a part of said escort, to-wit: two (2) men; the balance of the escort, two men, not arriving for more than an hour afterwards, and then in a drunken and disorderly condition; and did fail to

make camp and stake his horses, but allow them to be hid in a pen adjacent to said ranch, and so remain all night without feed; and did with his escort go to sleep, detailing no guard for his horses; and did fail to report himself to Lieutenant Kendall on his arrival at said ranch. This on or about the evening of the second day of September, 1870, at the places above specified."

CHARGE II—"Contemptuous and disrespectful behavior towards his commanding officer, in violation of the 6th Article of War."

Specification 1*st*—"That Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, being in charge of an escort under the orders of First Lieutenant F. A. Kendall, 25th U. S. Infantry, did send a member of the aforesaid escort to the quarters of Lieutenant Kendall with instructions from him (Corporal *Perry*) to find out when he (Lieutenant Kendall) was going to leave, he, the aforesaid Corporal *Perry*, not having as yet reported at all to him (Lieutenant Kendall). This at Donnovan's Ranch, about four miles south of Fort Duncan, Texas, on or about the morning of the 3d of September, 1870."

Specification 2*d*—"That Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, U. S. Army, being in charge of an escort under the orders of First Lieutenant F. A. Kendall, 25th U. S. Infantry, did, when brought to account for, and asked by him (Lieutenant Kendall) to explain his neglect of duty on the night previous, with reference to the manner of conducting his escort from Fort Duncan, Texas, to that place, bear himself in an unsoldierly and contemptuous manner towards him (Lieutenant Kendall), failing to either salute or assume the position of soldier until ordered so to do, which order was complied with in a contemptuous, insolent and evasive manner; and did contradict him (Lieutenant Kendall) by saying, 'The men were not drunk,' or words to that effect, when it had been averred by him (Lieutenant Kendall) that some of the men were drunk; and did continue to reply and talk in a disrespectful manner to his commanding officer, saying, 'I've been out with a hundred officers and you are the first one that I ever had trouble with,' or words to that effect. This at Donnovan's Ranch, Texas, about four miles south of Fort Duncan, on or about the morning of 3d day of September, 1870."

CHARGE III—"Mutinous and insubordinate conduct."

Specification—"That Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, being in charge of an escort under the orders of First Lieutenant F. A. Kendall, 25th U. S. Infantry, and having been relieved from duty with said escort and ordered by him, Lieutenant Kendall, his commanding officer, to report with a letter explanatory of his *(Perry's)* behavior, to the commanding officer of Fort Duncan, Texas, did, when Private Richard English, Company L, 9th U. S. Cavalry, a member of the aforesaid escort, was in his *(Perry's)* hearing and presence, ordered by him (Lieutenant Kendall) to take charge of said escort and remain with him (Lieutenant Kendall), say, 'No private can take my place; wherever I go this escort has got to go,' or words to that effect; and did talk in a boisterous and excited tone, endeavoring to excite the other men of the escort

into a state of insubordination, saying, 'By God, boys, you go with me; get your horses and come along; by God, I am in charge of this escort,' or words to that effect; and when ordered by him (Lieutenant Kendall) to stop his talk, and to desist ordering the men and go to camp as ordered, did reply (having his carbine on his shoulder in a threatening attitude), in a defiant and insolent tone of voice, 'I'd as soon go to hell now as any other time; I know my business, by God; I don't allow no God damned man to run over me; I've got my instructions, and, by God, I know how to obey them,' or words of like import; and promenading with his carbine on his shoulder in this defiant and threatening attitude did say, 'boys, you take your orders from me; no God damned man can give me orders, unless he puts a carbine at my head,' or words to that effect; and when Lieutenant Kendall aforesaid was warning the men of the penalty they would incur should they abandon him (Lieutenant Kendall) in this manner, did bawl out, 'come on, boys, come on, Dick, don't stand there blarneying any longer; don't mind him what he says (meaning him, Lieutenant Kendall),' or words to that effect, and so continue to persuade, by threats and orders, the men of said escort and endeavor to incite them into an insubordinate and mutinous state: and by such orders, threats and persuasions, did finally accomplish his purpose and induced them to defy the lawful authority of their commanding officer, he being in the lawful execution of his duty, and cause them, contrary to his (Lieutenant Kendall's) orders, to desert him then and there (Lieutenant Kendall, with whom they had been sent as escort) and return with him (Corporal *Perry*) to Fort Duncan, Texas. This at a place called Donnovan's Ranch, about four miles south of Fort Duncan, Texas, on the Rio Grande river, on or about the 3d day of September, 1870."

To which charges and specifications the accused, Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge,	"Not Guilty."
Of the first charge,	"Not Guilty."
Of the first specification, second charge,	"Guilty."
Of the second 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, Corporal *Dembar Perry*, Company L, 9th U. S. Cavalry, "To be reduced to the ranks as a private soldier; to be dishonorably discharged the service of the United States; 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 for the period of fifteen years, at such military prison as the commanding officer of the Department may designate, wearing a ball weighing twelve pounds, attached to the left leg by a chain three feet in

length. The court is thus lenient because of the previous good conduct of the accused as shown in the evidence."

2. Private *Eli Brown*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Eli Brown*, Company L, 9th U. S. Cavalry, did leave his company quarters and the post of Fort Duncan, Texas, and visit the town of Eagle Pass without the permission of his company commander. All this at or near Fort Duncan, Texas, on the 18th day of September, 1870."

ADDITIONAL CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Eli Brown*, Company L, 9th U. S. Cavalry, did leave his company quarters and the post of Fort Duncan and visit the town of Eagle Pass, without the permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 19th day of September, 1870."

ADDITIONAL CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Eli Brown*, Company L, 9th U. S. Cavalry, did absent himself from his company quarters and remain absent until arrested by the patrol. All this at or near Fort Duncan, Texas, on or about the 22d day of September, 1870."

To which charges and specifications the accused, Private *Eli Brown*, Company L, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification of the charge,	"Guilty."
Of the charge,	"Guilty."
Of the specification, first additional charge,	"Guilty."
Of the first additional charge,	"Guilty."
Of the specification, second additional charge,	"Guilty."
Of the second additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Eli Brown*, Company L, 9th U. S. Cavalry, "To forfeit to the United States fifteen dollars of his monthly pay, per month, for three months; to stand on a barrel from reveille until 12 o'clock M., and carry a log on his shoulder from then until retreat, daily, for one month, allowing one half hour for each meal."

3. Private *William H. Eades*, Company L, 9th U. S. Cavalry.

CHARGE—"Violation of the 50th Article of War."

Specification—"That he, Private *William H. Eades*, Company L, 9th U. S. Cavalry, having been duly detailed as a member of the camp guard over the public animals and other property pertaining to a detachment of Company L, 9th U. S. Cavalry, did, without urgent necessity or permission, quit said guard. This at or or near Fort Clark, Texas, on or about the night of the 5th of September, 1870."

To which charge and specification the accused, Private *William H. Eades*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William H. Eades*, Company L, 9th U. S. Cavalry, "To forfeit to the United States fifteen dollars of his monthly pay for one month. The court is thus lenient because of the good character of the accused, as testified by his company commander."

4. Private *Leonard Moore*, Company L, 9th U. S. Cavalry.

CHARGE—"Violation of the 50th Article of War."

Specification—"That he, Private *Leonard Moore*, Company L, 9th U. S. Cavalry, having been duly detailed as a member and acting corporal of the camp guard, over the public animals and other property pertaining to a detachment of Company L, 9th U. S. Cavalry, did, without urgent necessity or permission, quit said guard. This at or near Fort Clark, Texas, on or about the night of the 5th of September, 1870."

To which charge and specification the accused, Private *Leonard Moore*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Leonard Moore*, Company L, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for three months."

5. Private *Ross Moore*, Company L, 9th U. S. Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Ross Moore*, L Company, 9th U. S. Cavalry, did steal from the barracks of L Company, 9th U. S. Cavalry, one Spencer carbine, the property of the United States, then in the possession of Private Reuben Hall, L Company, 9th U. S. Cavalry, and for which Captain J. C. DeGress, 9th U. S. Cavalry, is responsible; and dispose of the same to a certain Mexican named Juan, a resident of Eagle Pass, Texas. All this at or near Fort Duncan, Texas, on or about the 14th day of November, 1870."

CHARGE II—"Violation of the 59th Article of War."

Specification—"In this, that he, Private *Ross Moore*, L Company, 9th U. S. Cavalry, after having been duly detailed as a member of the stable guard of L Company, 9th U. S. Cavalry, did leave the guard without urgent necessity or the permission of the corporal of the guard, and visit the town of Eagle Pass, Texas; and remain absent until arrested by the corporal of the stable guard. All this at Fort Duncan, Texas, on or about the 14th day of November, 1870."

CHARGE III—"Desertion."

Specification—"In this, that he, Private *Ross Moore*, L Company, 9th U. S. Cavalry, having been duly enlisted as a soldier in the United States army, to serve for the period of five years, did desert the service of the United States, and cross the Rio Grande river into Mexico; and did remain absent until apprehended. All this at Fort Duncan, Texas, on or about the 15th day of November, 1870."

To which charges and specifications the accused, Private *Ross Moore*, Company L, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge,	"Not Guilty."
Of the first charge,	"Not 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, Private *Ross Moore*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the United States service; to forfeit to the United States all pay now due or that may become due him, except the just dues of the laundress and the post trader; and to be confined at such military prison as the commanding officer of the Department may designate, at hard labor, with a ball attached to his left leg, weighing twelve pounds, by a chain three feet long, for the period of five years."

6. Private *Frank Thomas*, Company L, 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Frank Thomas*, L Company, 9th U. S. Cavalry, did assist Private Humphrey Williams, L Company, 9th U. S. Cavalry, to kill and skin one pig, worth about five dollars, the property of Private Henry Fletcher, L Company, 9th U. S. Cavalry, without the permission of its owner; and appropriate a part of the same to his own use and benefit. All this at Fort Duncan, Texas, on or about the 7th day of November, 1870."

Specification 2d—"In this, that he, Private *Frank Thomas*, L Company, 9th U. S. Cavalry, did assist Private Humphrey Williams, L Company, 9th U. S. Cavalry to kill and skin one pig, worth about twelve dollars, coin, the property of K Company, 24th U. S. Infantry, and appropriate a portion of the same to his own use and benefit; assisting to kill and dispose of the said pig without the permission of the company commander of K Company, 24th U. S. Infantry. All this at Fort Duncan, Texas, on or about the 6th day of November, 1870."

To which charge and specifications the accused, Private *Frank Thomas*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'kill and.'"

Of the second specification, "Guilty, except the words 'to kill' wherever it appears in said specification."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him. Private *Frank Thomas*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the United States service; to forfeit to the United States all pay now due or that may become due him, except the just dues to the laundress and post trader; to be confined at such penitentiary as the commanding officer of the Department may designate, at hard labor, with a ball weighing twelve pounds attached to his left leg by a chain three feet long, until the expiration of his term of service."

7. Private *Humphrey Williams*, Company L, 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Humphrey Williams*, L Company, 9th U. S. Cavalry, did assist in killing one pig, worth about five dollars, the property of Private Henry Fletcher, L Company, 9th U. S. Cavalry, and appropriate a portion of the same to his own use and benefit; assisting to kill the said pig without the permission of its owner. All this at Fort Duncan, Texas, on or about the 1st day of November, 1870."

Specification 2d—"In this, that he, Private *Humphrey Williams*, L Company 9th U. S. Cavalry, did assist in killing one pig, worth twelve dollars, coin, the property of K Company, 24th U. S. Infantry, and appropriate a portion of the same to his own use and benefit; assisting to kill the said pig without the permission of the company commander of K Company, 24th U. S. Infantry. All this on or about the 6th day of November, 1870."

To which charge and specifications the accused, Private *Humphrey Williams*, Company L, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Humphrey Williams*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the United States service; to forfeit to the United States all pay now due or that may become due him, except his just dues to the laundress and post trader; and to be confined at hard labor, at such penitentiary as the commanding officer of the Department of Texas may designate, with a ball attached to his left leg, weighing twelve pounds, by a chain three feet long, until the expiration of his term of service. (December 26, 1871.)"

8. Corporal *Charles Lewis*, Company K, 24th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, having been detailed and placed on duty as corporal of the post guard, and having been intrusted by Corporal Alexander Ezett, Company I, 25th U. S. Infantry, acting sergeant of said guard, with a double cased American watch, said to be worth twenty-two (22) dollars, the property of one Private John F. Murrell, Company E, 25th U. S. Infantry, for the purpose of knowing when to post the different reliefs in the absence of said Corporal Ezett, acting sergeant of the guard, did go into the town of Eagle Pass, and while there pawn said watch with one John Cook (citizen) for the sum of three dollars ($3); and on being asked by Corporal Ezett, on his return from the town, for the watch, did pretend and say that he had accidentally lost it while in the execution of his duty; and did advise and suffer said Corporal Ezett, with a part of the guard, to go in search of it over the route that he (Corporal *Lewis*) had traveled, he well knowing how and where he had disposed of the watch in question. This at Fort Duncan, Texas, on or about the evening of the 13th of September, 1870."

Specification 2d—"That Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, did steal, take and carry away from his company quarters, one pair of uniform trowsers, valued at two dollars and ten cents ($2.10), the property of Private James Holt, Company K, 24th U. S. Infantry; and did dispose of the same to one Edward Billings, citizen, of Eagle Pass, Texas. This at Fort Duncan, Texas, on or about the 24th day of October, 1870."

CHARGE II--"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"That Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, having been detailed and placed on duty as corporal of the post guard, did, while with a patrol in the town of Eagle Pass for the purpose of arresting soldiers out of their camp without permission, quit his patrol, sending it in another direction, and going himself into two gambling saloons of the town, one kept by Cook & Vivian (citizens) and the other by William R. Rohman (citizen); and did there gamble for more than one hour while absent from his patrol. This at or near Fort Duncan, Texas, on or about the night of September 15, 1870."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"That Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, on being asked by Captain David Schooley, 25th U. S. Infantry, what he had done with a certain watch left with him by Corporal Alexander Ezett, Company I, 25th U. S. Infantry, on the night of September 15, 1870, for the purpose of posting the different reliefs of the post guard, did say that he had accidently lost it in the brush while endeavoring to arrest soldiers out of camp without permission; all of which he knew at the time to be false and intended to deceive, as he was well aware that he had not tried to make any arrests, and had pawned said watch with one John Cook (citizen) for the sum of three (3) dollars. This at Fort Duncan, Texas, on or about the 26th day of October, 1870."

To which charges and specifications the accused, Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, pleaded as follows:

To the first charge and its specifications, "Not Guilty."
To the second charge and its specification, "Not Guilty."
To the third charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *Charles Lewis*, Company K, 24th U. S. Infantry, "To be reduced to the ranks; to be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him, except the just dues of the laundress; and to be confined in such penitentiary as the commanding officer of the Department may designate, for a period of eight years."

9. Private *John Fisher*, Company K, 24th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Fisher*, Company K, 24th U. S. Infantry, did kill, or assist in killing, one pig, worth about twelve dollars in coin, the property of Company K, 24th U. S. Infantry, and appropriate the same for his own use and benefit; killing the said pig without proper permission. This at Fort Duncan, Texas, on or about the 6th day of November, 1870."

To which charge and specification the accused, Private *John Fisher*, Company K, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and appropriate the same,' substituting the words 'and appropriate a part of the same.'"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Fisher*, Company K, 24th U. S. Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay now due or that may become due him; and to be confined at hard labor, at the post guard house, for the remainder of his period of enlistment (which expires February 4, 1872); wearing a ball weighing twelve pounds attached to his left leg by a chain three feet long."

10. Private *Alexander Wilkes*, Company K, 24th U. S. Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Alexander Wilkes*, K Company, 24th U. S. Infantry, having been duly posted as sentinel over prisoners, did engage in a conversation with Corporal John L. Doran and Private George Bradford, K Company, 24th U. S. Infantry, persons not connected with his guard duty; and through carelessness and neglect kill with his musket, loaded with a metallic cartridge, Private George Bradford, K Company, 24th U. S. Infantry. All this at or near Fort Duncan, Texas, on or about the 27th day of September, 1870."

CHARGE II—"Homicide, by negligence and carelessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Alexander Wilkes*, K Company, 24th U. S. Infantry, did, through negligence and carelessness, point a Springfield musket, loaded with a metallic cartridge, at the person of Private George Bradford, K Company, 24th U. S. Infantry, and discharge the said contents of said musket upon and into the person of the said Private George Bradford, causing his instant death. All this at or near Fort Duncan, Texas, on or about the 27th day of September, 1870."

To which charges and specifications the accused, Private *Alexander Wilkes*, Company K, 24th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Alexander Wilkes*, Company K, 24th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged the service of the United States; and to be confined at such penitentiary as the commanding officer of the Department of Texas may direct, for the period of one year."

11. Private *John Darcy*, Company E, 25th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"That he, Private *John Darcy*, Company E, 25th U. S. Infantry, having been duly enlisted into the service of the United States July 6, 1870, for the period of five years, did desert the same August 27, 1870; and did remain absent until apprehended and returned to his company, September 8, 1870. A reward of thirty (30) dollars being paid for his apprehension. This at Fort Duncan, Texas."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *John Darcy*, Company E, 25th U. S. Infantry, did steal, take and carry away, one pair of uniform trowsers, valued at $2.10; one pair of suspenders, valued at $1; one pocket-knife, valued at $1.50; and specie to the amount of $1.75; all the property of one Private John Williams, Company E, 25th U. S. Infantry. Also one pair of uniform trowsers, valued at $2.10; one

pair of government stockings, valued at $0.21; both the property of one Private Henry Cass, Company E, 25th U. S. Infantry. Also one pair of uniform trowsers, valued at $2.10, the property of one Private William H. Wright, Company E, 25th U. S. Infantry. Also one uniform blouse, valued at $1.77, the property of one Private Charles Hayward, Company E, 25th U. S. Infantry. All this at Fort Duncan, Texas, on or about the night of September 7, 1870."

To which charges and specifications the accused, Private *John Darcy*, Company E, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *John Darcy*, Company E, 25th U. S. Infantry, "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; to be dishonorably discharged the service of the United States; to have his head shaved and be drummed out of the service in the presence of his command; and confined at such penitentiary as the commanding officer of the Department may direct, for the period of five years."

12. Private *Gustavus Love*, Company I, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That *Gustavus Love*, private Company I, 25th U. S. Infantry, having been duly enlisted in the service of the United States on the 7th day of May, 1867, to serve for the period of three years, did, on or about the 30th day of September, 1869, desert the same at Ship Island, Mississippi; and did remain absent until apprehended at New Orleans, Louisiana, on or about the 20th day of May, 1870. Thirty dollars paid for apprehension."

To which charge and specification the accused, Private *Gustavus Love*, Company I, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Gustavus Love*, Company I, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due, or may become due him; to be dishonorably discharged the service of the United States; to have his head shaved, and to be drummed out of the service; and then to be confined for two years at hard labor, at such military prison as the commanding officer of the Department may direct, wearing a twenty-four pound ball attached to his left leg by a chain four feet long."

13. Private *Charles T. Richardson*, Company I, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Charles T. Richardson*, Company I, 25th U. S. Infantry, having been duly enlisted in the service of the United States on the 7th day of February, 1870, did desert the same on the 24th day of May, 1870, at Jackson Barracks, Louisiana; and did remain absent until apprehended on or about the 1st day of June, 1870. Thirty (30) dollars paid for apprehension."

To which charge and specification the accused, Private *Charles T. Richardson*, Company I, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles T. Richardson*, Company I, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or may become due him; to be dishonorably discharged the service of the United States; to have his head shaved, and be drummed out of the service; and then to be confined for two years at hard labor, at such military prison as the commanding officer of the Department may direct, wearing a twenty-four pound ball attached to his left leg by a chain four feet long."

II. The proceedings and findings in the cases of Corporal *Dembar Perry*, Privates *Ross Moore*, *Frank Thomas*, *Humphrey Williams*, Company L, 9th U. S. Cavalry; *Gustavus Love* and *Charles T. Richardson*, Company I, 25th U. S. Infantry, are approved. So much of the sentences as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *Eli Brown*, *William H. Eades*, *Leonard Moore*, Company L, 9th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Corporal *Charles Lewis*, Company K, 24th U. S. Infantry; and Private *John Darcy*, Company E, 25th U. S. Infantry, are approved and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *John Fisher*, Company K, 24th U. S. Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *Alexander Wilkes*, Company K, 24th U. S. Infantry, are approved and the sentence will be duly executed. The post of his company is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

AT FORT DUNCAN, TEXAS.

1. Private EDWARD BENNEMAN.....Company L, 9th U. S. Cavalry.
2. Private RICHARD ENGLISH.....Company L, 9th U. S. Cavalry.
3. Private JOHN JOHNSON .... Company L, 9th U. S. Cavalry.
4. Private JOHN YOUSTING..... Company E, 25th U. S. Infantry.
5. Private GATES WILSON..... ..Company I, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 19, 1870.

GENERAL ORDERS, No. 82.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 26, 1870, pursuant to paragraph V of Special Order No. 112, paragraph II of Special Order No. 131, and paragraph XII of Special Order No. 148, Headquarters Department of Texas, dated Austin, Texas, September 16, and October 11, and San Antonio, Texas, November 21, 1870, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Edward Benneman*, Company L, 9th U. S. Cavalry.

CHARGE—"Insubordinate and mutinous conduct, in violation of the 9th Article of War."

Specification—"That he, Private *Edward Benneman*, Company L, 9th U. S. Cavalry, being a member of an escort sent out from Fort Duncan, Texas, for the protection of First Lieutenant F. A. Kendall, 25th U. S. Infantry, in his performance of the duty of Acting Assistant Marshal, for the Sixth District of Western Texas, did, without any proper excuse or pretext whatever, wilfully repudiate and defy the authority of the said Lieutenant Kendall, he being at the time the commanding officer of said escort and in the lawful execution of his duty; and did, in violation of his (Lieutenant Kendall's) expressed orders, saddle his horse and desert him (Lieutenant Kendall) at a place called Donovan's ranch, about four miles from Fort Duncan, Texas, and return to that post. This at Donovan's ranch, as described aforesaid, on or about the 3d day of September, 1870."

To which charge and specification the accused, Private *Edward Benneman*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward Benneman*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay now due or that may become due, except the just dues of the laundress and the post trader; and to be confined at such military prison as the commanding officer of the Department of Texas may direct, for the period of five years, wearing a twelve pound ball attached to his left leg by a chain four feet long for the same period."

2. Private *Richard English*, Company L, 9th U. S. Cavalry.

CHARGE—"Insubordinate and mutinous conduct, in violation of the 9th Article of War."

Specification—"That Private *Richard English*, Company L, 9th U. S. Cavalry, being a member of an escort sent out from Fort Duncan, Texas, for the protection of First Lieutenant F. A. Kendall, 25th U. S. Infantry, in his performance of the duty of Acting Assistant Marshal, Sixth District of Western Texas, did, without any proper pretext or excuse whatever, wilfully repudiate and defy the authority of the said Lieutenant Kendall, he being at the time the commanding officer of said escort and in the lawful execution of his duty, refusing when ordered to take charge of the aforesaid escort when he knew that the corporal in charge had been put in arrest and relieved from duty with it by Lieutenant Kendall; and did insist upon taking orders of the aforesaid corporal who had been relieved from duty with the escort aforesaid; and did, ignoring the orders of him (Lieutenant Kendall), and in direct violation of his (Lieutenant Kendall's) orders, saddle his horse and desert him (Lieutenant Kendall) at a place called Donovan's ranch, about four miles from Fort Duncan, Texas, and accompany the corporal and the other members of the escort back to Fort Duncan, Texas. This at Donovan's ranch, as aforesaid described, on or about the 3d day of September, 1870."

To which charge and specification the accused, Private *Richard English*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FIND NG.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him. Private *Richard English*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay now due or that may become due, except the just dues of the laundress and the post trader; and to be confined at such military prison as the commanding officer of the Department of Texas may direct, for the period of eight years, wearing a ball weighing twelve pounds attached to his left leg by a chain four feet long for the same period."

3. Private *John Johnson*, Company L, 9th U. S. Cavalry

CHARGE—"Insubordinate and mutinous conduct, in violation of the 9th Article of War."

Specification—"That Private *John Johnson*, Company L, 9th U. S. Cavalry, being a member of a mounted escort sent out from Fort Duncan, Texas, for the protection of First Lieutenant F. A. Kendall, 25th U. S. Infantry, in his performance of the duty of Acting Assistant Marshal for the Sixth District of Western Texas, did, without any proper excuse or pretext whatever, wilfully repudiate and defy the authority of the said Lieutenant Kendall, he being at the time the commanding officer of said escort and in the lawful execution of his duty; and did, in violation of his (Lieutenant Kendall's) orders, saddle his horse and desert him (Lieutenant Kendall) at a place called Donovan's ranch, four miles from Fort Duncan, Texas, and return to that post. This at Donovan's ranch, as described aforesaid, on or about the 3d day of September, 1870."

To which charge and specification the accused, Private *John Johnson*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Johnson*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are now due or that may become due hereafter, except the just dues of the laundress and the post trader; and to be confined at such military prison as the commanding officer of the Department of Texas may direct, for the period of five years, wearing a ball weighing twelve pounds attached to his left leg by a chain four feet long for the same period."

4. Private *John Yousting*, Company E, 25th U. S. Infantry.

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

Specification—"That Private *John Yousting*, Company E, 25th U. S. Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel over certain garrison prisoners at work in the adobe yard, did, while so posted, lean upon his arms in a careless and negligent manner, and did carry on by words, signs and gestures, a conversation with some Mexican women washing clothing near by, allowing at the same time four of said prisoners under his charge to sit down and engage in card playing. This at Fort Duncan, Texas, on or about the 21st day of November, 1870."

To which charge and specification the accused, Private *John Yousting*, Company E, 25th U. S. Infantry, pleaded "Not Guilty."

FIND NG.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Yousting*, Company E, 25th U. S. Infantry, "To forfeit to the United States eight dollars of his monthly pay for two months; and to stand upon the head of a barrel from reveille until noon; then to carry a log of wood weighing forty pounds from noon until retreat, in charge of the guard, allowing one half hour for each meal, for fifteen days."

5. Private *Gates Wilson*, Company I, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That *Gates Wilson*, private Company I, 25th U. S. Infantry, having been duly enlisted in the service of the United States on the 1st day of October, 1869, did desert the same on or about the 14th day of May, 1870, at Jackson Barracks, Louisiana, and did remain absent until the 19th day of May, 1870, when he voluntarily delivered himself up to his company commander."

ADDITIONAL CHARGE—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Gates Wilson*, Company I, 25th U. S. Infantry, did point and aim at Private George Christopher, Company L, 9th U. S. Cavalry, a breech-loading Springfield rifle, said rifle being loaded with a metallic ball cartridge; and did wilfully dicharge the contents of said rifle into the body of Private George Christopher, thereby causing him, the said Christopher, to become seriously and dangerously wounded. This at or near Fort Duncan, Texas, on or about the 19th day of September, 1870."

To which charges and specifications the accused, Private *Gates Wilson*, Company I, 25th U. S. Infantry, pleaded as follows:

To the charge and its specification, "Not Guilty."
To the additional charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification of the charge, "Guilty, except the words 'desert the same,' substituting therefor the words 'absent himself from his company without leave.'"

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

Of the specification of the additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Gates Wilson*, Company I, 25th U. S Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at such penitentiary as the commanding officer of the Department of Texas may direct, for the period of fifteen years."

II. The proceedings and findings in the cases of Privates *Edward Benneman*, *Richard English* and *John Johnson*, Company L, 9th U. S. Cavalry, are approved. So much of the sentences as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *John Yousting*, Company E, 25th U. S. Infantry, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of *Gates Wilson*, Company I, 25th U. S. Infantry, are approved. On the recommendation of all the members of the court, the period of confinement is mitigated to two years. As thus modified, the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

AT FORT CONCHO, TEXAS.

1. Private WILLIAM S HILL .... .. Company B, 4th U. S. Cavalry.
2. Private ADOLPH MAAS ..... .Company B, 4th U. S. Cavalry.
3. Corporal JOHN FOLEY .... .Company G, 4th U. S. Cavalry.
4. Private MATHEW SHAW .... Company G, 4th U. S. Cavalry.
5. Private THOMAS DILLON .... Company I, 4th U. S. Cavalry.
6. Private WILLIAM JOHNSON..... Company M, 4th U. S. Cavalry.
7. Private H. MCGINLEY ....Company M, 4th U. S. Cavalry.
8. Private OWEN QUINN..... Company M, 4th U. S. Cavalry.
9. Private JAMES RILEY.....Company M, 4th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 20, 1870.

GENERAL ORDERS, No. 83.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, November 22, 1870, pursuant to paragraph I of Special Order No. 138, Headquarters Department of Texas, dated San Antonio, Texas, November 8, 1870, and of which Captain N. B. MCLAUGHLEN, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *William S. Hill*, Company B, 4th U. S. Cavalry.

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

Specification 1*st*—"In this, that Private *William S. Hill*, Company B, 4th U. S. Cavalry, did endeavor to prevent Sergeant Burdell La Praid, Company B, 4th U. S. Cavalry, from stopping a fight between two men of Company B, 4th U. S. Cavalry, by putting his arm around his, and forcing him backwards from the parties engaged."

Specification 2*d*—"In this, that Private *William S. Hill*, Company B, 4th U. S. Cavalry, did try to prevent Sergeant Cornelius Owens, Company B, 4th U. S. Cavalry, from stopping a fight between two enlisted men of Company B, 4th U. S. Cavalry, attempting to force him back from the parties engaged."

Specification 3*d*—"In this, that Private *William S. Hill*, Company B, 4th U. S. Cavalry, did attempt to shoot Sergeant Conelius Owens, Company B, 4th U. S. Cavalry, with a loaded carbine, the said sergeant being in the execution of his office."

Specification 4th—"In this, that Private *William S. Hill*, Company B, 4th U. S. Cavalry, did in the company street act and talk in a highly insubordinate manner, calling the company Irish sons-of-bitches; saying 'I can whip all the Irish sons-of-bitches and any one who will oppose me.' All this at Fort Concho, Texas, on or about the 30th day of September, 1870."

To which charge and specifications the accused, Private *William S. Hill*, Company B, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *William S. Hill*, Company B, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard where his company may be serving, for the period of eight (8) months; and to forfeit fourteen (14) dollars of his monthly pay for the same period. The court is thus lenient on account of the previous good character of the accused."

2. Private *Adolph Maas*, Company B, 4th U. S. Cavalry.

CHARGE—"Violation of the 50th Article of War."

Specification—"In this, that Private *Adolph Maas*, Company B, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, did leave the same without permission from proper authority, and remain absent from 10 o'clock P. M., on the night of the 12th of September, 1870, until after guard mount on the morning of the 13th of September, 1870. All this at or near Fort Concho, Texas, on or about the dates above mentioned."

To which charge and specification the accused, Private *Adolph Maas*, Company B, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Adolph Maas*, Company B, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of six (6) months; and to forfeit ten (10) dollars per month of his monthly pay for the same period."

3. Corporal *John Foley*, Company G, 4th U. S. Cavalry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that he, Corporal *John Foley*, Company G, 4th U. S. Cavalry, a duly mounted corporal of the guard, having put in his charge by the officer of the day a prisoner, with orders from said officer of the day to convey said prisoner to the guard house, did disobey said order by permitting the escape of said prisoner. This at or near post of Fort Concho, Texas, on or about the 26th day of September, 1870."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Corporal *John Foley*, Company G, 4th U. S. Cavalry, having, whilst corporal of the guard, placed in his charge a prisoner by the officer of the day, with orders from said officer of the day to convey said prisoner to the post guard house, and there confine him, did fail to obey said order and did connive at, and permit said prisoner to escape from his custody. All this at or near the post of Fort Concho, Texas, on or about the 26th day of September, 1870."

To which charges and specifications the accused, Corporal *John Foley*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *John Foley*, Company G, 4th U. S. Cavalry.

4. Private *Mathew Shaw*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *Mathew Shaw*, of Company G, 4th U. S. Cavalry, having been duly mounted as a member of the guard at Fort Concho, Texas, did become so drunk as to be unable to perform any duty required of him. This at Fort Concho, Texas, on the 12th day of October, 1870."

To which charge and specification the accused, Private *Mathew Shaw*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Mathew Shaw*, Company G, 4th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for the period of six (6) months."

5. Private *Thomas Dillon*, Company I, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Thomas Dillon*, of Company I, 4th U. S. Cavalry, having been duly posted as a sentinel in charge of the public animals belonging to Company E, 4th U. S. Cavalry, did sit down on his post and fall asleep, and remain sleeping until awakened by the officer of the day. All this at Fort Concho, Texas, on or about the 30th day of August, 1870, between the hours of 12.30 A. M. and 3 A. M."

To which charge and specification the accused, Private *Thomas Dillon*, Company I, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Dillon*, Company I, 4th U. S Cavalry, "To be confined at hard labor in charge of the guard at Fort Concho, Texas, the balance of his enlistment (viz., to October 23, 1871); and forfeit to the United States ten (10) dollars of his monthly pay for same period, and then be dishonorably discharged the service of the United States."

6. Private *William Johnson*, Company M, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that the said Private *William Johnson*, Company M, 4th U. S. Cavalry, did, while a member of the post guard, become so much under the influence of liquor as to be incapable of properly performing the duties of a soldier. This at Fort Concho, Texas, on or about the 7th day of October, 1870, and between the hours of 6 o'clock and 8 o'clock A. M."

To which charge and specification the accused, Private *William Johnson*, Company M, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *William Johnson*, Company M, 4th U. S. Cavalry.

7. Private *H. McGinley*, Company M, 4th U. S. Cavalry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *H. McGinley*, Company M, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, did quit said guard without permission from proper authority. This at Fort Concho, Texas, on the 28th day of September, 1870."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *H. McGinley*, Company M, 4th U. S Cavalry, having been duly mounted as a member of the post guard, did become so drunk as to be unable to perform his duty as a member of said guard. This at Fort Concho, Texas, on the 28th day of September, 1870."

To which charges and specifications the accused, Private *H. McGinley*, Company M, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *H. McGinley*, Company M, 4th U. S. Cavalry, "To be confined in the post guard house, where his company may be serving, for the period of three months; and to forfeit fifteen dollars per month of his monthly pay for the same period."

8. Private *Owen Quinn*, Company M, 4th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Owen Quinn*, Company M, 4th U. S. Cavalry, did feloniously steal and carry away from the government lime-kiln at Fort Concho, Texas, one paulin, the property of the United States government, and sell the same to William Lardner. All this at Fort Concho, Texas, on or about the 16th day of October, 1870."

To which charge and specification the accused, Private *Owen Quinn*, Company M, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Owen Quinn*, Company M, 4th U. S. Cavalry, "To forfeit all pay and allowances due or to become due, except the just dues of the laundress; to be indelibly marked on the left hip with the letter 'T,' two inches in length; and be dishonorably discharged and drummed out of the service."

9. Private *James Riley*, Company M, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *James Riley*, Company M, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at post Fort Concho, Texas, on or about the 30th day of September, 1870; and did remain so absent until apprehended on or about the 23d day of October, 1870; thirty dollars reward paid for his apprehension."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Riley*, Company M, 4th U. S. Cavalry, did steal and take away from the post hospital, Fort Concho, Texas, the following articles: two blankets, the property of the United States, and for which Captain William M. Notson, Assistant Surgeon, U. S. Army, is responsible. All this at post Fort Concho, Texas, on or about the days and dates above mentioned."

To which charges and specifications the accused, Private *James Riley*, Company M, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James Riley*, Company M, 4th U. S. Cavalry, "To be indelibly marked with the letter 'D,' two inches long, on the left hip; to be dishonorably discharged, with the loss of all pay and allowances; and then to have his head shaved and to be drummed out of the service."

II. The proceedings, findings and sentences in the cases of Privates *William S. Hill*, *Adolph Maas*, Company B, *Mathew Shaw*, Company G, *Thomas Dillon*, Company I, *H. McGinley* and *Owen Quinn*, Company M, 4th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings, findings and acquittal in the cases of Corporal *John Foley*, Company G, and Private *William Johnson*, Company M, 4th U. S. Cavalry, are approved. They will be released from arrest or confinement and returned to duty.

In the case of Private *James Riley*, Company M, 4th U. S. Cavalry, the sentence is entirely inadequate to the offence. The proceedings and findings are approved but the sentence

is disapproved, except so much as relates to the forfeiture of pay and allowances. The man will be released from confinement and returned to duty.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Acting Assistant Adjutant General.

AT FORT CONCHO, TEXAS.

1. Private ROBERT ROY ....Company B, 4th U. S. Cavalry.
2. Private WILLIAM WILLIAMS. .....Company B, 4th U. S. Cavalry.
3. Private A. H. KERR ....Company E, 4th U. S. Cavalry.
4. Private LINUS PERKINS .... Company G, 4th U. S. Cavalry.
5. Private MICHAEL RILEY .... Company G, 4th U. S. Cavalry.
6. Private THOMAS RILEY..... Company M, 4th U. S. Cavalry.
7. Private CHARLES CAMPBELL .....Company B, 11th U. S. Infantry.
8. Wagoner HARRY PAULSON .... .Company E, 11th U. S. Infantry.
9. Private JOHN RILEY .....Company E, 11th U. S. Infantry.
10. Private GEORGE W. CARR ... ...Company H, 11th U. S. Infantry.
11. Private ANTON V. SWATY ..... .Company H, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 22, 1870.

GENERAL ORDERS, No. 86.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, November 22, 1870, pursuant to paragraph I of Special Order No. 138, Headquarters Department of Texas, dated San Antonio, Texas, November 8, 1870, and of which Captain N. B. MCLAUGHLEN, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Robert Roy*, Company B, 4th U. S. Cavalry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *Robert Roy*, Company B, 4th U. S. Cavalry, having been ordered by his commanding officer, Captain Clarence Mauck, 4th U. S. Cavalry, at inspection on the 30th day of September, 1870, to have his hair cut before the next Sunday morning inspection, did fail to comply with said order. All this at or near Fort Concho, Texas, on or about the dates above specified."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Robert Roy*, Company B, 4th U. S. Cavalry, did absent himself from his company and quarters, without permission from proper authority, on the 2d day of October, 1870, and did remain absent until arrested and confined in the post guard house at Fort Concho, Texas, on the 3d day of October, 1870. All this at Fort Concho, Texas, on or about the 2d and 3d days of October, 1870."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Robert Roy*, Company B, 4th U. S. Cavalry, having been arrested and confined in the post guard house at Fort Concho, Texas, on the 3d day of October, 1870, did

evade the guard and escape therefrom; and did absent himself from the post, (going beyond the limits as designated in General Orders No. 24, current series, Fort Concho, Texas,) and did remain absent until arrested and brought back to the post by Sergeant Burdell La Praide, Company B, 4th U. S. Cavalry, on the 7th day of October, 1870. All this at Fort Concho, Texas, on the days and dates above specified."

To which charges and specifications the accused, Private *Robert Roy*, Company B, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Robert Roy*, Company B, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of three months; and to forfeit ten dollars per month of his monthly pay for the same period."

2. Private *William Williams*, Company B, 4th U. S. Cavalry.

CHARGE —"Violation of the 46th Article of War."

Specification—"In this, that he, Private *William Williams*, Company B, 4th U. S. Cavalry, having been duly mounted as a member of the guard, and having been regularly posted as a sentinel, did leave his post before being regularly relieved. This at Fort Concho, Texas, on or about the 17th day of September, 1870."

To which charge and specification the accused, Private *William Williams*, Company B, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Williams*, Company B, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of four months; and to forfeit fourteen dollars per month of his monthly pay for the same period."

3. Private *A. H. Kerr*, Company E, 4th U. S. Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, did, without authority from his commanding officer, absent himself from his company on or about the 21st day of November, 1870; and did remain absent until arrested by a patrol on or about the 24th day of November, 1870. This at Fort Concho, Texas."

CHARGE II—"Disobedience of orders."

Specification—"In this, that Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, did, in violation of the following order: viz.,

HEADQUARTERS POST OF FORT CONCHO, TEXAS,
August 15, 1870.

GENERAL ORDERS, No 27.

I. No member of this command will go beyond the limits of this post without permission from the commanding officer. In cases of enlisted men the permission will be in writing.

BY COMMAND OF BVT. MAJOR GENERAL A. C. GILLEM:
(Signed.) W. C. BEACH,
Lieutenant 11th U. S. Infantry, Post Adjutant.

go beyond the limits of the post without permission from his commanding officer. This at Fort Concho, Texas, on or about the 24th day of November, 1870."

CHARGE III—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, did dispose of one Spencer carbine, the property of the United States, and for which Captain W. W. Webb, 4th U. S. Cavalry, is responsible. This at Fort Concho, Texas, on or about the 21st day of November, 1870."

CHARGE IV—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, did cross the North Concho river, and was there found lying in the public road in a drunken and disgraceful condition by the patrol that was sent to arrest him; and he (the said *A. H. Kerr*) was entirely unable to walk and had to be brought to the guard house in a mule cart. This at Fort Concho, Texas, on or about the 24th day of November, 1870."

To which charges and specifications the accused, Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specification,	"Not Guilty."
To the fourth charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *A. H. Kerr*, Company E, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances, save just

dues of the laundress; and then to have his head shaved and be drummed out of the service."

4. Private *Linus Perkins*, Company G, 4th U. S. Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Linus Perkins*, of Company G, 4th U. S. Cavalry, has been in confinement between December 14, 1869, and the present date, October 15, 1870—sixty-one (61) days; said confinement all owing to his inebriate habits and continually absenting himself without leave."

Specification 2d—"In this, that Private *Linus Perkins*, Company G, 4th U. S. Cavalry, has been tried and convicted for absenting himself without leave by Garrison Courts Martial on the following dates: December 17, 1869, January 12, 1870, February 17, 1870, and March 26, 1870. All this at San Antonio, Texas, and Fort Concho, Texas, on the dates above mentioned."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Linus Perkins*, Company G, 4th U. S. Cavalry, did absent himself from his company, without permission from proper authority, between the hours of 6 o'clock P. M. on the 11th, and 8 o'clock P. M. on the 13th days of October, 1870. All this at Fort Concho, Texas, on the days above specified."

To which charges and specifications the accused, Private *Linus Perkins*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Linus Perkins*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; to be indelibly marked on the left hip with a letter 'W' two inches in length; and to be confined at hard labor, at such a place as the Commanding General may direct, for the period of one year."

5. Private *Michael Riley*, Company G, 4th U. S. Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Michael Riley*, Company G, 4th U. S. Cavalry, has been in confinement between March 28, 1870, and the present date, October 11, 1870—one hundred and seventy-nine (179) days; said confinement all owing to his continually absenting himself without leave and inebriate habits. This at San Antonio and Fort Concho, Texas, between the dates above mentioned."

To which charge and specification the accused, Private *Michael Riley*, Company G, 4th U. S. Cavalry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Riley*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances due or which may become due; to be indelibly marked with a letter 'W' two inches in length on the left hip; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of one year."

6. Private *Thomas Riley*, Company M, 4th U. S. Cavalry.

CHARGE—"Mayhem, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, a prisoner in the post guard house, did attack and maliciously and feloniously maim Private William Williams, Company B, 4th U. S. Cavalry, a prisoner, by biting off the left ear of said Private William Williams, Company B, 4th U. S. Cavalry, to the great detriment and personal injury of the said Private William Williams, Company B, 4th U. S. Cavalry. All this in or about the post guard house of the post of Fort Concho, Texas, on or about the 4th day of December, 1870."

To which charge and specification the accused, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Riley*, Company M, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, with a ball and chain attached to his left leg, for the period of one year; and to forfeit ten dollars per month of his monthly pay for the same period; and then to be dishonorably discharged the service of the United States."

7. Private *Charles Campbell*, Company B, 11th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Charles Campbell*, Company B, 11th U. S. Infantry, having joined his company on the 6th day of May, 1869, has been tried and convicted by five courts martial since May 6, 1869, to the present date; said court martial orders date as follows: General Orders No. 56, paragraph I, Headquarters Post of Jefferson, Texas, September 6, 1869; General Orders No. 56, paragraph III, Headquarters Post of Jefferson, Texas, September 7, 1869; General Orders No. 200, Headquarters Fifth Military District, Austin, Texas, November 11, 1869; General Orders No. 73, paragraph I, Headquarters Post of Jefferson, Texas, November 20,

1869; General Orders No. 33, paragraph I, Headquarters Post Fort Concho, Texas, September 4, 1870. All this at the posts of Jefferson, Texas, and Fort Concho, Texas, from the 6th day of May, 1869, to the present date."

Specification 2d—"In this, that he, Private *Charles Campbell*, Company B, 11th U. S. Infantry, has by his own worthlessness, habitual drunkenness and misconduct been confined under charge of the guard for 317 days, more or less, at the posts of Greenville, Jefferson and Fort Concho, Texas, at the following dates: From the 6th of May, 1869, to the 16th—ten days; from the 30th of May, 1869, to the 31st—one day; from the 8th of June, 1869, to the 24th—seventeen days; from the 16th of July, 1869, to the 18th—three days; from the 3d of August, 1869, to the 4th—one day; from the 10th of August, 1869, to the 11th—one day; from the 12th of August, 1869, to the 20th April, 1870—two hundred and fifty-one days; from the 25th of May, 1870, to the 27th—three days; from the 1st of July, 1870, to the 4th—four days; from the 27th of August, 1870, to the 5th September—ten days; from the 14th of September, 1870, to the present date—sixteen days. Total, three hundred and seventeen days. All this at the posts and dates above mentioned."

To which charge and specifications the accused, Private *Charles Campbell*, Company B, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Campbell*, Company B, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances due or which may become due; to be indelibly marked with a letter 'W' two inches in length on the left hip; and to be confined at such a place as the Commanding General may direct until the expiration of his term of service."

8. Wagoner *Harry Paulson*, Company E, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Wagoner *Harry Paulson*, Company E, 11th U. S. Infantry, after having been duly mounted as a member of the guard at post Fort Concho, Texas, on the 1st day of December, 1870, did become so drunk as to be unable to perform his duty as a soldier. This at Fort Concho, Texas, on or about the 1st day of December, 1870."

To which charge and specification the accused, Wagoner *Harry Paulson*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Wagoner *Harry Paulson*,

Company E, 11th U. S. Infantry, "To be confined at hard labor in charge of the guard for the period of six months."

9. Private *John Riley*, Company E, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *John Riley*, E Company, 11th U. S. Infantry, a member of the post guard, post of Fort Concho, Texas, having been duly mounted as such, did become so drunk as to entirely unfit him to perform the duties of a soldier. This at Fort Concho, Texas, between the hours of 11 o'clock A. M. and 12 M. on the 7th day of December, 1870."

To which charge and specification the accused, Private *John Riley*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Riley*, Company E, 11th U. S. Infantry, "To be confined at hard labor in charge of the post guard for the period of eight months."

10. Private *George W. Carr*, Company H, 11th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George W. Carr*, Company H, 11th U. S. Infantry, did feloniously take or steal from Private Henry Frith, Company H, 11th U. S. Infantry, one gold chain, valued at ten ($10) dollars—the property of Henry Frith, Company H, 11th U. S. Infantry—and did dispose of the said chain to one Sprague, a citizen, representing it to be his (*George W. Carr's*) property. This at Fort Concho, Texas, on or about the 25th day of July, 1870."

To which charge and specification the accused, Private *George W. Carr*, Company H, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George W. Carr*, Company H, 11th U. S. Infantry, "To be indelibly marked with a letter 'T' two inches in length on the left hip; to be confined at hard labor in charge of the guard for the period of six months; and then to be dishonorably discharged the service of the United States, with the loss of all pay and allowances due or which may become due, except the just dues of the laundress."

11. Private *Anton V. Swaty*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that Recruit *Anton V. Swaty*, of the 11th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 24th day of

September, 1870, at or near Columbus, Texas; and did remain, absent until apprehended at Frailsburg, Texas, on or about the 5th day of October, 1870, by Wm. J. Finucane (citizen); thirty ($30) dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Anton V. Swaty*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Anton V. Swaty*, Company H, 11th U. S. Infantry, "To be confined at hard labor for the period of one year, and to forfeit all pay and allowances for the same period."

II. The proceedings, findings and sentences in the cases of Privates *Robert Roy* and *William Williams*, Company B, *A. H. Kerr*, Company E, 4th U. S. Cavalry; Wagoner *Harry Paulson*, Privates *John Riley*, Company E, and *George W. Carr*, Company H, 11th U. S. Infantry, are approved and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Linus Perkins* and *Michael Riley*, Company G, and *Thomas Riley*, Company M, 4th U. S. Cavalry, are approved and the sentences will be duly executed. The posts of their respective companies are designated as the places of confinement.

The proceedings, findings and sentence in the case of private *Charles Campbell*, Company B, 11th U. S. Infantry, are approved and the sentence will be duly executed. Private *Campbell* will be discharged the service at once. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *Anton V. Swaty*, Company H, 11th U. S. Infantry, are approved. Upon the recommendation of six members of the court the sentence is remitted. Private *Swaty* will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

AT FORT DAVIS, TEXAS.

1. Private GEORGE BRUCE .....Company B, 9th U. S. Cavalry.
2. Private ROSS ALSIE .....Company C, 9th U. S. Cavalry.
3. Private JOHN CAMPBELL ... .Company C, 9th U. S. Cavalry.
4. Private THEODORE SMITH ... . Company C, 9th U. S. Cavalry.
5. Private LEWIS WHITE ....Company C, 9th U. S. Cavalry.
6. Private WILLIAM CLARK .....Company K, 9th U. S. Cavalry.
7. Private JAMES PARKER.....Company K, 9th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 23, 1870.

GENERAL ORDERS, No. 87.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, July 7, 1870, pursuant to paragraph VII of Special Order No. 49, paragraph I of Special Order No. 100, and paragraph II of Special Order No. 136, Headquarters Department of Texas, dated Austin, Texas, June 25, and August 30, 1870, and San Antonio, Texas, November 8, 1870, and of which Captain CHARLES C. HOOD, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *George Bruce*, Company B, 9th U. S. Cavalry.

CHARGE I—"Violation of the 6th Article of War."

Specification 1st—"In this, that he, Private *George Bruce*, Company B, 9th U. S. Cavalry, did, while the commanding officer of his company was explaining to him how certain conduct on his part on the day previous towards the first sergeant of the said company was wrong and unjustifiable, disrespectfully and repeatedly attempt to interrupt the said officer after having twice been directed not to do so. All this at Fort Davis, Texas, on or about the 20th day of September, 1870."

Specification 2d—"In this, that he, Private *George Bruce*, Company B, 9th U. S. Cavalry, did, when directed by his company commander (Captain Charles Parker, 9th U. S. Cavalry) to return $5.00 which he, the said *Bruce*, claimed to have won as a wager of Private Benjamin May, Company C, 9th U. S. Cavalry, to Private John T. Clark, Company G, 25th U. S. Infantry, address himself in a

threatening and disrespectful manner towards the said Clark, in the presence of the said officer; and did at the same time make use of the following disrespectful language to the officer aforesaid: 'a bet is a bet,' or words to that effect. All this at Fort Davis, Texas, on or about the 20th day of September."

CHARGE II—" Disobedience of orders."

Specification 1*st*—" In this, that he, Private *George Bruce*, Company B, 9th U. S. Cavalry, did, when directed by Captain Charles Parker, 9th U. S. Cavalry, to return a pair of boots in his possession to their proper owner (Private Benjamin May, Company C, 9th U. S. Cavalry) refuse to do so in the following words: 'I will not give him the boots until he gives me $5.00 which I won betting with him this morning,' or words to that effect. All this at Fort Davis, Texas, on or about the 20th of September."

Specification 2*d*—"In this, that he, Private *George Bruce*, Company B, 9th U. S. Cavalry, did, when directed by Sergeant John Turner, acting first sergeant of his company, to report to Sergeant J. Hockersmith, B Company, 9th U. S. Cavalry, for fatigue duty, and notified that it was the orders of the company commander for all enlisted men for duty in said company to work, refuse to do so in the following words: 'I'll be damned if I do I'll go to the guard house first, I have been up all night and have had no sleep,' or words to that effect. All this at Fort Davis, Texas, on or about the 20th day of September, 1870."

To which charges and specifications the accused, Private *George Bruce*, Company B, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specifications, " Guilty."

To the first specification, second charge, " Guilty, except the words ' I will not.' "

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

To the second charge, " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Bruce*, Company B, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

2. Private *Ross Alsie*, Company C, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Ross Alsie*, Company C, 9th U. S. Cavalry, having been duly posted as a sentinel over the horses of his company, with orders not to leave his post for any purpose whatsoever, did leave his post before being regularly relieved. This at Fort Davis, Texas, on or about the night of the 1st day of August, 1870."

To which charge and specification the accused, Private *Ross Alsie*, Company C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Ross Alsie*, Company C, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due, or that may become due him; and to be confined at hard labor, at such place as the proper authority may direct, for the balance of his term of enlistment."

3. Private *John Campbell*, Company C, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *John Campbell*, of Company C, 9th U. S. Cavalry, having been duly posted as a sentinel over the horses of his company, was found sleeping upon his post when visited by his company commander. This at Fort Davis, Texas, about the hour of midnight, on or about the 30th day of July, 1870."

To which charge and specification the accused, Private *John Campbell*, Company C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Campbell*, Company C, 9th U. S. Cavalry, "To forfeit to the United States eight dollars of his monthly pay for the period of six months; and to be confined at hard labor, at the post where his company may be serving, for the period of six months."

4. Private *Theodore Smith*, Company C, 9th U. S. Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Theodore Smith*, of Company C, 9th U. S. Cavalry, having been regularly mounted as a member of the post guard, did become so

drunk as to be unable to properly perform the duties of a soldier. This at Fort Davis, Texas, on or about the 7th day of October, 1870."

CHARGE II—"Theft."

Specification—"In this, that he, Private *Theodore Smith*, of Company C, 9th U. S. Cavalry, did steal one great coat belonging to Private Henry Johnson, of his company; and did thereafter sell the same to another soldier of his company. This at Fort Davis, Texas, on or about the 7th day of October, 1870."

To which charges and specifications the accused, Private *Theodore Smith*, Company C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Theodore Smith*, Company C, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or that may become due; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of one year."

5. Private *Lewis White*, Company C, 9th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, *Lewis White*, a duly enlisted soldier of the United States, and private of Company C, 9th U. S. Cavalry, did desert said service and his company at San Antonio, Texas, on or about the 20th day of July, 1869; and did remain absent until apprehended at or near Yorktown, Texas, on or about the 21st day of September, 1869; thirty dollars being paid for his apprehension."

To which charge and specification the accused, Private *Lewis White*, Company, C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Lewis White*, Company C, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; and to forfeit all pay and allowances now due or that may become due him. The court is thus lenient on account of the long period the accused has been in confinement: viz., fourteen months."

6. Private *William Clark*, Company K, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *William Clark*, of Company K, 9th U. S. Cavalry, having been regularly posted as a sentinel of the second relief on post No 4, at the post quartermaster's corral, was found sleeping upon his post by the officer of the day. This at Fort Davis, Texas, on or about the hour of 1 o'clock A. M., of the 23d day of October, 1870."

To which charge and specification the accused, Private *William Clark*, Company K, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Clark*, Company K, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of one year."

7. Private *James Parker*, Company K, 9th U. S. Cavalry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *James Parker*, Company K, 9th U. S. Cavalry, having been regularly detailed as a member of the guard at the United States mail station, and duly posted as a sentinel, did go to sleep on his post, and thus endanger the property over which he was posted. All this at or near the U. S. mail station at Varilla Springs, Texas, (a station infested by hostile Indians,) on or about the 9th of May, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *James Parker*, Company K, 9th U. S. Cavalry, did wilfully strike and cut, with a sabre, Private Howard Goodwin, Company K, 9th U. S. Cavalry, thereby inflicting a serious wound. All this at or near Fort Davis, Texas, on or about the 22d of May, 1870."

To which charges and specifications the accused, Private *James Parker*, Company K, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'did go to sleep on his post,' and substitute therefor 'did leave his post and go to sleep.'"

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

SENTENCE.

And the court does therefore sentence him, Private *James Parker*, Company K, 9th U. S. Cavalry, "To be dishonorably discharged from the service; and to forfeit to the United States all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of two years."

II. The proceedings and findings in the case of Private *George Bruce*, Company B, 9th U. S. Cavalry, are approved. The sentence is mitigated to three months' confinement at the post of his company. As thus mitigated the sentence will be duly executed.

The proceedings and findings in the cases of Privates *Ross Alsie*, Company C, and *James Parker*, Company K, 9th U. S. Cavalry, are approved. The period of confinement in each case is mitigated to one year. As thus modified the sentences will be duly executed. The posts of their respective companies are designated as the places of confinement.

The proceedings, findings and sentences in the cases of Privates *John Campbell* and *Lewis White*, Company C, 9th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Theodore Smith*, Company C, 9th U. S. Cavalry, are approved and the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *William Clark*, Company K, 9th U. S. Cavalry, are approved. The sentence is mitigated to six months' confinement at the post of his company, and forfeiture of twelve dollars per month of his monthly pay for the same period. As thus mitigated the sentence will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Sergeant Henry Combs .....Company E, 9th U. S. Cavalry.
2. Private Charles Stapleton .....Company E, 9th U. S. Cavalry.
3. Blacksmith Elijah Garrett .....Company G, 9th U. S. Cavalry.
4. Private David Badie..... Company G, 9th U. S. Cavalry.
5. Private Henry Robinson.....Company G, 9th U. S. Cavalry.
6. Corporal Albert E. Cropper ....Company I, 24th U. S. Infantry.
7. Private Walter F. Gilmore. ...Company D, 25th U. S. Infantry.
8. Private Henry Williams..... Company D, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *December* 24, 1870.

General Orders, No. 88.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, November 21, 1870, pursuant to paragraph IV of Special Order No. 142, Headquarters Department of Texas, dated San Antonio, Texas, November 12, 1870, and of which Captain Delos A. Ward, 25th U. S. Infantry, is President, were arraigned and tried:

1. Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry.

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

Specification 1st—"In this, that Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, when ordered by First Sergeant John H. Lason, Company E, 9th U. S. Cavalry, to groom his horse, did reply in the following language: 'No, I won't do any such a damned thing;' and then: 'well, by God, I can do it; but [it] is all damned foolishness.' This at Fort Clark, Texas, on the 25th day of September, 1870."

Specification 2d—"In this, that Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, when placed in arrest by his company commander, (Lieutenant Cortelyou,) did break said arrest by running out of his quarters into the company street. This at Fort Clark, Texas, on the 25th day of September, 1870."

Specification 3d—"In this, that Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, after having a guard placed over his tent to keep him *(Combs)* into it, did break out of said tent and run into the company street, and there remain until carried back by force. This at Fort Clark, Texas, on the 25th day of September, 1870."

Specification 4th—"In this, that Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, after having been placed in arrest by his company commander, (Lieutenant Cortelyou,) and ordered to keep quiet,

did continue to talk very loud and [in a] boisterous manner, using profane and disgraceful language. This at Fort Clark, Texas, on the 25th day of September, 1870."

To which charge and specifications the accused, Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'well, by God.'"
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, Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry, "To be reduced to the ranks; and to forfeit eight dollars of his pay per month for six months."

2. Private *Charles Stapleton*, Company E, 9th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, having been ordered by First Sergeant John H. Lason, Company E, 9th U. S. Cavalry, not to leave camp as he was ordered on fatigue duty at guard mount, (said Sergeant Lason being in the execution of his office,) did wilfully disobey said order, and did go to the town of Brackettsville, Texas. This at Fort Clark, Texas, on the 16th day of September, 1870."

Specification 2d—"In this, that Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, when arrested by Sergeant Frank Callihan, Company E, 9th U. S. Cavalry, and informed by Sergeant Callihan that he had orders to arrest him and take him to the guard house, (said Sergeant Callihan being in the execution of his office,) did wilfully disobey said orders and positively refuse to go with said sergeant. This at Brackettsville, Texas, near Fort Clark, Texas, on the 16th day of September, 1870."

Specification 3d—"In this, that Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, after having been arrested by Sergeant Frank Callihan, Company E, 9th U. S. Cavalry, and ordered to go with him (Callihan) to the guard house, did take off his blouse and make use of the following language: viz., 'No, I won't obey your orders; and if you don't go away from me, you damned white son of a bitch, I will lick you,' or words to that effect. This at Brackettsville, Texas, near Fort Clark, Texas, on the 16th day of September, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, did absent himself from his company and the garrison without permission from proper authority, and did go to the town of Brackettsville, Texas, and there remain until arrested by Sergeant Frank Callihan, Company E, 9th U. S. Cavalry. This at Fort Clark, Texas, on the 16th day of September, 1870."

To which charges and specifications the accused, Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specifications, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

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

Of the first specification, first charge, "Guilty."
Of the second specification, first charge, "Guilty."
Of the third 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, Private *Charles Stapleton*, Company E, 9th U. S. Cavalry, "To be confined at hard labor, at such place as the Department Commander may direct, for the period of one year; and to forfeit to the United States fourteen dollars per month of his monthly pay for the same period."

3. Blacksmith *Elijah Garrett*, Company G, 9th U. S. Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, the said *Elijah Garrett*, blacksmith, Company G, 9th U. S. Cavalry, did absent himself from his company and the post, and go into the town of Brackettsville, Texas, without proper authority. This at Fort Clark, Texas, on or about the 23d day of November, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said *Elijah Garrett*, blacksmith, Company G, 9th U. S. Cavalry, did without authority take from the stable of his company one government horse and ride the same in a rapid and improper manner through the town of Brackettsville, Texas; and did behave himself in a drunken and disorderly manner until arrested by a guard. This at Fort Clark, Texas, on the 23d day of November, 1870."

Specification 2d—"In this, that he, the said *Elijah Garrett*, blacksmith, Company G, 9th U. S. Cavalry, having been arrested by a guard, and ordered to the post guard house, did resist the said guard; and when ordered by the first sergeant of his company (George Higgins) to obey the guard, did still refuse to obey, and did catch the said first sergeant by the collar, tearing the same; and did use abusive language to the said first sergeant in the presence of other enlisted men of the company. All this at or near Fort Clark, Texas, on or about the 23d day of November, 1870."

To which charges and specifications the accused, Blacksmith *Elijah Garrett*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Blacksmith *Elijah Garrett*, Company G, 9th U. S. Cavalry, "To forfeit ten dollars of his monthly pay for the period of six months; and to be confined at hard labor for two months."

The court is thus lenient in consideration of the good character of the accused as testified to by his company commander.

4. Private *David Badie*, Company G, 9th U. S. Cavalry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, *David Badie*, private Company G, 9th U. S. Cavalry, having been regularly detailed and duly posted as a sentry over the camp and animals of a scout in search of hostile Indians, was found asleep upon his post. All this in camp on Nueces river, Texas, on or about the 8th day of September, 1870, between sun set and sun rise."

To which charge and specification the accused, Private *David Badie*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *David Badie*, Company G, 9th U. S. Cavalry, "To be confined at hard labor for the period of six months; and to forfeit to the United States twelve dollars of his monthly pay for the same period."

5. Private *Henry Robinson*, Company G, 9th U. S. Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said *Henry Robinson*, private Company G, 9th U. S. Cavalry, did feloniously enter the chest or box of Private Frank Hamilton, Company G, 9th U. S. Cavalry, and did take, steal and carry therefrom one pair of trowsers and two pairs of drawers. This at Fort Clark, Texas, on the 20th day of November, 1870."

CHARGE II—"Absence without leave."

Specification 1st—"In this, that he, the said *Henry Robinson*, private Company G, 9th U. S. Cavalry, did absent himself from his company and the garrison of Fort Clark, without proper authority, and remain so absent until arrested. This at Fort Clark, Texas, on the 9th day of November, 1870."

Specification 2d—"In this, that he, the said *Henry Robinson*, private Company G, 9th U. S. Cavalry, did absent himself from his company and the garrison of Fort Clark, and remain so absent until arrested by a guard. This at Fort Clark, Texas, on the 22d day of November, 1870."

To which charges and specifications the accused, Private *Henry Robinson*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Robinson*, Company G, 9th U. S. Cavalry, "To be confined at hard labor, at such place as the Department Commander may direct, for the period of twelve months; and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

6. Corporal *Albert E. Cropper*, Company I, 24th U. S. Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Corporal *Albert E. Cropper*, Company I, 24th U. S. Infantry, did threaten to kill Corporal Frank Gibson of said company; and did load his musket and leave his quarters for that purpose, when he was arrested by Corporal Abraham Howard of said Company I. This at Fort Clark, Texas, on the 5th day of October, 1870."

CHARGE II—"Absence without leave."

Specification—"In this, that the said *Albert E. Cropper*, Company I, 24th U. S. Infantry, did absent himself from the post and go to the town of Brackettsville, without permission from proper authority. This at Fort Clark, Texas, on or about the 5th day of October, 1870."

To which charges and specifications the accused, Corporal *Albert E. Cropper*, Company I, 24th U. S. Infantry, pleaded as follows:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *Albert E. Cropper*, Company I, 24th U. S. Infantry, "To be reduced to the ranks; confined at hard labor for the period of six months; and to forfeit to the United States twelve dollars per month of his monthly pay for the same period."

7. Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That he, Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, did take and conceal, for the purpose of appropriating to his own use and benefit, one forage cap, the property of

Sergeant Tillman Geada, Company F, 25th U. S. Infantry. This at Fort Clark, Texas, on or about the 8th day of July, 1870."

To which charge and specification the accused, Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, *Walter F. Gilmore*, private Company D, 25th U. S. Infantry.

8. Private *Henry Williams*, Company D, 25th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That he, Private *Henry Williams*, Company D, 25th U. S. Infantry, having been regularly posted as a sentinel in front of the post guard house, did leave his post without having been regularly relieved. This at Fort Clark, Texas, between the hours of 2 A. M. and 4 A. M. on the 24th day of November, 1870."

To which charge and specification the accused, Private *Henry Williams*, Company D, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Williams*, Company D, 25th U. S. Infantry, "To be confined at hard labor under charge of the guard for the period of six months; and to forfeit ten dollars per month of his monthly pay for the same period."

II. The proceedings, findings and sentences in the cases of Sergeant *Henry Combs*, Company E, 9th U. S. Cavalry; and Private *Henry Williams*, Company D, 25th U. S. Infantry, are approved and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Private *Charles Stapleton*, Company E, Blacksmith *Elijah Garrett*, Private *David Badie*, Company G, 9th U. S. Cavalry; and Corporal *Albert E. Cropper*, Company I, 24th U. S. Infantry, are approved and the sentences will be duly executed. The posts of their respective companies are designated as the places of confinement.

In the case of Private *Henry Robinson*, Company G, 9th U. S. Cavalry, the accused, after pleading guilty to the first charge and its specification, made a statement to the court from which it is evident that the plea was interposed under a misapprehension. The court, after listening to the statement, ought to have directed that the plea be changed to "Not Guilty." The proceedings and findings on the first charge and its specification are disapproved and set aside. On the second charge and its specifications the proceedings and findings are approved and confirmed. The sentence is mitigated to confinement at hard labor, at the post where his company may be serving, for the period of two months, and forfeiture of twelve dollars per month of his pay for the same period.

The proceedings, findings and acquittal in the foregoing case of Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Acting Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *December* 27, 1870.

GENERAL ORDERS, No. 89.

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, August 19, 1870, pursuant to paragraph III of Special Order No. 88, and paragraph I of Special Order No. 110, Headquarters Department of Texas, dated Austin, Texas, August 13, and September 14, 1870, and of which Captain ROBERT H. HALL, 10th U. S. Infantry, is President, was arraigned and tried:

Private *James Brown*, Company A, 4th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1*st*—"In this, that Private *James Brown*, of Company A, 4th U. S. Cavalry, a member of the police guard, having been duly posted as a sentinel on post No. 2, in rear of the guard house, with orders to keep a vigilant watch over said guard house, did allow a hole to be made in the roof, through which he permitted four prisoners to escape. This at San Antonio, Texas, on or about the 19th day of August, 1870."

Specification 2*d*—"In this, that Private *James Brown*, of Company A, 4th U. S. Cavalry, being a member of the police guard, and duly posted as a sentinel on post No. 2, in rear of the guard house, to prevent the escape of prisoners, did, after having been informed by Private Joseph H. Ripka, of Company F, 10th U. S Infantry, that he thought that prisoners were trying to escape, as he had heard a light crash and saw a man's head through the roof, or words to that effect, fail to notify the sergeant or other non-commissioned officer of the guard, or pay any attention to the notice given him, thereby allowing prisoners to escape through said hole. This at post San Antonio, Texas, on or about the 19th day of August, 1870."

Specification 3*d*—"In this, that Private *James Brown*, of Company A, 4th U. S. Cavalry, a member of the police guard, and having been duly posted as a sentinel on post No. 2, in rear of the guard house, did talk and hold conversation not necessary to the proper discharge of his duty, through a window in rear of the guard house with prisoners therein confined. This at post San Antonio, Texas, on or about the 19th day of August, 1870."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that Private *James Brown*, of Company A, 4th U. S. Cavalry, a member of the police guard,

and having been duly posted as a sentinel on post No. 2, in rear of the guard house, did quit his post by lounging at, and holding conversation through, a window in rear of the guard house with prisoners therein confined. This at post San Antonio, Texas, on or about the 19th day of August, 1870, between the hours of 6.30 and 8 o'clock P. M."

To which charges and specifications the accused, Private *James Brown*, Company A, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the third 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, Private *James Brown*, Company A, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or that may become due him; and then to be confined at such military prison as the reviewing officer may direct, with a ball weighing twenty-four pounds attached to his left leg by a chain two feet long, for the period of ten months."

II. The proceedings and findings in the case of Private *James Brown*, Company A, 4th U. S. Cavalry, are approved. In view of the favorable recommendation of his company commander, so much of the sentence as relates to a dishonorable discharge, imprisonment and wearing a ball and chain, is remitted; the remainder is approved and will be duly executed.

III. The General Court Martial instituted by paragraph III of Special Order No. 88, and paragraph I of Special Order No. 110, current series, from Department Headquarters, and of which Captain ROBERT H. HALL, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS,

Department of Texas.

1871.

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2. Sergeant MICHAEL O'DONOGHUE..... Company D, 10th U. S. Infantry.
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HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *January* 3, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 1. }

I. Before a General Court Martial which convened at Austin, Texas, on Friday, December 30, 1870, pursuant to paragraph III of Special Order No. 172, and paragraph I of Special Order No. 174, dated Headquarters Department of Texas, San Antonio, Texas, December 27 and 29, 1870, and of which Major N. A. M. DUDLEY, U. S. Army, is President, were arraigned and tried:

1. Private *Andrew Shive*, Company H, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Andrew Shive*, of company H, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert said service; and did remain absent until he surrendered himself to Captain E. E. Sellers, 10th U. S. Infantry, at Austin, Texas, on the 2d day of December, 1870. This at Austin, Texas, on or about the 2d day of August, 1870."

To which charge and specification the accused, Private *Andrew Shive*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Andrew Shive*, Company H, 4th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due him; to make good the time lost by desertion; and to be confined, under guard, at hard labor for the period of one year."

2. Sergeant *Michael O'Donoghue*, Company D, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that Sergeant *Michael O'Donoghue*, of company D, 10th U. S. Infantry, while on duty as sergeant of the guard, did become too much under the influence of intoxicating liquor to be able to properly perform his duty. This at the military barracks, post of Austin, Texas, from about 10 o'clock P. M., of the 17th of November, 1870, until about 3 o'clock A. M., of the 18th of November, 1870."

To which charge and specification the accused, Sergeant *Michael O'Donoghue* Company D, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced finds the accused:

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

And the court does therefore acquit him, Sergeant *Michael O'Donoghue*, Company D, 10th U. S. Infantry.

3. Private *William McAfee*, Company D, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William McAfee*, of company D, 10th U. S. Infantry, having been duly enlisted into the service of the United States, did desert said service at or near Austin, Texas, on or about the 15th day of October, 1870; and did remain absent until apprehended at or near Austin, Texas, on or about the 17th day of November, 1870. All this at or near Austin, Texas, and on or about the dates above specified."

To which charge and specification the accused, Private *William McAfee*, Company D, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William McAfee*, Company D, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due him, except the just dues of the laundress; and to be confined in such military prison as the reviewing officer may select, for the period of two years."

4. Private *William F. Reid*, Company D, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *William F. Reid*, of company D, 10th U. S. Infantry, was drunk and disorderly in the squad room of his company. This at Austin, Texas, on the 15th day of December, 1870."

Specification 2d—"In this, that he, Private *William F. Reid*, of company D, 10th U. S. Infantry, did, after being repeatedly ordered by Corporal Joseph D. Watson, of company D, 10th U. S. Infantry, to stop his disorderly conduct, continue to be disorderly. This at Austin, Texas, on the 15th day of December, 1870."

Specification 3d—"In this, that he, Private *William F. Reid*, of company D, 10th U. S. Infantry, did, after being regularly detailed for guard, become drunk, and thereby totally unfit to perform the duties of a soldier. This at Austin, Texas, on the 15th day of December, 1870."

To which charge and specifications the accused, Private *William F. Reid*, Company D, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William F. Reid*, Company D, 10th U. S. Infantry, "To be confined at hard labor, in charge of the guard, for the period of three months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

5. Private *Timothy Ryan*, Company D, 10th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Timothy Ryan*, of company D, 10th U. S. Infantry, having been duly mounted as a member of the post guard, and duly posted as a sentinel in charge over prisoners confined in the post guard house, did become drunk and incapable of performing his duties as a sentinel. This at Austin, Texas, on the 16th day of December, 1870."

To which charge and specification the accused, Private *Timothy Ryan*, Company D, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Timothy Ryan*, Company D, 10th U. S. Infantry, "To be confined at hard labor eight months, in charge of the guard, at the station of his company."

6. Private *Dennis Sullivan*, Company D, 10th U. S. Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Dennis Sullivan*, of company D, 10th U. S. Infantry, was drunk and disorderly in the squad room of his company. This at Austin, Texas, on the 15th day of December, 1870."

Specification 2d—"In this, that he, Private *Dennis Sullivan*, of company D, 10th U. S. Infantry, did, after being repeatedly ordered by Corporal Joseph D. Watson, of company D, 10th U. S. Infantry, to stop his disorderly conduct, continue said conduct; and did speak to said Corporal Joseph D. Watson, of aforesaid company and regiment, in a disrespectful manner. This at Austin, Texas, on the 15th day of December, 1870."

Specification 3d—"In this, that he, Private *Dennis Sullivan*, of company D, 10th U. S. Infantry, did, after being regularly detailed for guard, become drunk and thereby totally unfit to perform the duties of a soldier. This at Austin, Texas, on the 15th day of December, 1870."

CHARGE II—"Mutinous and insubordinate conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Dennis Sullivan*, of company D, 10th U. S. Infantry, did, when ordered to go to the guard house with Corporal Joseph D. Watson, of company D, 10th U. S. Infantry, (the said Corporal Joseph D. Watson being then in the execution of his office) throw off his blouse, and did say in a mutinous and insubordinate manner to the said Corporal Joseph D. Watson: 'Before I go I will give you a damned sound thrashing, you damned son of a bitch; I don't think that you can take me, or get men in the company to do it for you,' or words to that effect. This at Austin, Texas, on the 15th day of December, 1870."

Specification 2d—"In this, that he, Private *Dennis Sullivan*, of company D, 10th U. S. Infantry, did, when Corporal Joseph D. Watson, of company D, 10th U. S. Infantry, (the said Corporal Joseph D. Watson being then in the execution of his office) endeavored to take him (the said *Dennis Sullivan*) to the guard house, jump at and grasp the said Corporal Joseph D. Watson, of aforesaid company and regiment, by the throat; and did say 'you damned son of a bitch, I have been looking for this this good while,' or words to that effect. This at Austin, Texas, on the 15th day of December, 1870."

To which charges and specifications the accused, Private *Dennis Sullivan*, Company D, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Dennis Sullivan*, Company D, 10th 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 him, except the just dues of the laundress; and to be confined at hard labor, in such military prison as the reviewing officer may designate, for the period of two years."

II. The proceedings, findings and sentences in the cases of Privates *Andrew Shive*, Company H, 4th U. S. Cavalry; *William F. Reid*, *Timothy Ryan* and *Dennis Sullivan*, Company D, 10th U. S. Infantry, are approved and the sentences will be duly executed. In the case of Private *Shive*, the post of his company, and in that of Private *Sullivan*, Fort Jackson, Louisiana, are designated as the places of confinement.

The proceedings, findings and acquittal in the case of Sergeant *Michael O'Donoghue*, Company D, 10th U. S. Infantry, are approved. He will be released from arrest and returned to duty.

The proceedings in the case of Private *William McAfee*, Company D, 10th U. S. Infantry, are approved. The finding should have been "absence without leave." The sentence is mitigated to four months' confinement at the post of his company, and forfeiture of ten dollars per month of his monthly pay for the same period. As thus mitigated the sentence will be duly executed.

III. The General Court Martial instituted by paragraph III of Special Order No. 172, and paragraph I of Special Order No. 174, series of 1870, from Department Headquarters, and of which Major N. A. M. DUDLEY, U. S. Army, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

At Fort Concho, Texas.

1. Private Wm. Whalen..... .....Company I, 4th U. S. Cavalry.
2. Private John T. Valiant ....Company B, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *January*, 4, 1871.

General Court Martial Orders, No. 2.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, November 22, 1870, pursuant to paragraph I of Special Order No. 138, Headquarters Department of Texas, dated San Antonio, Texas, November 8, 1870, and of which Captain N. B. McLaughlen, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *William Whalen*, Company I, 4th U. S. Cavalry.

Charge—"Sleeping on post."

Specification—"In this, that he, Private *William Whalen*, company I, 4th U. S. Cavalry, being at the time a member of the post guard, and having been duly posted as a sentinel in rear of the guard house, did sit down on his post and go to sleep; and did remain asleep until awakened by Sergeant Owens, company B, 4th U. S. Cavalry, sergeant of the guard. This at Fort Concho, Texas, between the hours of 9 and 10 o'clock P. M., September 22, 1870."

To which charge and specification the accused, Private *William Whalen*, Company I, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *William Whalen*, Company I, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of one year; to forfeit ten dollars per month of his monthly pay for the same period; and then to be dishonorably discharged the service of the United States."

2. Private *John T. Valiant*, Company B, 11th U. S. Infantry.

Charge—"Violation ot the 46th Article of War."

Specification—"In this, that he, Private *John T. Valiant*, company B, 11th U. S. Infantry, after having been duly posted as a sentinel at post No. 3, (grain house,) at 10 o'clock A. M., on the 15th day of November, 1870, did leave said post without being regularly relieved; taking off his accoutrements, putting them and his musket into an empty box, and going to the sutler's store of Messrs. Wicks & Co. This at Fort Concho, Texas, on or about the 15th day of November, 1870."

To which charge and specification the accused, Private *John T. Valiant*, Company B, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, with the exception of the words 'and going to the sutler's store of Messrs. Wicks & Co.'"

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John T. Valiant*, Company B, 11th U. S. Infantry. "To be confined at the post where his company may be serving, at hard labor in charge of the guard, for the period of two (2) months; and to forfeit fifteen (15) dollars per month of his monthly pay for the same period."

II. The proceedings, findings and sentences in the cases of Privates *William Whalen*, Company I, 4th U. S. Cavalry, and *John T. Valiant*, Company B, 11th U. S. Infantry, are approved and the sentences will be duly executed.

III. The General Court Martial instituted by paragraph I of Special Order No. 138, series of 1870, from Department Headquarters, and of which Captain N. B. McLAUGHLEN, 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

AT FORT DAVIS, TEXAS.

1. Farrier and Blacksmith JAMES GAINES...Company B, 9th U. S. Cavalry.
2. Private ELI RANDALL .....Company C, 9th U. S. Cavalry.
3. Private FRANK SELVEY.....Company C, 9th U. S. Cavalry.
4. Private DAVID SULLIVAN.....Company C, 9th U. S. Cavalry.
5. Corporal JOHN COLSON.....Company G, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *January* 18, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 3. }

I. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, July 7, 1870, pursuant to paragraph VII of Special Order No. 49, paragraph I of Special Order No. 100, and paragraph II of Special Order No. 138, Headquarters Department of Texas, dated Austin, Texas, June 25, and August 30, 1870, and San Antonio, Texas, November 8, 1870, and of which Captain CHARLES C. HOOD, 24th U. S. Infantry, is President, were arraigned and tried:

1. Farrier and Blacksmith *James Gaines*, Company B, 9th U. S. Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Farrier and Blacksmith *James Gaines*, company B, 9th U S. Cavalry, did become so drunk and disorderly as to be unfitted for duty while on duty as one of the stable guard of his company. All this at Fort Davis, Texas, on or about the 19th of September, 1870."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Farrier and Blacksmith *James Gaines*, company B, 9th U. S. Cavalry, did quit his guard, at the stable of his company, twice during his tour of duty without leave from his superior officer. All this at Fort Davis, Texas, on or about the 19th of September, 1870."

CHARGE III—"Cutting or wounding, to the prejudice of good order and military discipline."

Specification—"In this, that he, Farrier and Blacksmith *James Gaines*, company B, 9th U. S. Cavalry, did wilfully inflict with a razor, with an intent to kill, an incised wound of the left hypochondriac region, in length three inches and penetrating the abdominal cavity, upon the person of First Sergeant Richard Anderson, company B, 9th U. S. Cavalry, without any cause or provocation whatever, he, the said Sergeant Anderson, being in the execution of his office. All this at Fort Davis, Texas, on or about the 19th of September, 1870."

To which charges and specifications the accused, Farrier and Blacksmith *James Gaines*, Company B, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Farrier and Blacksmith *James Gaines*, Company B, 9th U. S. Cavalry, "To be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of five years."

2. Private *Eli Randall*, Company C, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Eli Randall*, company C, 9th U. S. Cavalry, having been duly posted as a sentinel at the stable of company C, 9th U. S. Cavalry, did leave his post before being regularly relieved; and did remain absent therefrom until discovered by the officer of the day among the horses of his company. This at Fort Davis, Texas, about the hour of midnight, on or about the 7th of June, 1870."

To which charge and specification the accused, Private *Eli Randall*, Company C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Eli Randall*, Company C, 9th U. S. Cavalry, "To be confined at hard labor, at the post where his company may be serving, for the period of four months."

3. Private *Frank Selvey*, Company C, 9th U. S. Cavalry.

CHARGE—"Theft."

Specification—"In this, that he, Private *Frank Selvey*, of company C, 9th U. S. Cavalry, did enter the private quarters of Captain William Bayard, his company commander, at night, and did steal and take therefrom one trunk belonging to Captain Bayard, containing money belonging to certain traders and enlisted men; and did take said trunk to a distance from said house, and did then and there break open said trunk and rob the same of all the money it contained, belonging to said citizens and soldiers, amounting to about the sum of four hundred dollars. This at Fort Davis, Texas, on or about the 25th day of September, 1870."

To which charge and specification the accused, Private *Frank Selvey*, Company C, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Selvey*, Company C, 9th U. S. Cavalry, "To be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such prison as the proper authority may direct, for the period of five years."

4. Private *David Sullivan*, Company C, 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *David Sullivan*, company C, 9th U. S. Cavalry, did steal one wall tent, the property of the United States, and for which First Lieutenant J. L. Humfreville, 9th U. S. Cavalry, Acting Assistant Quartermaster, U. S. Army, is responsible, from the rear of the quartermaster's storehouse; and did sell the same to one D. Windmeyer, a citizen tailor residing at the post, for two dollars; and did appropriate the funds to his own use. All this at Fort Davis, Texas, on or about the 19th of February, 1870."

To which charge and specification the accused, Private *David Sullivan*, Company C, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *David Sullivan*, Company C, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such prison as the proper authority may direct, for the period of one year."

5. Corporal *John Colson*, Company G, 25th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Corporal *John Colson*, company G, 25th U. S. Infantry, did conduct himself in a disorderly and riotous manner in the mess hall of companies B and F, 24th U. S. Infantry, and A and G, 25th U. S. Infantry; and did threaten to throw a bowl of soup or coffee at the head of a private of company A, 25th U. S. Infantry, who was at the time quietly eating his meal; and did run against another private and did say to him: 'I will fight you, you d——d recruit, and I will kill you, you d——d s—n of a b — h,' or words to that effect. This at Fort Davis, Texas, on or about the 27th day of October, 1870."

Specification 2d—"In this, that Corporal *John Colson*, company G, 25th U. S. Infantry, did, in a disrespectful manner, approach Captain John W. French, 25th U. S. Infantry, who was at the time reporting his (Corporal *Colson's*) conduct in the mess hall to Second Lieutenant W. Tear, 25th U. S. Infantry, commanding company G, and did say (addressing Second Lieutenant W. Tear, 25th U. S. Infantry) 'Lieutenant, sir: this man (meaning Captain French) is reporting me for something that I never done,' or words to that effect. This at Fort Davis, Texas, on or about the 27th day of October, 1870."

CHARGE II—"Violation of the 6th Article of War."

Specification—"In this, that Corporal *John Colson*, company G, 25th U. S. Infantry, when ordered by his commanding officer (Second Lieutenant W. Tear, 25th U. S. Infantry) to go to his quarters in arrest, did, in a contemptous and disrespectful manner, reply: 'I havn't done anything to be arrested for and it is not right; and you ought not to put me in arrest; and I don't give a d——n,' or words to that effect. This at Fort Davis, Texas, on or about the 27th day of October, 1870."

CHARGE III—"Violation of the 9th Article of War."

Specification—"In this, that Corporal *John Colson*, company G, 25th U. S. Infantry, having conducted himself in a disorderly manner, and having used disrespectful language toward his commanding officer, did, when

ordered by his commanding officer (Second Lieutenant W. Tear, 25th U. S. Infantry) to report to the guard house in arrest, wilfully disobey said order; and did throw off his blouse, and, swinging his arms in a threatening manner, did say: 'Lieutenant, I am not going to the guard house, I will be G—d d——d if I will, and there is no use in your ordering me to go, for I will be G—d d——d if I will do it,' or words to that effect; and did refuse and neglect to obey said order until arrested by a guard. This at Fort Davis, Texas, on or about the 27th day of October, 1870."

To which charges and specifications the accused, Corporal *John Colson*, Company G, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *John Colson*, Company G, 25th U. S. Infantry, "To be reduced to the rank of a private; to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of five years."

II. The proceedings, findings and sentences in the cases of Farrier and Blacksmith *James Gaines*, Company B, and Private *Frank Selvey*, Company C, 9th U. S. Cavalry, are approved and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Eli Randall*, Company C, 9th U. S. Cavalry, are approved. Upon the recommendation of the court the sentence is remitted. He will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *David Sullivan*, Company C, 9th U. S. Cavalry, are approved; but owing to the punishment already inflicted, the sentence is remitted. Private *Sullivan* will be released from confinement and returned to duty.

The proceedings and findings in the case of Corporal *John Colson*, Company G, 25th U. S. Infantry, are approved. The period of confinement is reduced to one year at the post of his company. As thus mitigated the sentence will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

AT JACKSON BARRACKS, LOUISIANA.

1. Private JOHN MITCHELL .....Company H, 11th U. S. Infantry.
2. Musician FREDERICK CROSS.....Company A, 19th U. S. Infantry.
3. Private CHARLES CLAPP.....Company A, 19th U. S. Infantry.
4. Private MICHAEL EAGAN.....Company A, 19th U. S. Infantry.
5. Private JACOB KEIM.....Company C, 19th U. S. Infantry.
6. Private CONSTANTINE BOTTAGER.....Company D, 19th U. S. Infantry.
7. Private JAMES KIERNS .....Company E, 19th U. S. Infantry.
8. Private ERASMUS MCLAUGHLIN.....Company E, 19th U. S. Infantry.
9. Private AUGUST SCHREIBER .....Company E, 19th U. S. Infantry.
10. Private PATRICK WESTON.....Company E, 19th U. S. Infantry.
11. Private JOHN HOLT.....Company F, 19th U. S. Infantry.
12. Private CHRISTIAN WIRTH.....Company F, 19th U. S. Infantry.
13. Musician JOHN MCQUILLAN.....Company G, 19th U. S. Infantry.
14. Private JACOB FETZER.....Company H, 19th U. S. Infantry.
15. Private JOHN DUFFY .....Company I, 19th U. S. Infantry.
16. Private THOMAS O'LAUGHLIN.....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *January* 21, 1871.

GENERAL COURT MARTIAL ORDERS, NO. 4.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, November 21, 1870, pursuant to paragraph III of Special Order No. 142, and paragraph II of Special Order No. 159, Headquarters Department of Texas, dated San Antonio, Texas, November 12 and December 6, 1870, and of which Lieutenant Colonel ROMEYN B. AYRES, 19th U. S. Infantry, is President, were arraigned and tried.

1. Private *John Mitchell*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Mitchell*, company H, 11th U. S Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Jefferson, Texas, on the 23d day of May, 1870. All this at or near Jefferson, Texas, on or about the date above specified."

To which charge and specification the accused, Private *John Mitchell*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Mitchell*, Company H, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States; and to be confined in such penitentiary or military prison as the proper authority may direct for one year."

2. Musician *Frederick Cross*, Company A, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Frederick Cross*, musician, company A, 19th U. S.

Infantry, did desert the service, by leaving his company and command without proper authority, at Fort St. Philip, Louisiana, and going about twenty-five miles toward New Orleans, Louisiana, where he was arrested by a guard and brought back to his company. This about the 4th and 5th days of October, 1870."

To which charge and specification the accused, Musician *Frederick Cross*, Company A, 19th U S. Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did desert.'"

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

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty, except the words 'did desert the service by leaving,' and substituting therefor 'did leave.'"

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

SENTENCE.

And the court does therefore sentence him, Musician *Frederick Cross*, Company A, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months."

3. Private *Charles Clapp*, Company A, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Charles Clapp*, private of company A, 19th U. S. Infantry, did desert the service, by leaving his company and command without proper authority at Fort St. Philip, Louisiana, and going about twenty-five miles toward New Orleans, Louisiana, where he was arrested by a guard and brought back to his company. This about the 4th and 5th days of October, 1870."

To which charge and specification the accused, Private *Charles Clapp*, Company A, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did desert the service by leaving,' and substituting therefor 'did leave.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Clapp*, Company A, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his pay for two months."

4. Private *Michael Eagan*, Company A, 19th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that *Michael Eagan*, private, company A, 19th U. S. Infantry, did steal eight pounds of coffee, more or less, the rations of his company, from his company's kitchen. This at Jackson Barracks, Louisiana, on or about the 2d day of September, 1870."

CHARGE II—"Disobedience of orders."

Specification—"In this, that *Michael Eagan*, private, company A, 19th U. S. Infantry, did leave his company and command, and did abandon his gun and equipments, at the time his company was in the act of changing station, against the positive and special orders of his company commander, First Lieutenant R. Vance, 19th U. S. Infantry—the said Lieutenant Vance being at the time in the execution of his office. This at Jackson Barracks, Louisiana, on or about the 4th day of September, 1870."

To which charges and specifications the accused, Private *Michael Eagan*, Company A, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Michael Eagan*, Company A, 19th U. S. Infantry, "To forfeit thirty dollars of his pay."

5. Private *Jacob Keim*, Company C, 19th U. S Infantry.

CHARGE—"Desertion."

Specification—"That *Jacob Keim*, private, company C, 19th U. S. Infantry, a duly enlisted man in the service of the United States, did desert the same on or about August 30, 1870; and did remain absent until the 9th day of September, 1870, when he surrendered himself to the officer of the guard at the post of Jackson Barracks, Louisiana. This at Jackson Barracks, New Orleans, Louisiana, on or about the dates specified."

To which charge and specification the accused, Private *Jacob Keim*, Company C, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Jacob Keim*, Company C, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at such place as his company may be serving, for the period of eight months; and to forfeit to the United States all pay for the same period."

6. Private *Constantine Bottager*, Company D, 19th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"That Private *Constantine Bottager*, company D, 19th U. S. Infantry, did absent himself without proper authority from his company from November 9 to November 20, 1870, when he was arrested at Greenville, Louisiana. This at Greenville, Louisiana, on or about the dates above mentioned."

To which charge and specification the accused, Private *Constantine Bottager*, Company D, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Constantine Bottager*, Company D, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of two months; and to forfeit to the United States ten dollars per month of his pay for the same period."

7. Private *James Kierns*, Company E, 19th U. S. Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"That he, Private *James Kierns*, company E, 19th U. S. Infantry, a duly enlisted soldier in the service of the United States, having been mounted as a member of the post guard at Jackson Barracks, Louisiana, and regularly posted as a sentinel on No. 7 post, did lie down

on a door step near his beat and fall asleep; in which condition he was found by the officer of the day. This at Jackson Barracks, Louisiana, about the hour of 12.30 o'clock A. M. on or about the 23d day of August, 1870."

To which charge and specification the accused, Private *James Kierns*, Company E, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Kierns*, Company E, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six months; and to forfeit to the United States all pay for the same period."

8. Private *Erasmus McLaughlin*, Company E, 19th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"That he, Private *Erasmus McLaughlin*, company E, 19th U. S. Infantry, having been regularly detailed and mounted as a member of the guard, did become so drunk as to be unable to perform any duty. This at Greenville Barracks, Louisiana, on or about the 3d day of December, 1870."

CHARGE II—"Violation of the 59th Article of War."

Specification—"That he, Private *Erasmus McLaughlin*, company E, 19th U. S. Infantry, having been regularly detailed and mounted as a member of the post guard, did desert the same; and did remain absent from said guard until he was discovered in one of the hospital barracks near the quarters of the band, 19th U. S. Infantry, and arrested by Sergeant Anton Von Uifalusy, Company D, 19th U. S. Infantry, commanding the guard. This at the post of Greenville Barracks, Louisiana, on or about the 3d day of December, 1870, between the hours from 7 P. M. to 9½ P. M."

To which charges and specifications the accused, Private *Erasmus McLaughlin*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Erasmus McLaughlin*, Company E, 19th U. S. Infantry, "To forfeit to the United States six months' pay; and to be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of three months; the first and last fifteen days of that time to walk, two hours on and four off, in charge of No. 4 sentinel, between the hours of reveille and retreat, carrying a knapsack on his back containing thirty pounds weight."

9. Private *August Schreiber*, Company E, 19th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"That Private *August Schreiber*, company E, 19th U. S. Infantry, was absent from his company without any authority whatever from the 9th to the 11th of November, 1870. This at or near Greenville Barracks, Louisiana, on or about the dates above specified."

CHARGE II—"Disobedience of orders."

Specification—"That Private *August Schreiber*, company E, 19th U. S. Infantry, being ordered by Second Lieutenant W. M. Williams, 19th U. S. Infantry, in the city of New Orleans, Louisiana, November 10, 1870, to return immediately to his command at Greenville Barracks, did not obey said order but in total disregard thereof remained absent until the next day. This at or near New Orleans, Louisiana, on or about the date above specified."

To which charges and specifications the accused, Private *August Schreiber*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *August Schreiber*, Company E, 19th U. S. Infantry, "To forfeit to the United States three months' pay; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for a period of three months; the first thirty and last fifteen days of that time to walk two hours on and four off, in charge of sentinel on post No. 1, between the hours of reveille and retreat, carrying a knapsack on his back containing thirty pounds weight."

10. Private *Patrick Weston*, Company E, 19th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That *Patrick Weston*, private company E, 19th U. S. Infantry, a member of the post guard, did, while on duty as such, get drunk. This at Jackson Barracks, Louisiana, on or about the 27th day of August, 1870."

To which charge and specification the accused, Private *Patrick Weston*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Weston*, Company E, 19th U. S. Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for a period of four months."

11. Private *John Holt*, Company F, 19th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *John Holt*, company F, 19th U. S. Infantry, having been duly posted as a sentinel on post No. 2, was found asleep on said post by the sergeant of the guard. This at or near the post of Fort Pike, Louisiana, on or about the 30th day of August, 1870."

To which charge and specification the accused, Private *John Holt*, Company F, 19th U. S. Infantry pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Holt*, Company F, 19th U. S. Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six months; and to forfeit all pay for the same period."

12. Private *Christian Wirth*, Company F, 19th U. S. Infantry.

CHARGE—"Perjury, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Christian Wirth*, company F, 19th U. S. Infantry, having been called and duly sworn as a witness in the case of the United States *vs.* Lance Corporal John Connors, Company F, 19th U. S. Infantry, before a Garrison Court Martial convened at Fort Pike, Louisiana, August 24, 1870, in reply to the question of the accused 'Did you see me in my quarters before retreat roll on or about the 5th of August?' did state as follows: 'Yes, I saw him going into his quarters before Lieutenant Harold came to receive the report of the company,' which reply he, *Christian Wirth*, knew to be utterly false. All this at or near Fort Pike, Louisiana, on or about the 24th day of August, 1870."

Specification 2d—"In this, that he, Private *Christian Wirth*, company F, 19th U. S. Infantry, having been called and duly sworn as a witness in the case of the United States *vs.* Lance Corporal John Connors, Company F, 19th U. S. Infantry, before a Garrison Court Martial convened at Fort Pike, Louisiana, August 24, 1870, in reply to the question by the court 'Did you see Corporal Connors go into the quarters before or after retreat?' did state as follows: 'I saw him go in a little before retreat,' which reply he, *Christian Wirth*, knew to be utterly false. All this at or near Fort Pike, Louisiana, on or about the 24th of August, 1870."

To which charge and specifications the accused, Private *Christian Wirth*, Company F, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Christian Wirth*, Company F, 19th U. S. Infantry.

13. Musician *John McQuillan*, Company G, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Musician *John McQuillan*, of company G, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 27th day of September, 1869; and did remain absent until apprehended in New Orleans, Louisiana, on or about the 5th day of September, 1870; thirty dollars reward paid for apprehension. This at Baton Rouge Barracks Louisiana, on the date specified."

To which charge and specification the accused, Musican *John McQuillan*, Company G, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Musician *John McQuillan*, Company G, 19th U. S. Infantry, "To be dishonorably discharged the service of

the United States; and to be confined in such penitentiary or military prison as the proper authority may direct, for one year."

14. Private *Jacob Fetzer*, Company H, 19th U. S. Infantry.

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

Specification 1st—"That Private *Jacob Fetzer*, company H, 19th U. S. Infantry, having been duly detailed and mounted as a member of the post guard, and duly posted as a sentinel over prisoners, did allow one of said prisoners: viz., Private James Conway, company H, 19th U. S. Infantry, to make his escape. This at Baton Rouge Barracks, Louisiana, on or about the 10th day of September, 1870."

Specification 2d—"That Private *Jacob Fetzer*, company H, 19th U. S. Infantry, having been duly detailed and mounted as a member of the post guard, and duly posted as a sentinel over prisoners, did allow said prisoners or one of them to take his gun from him, thereby rendering the escape of Private James Conway, company H, 19th U. S. Infantry, another prisoner, effective. This at Baton Rouge Barracks, Louisiana, on or about the 10th day of September, 1870."

To which charge and specifications the accused, Private *Jacob Fetzer*, Company H, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Jacob Fetzer*, Company H, 19th U. Infantry.

15. Private *John Duffy*, Company I, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *John Duffy*, company I, 19th U. S. Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same on or about the 6th day of July, 1870, from Fort Jackson, Louisiana; and did remain absent until apprehended in the city of New Orleans, Louisiana, on or about the 16th day of October, 1870. All this at Fort Jackson, Louisiana, and New Orleans, Louisiana, on or about the dates above specified."

To which charge and specification the accused, Private *John Duffy*, Company I, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Duffy*, Company I, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States; and to be confined in such penitentiary or military prison as the proper authority may direct for one year."

16. Private *Thomas O'Laughlin*, Company K, 19th U. S. Infantry.

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

Specification—"In this, that he, Private *Thomas O'Laughlin*, company K, 19th U. S. Infantry, being a member of the post guard at Fort Jackson, Louisiana, and having under his immediate charge convict prisoner James Nolan, late private company G, 6th U. S. Cavalry, did allow said

prisoner to escape. All this at or near Fort Jackson, Louisiana, on or about the 4th day of August, 1870."

To which charge and specification the accused, Private *Thomas O'Laughlin*, Company K, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Thomas O'Laughlin*, Company K, 19th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Private *John Mitchell*, Company H, 11th U. S. Infantry; Musician *Frederick Cross*, Privates *Charles Clapp* and *Michael Eagan*, Company A; *Constantine Bottager*, Company D; *James Kierns* and *August Schreiber*, Company E; *John Holt*, Company F; Musician *John McQuillan*, Company G, and Private *John Duffy*, Company I, 19th U. S. Infantry, are approved and the sentences will be duly executed. In the cases of Private *Mitchell*, Musician *McQuillan*, and Private *Duffy*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Jacob Keim*, Company C, 19th U. S. Infantry, are approved. So much of the sentence as relates to confinement is remitted; the remainder is approved and will be duly executed.

The proceedings and findings in the case of Private *Erasmus McLaughlin*, Company E, 19th U. S. Infantry, are approved. The sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for the period of two months, and one month's confinement at the post of his company. As thus mitigated the sentence will be duly executed.

The proceedings and findings in the case of Private *Patrick Weston*, Company E, 19th U. S. Infantry, are approved. Upon the recommendation of all the members of the court the sentence is remitted. He will be released from confinement and returned to duty.

The proceedings, findings and acquittals in the cases of Privates *Christian Wirth*, Company F, *Jacob Fetzer*, Company H, and *Thomas O'Laughlin*, Company K, 19th U. S. Infantry, are approved. They will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
Capt

AT FORT DUNCAN, TEXAS.

1. Private WILLIAM GAIRY .....Company L, 9th U. S. Cavalry.
2. Private JOHN F. MARRELL .....Company E, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *January* 23, 1871.

GENERAL COURT MARTIAL ORDERS, No. 5.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 26, 1870, pursuant to paragraph V of Special Order No. 112, paragraph II of Special Order No. 131, and paragraph XII of Special Order No. 148, Headquarters Department of Texas, dated Austin, Texas, September 16 and October 12, and San Antonio, Texas, November 21, 1870, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *William Gairy*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *William Gairy*, L company, 9th U. S. Cavalry, did state to John Keebit, Chief of the Seminole tribe, of Indians, that his company commander, Captain J. C. DeGress, had given him permission to marry a woman belonging to his tribe, he (the said *Gairy*) knowing this statement to be false. All this at or near Fort Duncan, Texas, on or about the 11th day of November, 1870."

Specification 2d—"In this, that Private *William Gairy*, L company, 9th U. S. Cavalry, did take Private John F. Marrell, E company, 25th U. S. Infantry, to the Seminole camp near Fort Duncan, Texas, and represent him as a preacher, and induced the said Marrell to perform a mock marriage ceremony between the said Private *Gairy* and a woman named Beckie, belonging to the Seminole tribe, thereby imposing on the said woman Beckie by thus causing her to live with him as his wife. All this at or near Fort Duncan, Texas, on or about the 11th day of November, 1870."

To which charge and specifications the accused, Private *William Gairy*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'Private John F. Marrell,' and substituting therefor the words 'a soldier of.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Gairy*, Company L, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay now due or that may become due, except the just dues of the laundress and the post trader; and to be confined at hard labor, at such military prison as the commanding officer of the Department of Texas may designate, for the period of one year."

2. Private *John F. Marrell*, Company E, 25th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *John F. Marrell*, E company, 25th U. S. Infantry, did leave his company quarters and the post of Fort Duncan, Texas, without the permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 11th day of November, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John F. Marrell*, E company, 25th U. S. Infantry, did represent himself to John Keebit, Chief of the Seminole tribe of Indians, to Beckie, a Seminole woman, and others not now known, as a preacher, and performed a marriage ceremony between Private William Gairy, L company, 9th U. S. Cavalry, and Beckie, a Seminole woman, thereby imposing on said Beckie by causing her to live with the said Gairy as his wife. All this at or near Fort Duncan, Texas, on or about the 11th day of November, 1870."

To which charges and specifications the accused, Private *John F. Marrell*, Company E, 25th U. S. Infantry, 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, finds the accused:

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, Private *John F. Marrell*, Company E, 25th U. S. Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay now due or that may become due, except the just dues of the laundress and the post trader; and to be confined in such military prison as the commanding officer of the Department of Texas may direct for the period of one year."

II. In the case of Private *William Gairy*, Company L, 9th U. S. Cavalry, the facts as set forth in the specifications do not, in the judgment of the Department Commander, constitute a military offence. The proceedings, findings and sentence are therefore disapproved and set aside. The man will be released from confinement and returned to duty.

In the case of Private *John F. Marrell*, Company E, 25th U. S. Infantry, the proceedings and findings on the second charge and its specification are disapproved and set aside, as the facts alleged do not constitute a military offence. On the first charge and its specification the proceedings and findings are approved. The sentence is mitigated to confinement at hard labor, at the post of his company, for thirty days, and forfeiture of all pay and allowances for the same period.

III. The General Court Martial instituted by paragraph V of Special Order No. 112, paragraph II of Special Order No. 131, and paragraph XII of Special Order No. 148, series of 1870, from this Headquarters, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood,
Capt.

At Fort Richardson, Texas.

1. Private David B. McLaughlin.....Company A, 6th U. S. Cavalry.
2. Private Patrick O'Toole.....Company C, 6th U. S. Cavalry.
3. Private Daniel Ford.....Company G, 6th U. S. Cavalry.
4. Private August Fahle. .....Company K, 6th U. S. Cavalry.
5. Private Otis Dimick ... .Company L, 6th U. S. Cavalry
6. Private Preston H. Hoopes.....Company L, 6th U. S. Cavalry.
7. Private Daniel Scully.....Company L, 6th U. S. Cavalry.
8. Private Patrick May..... .....Company M, 6th U. S. Cavalry.
9. Private George Clark.....Company C, 11th U. S. Infantry.
10. Private Frederick Middlekemp.....Company C, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *January* 24, 1871.

General Court Martial Orders, No. 6.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, December 19, 1870, pursuant to paragraph III of Special Order No. 151, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and of which Colonel James Oakes, 6th U. S. Cavalry, is President, were arraigned and tried:

1. Private *David B. McLaughlin*, Company A, 6th U. S. Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *David B. McLaughlin*, company A, 6th U. S. Cavalry, did steal one flannel sack coat, the property of the United States, and for which First Lieutenant E. C. Hentig, 6th U. S. Cavalry, is responsible; and did try to make away with the same until detected in the act by Corporal George B. Noyes, company K, 11th U. S. Infantry, acting quartermaster sergeant of the camp. All this at camp on east fork of Little Wichita river, Texas, on or about the 24th day of November, 1870."

To which charge and specification the accused, Private *David B. McLaughlin*, Company A, 6th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *David B. McLaughlin*, Company A, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him; and to be confined at hard labor, at such military prison as may be designated by the commanding officer of the Department, for the period of two years."

2. Private *Patrick O'Toole*, Company C, 6th U. S. Cavalry.

Charge I—"Absence without leave."

Specification—"In this, that he, Private *Patrick O'Toole*, company C, 6th U. S. Cavalry, did, without proper authority, absent himself from his company and post, from about 10 o'clock A. M. of the 9th day of September, 1870, until about 10 o'clock P. M., on the 10th day of September, 1870. This at Fort Richardson, Texas, on or about the dates above specified."

CHARGE II—"Wilful disobedience of orders."

Specification—"In this, that he, Private *Patrick O'Toole*, company C, 6th U. S. Cavalry, did, in violation of post orders of the following words and figures, as follows:

'HEADQUARTERS FORT RICHARDSON, TEXAS.

GENERAL ORDERS, No. 3. } *February* 27, 1868.

I. Hereafter no non-commissioned officer or soldier will leave camp without a pass signed by his company commander and approved by the commanding officer.

BY ORDER OF CAPTAIN DANIEL MADDEN, 6TH U. S CAVALRY, COMMANDING.

(Signed) H. P. EAKIN,
2d Lieut. 6th U. S. Cavalry, *Post Adjutant*'

the same having been republished in General Orders No. 19, from Headquarters Fort Richardson, Texas, August 6, 1869, did absent himself without having obtained the permission required by said order, and visit the town of Jacksboro', Jack county, Texas, on the 9th and 10th days of September, 1870. This at Fort Richardson, Texas, on the 9th and 10th days of September, 1870."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Patrick O'Toole*, company C, 6th U. S. Cavalry, has been, since September 27, 1868, to the present time, September 12, 1870, in confinement two hundred and ninety-seven (297) days, said confinement all owing to his intemperate habits. All this at Fort Richardson, Texas, from September 27, 1868, to September 12, 1870."

To which charges and specifications the accused, Private *Patrick O'Toole*, Company C, 6th U. S. Cavalry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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,	"Not Guilty."
Of the third charge,	"Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick O'Toole*, Company C, 6th U. S. Cavalry, "To forfeit to the United States five dollars of his monthly pay for three months; and to be confined at hard labor, under charge of the post guard at the station of his company, for the same period."

3. Private *Daniel Ford*, Company G, 6th U. S. Cavalry.

CHARGE—"Leaving his post without being regularly relieved, in violation of the 46th Article of War."

Specification—"In this, that he, Private *Daniel Ford*, G company 6th U. S. Cavalry, having been regularly detailed as a member of the camp guard, and on duty as a sentinel over the public horses at the corral. (post No. 4.) did quit his post without being regularly relieved, or without proper authority; and did remain so absent until found in bed in his quarters by the corporal of the guard. This at a temporary camp (camp Wichita, Texas.) in a dangerous Indian locality at or about 2 A. M., on or about November 29, 1870."

To which charge and specification the accused, Private *Daniel Ford*, Company G, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Daniel Ford*, Company G, 6th U. S. Cavalry, "To be confined at hard labor, in charge of the guard at the station of his company, for the period of nine months; and to forfeit five dollars of his monthly pay for the same period."

4. Private *August Fahle*, Company K, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *August Fahle*, company K, 6th U. S. Cavalry, having been duly enlisted as a soldier in the service of the United States, by Captain Conway, 4th U. S. Cavalry, at St. Louis, Mo., on the 11th day of June, 1869, under the name of *August Jahle*, did desert the same from the rendezvous Mounted Recruiting Service, St. Louis, Mo., on the 17th day of June, 1869."

CHARGE II—"Violation of the 22d Article of War."

Specification—"In this, that Private *August Fahle*, company K, 6th U. S. Cavalry, having been duly enlisted as a recruit in the general mounted service of the United States under the name of *August Jahle*, did, without a regular discharge from the same, enlist himself again in the service of the United States at New Orleans, La., on the 14th day of December, 1869, under the name of *August Fahle*, he being the same person who enlisted in the first place at St. Louis, June 11, 1869, under the name of *August Jahle*."

To which charges and specifications the accused, Private *August Fahle*, Com-Company K, 6th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty."
To the first charge, "Guilty."
To the specification, second charge, "Guilty, except the name '*Fahle*.'"
To the second charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, except the name '*Fahle*,' and substituting therefor '*Jahle*.'"
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *August Fahle*, Company K, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and to be confined at such mil-

itary prison as may be designated by the Department Commander for the period of three years."

5. Private *Otis Dimick*, Company L, 6th U. S. Cavalry.

CHARGE I—"Conduct prejudical to good order and military discipline."

Specification—"In this, that he, Private *Otis Dimick*, company L, 6th U. S. Cavalry, did, without authority, absent himself from reveille and stable calls on the morning of the 11th day of November, 1870. This at Fort Richardson, Texas, on the date above specified."

CHARGE II—"Utter worthlessnes, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Otis Dimick*, company L, 6th U. S. Cavalry, has been so much under the influence of intoxicating liquor as to render him totally worthless as a soldier. This at various times between the 16th day of June, 1870, and the 11th day of November, 1870; and further, that the said Private *Otis Dimick*, company L, 6th U. S. Cavalry, has been confined, for drunkenness and other offences, at the following dates, to wit: June 16, 1870, July 30, 1870, and November 11, 1870; total period of confinement since June 16, 1870, to November 13, 1870, eighty-three days. All this at Fort Richardson, Texas, on the dates above specified."

To which charges and specifications the accused, Private *Otis Dimick*, Company L, 6th U. S. Cavalry, 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 accused:

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, Private *Otis Dimick*, Company L, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and to be confined at such military prison as may be designated by the Department Commander, for the period of three years."

6. Private *Preston H. Hoopes*, Company L, 6th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Preston H. Hoopes*, company L, 6th U. S. Cavalry, did, without authority, absent himself from his company from 10 A. M. on the 10th day of November, 1870, until 6 P. M. on the 11th day of November, 1870, when he was arrested in a state of intoxication. This at Fort Richardson, Texas, on the dates above specified."

CHARGE II—"Utter worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Preston H. Hoopes*, company L, 6th U. S. Cavalry, has been so much under the influence of intoxicating liquor as to render him totally worthless as a soldier; this at various times between the 12th day of June, 1870, and 11th day of November, 1870; and further, that he, the said Private *Preston H. Hoopes*, has been confined, for drunkenness and other offences, at the following dates, to wit: June 12, 1870, July 8, 1870, August 1, 1870, August 10, 1870, August

16, 1870, September 17, 1870, October 15, 1870, and November 11, 1870; total period of confinement from June 12, 1870, to November 12, 1870, forty-three (43) days. All this at Fort Richardson, Texas, on the dates above specified."

To which charges and specifications the accused, Private *Preston H. Hoopes*, Company L, 6th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'in a state of intoxication.'"

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, finds the accused:

Of the specification, first charge, "Guilty, except the words 'in a state of intoxication.'"

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, Private *Preston H. Hoopes*, Company L, 6th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for one month."

7. Private *Daniel Scully*, Company L, 6th U. S. Cavalry.

CHARGE—"Drunkennes on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Daniel Scully*, company L, 6th U. S. Cavalry, having been regularly mounted as a member of the post guard at Fort Richardson, Texas, was, when reported by the sergeant of the guard, as part of a patrol, to the post adjutant, so much intoxicated as to be unfit for duty. This at Fort Richardson, Texas, November 10, 1870."

To which charge and specification the accused, Private *Daniel Scully*, Company L, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Daniel Scully*, Company L, 6th U. S. Cavalry.

8. Private *Patrick May*, Company M, 6th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Patrick May*, company M, 6th U. S. Cavalry, having been duly detailed and mounted as a member of the post guard, was found, about 10 P. M., too drunk to properly perform the duties of a sentinel. All this at Fort Richardson on the 17th day of November, 1870."

To which charge and specification the accused, Private *Patrick May*, Company M, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick May*, Company

M, 6th U. S. Cavalry. "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of three months."

9. Private *George Clark*, Company C, 11th U. S. Infantry.

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

Specification—"In this, that he, the said Private *George Clark*, company C, 11th U. S Infantry, while a member of the post guard, and after having been duly posted as a sentinel in charge of prisoners, Private Daniel Scully, company L, 6th U. S. Cavalry, and Frank Merritt, a citizen, did allow prisoner Frank Merritt to escape. This at Fort Richardson, Texas, on or about the 13th day of December, 1870."

To which charge and specification the accused, Private *George Clark*, Company C, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *George Clark*, Company C, 11th U. S. Infantry.

10. Private *Frederick Middlekemp*, Company C, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Frederick Middlekemp*, company C, 11th U. S. Infantry, did, after being duly enlisted as a soldier in the service of the United States, desert the same at Calvert, Texas, on the 22d of December, 1869; and did remain absent therefrom until arrested near Waco, Texas, on the 30th of July, 1870; thirty (30) dollars paid for his apprehension. All this at or near the places and on or about the dates above specified."

To which charge and specification the accused, Private *Frederick Middlekemp*, Company C, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frederick Middlekemp*, Company C, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States; and to forfeit all pay and allowances due or which may become due, except the just dues of the laundress; and to be confined at hard labor, at such military prison as the commanding officer of the Department of Texas may direct, for the period of three years."

II. The proceedings and findings in the case of Private *David B. McLaughlin*, Company A, 6th U. S Cavalry, are approved. The term of confinement is reduced to six months at the post of his company. As thus mitigated the sentence will be duly executed.

The proceedings and findings in the case of Private *Patrick O'Toole*, Company C, 6th U. S. Cavalry, are approved. In view of the ill health of the accused, as shown by a surgeon's certificate, the sentence is remitted. He will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *Daniel Ford*, Company G, *Preston H. Hoopes*, Company L, and *Patrick May*, Company M, 6th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings and findings in the case of Private *August Fahle*, Company K, 6th U. S. Cavalry, are approved. In view of the favorable recommendation

of the members of the court, the sentence is remitted. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Otis Dimick*, Company L, 6th U. S. Cavalry, are approved. So much of the sentence as relates to imprisonment is remitted, the remainder is approved and will be duly executed.

The proceedings, findings and acquittals in the cases of Privates *Daniel Scully*, Company L, 6th U. S. Cavalry, and *George Clark*, Company C, 11th U. S Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Frederick Middlekemp*, Company C, 11th U. S. Infantry, are approved. The term of imprisonment is reduced to one year at the post of his company. As thus mitigated the sentence will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

De Witt Schuyler
Judge Advocate.

AT SAN ANTONIO, TEXAS.

1. Sergeant WILLIAM A. KERNAN.....Company E, 6th U. S. Cavalry.
2. Private JOSEPH D. MOORE.....Company H, 4th U. S. Cavalry.
3. Private FRANK SKINNER.....Company H, 4th U. S. Cavalry.
4. Private JOHN W. SPARROW.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *February* 3, 1871.

GENERAL COURT MARTIAL }
ORDERS, NO. 7. }

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, January 27, 1871, pursuant to paragraph I of Special Order No. 20, Headquarters Department of Texas, dated San Antonio, Texas, January 25, 1871, and of which Major LEWIS A. EDWARDS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Sergeant *William A. Kernan*, Company E, 6th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, *William A. Kernan*, a sergeant of E company, 6th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the said service on the 10th day of November, 1865, at New Orleans, Louisiana. All this at or near New Orleans, Louisiana, on or about the 10th day of November, 1865; and did remain a deserter until he surrendered himself, about November 24, 1870, at Baltimore, Maryland."

To which charge and specification the accused, Sergeant *William A. Kernan*, Company E, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *William A. Kernan*, Company E, 6th U. S. Cavalry, "To be reduced to the rank of a private soldier; to forfeit to the United States all pay and allowances that are due him; to be confined at a place where his company may be serving for the period of six months; and to make good the time he lost by desertion."

2. Private *Joseph D. Moore*, Company H, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Joseph D. Moore*, company H, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 23d of January, 1871; and did remain absent therefrom until apprehended in citi-

zens' clothing at or near San Antonio, Texas, on or about the 26th of January, 1871; thirty dollars paid for his apprehension. This at or near Leon Springs, Texas."

To which charge and specification the accused, Private *Joseph D. Moore*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph D. Moore*, Company H, 4th U. S. Cavalry, "To forfeit to the United States all pay that is now due him; and to be confined at Fort Jackson, Louisiana, for the period of one year, forfeiting to the United States during that time ten dollors of his monthly pay for each month of said confinement."

3. Private *Frank Skinner*, Company H, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Frank Skinner*, company H, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 23d of January, 1871; and did remain absent therefrom until apprehended in citizens' clothing at or near San Antonio, Texas, on or about the 26th of January, 1871; thirty dollars paid for his apprehension. This at or near Leon Springs, Texas."

CHARGE II—"Larceny, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Frank Skinner*, of company H, 4th U. S. Cavalry, did steal, take and carry away one Spencer carbine, the property of the United States, and for which Captain James H. Patterson, 25th U. S. Infantry, is accountable. This at or near Leon Springs, Texas, and on or about the 23d of January, 1871."

To which charges and specifications the accused, Private *Frank Skinner*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Frank Skinner*, Company H, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or which may become due hereafter, except the just dues to the laundress; and to be confined at hard labor, at such military prison as the commanding officer may direct, for the period of eighteen months."

4. Private *John W. Sparrow*, Company F, 10th U. S. Infantry.

CHARGE I—"Habitual and incorrigible drunkenness and utter worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *John W. Sparrow*, of company F, 10th U. S. Infantry, has, since he joined company, June 29.

1870, been tried by garrison courts martial for, and found to be guilty of, various offences caused by his intemperate habits, as follows: July 22, 1870; October 6, 1870; and November 8, 1870. This at San Antonio, Texas, on or about the dates named."

Specification 2d—"In this, that Private *John W. Sparrow*, of company F of the 10th regiment of U. S. Infantry, has, since he joined his company, June 29, 1870, been on several occasions, but particularly on the following named dates, drunk and disorderly in the public streets, thereby violating a city ordinance, for which he was arrested by the civil authorities and confined in the common jail, September 26, 1870, when he was confined until September 30, 1870; January 10, 1871, when he was confined until January 14, 1871. This at San Antonio, Texas, on or about the dates named."

Specification 3d—"In this, that Private *John W. Sparrow*, of company F, 10th regiment of U. S. Infantry, has, since he joined his company, June 29, 1870, been confined under charge of the police guard for a period of fifty-seven days, more or less; all of said confinement through his intemperate habits."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *John W. Sparrow*, of company F of the 10th regiment of U. S. Infantry, was drunk and disorderly in the quarters of his company. This at San Antonio, Texas, on or about the 14th day of January, 1871."

To which charges and specifications the accused, Private *John W. Sparrow*, Company F, 10th U. S. Infantry, pleaded as follows:

To the first specification, first charge,	"Guilty."
To the second specification, first charge,	"Guilty."
To the third specification, first charge,	"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 accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the third 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, Private *John W. Sparrow*, Company F, 10th U. S. Infantry, "To forfeit to the United States all pay which is now due or may become due him, except the just dues of the laundress; and to be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentences in the cases of Sergeant *William A. Kernan*, Company E, 6th U. S. Cavalry; Privates *Joseph D. Moore* and *Frank Skinner*, Company H, 4th U. S. Cavalry, and *John W. Sparrow*, Company F, 10th U. S. Infantry, are approved and the sentences

will be duly executed. In the case of Private *Skinner*, Fort Jackson, Louisiana, is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:
Saml. T. Cushing
Capt. and C. S.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *February* 7, 1871.

GENERAL COURT MARTIAL ORDERS, No. 8.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, December 19, 1870, pursuant to paragraph III of Special Order No. 151, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and of which Major ROBERT M. MORRIS, 6th U. S. Cavalry, is President, was arraigned and tried:

1. First Lieutenant *Charles H. Campbell*, 6th U. S. Cavalry.

CHARGE I—"Disobedience of orders, in violation of the 9th Article of War."

Specification 1st—"In this, that he, First Lieutenant *Charles H. Campbell*, 6th regiment U. S. Cavalry, having received a lawful order at drill from his immediate commander and superior officer, Major A. K. Arnold, 6th regiment U. S. Cavalry, (he being at the time in charge of the drill,) to take his place in the line of file closers, he (Lieutenant *Campbell*) being at the time in command of a platoon, but incompetent through ignorance of his tactics to drill said platoon properly, did refuse to obey said order. All this at or near Fort Richardson, Texas, on or about the 28th day of October, 1870."

Specification 2d—"In this, that he, First Lieutenant *Charles H. Campbell*, 6th regiment U. S. Cavalry, having received a lawful order at drill (a second time) from his immediate commander and superior officer, Major A. K. Arnold, 6th regiment U. S. Cavalry, (he being at the time in charge of the drill,) to take his place in the line of file closers, he (Lieutenant *Campbell*) being at the time in command of a platoon, but incompetent through ignorance of his tactics to drill said platoon properly, did refuse to obey said order. All this at Fort Richardson, Texas, on or about the 28th day of October, 1870."

Specification 3d—"In this, that he, First Lieutenant *Charles H. Campbell*, 6th regiment U. S. Cavalry, having received a lawful order at drill from his immediate commander, Major A. K. Arnold, 6th regiment U. S. Cavalry, (he being at the time in charge of the drill,) to go to his quarters in arrest, did disobey said order for his arrest, and did reply, 'I will go to my quarters but will not obey your arrest.' All this at or near Fort Richardson, Texas, on or about the 28th day of October, 1870."

Specification 4th—"In this, that he, First Lieutenant *Charles H. Campbell*, 6th regiment of U. S. Cavalry, having received a lawful order at drill from his immediate commander, Major A. K. Arnold, 6th regiment U. S. Cavalry, (he being at the time in charge of the drill,) to go to his quarters in arrest, (this being the second time he received said order,) did refuse to obey said order for his arrest; and did reply, 'I will go to my quarters but I will not consider myself in arrest; you have no right to arrest me; the adjutant is the person who does that,' or words to that effect. All this at or near Fort Richardson, Texas, on or about the 28th day of October, 1870."

CHARGE II—"Insubordinate conduct, to the prejudice of good order and military discipline."

Specification—"In this, that he, First Lieutenant *Charles H. Campbell*, 6th regiment U. S. Cavalry, having been repeatedly ordered by his superior and commanding officer, Major A. K. Arnold, 6th regiment U. S. Cavalry, to take his place in the line of file closers, (he, Major Arnold, being in the execution of his duty,) did repeatedly refuse to obey said order, and did thus act in an insubordinate manner in the presence of enlisted men, to the prejudice of good order and military discipline. All this at or near Fort Richardson, Texas, on or about the 28th of October, 1870."

To which charges and specifications the accused, First Lieutenant *Charles H. Campbell*, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the third specification, first charge,	"Guilty."
Of the fourth 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, First Lieutenant *Charles H. Campbell*, 6th U. S. Cavalry, "To be reprimanded in General Orders by the Department Commander."

The court is thus lenient on account of the evident misapprehension on the part of the accused as to the legality of the orders given by the officer in charge of drill.

II. In the foregoing case of First Lieutenant *Charles H. Campbell*, 6th U. S. Cavalry, the mildness of the sentence is apparent on the face of the specifications, and the Department Commander is unable to see any adequate reason for the great leniency shown by the court. There could be no question in the mind of an officer of any experience whatever as to the legality of Major Arnold's orders, or his right to place Lieutenant *Campbell* in arrest, and the pretext of the accused that these orders were of doubtful legality does not redound much to his credit as a well informed and sagacious officer.

The proceedings, findings and sentence are approved. Lieutenant *Campbell* will be released from arrest and resume his sword.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

De Witt Clinton
Judge Advocate

AT FORT CLARK, TEXAS.

1. Private JOHN GIBBONS .....Company E, 9th U. S. Cavalry.
2. Sergeant JOSEPH RAMOUR.....Company G, 9th U. S. Cavalry.
3. Private HENRY FORD .....Company G, 9th U. S. Cavalry.
4. Private SUNNY JACOBS .....Band, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *February* 8, 1871.

GENERAL COURT MARTIAL ORDERS, No. 9.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, November 21, 1870, pursuant to paragraph IV, Special Order No. 142, Headquarters Department of Texas, dated San Antonio, Texas, November 12, 1870, and of which Captain H. C. CORBIN, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Gibbons*, Company E, 9th U. S. Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, did break open one box, the property of Private John Simpson, company E, 9th U. S. Cavalry, and steal therefrom one Remington revolver, the property of the United States, and for which First Lieutenant D. H. Cortelyou, 9th U. S. Cavalry, is responsible. This at Fort Clark, Texas, on or about the 26th day of August, 1870."

Specification 2d—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, did break open one box, the property of Private John Simpson, company E, 9th U. S. Cavalry, and steal therefrom one pair of cavalry trowsers, the property of Private *John Simpson*, Company E, 9th U. S. Cavalry, and appropriate the same to his own use. This at Fort Clark, Texas, on or about the 26th day of August, 1870."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, (he being company wagoner at the time) did fail to take care of and drive his (company) team. This at Fort Clark, Texas, between the hours of 12 M., September 5, 1870, and 8 A. M., September 6, 1870."

CHARGE III—"Violation of the 45th Article of War."

Specification—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, being on duty as company wagoner, did become so drunk

as to unfit him for the performance of his duties. This at Fort Clark, Texas, on or about the 5th day of September, 1870."

CHARGE IV—"Absence without leave."

Specification 1st—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, did absent himself from his company quarters and the garrison without permission from proper authority. This at Fort Clark, Texas, between the hours of 6 P. M., August 26, 1870, and reveille, August 27, 1870."

Specification 2d—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, did absent himself from his company quarters and the garrison and go to the village of Brackettsville, Texas, without permission from proper authority; and remain absent until arrested by the guard. This at Fort Clark, Texas, on or about the 8th day of September, 1870."

CHARGE V—"Violation of the 44th Article of War."

Specification—"In this, that Private *John Gibbons*, company E, 9th U. S. Cavalry, did absent himself from tattoo roll call without permission from proper authority. This at Fort Clark, Texas, on or about the 9th day of September, 1870."

To which charges and specifications the accused, Private *John Gibbons*, Company E, 9th U. S. Cavalry, 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,	"Not Guilty."
To the second charge,	"Not Guilty."
To the specification, third charge,	"Guilty."
To the third charge,	"Guilty."
To the first specification, fourth charge,	"Guilty."
To the second specification, fourth charge,	"Guilty."
To the fourth charge,	"Guilty."
To the specification, fifth charge,	"Guilty."
To the fifth charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not 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."
Of the first specification, fourth charge,	"Guilty."
Of the second specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."
Of the specification, fifth charge,	"Guilty."
Of the fifth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Gibbons*, Company E, 9th U. S. Cavalry, "To be dishonorably disharged the service of

the United States, with loss of all pay and allowances that are or may become due him; and to be confined at hard labor, at such place as the Department Commander may designate, for six months."

2. Sergeant *Joseph Ramour*, Company G, 9th U. S. Cavalry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that he, the said Sergeant *Joseph Ramour*, company G, 9th U. S. Cavalry, having been ordered by his company commander not to allow the enlisted men of his detachment, whilst scouting, to leave camp under any pretense without taking with them their carbines, did fail and neglect to require the said enlisted men to take with them their carbines when leaving camp to water their horses whilst on scouting duty. This at or near the Nueces river, Texas, on or about the 9th day of December, 1870"

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Sergeant *Joseph Ramour*, company G, 9th U. S. Cavalry, did become drunk and behave himself in a riotous and disorderly manner until arrested by a guard. This at Fort Clark, Texas, on or about the 16th day of December, 1870."

To which charges and specifications the accused, Sergeant *Joseph Ramour*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Sergeant *Joseph Ramour*, Company G, 9th U. S. Cavalry, "To be reduced to the ranks; and to forfeit to the United States ten dollars of his monthly pay for four months."

3. Private *Henry Ford*, Company G, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Henry Ford*, company G, 9th U. S. Cavalry, having been regularly detailed for guard duty and posted as sentinel to guard the horses of his company, did leave and abandon his post without proper authority. This at or near Turkey creek, Texas, on or about the 2d day of December, 1870."

To which charge and specification the accused, Private *Henry Ford*, Company G, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Ford*, Company G, 9th U. S. Cavalry, "To be dishonorably discharged and drummed out of the service of the United States, with loss of all pay and allowances now due or to become due him; and to be confined at hard labor, at such place as the commanding officer of the Department may direct, for the period of one year."

4 Private *Sunny Jacobs*, Band, 25th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Sunny Jacobs*, Band, 25th U. S. Infantry, did steal, take and carry away, and appropriate to his own use, one decanter filled with liquor, the property of James Cornell, a citizen of Brackettsville, Texas. This near Fort Clark, Texas, on or about the 2d day of January, 1871."

To which charge and specification the accused, Private *Sunny Jacobs*, Band, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Sunny Jacobs*, Band, 25th U. S. Infantry, "To be confined at hard labor, at such place as the Department Commander may direct, for the period of six months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

II. The proceedings, findings and sentences in the foregoing cases of Private *John Gibbons*, Company E, Sergeant *Joseph Ramour* and Private *Henry Ford*, Company G, 9th U. S. Cavalry; and Private *Sunny Jacobs*, Band, 25th U. S. Infantry, are approved and the sentences will be duly executed. In the cases of Privates *Gibbons* and *Jacobs* the posts of their respective companies, and in that of Private *Ford* Fort Jackson, Louisiana, are designated as the places of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood

AT FORT DAVIS, TEXAS.

1. Sergeant HOWARD BROWLER.....Company K, 9th U. S. Cavalry.
2. Corporal WILLIAM HARRIS .....Company G, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *February* 9, 1871.

GENERAL COURT MARTIAL ORDERS, No. 10.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, January 5, 1871, pursuant to paragraph V of Special Order No. 151, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and of which Captain JOHN W. FRENCH, 25th U. S. Infantry, is President, were arraigned and tried:

1. Sergeant *Howard Browler*, Company K, 9th U S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Howard Browler*, company K, 9th U. S. Cavalry, did without proper authority, while in charge of a guard party searching for stolen arms, hang up by the neck one Robinson, a citizen, with a view to make said Robinson disclose the whereabouts of said arms. This at Fort Davis, Texas, on the 7th day of January, 1871."

Specification 2d—"In this, that he, Sergeant *Howard Browler*, company K, 9th U. S. Cavalry, did allow the guard party under his charge, while searching for stolen arms, to conduct themselves in a disorderly manner while in the discharge of their duty. This at Fort Davis, Texas, on the 7th day of January, 1871."

To which charge and specifications the accused, Sergeant *Henry Browler*, Company K, 9th U. S. Cavalry, 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 accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Howard Browler*, Company K, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such place as the proper authority may direct, for the period of five years."

2. Corporal *William Harris*, Company G, 25th U. S. Infantry.

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

Specification 1st—"In this, that he, Corporal *William Harris*, company G, 25th U. S. Infantry, being on detached service in the quartermaster's department, did, after taps and without authority, enter the barracks of company G, 25th U. S. Infantry, and attempt to compel Privates Samuel Ellsworth and Andrew Smith, company G, 25th U. S. Infantry, to leave their proper quarters and go with him out of the barracks; and did draw a pistol or revolver, and did threaten to shoot said Privates Samuel Ellsworth and Andrew Smith. This at Fort Davis, Texas, on or about the 29th day of August, 1870."

Specification 2d—"In this, that he, Corporal *William Harris*, company G, 25th U. S. Infantry, did, after taps and without authority, go to the quarters of Private Charles Hall, company K, 9th U. S. Cavalry, and did, without cause or provocation, draw a pistol or revolver, and, aiming the same at him, did threaten to shoot the said Private Charles Hall, company K, 9th U. S. Cavalry. This at Fort Davis, Texas, on or about the 29th of August, 1870."

Specification 3d—"In this, that he, Corporal *William Harris*, company G, 25th U. S. Infantry, did without authority order Quartermaster Sergeant Burdett, 9th U. S. Cavalry, to halt; and drawing a pistol or revolver and aiming the same at the said Quartermaster Sergeant Burdett, did say, 'Halt there, or I will shoot you; halt there, you d—n s—n of a b—h, or I will blow your brains out,' or words to that effect. This at Fort Davis, Texas, on or about the 29th day of August, 1870."

Specification 4th—"In this, that he, Corporal *William Harris*, company G, 25th U. S. Infantry, did draw a pistol or revolver and threaten to shoot and kill Quartermaster Sergeant Samuel Burdett, 9th U. S. Cavalry, who was at the time in the execution of his duty, attempting to arrest said Corporal *William Harris* and preserve order. This at Fort Davis, Texas, on or about the 29th day of August, 1870."

To which charge and specifications the accused, Corporal *William Harris*, Company G, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'did draw a pistol or revolver and did threaten to shoot.'"

Of the second specification,	"Not Guilty."
Of the third specification,	"Not Guilty."
Of the fourth specification,	"Not Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *William Harris*, Company G, 25th U. S. Infantry, "To be reduced to the ranks of a private soldier."

II. The proceedings, findings and sentences in the foregoing cases of Sergeant *Howard Browler*, Company K, 9th U. S. Cavalry, and Corporal *William Harris*, Company G, 25th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Sergeant *Browler*, Fort Jackson, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood,
Lt. Col.

AT FORT MCKAVETT, TEXAS.

1. Private SAMUEL KELLEY.....Company E, 24th U. S. Infantry.
2. Private WILLIAM H. COOPER ..... Company C, 25th U. S. Infantry.
3. Private GEORGE DYSON .....Company C, 25th U. S. Infantry.
4. Private HENRY ROBERTS.....Company C, 25th U. S. Infantry.
5. Private EDWARD MARTIN ....Company H, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *February* 10, 1871.

GENERAL COURT MARTIAL ORDERS, No. 11.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Wednesday, January 25, 1871, pursuant to paragraph IV of Special Order No. 15, Headquarters Department of Texas, dated San Antonio, Texas, January 18, 1871, and of which Captain FRANK M. COXE, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Samuel Kelley*, Company E, 24th U. S. Infantry.

CHARGE I—"Disobedience of orders"

Specification—"In this, that Private *Samuel Kelley*, company E, 24th U. S. Infantry, did, in violation of the following order, viz,

'HEADQUARTERS FORT MCKAVETT, TEXAS,
GENERAL ORDERS, No. 36. *September* 18, 1870.

I. Enlisted men of the command, when not on duty, will not be permitted to carry arms of any description without the written permission of their respective company or other commanders; nor shall they have in their possession any pistols, (except when used by proper authority,) bowie knives, sling shots, brass knuckles, or such like weapons or instruments; and any enlisted man who shall violate this order or who shall be found carrying concealed weapons or sharp instruments of any kind, except small pocket knives, will be brought to trial before a court martial.

II. Hereafter no enlisted men of this command will leave the limits of this garrison when not on duty, except on a written pass of their company or other commander.

BY ORDER OF CAPTAIN C. N. W. CUNNINGHAM:

(Signed) EDWARD DONOVAN,
1st Lieut. and Adjt. 24th Infantry, *Post Adjutant.*'

carry about his person a large butcher knife. This at or near Fort McKavett, Texas, on or about the 11th of December, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Samuel Kelley*, of company E, 24th U. S. Infantry, did, while sick in the hospital, go beyond the limits of the post and visit the stores on the left bank of the San Saba river, Texas, without permission from proper authority. This at or near Fort McKavett, Texas, on or about the 23d of December, 1870."

Specification 2d—"In this, that Private *Samuel Kelley*, of company E, 24th U. S. Infantry, did present to De Lay, at the store of —— Champie, a note in words and figures as follows: viz.,

'December 23d 1870

Mr dalay dear Sir plese let Mr Samuel Kelley, have the amouunt of 7 dolers and charge it to me ar him i will pay it i will come to night and see you, Have not time to come now you be shoo to do this and will pay you to night

Misster Cromback for Mr Kelly'

which note was forged by said *Kelley*; and did obtain upon such forged note goods to the amount of (7) seven dollars. This at or near Fort McKavett, Texas, on or about the 23d of December, 1870."

To which charges and specifications the accused, Private *Samuel Kelley*, Company E, 24th U. S. Infantry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Samuel Kelley*, Company E, 24th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay per month for six months; and to be confined at hard labor for the same period at such place as the proper authority may direct."

2. Private *William H. Cooper*, Company C, 25th U. S. Infantry.

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

Specification—"In this, that Private *William H. Cooper*, of company C, 25th U. S. Infantry, did become drunk and disorderly in the quarters of company C, 25th U. S. Infantry, and when ordered by Corporal Thomas Thompson, Company C, 25th U S. Infantry, to keep quiet, did strike with a bayonet and curse said Corporal Thomas Thompson, Company C, 25th U. S. Infantry, while in the proper discharge of his duties. All this at Fort McKavett, Texas, on or about the 22d day of January, 1871."

To which charge and specification the accused, Private *William H Cooper*, Company C, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William H. Cooper*, Company C, 25th U. S. Infantry, "To be confined at hard labor under charge of the guard for four months; and to forfeit to the United States ten dollars of his monthly pay for the same period."

3. Private *George Dyson*, Company C, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *George Dyson*, company C, 25th U. S. Infantry who enlisted in the service of the United States at Providence, Rhode Island, June 8, 1870, did desert his company and said service at Fort

McKavett, Texas, September 30, 1870; and did remain absent until arrested (by Captain Kleid, Texas Rangers,) as a deserter near old Fort Terrett, Texas, October 13, 1870."

To which charge and specification the accused, Private *George Dyson*, Company C, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Dyson*, Company C, 25th 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: to be indelibly marked with the letter 'D,' one and a half inches in length, on the left hip; and then to be confined at hard labor, at such place as the proper authority may direct, for four years."

4. Private *Henry Roberts*, Company C, 25th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"That Private *Henry Roberts*, of company C, 25th U. S. Infantry, being detailed as one of the guard to accompany a detachment of recruits *en route* from Fort McKavett, Texas, to Fort Bliss, Texas, under command of Lieutenant S. E. Armstrong, 24th U. S. Infantry, and having been ordered to proceed from the camp of his detachment, near Fort Concho, Texas, to a shop or grocery store near said camp and there arrest any soldiers absent from their detachment and found at such grocery, did become drunk; and did return to his said detachment and camp in an intoxicated or drunken condition, so that he was entirely unfit for the proper discharge of his duties as a guard. This at or near Fort Concho, Texas, on or about the 5th day of October, 1870."

CHARGE II—"Violation of the 46th Article of War."

Specification—"That Private *Henry Roberts*, of company C, 25th U. S. Infantry, being on duty as a member of a detachment of guards accompanying a train of public animals and wagons, *en route* from Fort Bliss to Fort Quitman, Texas, and other posts, and being on post as a sentinel at the camp of his detachment, (on the banks of the Rio Grande, between Forts Quitman and Bliss, Texas,) did leave his post before he was regularly relieved, and did go to a fire near said camp; there sit down and lay aside his arms or musket upon the ground, and did there remain in that position till repeatedly ordered to resume his post or beat by the sergeant of the detachment. This at or near the locality known as the 'Quad Rio,' or the banks of the upper Rio Grande river, between Forts Quitman and Bliss, Texas, on or about the 10th of November, 1870, just before daylight in the morning."

To which charges and specifications the accused, Private *Henry Roberts*, Company C, 25th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Henry Roberts*, Company C, 25th U. S. Infantry, "To be confined at hard labor in charge of the guard for six months."

5. Private *Edward Martin*, Company H, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Edward Martin*, company H, 25th U. S. Infantry, who enlisted in the service of the United States, June 10, 1870, did desert his company and said service at Fort McKavett, Texas, on or about September 30, 1870, and did remain absent until apprehended near Bear creek, Texas, on or about October 10, 1870."

To which charge and specification the accused, Private *Edward Martin*, Company H, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Martin*, Company H, 25th 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; to be indelibly marked with the letter 'D,' one and a half inches in length, on the left hip; and then to be confined at hard labor, at such place as the proper authority may direct, for four years."

II. The proceedings, findings and sentences in the cases of Privates *Samuel Kelley*, Company E, 24th U. S. Infantry, *William H. Cooper* and *Henry Roberts* Company C, 25th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of *Kelley* and *Roberts*, the posts of their respective companies are designated as the places of confinement.

The proceedings and findings in the cases of Privates *George Dyson*, Company C, and *Edward Martin*, Company H, 25th U. S. Infantry, are approved. So much of the sentence in each case as relates to marking with the letter 'D' is remitted; the remainder is approved and will be duly executed. Fort Jackson, Louisiana is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Francis Gushing
Capt. and A. A. G.

AT FORT RICHARDSON, TEXAS.

1. Private FREDERICK SPENCER.....Company A, 6th U. S. Cavalry.
2. Private EDWARD J. DOYLE.....Company D, 6th U. S. Cavalry.
3. First Sergeant E. BREUER.....Company E, 6th U. S. Cavalry.
4. Private OSCAR LUDWIG. .....Company E, 6th U. S. Cavalry.
5. Private MARSHALL D. STEEL. .....Company E, 6th U. S. Cavalry
6. Private HENRY SEVERIN .....Company H. 6th U. S. Cavalry.
7. Private THOMAS GILLIGAN.....Company K, 6th U. S. Cavalry.
8. Private MATTHEW HAPP.....Company K, 6th U. S. Cavalry.
9. Private EDWARD GUNTHER ....Company C, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *February* 13, 1871.

GENERAL COURT MARTIAL }
ORDERS, NO. 12. }

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, December 19, 1870, pursuant to paragraph III of Special Order No. 151, Headquarters Department of Texas. dated San Antonio, Texas, November 26, 1870, and of which Colonel JAMES OAKES, 6th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Frederick Spencer*, Company A, 6th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, the said Private *Frederick Spencer*, company A, 6th U. S. Cavalry, having been duly mounted as a member of the camp guard and duly posted as a sentinel on post No. 2, did leave his post without being relieved by proper authority, and did go to sleep. All this at camp on the east fork of the Little Wichita river, Texas, in a dangerous Indian country, on or about the 20th day of November, 1870."

To which charge and specification the accused, Private *Frederick Spencer*, Company A, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and duly posted' and 'did leave his post without being relieved by proper authority and.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frederick Spencer*, Company A, 6th U. S. Cavalry, "To forfeit ten dollars per month of his monthly pay for twelve months; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the same period."

2. Private *Edward J. Doyle*, Company D, 6th U. S. Cavalry.

CHARGE—"Leaving his post, in violation of the 46th Article of War."

Specification—"In this, that he, Private *Edward J. Doyle*, of company D, 6th U. S. Cavalry, having been regularly detailed as a member of the stable guard and posted as sentinel over the public animals of company D, 6th U. S. Cavalry, did leave his post without being regularly relieved; and did go to his tent, where he was found asleep by the non-commissioned officer in charge of the guard. This at a temporary camp (Camp Wichita, Texas,) in a dangerous Indian locality, on or about the morning of the 11th of November, 1870."

To which charge and specification the accused, Private *Edward J. Doyle*, Company D, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward J. Doyle*, Company D, 6th U. S. Cavalry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for six months; and to forfeit to the United States ten dollars of his monthly pay per month for the same period."

3. First Sergeant *E. Breuer*, Company E, 6th U. S. Cavalry.

CHARGE—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that First Sergeant *E. Breuer*, company E, 6th U. S. Cavalry, after having been ordered by his superior officer (Second Lieutenant H. F. Winchester, Adjutant 6th U. S. Cavalry, and Post Adjutant of Fort Richardson, Texas,) to confine Private William Leferre, company E, 6th U. S. Cavalry, after guard mount, the order being given during guard mount, did disobey said order until again ordered by Lieutenant Winchester to execute it; the second being given to Sergeant *Breuer* whilst he was taking the man ordered to be confined in an opposite direction from the guard house and allowing him to be still under arms. This at Fort Richardson, Texas, December 4, 1870."

To which charge and specification the accused, First Sergeant *E. Breuer*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, First Sergeant *E. Breuer*, Company E, 6th U. S. Cavalry.

4. Private *Oscar Ludwig*, Company E, 6th U. S. Cavalry.

CHARGE—"Disobedience of orders."

Specification—"In this, that he, Private *Oscar Ludwig*, company E, 6th U. S. Cavalry, having been duly mounted as a member of the guard

at Fort Richardson, Texas, and placed as a sentinel at the corrall, did, after having received strict instructions from the commanding officer of the post, through the corporal of the guard, to allow no horses or mules to be taken away without written orders from the commanding officer or officer of the day, accompanied by a non-commissioned officer of the guard, permit two mules and one horse, the property of the United States, to be taken therefrom on presentation by Private Hamilton, company E, 6th U. S. Cavalry, of an order bearing the forged signature of Captain Pettee, the officer of the day. All this at Fort Richardson, Texas, between the hours of 6 and 8 P. M. on the 13th day of October, 1870."

To which charge and specification the accused, Private *Oscar Ludwig*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty of the facts alleged but attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Oscar Ludwig*, Company E, 6th U. S. Cavalry.

5. Private *Marshall D. Steel*, Company E, 6th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Marshall D. Steel*, company E, 6th U. S. Cavalry, having been duly enlisted in the service of the United States Army for the period of five years, the date of his enlistment being July 13, 1870, did desert the same on or about the morning of the 16th of November, 1870, at or near Fort Richardson, Texas; and was apprehended at or near Jacksboro', Texas, on or about the night of the 16th of November, 1870; a reward of thirty (30) dollars has been paid for his apprehension."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Marshall D. Steel*, company E, 6th U. S. Cavalry, did take, at or near Fort Richardson, Texas, on or about the 16th of November, 1870, one Spencer carbine, the property of the United States, and for which Second Lieutenant E. W. Brady, 6th U. S. Cavalry, was responsible, and sell, or offer the same for sale, for the amount of ten dollars, to a citizen named Lee Crutchfield in the town of Jacksboro', Texas, he, Private *Marshall D. Steele*, company E, 6th U. S. Cavalry, stating to the aforesaid citizen (Lee Crutchfield) that the carbine was his private property. All this at or near Jacksboro', Texas, on or about the 16th of November, 1870."

To which charges and specifications the accused, Private *Marshall D. Steel*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'desert the same' and substituting therefor 'absent himself from camp.'"

Of the first charge, "Not guilty, but guilty of 'absence without leave.'"
Of the specification, second charge, "Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Marshall D. Steel*, Company E, 6th U. S. Cavalry, "To be dishonorably disharged the service of the United States, with forfeiture of all pay and allowances that are or may become due him; and to be confined at hard labor, at such place as may be designated by the proper authority, for the period of two years."

6. Private *Henry Severin*, Company H, 6th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Henry Severin*, H company, 6th U. S. Cavalry, on duty as cook at the post hospital, Fort Richardson, Texas, when spoken to by the post surgeon, did retort in a most disrespectful and boisterous manner and tone, and persisted in doing so although repeatedly ordered to be quiet. This at Fort Richardson, Texas, on or about the 4th day of January, 1871."

Specification 2d—"In this, that he, Private *Henry Severin*, H company, 6th U. S. Cavalry, on duty as cook in the post hospital, did behave in such a noisy and tumultuous manner as to seriously disturb the patients in the hospital, and especially one patient lying in immediate proximity and so sick that his life was in danger at the time of the disturbance. This at Fort Richardson, Texas, on or about the 4th day of January, 1871."

Specification 3d—"In this, that he, Private *Henry Severin*, H company, 6th U. S. Cavalry, on duty as cook in the post hospital, did forcibly and violently resist acting Hospital Steward Charles Kotzenberg, and did call him a 'son of a bitch' and other foul names, he (Charles Kotzenberg) being ordered by the post surgeon to conduct Private *Henry Severin*, H company, to the guard house. This at Fort Richardson, Texas, on or about the 4th day of January, 1871."

CHARGE II—"Disobedience of orders."

Specification 1st—"In this, that he, Private *Henry Severin*, of H company, 6th U. S. Cavalry, on duty in the post hospital, behaving in a tumultuous and riotous manner in the hospital, did positively and wilfully disobey the repeated orders of the post surgeon to be quiet. This at Fort Richardson, Texas, on or about the 4th day of January, 1871."

Specification 2d—"In this, that he, Private *Henry Severin*, of H company, 6th U. S. Cavalry, on duty as cook in the post hospital, did positively and wilfully disobey the repeated orders of the post surgeon to accompany acting Hospital Steward Charles Kotzenberg to the guard house. This at Fort Richardson, Texas, on or about the 4th day of January, 1871."

To which charges and specifications the accused, Private *Henry Severin*, Company H, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Severin*, Company H, 6th U. S. Cavalry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of four months; and to forfeit nine dollars per month of his monthly pay to the United States for the same period."

7. Private *Thomas Gilligan*, Company K, 6th U. S. Cavalry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Thomas Gilligan*, company K, 6th U. S. Cavalry, did sell, lose, or otherwise dispose of, one Colt's pistol, calibre .44, the property of the United States, and for which Second Lieutenant E. W. Brady, 6th U. S. Cavalry, commanding company K, is responsible. All this between San Antonio, Texas, and Fort Richardson, Texas, between the 17th day of November, 1870, and the 29th day of December, 1870."

CHARGE II—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *Thomas Gilligan*, company K, 6th U. S. Cavalry, did without proper authority absent himself from afternoon stable call of January 1, 1871. All this at Fort Richardson, Texas, on or about the 1st day of January, 1871."

Specification 2d—"In this, that he, Private *Thomas Gilligan*, company K, 6th U. S. Cavalry, did without proper authority fail to appear with his company at retreat roll-call. All this at Fort Richardson, Texas, on or about the 1st day of January, 1871."

To which charges and specifications the accused, Private *Thomas Gilligan*, Company K, 6th U. S. Cavalry, pleaded:

To the first charge and its specification,	"Not Guilty."
To the first specification, second charge,	"Guilty."
To the second specification, second charge,	"Not Guilty."
To the second charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Gilligan*, Company K, 6th U. S. Cavalry, "To forfeit to the United States one half of his weekly pay until the United States is reimbursed in the sum of fifty ($50) dollars; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of thirty days."

8. Private *Matthew Happ*, Company K, 6th U. S. Cavalry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Matthew Happ*, Company K, 6th U. S. Cavalry, did sell, lose, or otherwise dispose of, one Colt's pistol, calibre .44, the property of the United States, and for which Second Lieutenant E. W. Brady, 6th U. S. Cavalry, is responsible. All this while on detached service between San Antonio, Texas, and Fort Richardson, Texas, between the 17th day of November, 1870, and the 29th day of December, 1870."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Matthew Happ*, company K, 6th U. S. Cavalry, did fail, without proper authority, to repair at the proper time with the detail of which he, Private *Matthew Happ*, was a member, to afternoon stables of January 1, 1871. All this at Fort Richardson, Texas, on or about the 1st day of January, 1871."

CHARGE III—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Matthew Happ*, company K, 6th U. S. Cavalry, did become so much intoxicated as to render himself unfit to perform the duties of a soldier. All this at Fort Richardson, Texas, on or about the 1st day of January, 1871."

To which charges and specifications the accused, Private *Matthew Happ*, Company K, 6th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Not Guilty."
To the third charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Matthew Happ*, Company K, 6th U. S. Cavalry, "To forfeit to the United States one half of his weekly pay until the United States is reimbursed in the sum of fifty dollars; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of forty days."

9. Private *Edward Gunther*, Company C, 11th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Edward Gunther*, company C, 11th U. S. Infantry, having been duly mounted as a member of the guard at Fort Richardson, Texas, and posted as a sentinel at No. 4 post, did desert his post between the hours of seven and eight P. M. on the 2d of November, 1870. All this at Fort Richardson, Texas, on or about the 2d day of November, 1870."

To which charge and specification the accused, Private *Edward Gunther*, Company C, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Edward Gunther*, Company C, 11th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Privates *Frederick Spencer*, Company A, *Edward J. Doyle*, Company D, *Marshall D. Steel*, Company E, *Henry Severin*, Company H, *Thomas Gilligan* and *Matthew Happ*, Company K, 6th U. S. Cavalry, are approved, and the sentences will be duly executed. In the case of Private *Steel*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the cases of First Sergeant *E. Breuer* and Private *Oscar Ludwig*, Company E, 6th U. S. Cavalry, and Private *Edward Gunther*, Company C, 11th U. S. Infantry, are approved. They will be released from arrest or confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood,
Jacey,

AT JACKSON BARRACKS, LOUISIANA.

1. First Class Private DENNIS LANNIHAN.....Ordnance Department, U. S. Army.
2. Second Class Private DENNIS M. CARROLL. Ordnance Department, U. S. Army.
3. Second Class Private PATRICK McCOUSKER. Ordnance Department, U. S. Army.
4. Private MICHAEL RUSSEL..... .. ..M Troop, 7th U. S. Cavalry.
5. Private JOSEPH BOWEN..... .....Company E, 19th U. S. Infantry.
6. Private JOHN O'BRIEN..... Company H, 19th U. S. Infantry.
7. Private GEORGE WERTHER .....Company I, 19th U. S. Infantry.
8. Private JOHN STEPHANS.....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *February* 15, 1871.

GENERAL COURT MARTIAL }
ORDERS, NO. 13. }

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, November 21, 1870, pursuant to paragraph III of Special Order No. 142 and paragraph II of Special Order No. 159, Headquarters Department of Texas, dated San Antonio, Texas, November 12 and December 6, 1870, and of which Major BENNETT A. CLEMENTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. First Class Private *Dennis Lannihan*, Ordnance Department, U. S. Army.

CHARGE I—"Violation of the 9th Article of War."

Specification—"In this, that the said First Class Private *Dennis Lannihan*, after having been refused permission by his commanding officer, Major J. W. Todd, Ordnance Corps, U. S. Army, did visit the town of Baton Rouge, Louisiana, in disregard of the orders of his superior officer, Major J. W. Todd, and did remain absent from his post from one o'clock P. M., December 25, 1870, until the morning of December 26, 1870. This at Baton Rouge, Louisiana, on or about December 25, 1870."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that he, the said Private *Dennis Lannihan*, did absent himself, without leave, from his post and remain absent from one o'clock P. M., December 25, 1870, until the morning of the 26th December, 1870. This at Baton Rouge, Louisiana. on or about December 25, 1870."

To which charges and specifications the accused, First Class Private *Dennis Lannihan*, Ordnance Department, U. S. Army, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, First Class Private *Dennis Lannihan*, Ordnance Department, U. S. Army, "To forfeit to the United States ten

dollars per month of his monthly pay for three months; and to be confined at hard labor at the post of Baton Rouge for three months."

2. Second Class Private *Dennis M. Carroll*, Ordnance Department, U. S. Army.

CHARGE I—"Violation of the 21st Article of War."

Specification—"In this, that the said Private *Dennis M. Carroll*, having received permission on the 22d day of December, 1870, to be absent from his company and post until 9 o'clock P. M. the same day, did fail to report at the expiration of said permission, but did remain absent without leave until the 25th day of December, 1870. This at Baton Rouge Arsenal, Louisiana, on or about the dates above specified."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, the said Private *Dennis M. Carroll*, having on the morning of the 26th day of December, 1870, been regularly posted as a sentinel at Baton Rouge Arsenal, Louisiana, did quit his post and visit the town of Baton Rouge, Louisiana, where he was arrested in a drunken condition. This at Baton Rouge Arsenal, Louisiana, on or about the 27th day of December, 1870."

CHARGE III—"Violation of the 45th Article of War."

Specification—"In this, that the said Private *Dennis M. Carroll*, having been regularly posted as a sentinel on the morning of the 26th day of December, 1870, at Baton Rouge Arsenal, Louisiana, and not having been relieved as such, was found drunk and arrested in the town of Baton Rouge, Louisiana. This at Baton Rouge, Louisiana, on or about December 27, 1870."

To which charges and specifications the accused, Second Class Private *Dennis M. Carroll*, Ordnance Department, U. S. Army, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."
To the third charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the specification, second charge, "Guilty, except the words 'regularly posted as a sentinel,' substituting therefor the words 'being on duty.'"

Of the second charge, "Not Guilty, but guilty of 'conduct prejudical to good [order] and military discipline.'"

Of the specification, third charge, "Guilty, except the words 'regularly posted as a sentinel,' substituting therefor the words 'being on duty.'"

Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Second Class Private *Dennis M. Carroll*, Ordnance Department, U. S. Army, "To forfeit to the United States ten dollars per month of his pay for four months; and to be confined at hard labor under charge of the guard, at the post of Baton Rouge, Louisiana, for the same period."

3. Second Class Private *Patrick McCousker*, Ordnance Department, U. S. Army.

CHARGE I—"Violation of the 9th Article of War."

Specification—"In this, that the said Second Class Private *Patrick McCousker*, after having been refused permission by his commanding officer, Major J. W. Todd, Ordnance Corps, U. S. Army, did visit the town of Baton Rouge, Louisiana, in disregard of the orders of his superior officer,

Major J. W. Todd, and did remain absent from his post from one o'clock P. M., December 25, 1870, until the morning of the 26th December, 1870. This at Baton Rouge Arsenal, Louisiana, on or about December 25, 1870."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that he, the said Private *Patrick McCousker*, did absent himself without leave from his post and remain absent from one o'clock P. M., December 25, 1870, until the morning of the 26th December, 1870. This at Baton Rouge Arsenal, Louisiana, on or about December 25, 1870."

To which charges and specifications the accused, Second Class Private *Patrick McCousker*, Ordnance Department, U. S. Army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Second Class Private *Patrick McCousker*, Ordnance Department, U. S. Army, "To forfeit to the United States ten dollars per month of his monthly pay for three months; and to be confined at hard labor, at the post of Baton Rouge, for three months."

4. Private *Michael Russel*, M troop, 7th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Michael Russel*, M troop, 7th U. S Cavalry, a duly enlisted soldier, did desert the service of the United States at Fort Leavenworth, Kansas, on or about the 28th day of April, 1870, and remain away until surrendered himself at Donaldsonville, Louisiana, on or about the 22d day of December, 1870."

To which charge and specification the accused, Private *Michael Russel*, M troop, 7th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Russel*, M troop, 7th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are or may become due him; and to be confined in such military prison or penitentiary as the proper authority may direct for the period of one year."

5. Private *Joseph Bowen*, Company E, 19th U. S. Infantry.

CHARGE—"Manslaughter, to the prejudice of good order and military discipline."

Specification 1st—"That Private *Joseph Bowen*, company E, 19th U. S. Infantry, did, on or about the evening of the 8th day of August, 1870, at Jackson Barracks, Louisiana, with a Springfield breech-loading rifle musket loaded with ball and cartridge, shoot and kill David Kelly, private Company E, 19th U. S. Infantry."

Specification 2d—"That Private *Joseph Bowen*, company E, 19th U. S. Infantry, did, on or about the evening of the 8th day of August, 1870, at Jackson Barracks, Louisiana, with a Springfield breech-loading rifle

musket loaded with ball and cartridge, shoot and mortally wound Private Mike Ford, Company E, 19th U. S. Infantry."

To which charge and specifications the accused, Private *Joseph Bowen*, Company E, 19th U. S. Infantry, 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 accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph Bowen*, Company E, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due; and to be confined in such penitentiary as the proper authority may direct for the period of five years."

6. Private *John O'Brien*, Company H, 19th U. S. Infantry.

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

Specification 1st—"That Private *John O'Brien*, company H, 19th U. S. Infantry, being a member of the post guard, duly posted over prisoners at work cutting wood, did, on being ordered by the non-commissioned officer in charge of general policing, Corporal Henry Beddings, Company G, 19th U. S. Infantry, to take the prisoners in his (*O'Brien's*) charge to the guard house, refuse and fail to obey said order, saying 'go away from here,' or words to that effect. At Baton Rouge Barracks, Louisiana, on or about December 4, 1870."

Specification 2d—"That Private *John O'Brien*, company H, 19th U. S. Infantry, a member of the post guard, did raise his gun as if to strike Corporal Henry Beddings, Company G, 19th U. S. Infantry, he (Corporal Henry Beddings) being in the execution of his duty. At Baton Rouge Barracks, Louisiana, on or about December 4, 1870."

To which charge and specifications the accused, Private *John O'Brien*, Company H, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John O'Brien*, Company H, 19th U. S. Infantry, "To forfeit to the United States ten dollars of his pay."

7. Private *George Werther*, Company I, 19th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification 1st—"In this, that he, Private *George Werther*, company I, 19th U. S. Infantry, having been duly detailed and mounted on guard, did get so drunk as to be incapable of performing his duty as a sentinel. This at Fort Jackson, Louisiana, on or about the 13th day of August, 1870."

Specification 2d—"In this, that he, Private *George Werther*, company I, 19th U. S. Infantry, did, while in charge of two convict prisoners, viz.,

Frank Jackson and Thomas Nathan, get so drunk as to be unable to take proper charge of said convict prisoners, thereby endangering their safe keeping All this at Fort Jackson, Louisiana, between the hours of 8 and 12 o'clock A. M., on or about the 13th day of August, 1870."

To which charge and specifications the accused, Private *George Werther*, Company I, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'viz., Frank Jackson and Thomas Nathan.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Werther*, Company I, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for a period of five months."

8. Private *John Stephans*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *John Stephans*, company K, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 14th day of June, 1870. This at Fort St. Philip, Louisiana, on or about the above date."

To which charge and specification the accused, Private *John Stephans*, Company K, 19th U. S. Infantry pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Stephans*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of one year."

II. The proceedings, findings and sentences in the cases of First Class Private *Dennis Lannihan*, Second Class Privates *Dennis M. Carroll* and *Patrick McCousker*, Ordnance Department, U. S. Army; Privates *Michael Russel*, M troop, 7th U. S. Cavalry, *Joseph Bowen*, Company E, *John O'Brien*, Company H, and *John Stephans*, Company K, 19th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Privates *Russel*, *Bowen* and *Stephans*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *George Werther*, Company I, 19th U. S. Infantry, are approved; but in view of the recommendation of six members of the court, the sentence is remitted. Private *Werther* will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
Capt.

At San Antonio, Texas.

1. Sergeant William Kernan.....Company E, 6th U. S. Cavalry.
2. Private Richard R. Rogers.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *February* 17, 1871.

General Court Martial Orders, No. 14.

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, January 27, 1871, pursuant to paragraph I of Special Order No. 20, Headquarters Department of Texas, dated San Antonio, Texas, January 25, 1871, and of which Major Lewis A. Edwards, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Sergeant *William Kernan*, Company E, 6th U. S. Cavalry.

Charge I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Sergeant *William Kernan*, of company E, 6th U. S. Cavalry, while a prisoner in charge of a sentinel from the post guard, sent to perform certain labor, did become so much under the influence of intoxicating liquor as to be unable to perform the labor required of him. This at San Antonio, Texas, on the 30th day of January, 1871."

Charge II—"Larceny, to the prejudice of good order and military discipline."

Specification—"In this, that Sergeant *William Kernan*, of company E, 6th U. S. Cavalry, did enter the store of Mrs. Mary A. Buckley, go behind the counter and steal therefrom certain articles: viz., one (1) package of chocolate and three (3) papers of tobacco, the property of the said Mrs. Mary A. Buckley, to the money value of sixty cents, ($0.60) more or less. This at San Antonio, Texas, on the 30th day of January, 1871."

Charge III—"Assault and battery, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Sergeant *William Kernan*, of company E, 6th U. S. Cavalry, upon being detected by Mrs. Mary A. Buckley, in the act of stealing, did strike the said Mrs. Mary A. Buckley a severe blow with his fist, she (Mrs. Mary A. Buckley) being then and there legally engaged in endeavoring to protect her property. This at San Antonio, Texas, on the 30th day of January, 1871."

Specification 2d—"In this, that Sergeant *William Kernan*, of company E, 6th U. S. Cavalry, upon being detected by Mrs. Mary A. Buckley, in the act of stealing, did repeatedly strike and push the said Mrs. Mary A. Buckley with his fist and elbow, she (Mrs Mary A. Buckley) being then and there lawfully engaged in endeavoring to protect her property. This at San Antonio, Texas, on the 30th day of January, 1871."

To which charges and specifications the accused, Sergeant *William Kernan*, Company E, 6th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty."
Of the second charge, "Guilty."
Of the first specification, third charge, "Guilty."
Of the second specification, third charge, "Guilty, with the exception of the word 'repeatedly.'"
Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *William Kernan*, Company E, 6th U. S. Cavalry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances that are now or that may become due him; and to be confined at hard labor at Fort Jackson, Louisiana, for the period of three years."

2. Private *Richard R. Rogers*, Company F, 10th U. S. Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that Private *Richard R. Rogers*, of company F, 10th U. S. Infantry, having been regularly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor as to unfit him for the proper performance of his duties as a sentinel. This at San Antonio, Texas, on the 30th day of January, 1871."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Richard R. Rogers*, of company F, 10th U. S. Infantry, while on duty as a sentinel in charge of two prisoners from the post guard house, sent out to labor, did permit the said prisoners to become under the influence of intoxicating liquor, to the prejudice of good order and military discipline. This at San Antonio, Texas, on the 30th day of January, 1871."

Specification 2d—"In this, that Private *Richard R. Rogers*, of company F, 10th U. S. Infantry, while on duty as a sentinel in charge of two prisoners from the post guard house, sent out to labor, did permit one of the said prisoners: viz., Sergeant William Kernan, of company E, 6th U. S. Cavalry, to enter the store of Mrs. Mary A. Buckley, and steal therefrom certain property to the value of sixty cents ($0.60), more or less, to the prejudice of good order and military discipline. This at San Antonio, Texas, on the 30th day of January, 1871."

CHARGE III—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Richard R. Rogers*, of company F, 10th U. S. Infantry, being on duty as a member of the guard and having been ordered by the sergeant of the guard to proceed with two prisoners from the post guard house to roll the walks on the premises of Colonel L. P. Graham, U. S. Army, did disobey the said order by neglecting to take the prisoners to the premises of Colonel L. P. Graham as ordered. This at San Antonio, Texas, on the 30th day of January, 1871."

To which charges and specifications the accused, Private *Richard R. Rogers*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge, "Guilty."
Of the specification, third charge, "Guilty, except the words 'by neglecting to take the prisoners to the premises of Colonel L. P. Graham as ordered.'"
Of the third charge. "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard R. Rogers*, Company F, 10th U. S. Infantry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances that are now or may become due him; and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of one year."

II. The proceedings, findings and sentences in the cases of Sergeant *William Kernan*, Company E, 6th U. S. Cavalry, and Private *Richard R. Rogers*, Company F, 10th U. S. Infantry, are approved and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Samuel T. Ewing
Capt. and A. D. C.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *February* 20, 1871.

GENERAL COURT MARTIAL ORDERS, No. 15.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, December 19, 1870, pursuant to paragraph III of Special Order No. 151, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and of which Colonel JAMES OAKES, 6th U. S. Cavalry, is President, was arraigned and tried:

1. Private *John C. Carroll*, Company I, 6th U. S. Cavalry.

CHARGE—"Utter worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John C. Carroll*, company I, 6th U. S. Cavalry, has since the 29th day of September, 1869, (the date he joined his company,) been in confinement for drunkenness eleven months and twenty-one days, and is in consequence of his inebriate character entirely worthless as a soldier. All this at Tyler, Corsicana, Fort Griffin and Fort Richardson, Texas, on and between the 29th day of September, 1869, and the 7th day of November, 1870."

To which charge and specification the accused, Private *John C. Carroll*, Company I, 6th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John C. Carroll*, Company I, 6th U. S. Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and to be confined at such military prison as may be designated by the Department Commander for the period of three years."

II. The proceedings, findings and sentence in the foregoing case of Private *John C. Carroll*, Company I, 6th U. S. Cavalry, are approved, and the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph III of Special Order No. 151, series of 1870, from Department Headquarters, and of which Colonel JAMES OAKES, 6th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood,
Capt.

AT SAN ANTONIO, TEXAS.

1. Private ARMSTRONG HUTCHINSON.....Company F, 10th U. S. Infantry.
2. Private PATRICK O'BRIAN.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *February* 21, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 16. }

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, January 27, 1871, pursuant to paragraph I of Special Order No. 20, and paragraph II of Special Order No. 28, Headquarters Department of Texas, dated San Antonio, Texas, January 25 and February 9, 1871, and of which Major LEWIS A. EDWARDS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private *Armstrong Hutchinson*, Company F, 10th U. S. Infantry.

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

Specification—"In this, that Private *Armstrong Hutchinson*, of Company F, of the tenth regiment of U. S. Infantry, being upon detached service with an escort to a wagon train, did frequently, while on this duty and in a difficult and dangerous country, become drunk and unfit for the proper performance of any duty. This between the 23d day of December, 1870, and the 11th day of January, 1871, while *en route* from San Antonio, Texas, to Fort Griffin, Texas, and between the 16th day of January and the 4th day of February, 1871, while *en route* from Fort Griffin, Texas, to San Antonio, Texas."

To which charge and specification the accused, Private *Armstrong Hutchinson*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Armstrong Hutchinson*, Company F, 10th U. S. Infantry.

2. Private *Patrick O'Brian*, Company F, 10th U. S. Infantry.

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

Specification 1st—" In this, that Private *Patrick O'Brian*, of company F, of the tenth regiment of U. S. Infantry, being upon detached service with an escort to a wagon train, did frequently, while on this duty and in a difficult and dangerous country, become drunk and unfit for the proper performance of any duty. This between the 23d day of December, 1870, and the 11th day of January, 1871, while *en route* from San Antonio, Texas, to Fort Griffin, Texas; and between the 16th day of January and the 4th day of February, 1871, while *en route* from Fort Griffin, Texas, to San Antonio, Texas."

Specification 2d—" In this, that Private *Patrick O'Brian*, of company F, of the tenth regiment of U. S. Infantry, was drunk and disorderly in the quarters of his company. This at San Antonio, Texas, on or about the 7th day of February, 1871."

Specification 3d—" In this, that Private *Patrick O'Brian*, of company F, of the tenth regiment of U. S. Infantry, did behave himself with contempt and disrespect towards Corporal Peter Monaghan of the said company. This at San Antonio, Texas, on or about the 7th day of February, 1871."

Specification 4th—" In this, that Private *Patrick O'Brian*, of company F, of the tenth regiment of U. S. Infantry, did make use of threatening and abusive language towards Corporal Peter Monaghan of the said company, he being in the execution of his office; and did say that he would be square with him yet, and did otherwise threaten the said Corporal with personal injury and bodily harm. This at San Antonio, Texas, on or about the 7th day of February, 1871."

To which charge and specifications the accused, Private *Patrick O'Brian*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	" Not Guilty."
Of the second specification,	" Guilty, except the words 'drunk and.'"
Of the third specification,	" Guilty."
Of the fourth specification,	" Guilty."
Of the charge,	" Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick O'Brian*, Company F, 10th U. S. Infantry, " To forfeit to the United States twelve dollars of his monthly pay for the period of one month; and to be confined at hard labor, under charge of the guard where his company may be serving, for the period of thirty days."

II. The proceedings, findings and acquittal in the case of Private *Armstrong Hutchinson*, Company F, 10th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *Patrick O'Brian*, Company F, 10th U. S. Infantry, are approved, and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special

Order No. 20, and paragraph II of Special Order No. 28, current series, from Department Headquarters, and of which Major LEWIS A. EDWARDS, Surgeon, U. S. Army, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
Capt.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private Peter Caravon.....Company L, 4th U. S. Cavalry.
2. Private John English.....Company L, 4th U. S. Cavalry.
3. Private John Long.....Company L, 4th U. S. Cavalry.
4. Private John Rees.....Company L, 4th U. S. Cavalry.
5. Sergeant John E. N. Fogelberg.....Company B, 10th U. S. Infantry.
6. Private Thomas Larkin.....Company B, 10th U. S. Infantry.
7. Private Charles Seymour.....Company B, 10th U. S. Infantry.
8. Private James A. Short.....Company B, 10th U. S. Infantry.
9. Sergeant Henry Allison.....Company E, 10th U. S. Infantry.
10. Private William Cleary.....Company E, 10th U. S. Infantry.
11. Private Patrick Nugent.....Company E, 10th U. S. Infantry.
12. Corporal John E. Taylor.....Company I, 10th U. S. Infantry.
13. Private Michael Lennon.....Company I, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)

San Antonio, Texas, *February* 27, 1871.

General Court Martial }
Orders, No. 17. }

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, January 23, 1871, pursuant to paragraph II of Special Order No. 4, Headquarters Department of Texas, dated San Antonio, Texas, January 5, 1871, and of which Captain John B. Parke, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *Peter Caravon*, Company L, 4th U. S. Cavalry.

Charge—"Desertion."

Specification—"In this, that he, Private *Peter Caravon*, of company L, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same on or about the 20th day of December, 1870, at camp near old Fort Ewell, Texas; and did not return until brought back forcibly by an armed escort, having been apprehended at or about thirty-eight miles from said camp, on or about the 22d day of December, 1870."

To which charge and specification the accused, Private *Peter Caravon*, Company L, 4th U. S. Cavalry, pleaded as follows:

To the specification, "Guilty, except the words 'desert the same' and substituting therefor the words 'absent himself'"

To the charge, "Not guilty, but guilty of 'absence without leave.'"

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Peter Caravon*, Company L, 4th U. S. Cavalry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and confined in such mili-

tary prison as the Commanding General may direct, for the period of three years."

2. Private *John English*, Company L, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John English*, company L, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same on or about the 20th day of December, 1870, at camp near old Fort Ewell, Texas; and did not return until brought back forcibly by an armed escort, having been apprehended at or about thirty-eight miles from said camp, on or about the 22d day of December, 1870. All this at or near camp near old Fort Ewell, Texas, on or about the dates specified."

To which charge and specification the accused, Private *John English*, Company L, 4th U. S. Cavalry, pleaded as follows:

To the specification, "Guilty, except the words 'desert the same' and substituting therefor the words 'absent himself.'"

To the charge, "Not guilty, but guilty of 'absence without leave.'"

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John English*, Company L, 4th U. S. Cavalry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and confined in such military prison as the Commanding General may direct, for the period of three years."

3. Private *John Long*, Company L, 4th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That he, Private *John Long*, company L, 4th U. S. Cavalry, did steal from the tent of Private Charles Peters, company L, 4th U. S. Cavalry, one blouse, which was found in Private *Long's* tent after the theft was reported and he (*Long*) accused. This at Ringgold Barracks, Texas, on the 30th of October, 1870."

Specification 2d—"That he, Private *John Long*, company L, 4th U S. Cavalry, did steal one cavalry overcoat from the tent of Private Michael McGarthen, company L, 4th U. S. Cavalry; and after being accused of and reported for the theft, did offer to give Private McGarthen ten dollars if he would keep quiet and say no more about it; and afterwards did offer to replace the overcoat in his (McGarthen's) tent if he (McGarthen) would report that it had [been] left there during the night. This at Ringgold Barracks, Texas, on the 30th of October, 1870."

ADDITIONAL CHARGE—"Desertion."

Specification—"In this, that he, *John Long*, an enlisted soldier in the service of the United States, a private of company L, 4th Cavalry, United States Army, did desert the said service at Ringgold Barracks, Texas, on or about the 12th day of December, 1870; and did remain absent from the said service until apprehended at Brownsville, Texas, on or about the 31st day of December, 1870."

To which charges and specifications the accused, Private *John Long*, Company L, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the second specification to the charge, "Guilty of the words 'that he, Private *John Long*, company L, 4th U. S. Cavalry, did steal one overcoat from Private Michael McGarthen, company L, 4th U. S. Cavalry,' and of the balance not guilty."

Of the charge, "Guilty."

Of the specification, additional charge, "Guilty."

Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Long*, Company L, 4th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be indelibly marked on the left hip with the letter 'T,' two inches in length and one and one-half inches in width; and to be confined at hard labor, in such military prison as the Department Commander may direct, for the period of five years."

4. Private *John Rees*, Company L, 4th U. S. Cavalry.

CHARGE—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John Rees*, company L, 4th U. S. Cavalry, having been ordered by Sergeant Charles Lody, company L, 4th U. S. Cavalry, at evening stable call, to take a pipe from his mouth before falling into ranks, did wilfully disobey said order by smoking after falling in; after which he, Private *John Rees*, company L, 4th U. S. Cavalry, did leave the ranks of his company, and strike and otherwise maltreat Sergeant Charles Lody, company L, 4th U. S. Cavalry, while in the execution of his duty. All this at or near Ringgold Barracks, Texas, on or about the 28th day of November, 1870."

Specification 2d—"In this, that he, Private *John Rees*, company L, 4th U. S. Cavalry, after the ranks of his company had been broken in the stable yard of company L, 4th U. S. Cavalry, did utter and use the following mutinous and threatening language to Sergeant Charles Lody, company L, 4th U. S. Cavalry: viz., 'I'll kill you, you God damned son of a bitch,' or words to that effect; and did strike, kick and otherwise abuse the said Sergeant Charles Lody, he being in the execution of his duty. All this at or near Ringgold Barracks, Texas, on or about the 28th day of November, 1870."

Specification 3d—"In this, that he, Private *John Rees*, company L, 4th U. S. Cavalry, being placed in charge of the stable guard of his company, did refuse to go in charge of said guard to the main guard house, using the following mutinous and threatening language to the non-commissioned officer of the guard, Sergeant Charles Lody, company L, 4th U. S. Cavalry: viz., 'You damned son of a bitch, I'll not go with you,' or words to that effect; and did attempt to strike the said Sergeant Charles Lody, company L, 4th U. S. Cavalry, he being in the execution of his duty. All this at or near Ringgold Barracks, Texas, on or about the 28th day of November, 1870."

ADDITIONAL CHARGE—"Desertion."

Specification—"In this, that *John Rees*, an enlisted soldier in the service of the United States, a private of company L, 4th Cavalry, United States Army, did desert the said service (from confinement awaiting trial at the post of Ringgold Barracks, Texas,) on or about the 20th day of December, 1870; and did remain absent from said service until apprehended the same day at or near Rio Grande city, Texas, while endeavoring to cross the Rio Grande river into Mexico."

To which charges and specifications the accused, Private *John Rees*, Company L, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification to the charge,	"Guilty."
Of the second specification to the charge,	"Guilty."
Of the third specification to the charge,	"Guilty."
Of the charge,	"Guilty."
Of the specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Rees*, Company L, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are now due or that may become due him, except the just dues of the laundress; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of five years."

5. Sergeant *John F. N. Fogelberg*, Company B, 10th U. S. Infantry

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Sergeant *John E. N. Fogelberg*, Company B, 10th U. S. Infantry, having been duly mounted as sergeant of the town guard stationed in Rio Grande city, about one mile from Ringgold Barracks, Texas, and, having taken his station with his guard at the guard tent in said town, did become so much under the influence of intoxicating liquor as to be unable to perform any duty as a soldier properly. This at or near Rio Grande city, between the hours of four and five o'clock P. M., on or about the 3d day of January, 1871, the said town of Rio Grande city being about one mile from Ringgold Barracks, Texas."

To which charge and specification the accused, Sergeant *John E. N. Fogelberg*, Company B, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *John E. N. Fogelberg*, Company B, 10th U. S. Infantry, "To be reduced to the rank of a private soldier; and then to be confined in charge of the guard, at the post where his company may be serving, for the period of six months."

6. Private *Thomas Larkin*, Company B, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Thomas Larkin*, an enlisted soldier in the service of the United States, and a private of Company B, 10th U. S. Infantry, did desert the said service from Ringgold Barracks, Texas, on the night of December 12, 1870; and did remain absent till apprehended about thirty-five miles from said barracks on the 13th day of December, 1870. All this at or near Ringgold Barracks, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Thomas Larkin*, Company B, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Larkin*, Company B, 10th U. S. Infantry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; and to be dishonorably discharged the service of the United States; and to be confined in such military prison as the Commanding General may direct for the period of three years."

7. Private *Charles Seymour*, Company B, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Charles Seymour*, an enlisted soldier in the service of the United States and a private of Company B, 10th regiment of United States Infantry, did desert the said service from Ringgold Barracks, Texas, on the night of December 12, 1870, and did remain absent till apprehended about thirty-five miles from said barracks on the 13th day of December, 1870. All this at or near Ringgold Barracks, Texas, on or about the dates above specified."

ADDITIONAL CHARGE—"Desertion."

Specification —"In this, that he, Private *Charles Seymour*, company B, 10th U. S. Infantry, did desert the said service (while a prisoner in charge of the guard, awaiting action on charges) at Ringgold Barracks, Texas, on the 20th day of December, 1870, and did remain absent until apprehended about one and a half miles from said barracks on the 20th day of December, 1870. All this at or near Ringgold Barracks, Texas, on or about the date above specified."

To which charges and specifications the accused, Private *Charles Seymour*, Company B, 10th U S. Infantry, pleaded as follows:

To the charge and its specification, "Guilty."
To the additional charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification to the charge, "Guilty."
Of the charge, "Guilty."
Of the specification to the additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Seymour*, Company B, 10th U. S. Infantry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; and to be dishonorably discharged the service of the United States; and to be confined in such military prison as the Commanding General may direct for the period of four years."

8. Private *James A. Short*, Company B, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James A. Short*, an enlisted soldier in the service of the United States, and a private of company B, 10th regiment of United States Infantry, did desert the said service from Ringgold Barracks, Texas, on the night of December 12, 1870; and did remain absent till apprehended about thirty-five miles from said barracks on the 13th day of December, 1870. All this at or near Ringgold Barracks, Texas, on or about the dates specified."

To which charge and specification the accused, Private *James A. Short*, Company B, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James A. Short*, Company B, 10th U. S. Infantry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined, in such military prison as the Commanding General may direct, for the period of three years."

9. Sergeant *Henry Allison*, Company E, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that *Henry Allison*, sergeant of company E, 10th U. S. Infantry, did become so drunk, while sergeant of the town guard over the quartermaster storehouse in Rio Grande city, Texas, as to be unable to perform his duties properly. This at or near Rio Grande city, and on the 27th day of January, 1871."

To which charge and specification the accused, Sergeant *Henry Allison*, Company E, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Henry Allison*, Company E, 10th U. S. Infantry, "To be reduced to the rank of a private soldier; and then to be confined in charge of the guard, at the post where his company may be serving, for the period of six months."

10. Private *William Cleary*, Company E, 10th U. S. Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *William Cleary*, E, 10th U. S. Infantry, a duly mounted member of the town guard stationed at Rio Grande city, about one mile from Ringgold Barracks, Texas, did become so much under the influence of intoxicating liquor as to be unable to perform any duties as a soldier properly; and was found by the officer of the day, Captain E. G. Bush, 10th U. S. Infantry, lying dead drunk in the streets of Rio Grande city, to the disgrace of his uniform. All this at or near Rio Grande city, Texas, about one mile from Ringgold Barracks, Texas, between the hours of four and five o'clock P. M., on the 3d day of January, 1871."

CHARGE II—"Deserting his post as a sentinel, in violation of the 46th Article of War."

Specification—"In this, that he, Private *William Cleary*, Company E, 10th U. S. Infantry, being a duly mounted member of the town guard posted in Rio Grande city, about one mile from Ringgold Barracks, Texas, and a sentinel on duty in front of one of the quartermaster's storehouses in said town of Rio Grande city, Texas, did desert his post as sentinel; and did go to the guard tent, about three hundred yards distant from his proper post, without being relieved by proper authorty; and did get drunk, and did not return to his post as sentinel. All this at or near Rio Grande city, Texas, about one mile from Ringgold Barracks, Texas, between the hours of two o'clock P. M. and five o'clock P. M., on the 3d day of January, 1871."

To which charges and specifications the accused, Private *William Cleary*, Company E, 10th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Cleary*, Company E, 10th U. S. Infantry, "To be confined under charge of the guard for the period of thirty days; the first seven and the last seven to be at solitary confinement on bread and water diet; the remaining sixteen days to carry a knapsack weighing thirty pounds every alternate hour between reveille and retreat under charge of sentinel No. 1."

11. Private *Patrick Nugent*, Company E, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Patrick Nugent*, an enlisted soldier in the service of the United States, and a private of company E, 10th U. S. Infantry, did desert said service at Ringgold Barracks, Texas, on or about the 10th day of December, 1870; and did remain absent from said service until apprehended at or near Brazos Santiago, Texas, on or about the 26th day of December, 1870."

To which charge and specification the accused, Private *Patrick Nugent*, Company E, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Nugent*, Company E, 10th U. S. Infantry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined, in such military prison as the Commanding General may direct, for the period of three years."

12. Corporal *John E. Taylor*, Company I, 10th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Corporal *John E. Taylor*, company I, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, being properly detailed and mounted as corporal in charge of the guard over the quartermaster's store rooms in Rio Grande city, did become so much under the influence of intoxicating liquor as to be totally unable to perform his duties as commander of said guard. This at or near Rio Grande city, Texas, and on or about the 19th day of October, 1870."

To which charge and specification the accused, Corporal *John E. Taylor*, Company I, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *John E. Taylor*, Com-

pany I, 12th U. S. Infantry, "To be reduced to the rank of a private soldier and then to be confined in charge of the guard, at the post where his company may be serving, for the period of six months."

13. Private *Michael Lennon*, Company I, 10th U. S. Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Michael Lennon*, company I, 10th U. S. Infantry, did become so much under the influence of intoxicating liquor as to be unable to perform any of the duties of a soldier properly; and was found by Sergeant Charles Pulsfort, company B, 10th U. S. Infantry, lying drunk in the streets of Rio Grande city, Texas, to the disgrace of his uniform—the said Private *Michael Lennon*, company I, 10th U. S. Infantry, being a duly mounted member of the town guard stationed in Rio Grande city, Texas, about one mile from Ringgold Barracks, Texas. All this at or near Rio Grande city, Texas, about one mile from Ringgold Barracks, Texas, between the hours of four and five o'clock P. M. on the 3d day of January, 1871."

To which charge and specification the accused, Private *Michael Lennon*, Company I, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Lennon*, Company I, 10th U. S. Infantry. "To be confined under charge of the guard for the period of thirty days; the first seven and the last seven to be at solitary confinement on bread and water diet; the remaining sixteen days to carry a knapsack weighing thirty pounds every alternate hour between reveille and retreat, under charge of sentinel No. 1."

II. The proceedings, findings, and sentences in the cases of Privates *Peter Caravon*, *John English* and *John Rees*, Company L, 4th U. S. Cavalry; *Thomas Larkin*, *Charles Seymour* and *James A. Short*, Company B, Sergeant *Henry Allison*, Privates *William Cleary* and *Patrick Nugent*, Company E, Corporal *John E. Taylor* and Private *Michael Lennon*, Company I, 10th U. S. Infantry, are approved and the sentences will be duly executed. In the cases of Privates *Caravon*, *English*, *Rees*, *Larkin*, *Seymour*, *Short* and *Nugent*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *John Long*, Company L, 4th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "T" is remitted. The period of confinement is reduced to two years. As thus mitigated the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Sergeant *John E. N. Fogelberg*, Company B, 10th U. S. Infantry, are approved. In view of the favorable recommendation of five members of the court the sentence is remitted. He will be released from arrest and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
Capt.

At Fort McKavett, Texas.

1. Private Thomas Henderson..... .. ..Company F, 9th U. S. Cavalry.
2. Private Asa Tucker.....Company M, 9th U. S. Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *March* 3, 1871.

General Court Martial Orders, No. 18.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Wednesday, January 25, 1871, pursuant to paragraph IV of Special Order No. 15, Headquarters Department of Texas, dated San Antonio, Texas, January 18, 1871, and of which Captain Henry Carroll, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Thomas Henderson*, Company F, 9th U. S. Cavalry.

Charge—"General worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"That Private *Thomas Henderson*, company F, 9th U. S. Cavalry, was tried and convicted at Fort McKavett, Texas, before garrison courts martial for drunkenness and absence without leave, as promulgated in the following General Orders from Headquarters Fort McKavett, Texas: General Order No. 17, May 31, 1870; General Order No. 21, June 18, 1870; General Order No. 32, August 20, 1870; General Order No. 2, January 6, 1871; General Order No. 5, January 12, 1871; thereby rendering himself worthless as a soldier. This at or near Fort McKavett, Texas, on or about the dates specified above."

Specification 2d—"That Private *Thomas Henderson*, company F, 9th U. S. Cavalry, was confined under guard for drunkenness and absence without leave, from May 19 to July 1, 1870; from July 3 to July 21, 1870; on the 17th day of August, 1870; from September 10 to September 27, 1870; from November 1, 1870, to November 2, 1870; from January 1 to January 13, 1871; and again on February 4, 1871, for same offence; thereby rendering during that time no service to the government and becoming a disgrace to the service. This at or near Fort McKavett, Texas, on or about the dates before specified."

To which charge and specifications the accused, Private *Thomas Henderson*, Company F, 9th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty."

To the second specification, "Guilty, except the words 'and again on February 4, 1871, for same offence,' and to excepted words 'Not Guilty.'"

To the charge, "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'again on February 4, 1871, for same offence;' substituting in place thereof 'on February 4, 1871, for absence without leave,' and of the substituted words 'Guilty.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Henderson*, Company F, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances; to be indelibly marked with the letter 'W,' one and a half inches long, on the left hip; and then to be confined at hard labor, at such place as the proper authority may direct, for one year."

2. Private *Asa Tucker*, Company M, 9th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, the said *Asa Tucker*, an enlisted soldier in the service of the United States, and a private of company M, 9th U. S. Cavalry, did desert the said service and company at or near Fredericksburg, Texas, on or about the 29th day of March, 1869; and did remain so absent until apprehended at or near San Antonio, Texas, on or about the 31st day of December, 1870."

To which charge and specification the accused, Private *Asa Tucker*, Company M, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Asa Tucker*, Company M, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; to be indelibly marked with the letter 'D,' one and a half inches in length, on the left hip; and to be confined at hard labor, at such place as the proper authority may direct, for the period of six years."

II. The proceedings and findings in the case of Private *Thomas Henderson*, Company F, 9th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "W" is remitted; the remainder is approved and will be duly executed. The post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *Asa Tucker*, Company M, 9th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "D" is remitted. The period of confinement is reduced to four years. As thus mitigated the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private John Pforr..... .. ..Company L, 4th U. S. Cavalry.
2. Private Oliver Walter..... Company L, 4th U. S. Cavalry.
3. Private John Mellon..... Company C, 10th U. S. Infantry.
4. Private Michael Friel.....Company I, 10th U S. Infantry.
5. Private William J. Sinclair.....Company I, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *March* 7, 1871.

General Court Martial Orders, No. 19.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, January 23, 1871, pursuant to paragraph II of Special Order No. 4, Headquarters Department of Texas, San Antonio, Texas, January 5, 1871, and of which Captain John B. Parke, 10th U. S. Infantry, is President, were arraigned and tried:

1. Private *John Pforr*, Company L, 4th U. S. Cavalry.

Charge—"Drunkenness, disgraceful and scandalous conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John Pforr*, an enlisted man of company L, 4th U. S. Cavalry, did become so intoxicated as to be unfit for duty; and while in that condition did, in the presence of enlisted men and citizens, take improper liberties with a drunken Mexican female, to the disgrace of himself and his uniform. All this near the quartermaster's corral at Ringgold Barracks, Texas, on the afternoon of the 13th day of February, 1871."

Specification 2d—"In this, that he, Private *John Pforr*, an enlisted man of company L, 4th U. S. Cavalry, did quarrel with and engage in a scandalous and disgraceful affray with a citizen; and did create a disturbance in the garrison. All this near the quartermaster's corral at Ringgold Barracks, Texas, on the afternoon of the 13th day of February, 1871."

To which charge and specification the accused, Private *John Pforr*, Company L, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *John Pforr*, Company L, 4th U. S. Cavalry.

2. Private *Oliver Walter*, Company L, 4th U. S. Cavalry.

Charge—"Drunkenness, disgraceful and scandalous conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Oliver Walter*, an enlisted man in company L, 4th U. S. Cavalry, did become so intoxicated as to be unfit for duty; and while in that condition did, in the presence of enlisted men and citizens, take improper liberties with a drunken Mexican female, to the disgrace of himself and his uniform. All this near the quartermaster's corral at Ringgold Barracks, Texas, on the afternoon of the 13th day of February, 1871."

Specification 2d—"In this, that he, Private *Oliver Walter*, an enlisted man of company L, 4th U. S. Cavalry, did quarrel with and engage in a scandalous and disgraceful affray with a citizen; and did create a disturbance in the garrison. All this near the quartermaster's corral at Ringgold Barracks, Texas, on the afternoon of the 13th day of February, 1871."

To which charge and specifications the accused, Private *Oliver Walter*, Company L, 4th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty, except the words 'and while in that condition did, in the presence of enlisted men and citizens, take improper liberties with a drunken Mexican female, to the disgrace of himself and his uniform.' and of the excepted words not guilty."

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Oliver Walter*, Company L, 4th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for the period of three months; and to forfeit to the United States ten dollars of his monthly pay for the same period."

3. Private *John Mellon*, Company C, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *John Mellon*, company C, 10th U. S. Infantry, did break open the door and violently enter the house of one Andrew Baacke (citizen) in Rio Grande city, Texas, and did commit an assault on said Baacke. This at Rio Grande city, Texas, on the night of the 9th or the morning of the 10th of February, 1871."

Specification 2d—"In this, that he, Private *John Mellon*, company C, 10th U. S. Infantry, did enter the house of one Andrew Baacke (citizen) in Rio Grande city, Texas; and, without the permission of said Baacke, did take thence certain articles of clothing and bedding, and did scatter them about the street. This at Rio Grande city, Texas, on the night of the 9th or morning of the 10th of February, 1871."

To which charge and specifications the accused, Private *John Mellon*, Company C, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *John Mellon*, Company C, 10th U. S. Infantry.

4. Private *Michael Friel*, Company I, 10th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Michael Friel*, company I, 10th U. S. Infantry, did, without permission from proper authority, absent himself from his post; and did remain absent until arrested by the town guard in or near Rio Grande city, Texas. This at or near Ringgold Barracks, Texas, on or about the night of the 9th or the morning of the 10th of February, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Michael Friel*, company I, 10th U. S. Infantry, did break down the door and violently enter the house of one Andrew Baacke (citizen) in Rio Grande city, Texas; and did commit an assault on said Baacke. This at Rio Grande city, Texas, on the night of the 9th or the morning of the 10th of February, 1871."

Specification 2d—"In this, that he, Private *Michael Friel*, company I, 10th U. S. Infantry, did enter the house of one Andrew Baacke (citizen) in Rio Grande city, Texas; and, without permission of said Baacke, did take thence certain articles of clothing and bedding, and did scatter them about the street. This at Rio Grande city, Texas, on the night of the 9th or the morning of the 10th of February, 1871."

To which charges and specifications the accused, Private *Michael Friel*, Company I, 10th U S. Infantry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specifications, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Friel*, Company I 10th U. S. Infantry, "To forfeit to the United States five dollars of his monthly pay for one month."

5. Private *William J. Sinclair*, Company I, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *William J. Sinclair*, an enlisted soldier in the service of the United States, a private of company I, 10th Infantry, United States Army, did desert the said service at Ringgold Barracks on or about the 11th day of June, 1870; and did remain absent from the said service until he surrendered himself as a deserter at the post of Fort Brown, Texas, on or about the 6th day of December, 1870."

To which charge and specification the accused, Private *William J. Sinclair*, Company I, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William J. Sinclair*, Company I, 10th U. S. Infantry, "To be confined at hard labor, in charge of the guard, for the period of seven days." The court is thus lenient on account of the length of time the prisoner has already been in confinement.

The proceedings, findings and acquittals in the cases of Privates *John Pforr*, Company L, 4th U. S. Cavalry, and *John Mellon*, Company C, 10th U. S. Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *Oliver Walter*, Company L, 4th U. S. Cavalry; *Michael Friel* and *William J. Sinclair*, Company I, 10th U. S. Infantry, are approved and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood.
A. A. G.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *March* 7, 1871.

GENERAL COURT MARTIAL ORDERS, No. 20.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 26, 1870, pursuant to paragraph V of Special Order No. 112, and paragraph II of Special Order No. 131, Headquarters Department of Texas, dated Austin, Texas, September 16, and October 11, 1870, and of which Major ZENAS R. BLISS, 25th U. S. Infantry, was President, was arraigned and tried:

1. Private *John Carter*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John Carter*, L company, 9th U. S. Cavalry, did leave his company quarters and the post of Fort Duncan, and visit the town of Eagle Pass without the permission of his company commander. All this at or near Fort Duncan, Texas, on or about the 19th day of September, 1870."

ADDITIONAL CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John Carter*, L company, 9th U. S. Cavalry, did take from the barracks of L company, 9th U. S. Cavalry, (1) one Spencer carbine, calibre .50, the property of the United States, then in possession of Private George Hollins, L company, 9th U. S. Cavalry, and for which Captain J. C. DeGress, 9th U. S. Cavalry, is responsible, and did not return the said carbine; and when asked by Private Ross Moore, L company, 9th U. S. Cavalry, what he was doing with a carbine outside of the barracks, [did] reply that he was on guard, which he, the said Private *John Carter*, knew to be false. All this at or near Fort Duncan, Texas, on or about the 23d day of September, 1870."

To which charges and specifications the accused, Private *John Carter*, Company L, 9th U. S. Cavalry, pleaded as follows:

To the charge and its specification,	"Guilty."
To the additional charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification of the charge,	"Guilty."
Of the charge,	"Guilty."
Of the specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Carter*, Company L, 9th U. S. Cavalry, "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; to be dishonorably discharged the United States service; and to be confined at such military prison as the commanding officer of the Department may direct, at hard labor, for the period of two years."

II. The proceedings and findings in the foregoing case of Private *John Carter*, Company L, 9th U. S. Cavalry, are approved; but in view of an official representation, by six members of the court, that the testimony given by the principal witness for the prosecution was probably false, the sentence is remitted.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood.
A. A. G.

AT FORT DUNCAN, TEXAS.

1. Corporal LEWIS JOHNSON..... Company L, 9th U. S. Cavalry.
2. Private MOSES BOTTOMS ....Company L, 9th U. S Cavalry.
3. Private CHARLES HART..... .....Company L, 9th U. S. Cavalry.
4. Private JAMES ROSE ....Company L, 9th U. S. Cavalry.
5. Private JOHN PALMER ....Company E, 25th U. S. Infantry.
6. Private JOSHUA TILMAN..... ...Company I, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *March* 7, 1871.

GENERAL COURT MARTIAL }
ORDERS, NO. 21. }

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, February 2, 1871, pursuant to paragraph III of Special Order No. 18 and paragraph III of Special Order No. 31, Headquarters Department of Texas, dated San Antonio, Texas, January 23 and February 14, 1871, and of which Captain DAVID SCHOOLEY, 25th U. S. Infantry, is President, were arraigned and tried:

1. Corporal *Lewis Johnson*, Company L, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That Corporal *Lewis Johnson*, company L, 9th U. S. Cavalry, while on duty as acting sergeant of the guard, did, without authority, take a portion of said guard, viz., the second relief of the guard, form them into a patrol and visit the town of Eagle Pass, Texas; and did, while in said town, (Eagle Pass, Texas,) enter a gambling saloon, owned by one John Cooke, and engage at [a] game of "monte;" and did remain in said saloon over one hour. This at Fort Duncan, Texas, on the night of February 8, 1871."

CHARGE II—"Drunkenness on duty."

Specification—"That Corporal *Lewis Johnson*, company L, 9th U. S. Cavalry, while on duty as acting sergeant of the guard, was found drunk and unable to properly perform his duty when visited by the officer of the day, Captain Gaines Lawson, 25th U. S. Infantry. This at Fort Duncan, Texas, on the morning of February 9, 1871."

To which charges and specifications the accused, Corporal *Lewis Johnson*, Company L, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'and engage at a game of monte.'"

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

SENTENCE.

And the court does therefore sentence him, Corporal *Lewis Johnson*, Company L, 9th U. S. Cavalry, "To be reduced to the ranks; to be confined in charge of the guard of the post for the period of one month, carrying every alternate day a log weighing thirty pounds, from reveille until retreat."

2. Private *Moses Bottoms*, Company L, 9th U. S. Cavalry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"That Private *Moses Bottoms*, company L, 9th U. S. Cavalry, having been regularly detailed and duly posted as a sentinel at the stables of L company, 9th U. S. Cavalry, over the government horses of company L, 9th U. S. Cavalry, did, without permission or urgent necessity, quit said guard and go to the town of Eagle Pass, Texas, where he remained until arrested by a guard. This at or near Fort Duncan, Texas, on or about the 4th of December, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Moses Bottoms*, company L, 9th U. S. Cavalry, being at the time a member of the stable guard, company L, 9th U. S. Cavalry, did steal or cause to be stolen from the stables of L company, 9th U. S. Cavalry, one Spencer carbine, valued at one hundred dollars, ($100,) the property of the United States, and for which First Lieutenant E. D. Dimmick, 9th U. S. Cavalry, commanding company L, is responsible. This at Fort Duncan, Texas, on or about the 4th day of December, 1870."

To which charges and specifications the accused, Private *Moses Bottoms*, Company L, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Moses Bottoms*, Company L, 9th U. S. Cavalry, "To forfeit to the United States fifteen dollars of his monthly pay for six months; and to be confined at hard labor, in charge of the guard, for the same period."

3. Private *Charles Hart*, Company L, 9th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That Private *Charles Hart*, company L, 9th U. S. Cavalry, having been regularly detailed and duly posted as a sentinel over the company and public horses of a detachment of company L, 9th U. S. Cavalry, (being at the time on a scout and in a country frequented by hostile Indians,) did, without urgent necessity or permission from proper authority, leave his post, and was found by Lieutenant Dimmick, 9th U. S. Cavalry, commanding detachment, by a camp fire asleep. This on or about the night of December 13, 1870, or the morning of December 14, 1870, at Mr. Martina's ranche, on Rio Grande river, Texas."

To which charge and specification the accused, Private *Charles Hart*, Company L, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification,	"Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Hart*, Company L, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress and the post trader; and to be dishonorably discharged, and confined in such military prison as the Commanding Officer of the Department of Texas may designate until the expiration of his term of enlistment, which expires January 4, 1872."

4. Private *James Rose*, Company L, 9th U. S. Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *James Rose*, company L, 9th U. S. Cavalry, did steal from the barracks of L company, 9th U. S. Cavalry, one pair cavalry boots (the property of Private Asa Ross, company L, 9th U. S. Cavalry) valued at $1 77. This at Fort Duncan, Texas, on or about the 29th day of January, 1871."

CHARGE II—"Absence without leave."

Specification—"That Private *James Rose*, company L, 9th U. S. Cavalry, did absent himself from his company and post between the hours of 8 and 10 o'clock P. M., on the night of January 29, 1871, and visit the town of Eagle Pass, Texas; and did remain absent, without permission from proper authority, until arrested by a patrol. All this at Fort Duncan, Texas, on or about the date specified (January 29, 1871)."

To which charges and specifications the accused, Private *James Rose*, Company L, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *James Rose*, Company L, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress and the post trader; and to be dishonorably discharged and drummed out of the U. S. service, and confined in such military prison as the Commanding Officer of the Department of Texas may direct until the expiration of his term of enlistment, which expires January 4, 1872."

5. Private *John Palmer*, Company E, 25th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *John Palmer*, company E, 25th U. S. Infantry, having been duly enlisted into the service of the United States, June 8, 1870, did desert the same at Fort Duncan, Texas, August 28, 1870; and did remain absent until apprehended and returned to his company, December 27, 1870; a reward of thirty dollars having been paid for his apprehension. This at Fort Duncan, Texas."

To which charge and specification the accused, Private *John Palmer*, Company E, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Palmer*, Company

E, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances now due; to be confined at hard labor in charge of the guard for the period of six months; and to forfeit to the United States sixteen dollars per month of his monthly pay for the same period."

The court is thus lenient on account of the youth and inexperience of the accused, and the fact that he had been at the post but twelve days prior to deserting.

6. Private *Joshua Tilman*, Company I, 25th U. S. Infantry.

CHARGE—"Sleeping on post."

Specification—"That Private *Joshua Tilman*, company I, 25th U. S. Infantry, having been duly mounted as a member of the post guard and posted as a sentinel over the stables of the post quartermaster, did, while so posted, place his musket out of his hands against an abutment of the stables; and did sit down and go to sleep, in which position and condition he was found by the officer of the day at about half past one o'clock on the morning of December 10, 1870. This at Fort Duncan, Texas."

To which charge and specification the accused, Private *Joshua Tilman*, Company I, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joshua Tilman*, Company I, 25th U. S. Infantry, "To forfeit all pay and allowances now due or to become due him; to be dishonorably discharged and drummed out of the service of the United States, and confined at hard labor for the period of one year, at such military prison as the Commanding Officer of the Department may direct."

II. The proceedings, findings and sentences in the cases of Corporal *Lewis Johnson*, Privates *Moses Bottoms*, *Charles Hart* and *James Rose*, Company L, 9th U. S. Cavalry; *John Palmer*, Company E, and *Joshua Tilman*, Company I, 25th U. S. Infantry, are approved, and the sentences will be duly executed.

In the cases of Privates *Hart* and *Rose*, the post of their company, and in that of Private *Tilman*, Fort Jackson, Louisiana, are designated as the places of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Davis, Texas.

1. Private Charles Pain.....Company A, 9th U. S. Cavalry.
2. Private George Watson.....Company D, 9th U. S. Cavalry.
3. Sergeant Ameal Morris.....Company H, 9th U. S. Cavalry.
4. Private Henry Jenifer.....Company H, 9th U. S. Cavalry.
5. Private Morris Turner.....Company H, 9th U. S. Cavalry.
6. Sergeant Frederick Minter.....Company I, 9th U. S. Cavalry.
7. Private John H. Sanders.....Company I, 9th U. S. Cavalry.
8. Private James West.....Company K, 9th U. S Cavalry.
9. Private Frank Cates.....Company F, 24th U. S. Infantry.
10. Private Charles Dodd.....Company F, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *March* 10, 1871.

General Court Martial Orders, No. 22.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, January 5, 1871, pursuant to paragraph V of Special Order No. 151, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and of which Captain John W. French, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Charles Pain*, Company A, 9th U. S. Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Charles Pain*, company A, 9th U. S. Cavalry, did approach Private George Adams, of same company and regiment, in his company quarters, whilst said Adams was speaking to a man of the company, and did say to Adams 'You are a damned lying son of a bitch.' This without cause or provocation, at Fort Stockton, Texas, on or about the 4th day of September, 1870."

Specification 2d—"In this, that he, Private *Charles Pain*, company A, 9th U. S. Cavalry, did, when told by said Adams to not use such language to him, say 'Yes, I will use such language, and I will do more than that, I will cut your damned heart out,' or words to that effect; and did at the same time draw a butcher knife and did cut at Private Henry Johnson, of same company and regiment, who attempted to take the knife from him. This at Fort Stockton, Texas, in the quarters of company A, 9th U. S. Cavalry, on or about the 4th day of September, 1870."

Specification 3d—"In this, that he, *Charles Pain*, a private of company A, 9th U. S. Cavalry, did draw a sabre on George Adams, a private of same company and regiment, with the intention of doing him (Adams) bodily injury. This at Fort Stockton, Texas, on or about the 4th day of September, 1870."

Specification 4th—"In this, that he, *Charles Pain*, a private soldier of company A, 9th U. S. Cavalry, did, after being disarmed of his drawn sabre by Corporal George Myeralford, of company A, 9th U. S. Cavalry, and ordered by him to return the knife which he had in his possession to Private Henry Johnson, to whom it belonged, pretend to do so, and did,

instead, put it into his sleeve. This at Fort Stockton, Texas. in the quarters of company A, 9th U. S. Cavalry, on or about the 4th day of September, 1870."

Specification 5th—"In this. that he, *Charles Pain*, a private of company A, 9th U. S. Cavalry, did say to George Adams, a private soldier of company A, 9th U. S. Cavalry, who was sitting near him at the time, 'If you say another word I will cut your guts out; if I don't, I am a son of a bitch,' or words to that effect; and when Adams replied 'No you won't, Charlie,' or words to that effect, he, the said *Pain*, jumped up and said 'Damn you, I will cut you,' at the same time brandishing a large butcher knife; and did, when said Adams ran, run after him through the company quarters, cutting at Private Peter Landry, of said company and regiment, who tried to stop him; and did pursue the said Adams until he caught up to him, when he deliberately and with malice aforethought, [did] stab him twice, first in the arm and second in the abdomen, thereby inflicting serious and dangerous wounds. All this at Fort Stockton, Texas, on or about the 4th day of September, 1870."

To which charge and specifications the accused, Private *Charles Pain*, Company A, 9th U. S. Cavalry, pleaded as follows:

To the first specification,	"Not Guilty."
To the second specification,	"Guilty."
To the third specification,	"Guilty."
To the fourth specification,	"Not Guilty."
To the fifth specification,	"Guilty."
To the charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Pain*, Company A, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the balance of his term of enlistment; and to be confined at hard labor, at such place as the proper authority may direct, for five years."

2. Private *George Watson*, Company D. 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That he, Private *George Watson*, 2d, company D, 9th U. S. Cavalry, did steal twelve (12) metallic cartridges, more or less, for Spencer carbine, from Private Andrew Mullen, company D, 9th U. S Cavalry. This at Fort Stockton, Texas, on or about the 23d day of October, 1870."

Specification 2d—"That he, Private *George Watson*, 2d, company D, 9th U. S. Cavalry, did steal eight (8) metallic cartridges, more or less, for Spencer carbine, from Private George Moore, company D, 9th U. S. Cavalry. This at Fort Stockton, Texas, on or about the 27th day of October, 1870."

To which charge and specifications the accused, Private *George Watson*, 2d, Company D, 9th U. S. Cavalry, 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 accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Watson*, Company D, 9th U. S Cavalry, "To be dishonorably discharged from the service of the United States."

3. Sergeant *Ameal Morris*, Company H, 9th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Ameal Morris*, company H, 9th U. S. Cavalry, while sergeant of the guard and in command of the same, did, without authority, allow prisoners George W. Young and Hardy Falkner, company H, 9th U. S. Cavalry, to leave the guard house and go beyond the limits of the garrison without a sentinel; and, by reason of their being allowed to leave the guard house, did remain absent until they were arrested and brought back by the officer of the day. All this at Fort Quitman, Texas, on or about the 24th day of September, 1870, between the hours of 7½ and 10½ o'clock P. M."

Specification 2d—"In this, that he, Sergeant *Ameal Morris*, company H, 9th U. S. Cavalry, while Sergeant of the guard and in command of the same, did, without authority permit prisoners Charles Gilpin, company H, 9th U. S. Cavalry, and William Duncan, company I, 9th U. S. Cavalry, to leave the guard house and go beyond the limits of the garrison without a sentinel; and, by reason of their being allowed to leave the guard house, did remain absent from 8 o'clock P. M. till 11 P. M. All this at Fort Quitman, Texas, on or about the 24th day of September, 1870."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Sergeant *Ameal Morris*, company H, 9th U. S. Cavalry, being duly detailed and mounted as sergeant of the guard and in command of the same, did leave his guard without leave of his superior officer and did go to a dance house about one mile from the post; and did remain absent from said guard until arrested by the officer of the day. All this at Fort Quitman, Texas, on or about the 24th day of September, 1870, between the hours of 8 and 10 P. M. o'clock."

To which charges and specifications the accused, Sergeant *Ameal Morris*, Company H, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not 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, Sergeant *Ameal Morris*, Company H, 9th U. S. Cavalry, "To be reduced to the ranks; and to forfeit ten dollars of his monthly pay for three months."

4. Private *Henry Jenifer*, Company H, 9th U. S. Cavalry.

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

Specification 1st—"In this, that he, Private *Henry Jenifer*, troop H, 9th U. S. Cavalry, did, without permission from proper authority, absent himself

from his company quarters and garrison after tattoo roll-call of his company; and did remain so absent until arrested by the post guard at about 11 o'clock at night. This at Fort Quitman, Texas, on the night of the 3d day of December, 1870."

Specification 2d—"That he, Private *Henry Jenifer*, troop H, 9th U. S. Cavalry did, without permission from proper authority, absent himself from his garrison after tattoo roll-call of his company, with evident intention of crossing into Mexico; and did proceed to the Rio Grande, where, upon the American side, there was a boat awaiting him, Private *Jenifer;* and did approach said boat upon the run in order to accomplish his purpose and evade the guard; and, when repeatedly ordered to halt by the post patrol guard, it being in the imperative execution of its duty, did persistently refuse to comply with and to obey said orders, and did continue to run toward the aforesaid river, and boat upon its bank, until ordered to halt about the fourth time by the aforesaid guard, when he, Private *Jenifer*, turned upon the guard, and then and there, by his presence, did abet, assist, wilfully and maliciously encourage one Private Morris Turner, troop H, 9th U. S. Cavalry, (who was with the said *Jenifer*) to aim and fire a revolver or other fire arm, or weapon of like nature, loaded with powder and ball or other mineral and metallic substances, at the aforesaid guard, with the intent to do harm, bodily injury, or murder, to some member or members of the guard; thereby deterring said guard from the execution of its duty, by preventing immediate pursuit and the better enabling and assisting his (Private *Jenifer's*) escape, and did thereby elude pursuit and evade capture; and did remain absent until at about 11 o'clock at night when, returning to his quarters, he was arrested by the post guard. This at Fort Quitman, Texas, on the night of the 3d day of December, 1870."

To which charge and specifications the accused, Private *Henry Jenifer*, Company H, 9th U. S. Cavalry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty of running from and evading the guard."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Jenifer*, Company H, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of six months; and to be confined at hard labor, at the post of his company, for the same period."

5. Private *Morris Turner*, Company H, 9th U. S. Cavalry.

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

Specification 1st—"In this, that he, Private *Morris Turner*, troop H, 9th U. S. Cavalry, did, without permission from proper authority, absent himself from his company quarters and garrison after tattoo roll-call of his company; and did remain so absent until arrested by the post guard at about 10 o'clock at night. This at Fort Quitman, Texas, on the night of the 3d day of December, 1870."

Specification 2d—"That he, Private *Morris Turner*, troop H, 9th U. S. Cavalry, did, without permission from proper authority, absent himself from his

garrison after tattoo roll-call of his company, with evident intention of crossing into Mexico; and did proceed to the Rio Grande, where, upon the American side, there was a boat awaiting him, Private *Turner;* and did approach said boat upon the run in order to accomplish his purpose and evade the guard; and, when repeatedly ordered to halt by the post patrol guard, it being in the imperative execution of its duty, did persistently refuse to comply with and to obey said orders; and did continue to run towards the aforesaid river, and boat upon its bank, until ordered to halt about the fourth time by the aforesaid guard, when he, Private *Turner*, turned upon the guard, and did, then and there, wilfully and maliciously aim and fire a revolver or other fire arm, or weapon of like nature, loaded with powder and ball, or other mineral or metallic substances, at said guard, with intent to do harm, bodily injury, or murder, to some member or members of the guard; thereby deterring said guard from the strict and complete execution of its duties, and the better to enable and assist his escape by preventing immediate pursuit of the guard; and did continue to elude, to escape and to evade capture until arrested by pursuit of said guard at about 10 o'clock at night. This at Fort Quitman, Texas, on the night of the 3d day of December, 1870."

To which charge and specifications the accused, Private *Morris Turner*, Company H, 9th U. S. Cavalry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty of running away from and evading the guard."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Morris Turner*, Company H, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of six months; and to be confined at hard labor, at such place as his company may be serving, for the same period."

6. Sergeant *Frederick Minter*, Company I, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Sergeant *Frederick Minter*, company I, 9th U. S. Cavalry, being in charge of the post guard, did knowingly let Private Henry Jenifer, a prisoner in the guard house, under his charge, leave his place of confinement and the garrison. This at Fort Quitman, Texas, between 10 and 11 P. M., on the 11th of December, 1870."

To which charge and specification the accused, Sergeant *Frederick Minter*, Company I, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Frederick Minter*, Company I, 9th U. S. Cavalry, "To be reduced to the rank of a private soldier; and to forfeit to the United States ten dollars of his monthly pay for the period of three months."

7. Private *John H. Sanders*, Company I, 9th U. S. Cavalry.

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

Specification—"In this, that he, Private *John H. Sanders*, company I, 9th U. S. Cavalry, being a duly mounted member of the post guard at Fort Quitman, Texas, and having been sent in charge of two prisoners, viz.: Morris and Gilpin, company H, 9th U. S. Cavalry, to the rear, did permit one of them, Charles Gilpin, company H, 9th U. S. Cavalry, to cross the Rio Grande into Mexico without authority; and by reason of having permitted him (Gilpin) to cross the Rio Grande, he (Gilpin) did remain absent in Mexico until arrested and brought back by the guard. All this at Fort Quitman, Texas, on or about the 6th day of October, 1870."

To which charge and specification the accused, Private *John H. Sanders*, Company I, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John H. Sanders*, Company I, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of three months."

8. Private *James West*, Company K, 9th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James West*, company K, 9th U. S Cavalry, did steal from the rations of the detachment stationed at the post garden of Fort Davis, Texas, the following supplies or thereabout: 100 pounds of pork, 100 pounds of flour, 30 pounds of sugar, 20 pounds of coffee, and 1 gallon of molasses. This on or about the 16th day of June, 1870, at post garden, Fort Davis, Texas."

Specification 2d—"In this, that he, Private *James West*, company K, 9th U. S. Cavalry, did, when left at the post garden as sentinel over the supplies at the post garden at Fort Davis, Texas, by Corporal Horace Stephens, when the detachment went into the post to be paid with their companies, dispose of rations to Mexicans of the value of twenty-six dollars, more or less. This on or about the 5th day of June, 1870."

To which charge and specifications the accused, Private *James West*, Company K, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specifications, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *James West*, Company K, 9th U. S. Cavalry.

9. Private *Frank Cates*, Company F, 24th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That *Frank Cates*, a duly enlisted soldier in the army of the United States, and private of company F, 24th U. S. Infantry, did, without the knowledge or consent of the owner, take from the bunk of Private Frank Glenn, company F, 24th U. S. Infantry, one great coat, infantry, and carry it to a Mexican, living near the post, and sell it; appropriating the proceeds of the sale to his own use. This at Fort Davis, Texas, on or about the 27th of December, 1870."

To which charge and specification the accused, Private *Frank Cates*, Company F, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Cates*, Company F, 24th U. S. Infantry. "To be dishonorably discharged from the service of the United States."

10. Private *Charles Dodd*, Company F, 24th U. S. Infantry.

CHARGE—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles Dodd*, (on daily duty as musician,) company F, 24th U. S. Infantry, having been regularly detailed and mounted as a member of the post guard, (orderly drummer,) and having received positive orders from Sergeant Joseph Edmore, company B, 24th U. S. Infantry,—sergeant of the post guard—that he, *Dodd*, was not to go away or leave the guard house, without first obtaining permission (except to sound the calls) from him, (Sergeant Edmore, who was then and there in the discharge of his duty as sergeant of the guard,) did, in direct disobedience and direct violation of said order, leave the guard house and the guard of which he was a member; and did remain absent from 9 o'clock P. M., December 31, 1870, until 6½ A. M., (reveille,) January the 1st, 1871. This at Fort Davis, Texas, on or about the time and date above set forth."

To which charge and specification the accused, Private *Charles Dodd*, Company F, 24th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Dodd*, Company F, 24th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for three months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

II. The proceedings, findings and sentences in the cases of Privates *Charles Pain*, Company A, *George Watson*, Company D, Sergeant *Ameal Morris*, Privates *Henry Jenifer* and *Morris Turner*, Company H, Sergeant *Frederick Minter* and Private *John H. Sanders*, Company I, 9th U. S. Cavalry, and Private *Charles Dodd*, Company F, 24th U. S Infantry, are approved, and the sentences will be duly executed. In the case of Private *Pain*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *James West*, Company K, 9th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

In the case of Private *Frank Cates*, Company F, 24th U. S. Infantry, the Department Commander is compelled to express his surprise at the total inadequacy of the punishment imposed by the court. There should at least have been a forfeiture of pay and a term of imprisonment or other corporeal punishment. The proceedings and findings are approved. The sentence is also approved, simply that the service may be rid of a thief.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

AT FORT CLARK, TEXAS.

1. Private FRANK HANDY.....Company E, 9th U. S. Cavalry.
2. Corporal ROBERT C. DORAM..... Company C, 24th U. S. Infantry.
3. Private ALEXANDER CHAPMAN.....Company I, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *March* 13, 1871.

GENERAL COURT MARTIAL }
ORDERS, No 23. }

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, November 21, 1870, pursuant to paragraph IV of Special Order No. 142, paragraph III of Special Order No. 20, and paragraph I of Special Order No. 23, Headquarters Department of Texas, dated San Antonio, Texas, November 12, 1870, January 25 and February 2, 1871, and of which Captain HENRY C. CORBIN, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *Frank Handy*, Company E, 9th U. S. Cavalry.

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

Specification 1st—"That Private *Frank Handy*, company E, 9th U. S. Cavalry, did point a carbine towards Blacksmith William Hunter, company E, 9th U. S Cavalry; and did threaten to shoot said Hunter, using the following language: to wit, 'Let me go'—speaking to men standing near him—'I'll shoot the damned son of a bitch.' This at Fort Clark, Texas, on or about the 24th day of December, 1870."

Specification 2d—"That Private *Frank Handy*, company E, 9th U. S. Cavalry, did wilfully and maliciously assault and strike Blacksmith William Hunter, company E, 9th U. S. Cavalry, on the head with an axe, and thereby did dangerously wound the said William Hunter. This at Fort Clark, Texas, on or about the 24th day of December, 1870."

To which charge and specifications the accused, Private *Frank Handy*, Company E, 9th U. S. Cavalry, pleaded as follows:

To the first specification, "Guilty, except the words 'damned son of a bitch.'"

To the second specification, "Guilty, except the words 'wilfully and maliciously.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Handy*, Company E, 9th U. S. Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due him; to have his head shaved and to be dishonorably discharged and drummed out of the service; and then to be con-

fined at hard labor, in such penitentiary as the Department Commander may direct, for the period of three years."

2. Corporal *Robert C. Doram*, Company C, 24th U. S. Infantry.

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

Specification 1st—"In this, that Corporal *Robert C. Doram*, company C, 24th U. S. Infantry, while on extra duty in the Quartermaster's Department at the post of Fort Clark, Texas, did steal, take and carry away from the office of the Assistant Commissary of Subsistence at Fort Clark, Texas, one small iron chest or safe, and break open said chest or safe, and steal, take or carry away therefrom (appropriating the same to his own use and benefit) the sum of three hundred and eighty dollars and ninety-four cents, ($380.94,) more or less, subsistence funds—the property of the United States, and for which First Lieutenant Charles L. Hudson, U. S. Army, Assistant Commissary of Subsistence, is responsible. All this at or near the post of Fort Clark, Texas, on or about the night of the 21st of February or the morning of the 22d day of February, 1870."

Specification 2d—"In this, that Corporal *Robert C. Doram*, company C, 24th U. S. Infantry, while on extra duty in the Quartermaster's Department at the post of Fort Clark, Texas, and whose duty it was to be in, from retreat until reveille roll call, a room adjoining, and through which was the only entrance to the office of the Post Commissary of Subsistence, as a precaution for the safety of the property in the office, did neglect his duty and permit to be stolen, taken and carried away from the office of the Assistant Commissary of Subsistence at the post of Fort Clark, Texas, one small iron chest or safe containing the sum of three hundred and eighty dollars and ninety-four cents ($380.94,) more or less, subsistence funds—the property of the United States, and for which First Lieutenant Charles L. Hudson, U. S. Army, Assistant Commissary of Subsistence, is responsible. All this at or near the post of Fort Clark, Texas, on or about the night of the 21st of February or the morning of the 22d day of February, 1870."

To which charge and specifications the accused, Corporal *Robert C. Doram*, Company C, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Corporal *Robert C. Doram*, Company C, 24th U. S. Infantry.

3. Private *Alexander Chapman*, Company I, 24th U. S. Infantry.

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

Specification 1st—"That Private *Alexander Chapman*, company I, 24th U. S. Infantry, did wilfully and maliciously assault and strike with a hatchet Mrs. Lizzie Fitzgerald, a laundress of I company, 24th U. S. Infantry, thereby inflicting a serious wound upon the head of said Mrs. Lizzie Fitzgerald. This at Fort Clark, Texas, on the 9th day of January, 1871."

Specification 2d—"That Private *Alexander Chapman*, company I, 24th U. S. Infantry, did, after having been ordered to his quarters and directed to remain there by First Lieutenant J. M. Thompson, 24th U. S. Infantry, the commanding officer of I company, go to the quarters of Captain John B. Conyngham, 24th U. S. Infantry, the captain of I company, without permission. This at Fort Clark, Texas, on the 9th day of January, 1871."

To which charge and specifications the accused, Private *Alexander Chapman*, Company I, 24th U. S. Infantry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Alexander Chapman*, Company I, 24th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due him; to have his head shaved; be dishonorably discharged and drummed out; and to be confined at hard labor, at such place as the Department Commander may direct, for the period of one year."

II. The proceedings, findings and sentences in the cases of Privates *Frank Handy*, Company E, 9th U. S. Cavalry, and *Alexander Chapman*, Company I, 24th U. S. Infantry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Corporal *Robert C. Doram*, Company C, 24th U. S. Infantry, are approved. He will be released from arrest and returned to duty.

III. The General Court Martial instituted by paragraph IV of Special Order No. 142, series 1870, paragraph III of Special Order No. 20, and paragraph I of Special Order No. 23, current series, from Department Headquarters, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
A. A. G.

At Fort Concho, Texas.

1. Private William C. Loane.....Company A, 4th U. S. Cavalry.
2. Private Robert Inkster.....Company G, 4th U S. Cavalry.
3. Private Patrick Sullivan..... Company I, 4th U. S. Cavalry.
4. Private Charles McCann.....Company B, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *March* 14, 1871.

General Court Martial Orders, No. 24.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 23, 1871, pursuant to paragraph I of Special Order No. 32, Headquarters Department of Texas, dated San Antonio, Texas, February 15, 1871, and of which Major John P. Hatch, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *William C. Loane*, Company A, 4th U. S. Cavalry.

Charge I—"Violation of the 45th Article of War."

Specification—"In this, that Private *William C. Loane*, company A, 4th U. S. Cavalry, having been regularly mounted as a member of the post guard, did become under the influence of intoxicating liquor to such a degree as to incapacitate him from the proper performance of his duties as a sentinel. This at the post of San Antonio, Texas, on the 11th day of January, 1871."

Charge II—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William C. Loane*, of company A, 4th U. S. Cavalry, while on duty as a supernumerary of the post guard, in charge of a detail of prisoners from the guard house sent out to labor, did permit the said prisoners to become under the influence of liquor and to neglect the work required of them, to the prejudice of good order and military discipline. This at San Antonio, Texas, on the 11th day of January, 1871."

To which charges and specifications the accused, Private *William C. Loane*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William C. Loane*, Company A, 4th U. S. Cavalry, "To forfeit ten dollars of his monthly pay for one month; to walk post in charge of sentinel No. 1, at the post where he may be

serving, from reveille until 12 o'clock meridian, and from 1 o'clock P. M. until retreat, for thirty days; and to be confined in charge of the guard until the completion of the sentence."

2 Private *Robert Inkster*, Company G, 4th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert Inkster*, company G, 4th U. S. Cavalry, having been duly mounted a member of the post guard and been placed in charge of five prisoners, did allow said prisoners to partake of liquor while at their work, and to bring with them to the guard tent a bottle of the same. This at Fort Concho, Texas, on or about the 21st day of February, 1871."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Robert Inkster*, company G, 4th U. S. Cavalry, having been duly mounted a member of the post guard, did become so drunk, between the hours of 6 and 9 o'clock P. M., as to be unable to perform his duty. This at Fort Concho, Texas, on or about the 21st day of February, 1871."

To which charges and specifications the accused, Private *Robert Inkster*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Robert Inkster*, Company G, 4th U. S. Cavalry, "To forfeit fifteen dollars of his monthly pay for one month."

The court is thus lenient in consideration of his youth and ascertained previous good character.

3. Private *Patrick Sullivan*, Company I, 4th U S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Patrick Sullivan*, company I, 4th U. S. Cavalry, a member of the post guard, did, after being posted as a sentinel on No. 4 post, go to sleep on his post. This at Fort Concho, Texas, on or about February 1, 1871."

To which charge and specification the accused, Private *Patrick Sullivan*, Company I, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Sullivan*, Company I, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard for four months; and to forfeit to the United States fifteen dollars per month for same period."

4. Private *Charles McCann*, Company B, 11th U. S. Infantry.

CHARGE I—"Violation of the 59th Article of War."

Specification—"In this, that he, Private *Charles McCann*, company B, 11th U. S. Infantry, being a member of the post guard at Fort Concho, Texas, mounted January 31, 1871, did, without permission, quit said guard between the hours of 8:30 and 9 P. M. of that day, taking with him his

musket and equipments; and did remain absent until arrested between the hours of 12 o'clock midnight and 1 A. M. on the 1st of February, 1871, when he was found without his arms and equipments and with about nineteen rounds of ammunition in his pockets, in the vicinity of the quarters of his company. This at Fort Concho, Texas, at the dates above specified."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles McCann*, company B, 11th U. S. Infantry, did take from the quarters of his company one Springfield rifled musket, the property of the United States, issued to Private John Maag, company B, 11th U. S. Infantry, by the commander of his company; and did secrete the same, together with the musket issued to himself, outside of and in the vicinity of the quarters of his company, both muskets being found loaded about 12 M. the same night. This at Fort Concho, Texas, on or about January 31, 1871."

CHARGE III—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Charles McCann*, company B, 11th U. S. Infantry, did destroy, by throwing into the Concho river, his belts and cartridge box, the property of the United States, issued to him by his company commander. This at Fort Concho, Texas, at the dates above specified."

To which charges and specifications the accused, Private *Charles McCann*, Company B, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Charles McCann*, Company B, 11th U. S. Infantry, "To be indelibly marked on the left hip with the letter 'T' one and a half inches long; to forfeit all pay and allowances now due or that may become due; to be dishonorably discharged from the service of the United States; and then to be confined at hard labor for the period of three years at such point, other than the one where he is now serving, as the Commander of the Department may designate."

II. The proceedings, findings and sentences in the cases of Privates *William C. Loane*, Company A, *Robert Inkster*, Company G, and *Patrick Sullivan*, Company I, 4th U. S. Cavalry, are approved, and the sentences will be duly executed. In the case of Private *Sullivan*, the post of his company is designated as the place of confinement.

The proceedings and findings in the case of Private *Charles McCann*, Company B, 11th U. S. Infantry, are approved. So much of the sentence as relates to marking with the letter "T" is remitted; the remainder is approved and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
A. A. Gen.

AT JEFFERSON, TEXAS.

1. Unassigned Recruit NATHAN CROCKETT.....11th U. S. Infantry.
2. Private NATHAN CROCKETT.....Company B, 11th U. S. Infantry.
3. Private JOHN F. W. VERLEGER.....Company D, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *March* 15, 1871.

GENERAL COURT MARTIAL ORDERS, No. 25.

I. Before a General Court Martial which convened at Jefferson, Texas, on Monday, January 23, 1871, pursuant to paragraph I of Special Order No. 4, Headquarters Department of Texas, dated San Antonio, Texas, January 5, 1871, and of which Captain HENRY L. CHIPMAN, 11th U. S. Infantry, is President, were arraigned and tried:

1. Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry.

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

Specification 1st—"In this, that he, Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry, after having been duly mounted as a member of the camp guard at Jefferson, Texas, on the morning of the 19th day of August, 1870, did, on or about the hour of tattoo of same date, appear in the streets of company D, 11th U. S. Infantry, with his belts on; and, in a drunken condition, did endeavor to incite said company D, 11th U. S. Infantry, against company I, 11th U. S. Infantry, or the members thereof; and did strike with his fists one Sergeant Barnes, company D, 11th U. S. Infantry, upon the breast, at the same time saying 'I am fighting for company I,' or words to that effect. This when Sergeant Barnes, company D, 11th U. S. Infantry, was in discharge of his duty, and on or about the time specified, at the camp of the infantry detachment, 11th U. S. Infantry, near Jefferson, Texas."

Specification 2d—"In this, that he, Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry, did, on or about the hour of tattoo, August 19, 1870, being a member of the camp guard, duly mounted, draw his bayonet, or attempt to draw it, upon Sergeant Barnes, company D, 11th U. S. Infantry, (said Barnes being in the discharge of his duty in attempting to quell the disturbance and get said *Crockett* to his guard) and was only deterred from using said bayonet upon Sergeant Barnes by the timely assistance of First Sergeant Daniel J. Murphy, company I, 11th U. S. Infantry, and Corporal Patrick Kennedy, company D, 11th U. S. Infantry. All of this on or about the

time specified, at the camp of the infantry detachment, 11th U. S. Infantry, near Jefferson, Texas."

To which charge and specifications the accused, Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'and, in a drunken condition, did endeavor to incite said company D, 11th U. S. Infantry, or the members thereof,' also, at the same time saying "I am fighting for company I," or words to that effect.' "

Of the second specification, "Guilty, except the words 'and Corporal Patrick Kennedy, company D, 11th U. S. Infantry.' "

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry, "To be confined at hard labor for the period of six months, at such military prison as the commanding officer of the Department may direct; to forfeit all pay and allowances that are or may become due him; and then to be dishonorably discharged the service of the United States."

2. Private *Nathan Crockett*, Company B, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Nathan Crockett*, company B, 11th U. S. Infantry, being a duly enlisted soldier in the service of the United States, and being confined in the post guard house at Jefferson, Texas, under general charges, in charge of the post guard, did escape from the same between the hours of (1) one and (4) four A. M., on the 5th day of January, 1871; and did remain absent until arrested by the chief of police of Marshall, Texas, sixteen miles from his place of escape, and brought back by an armed party sent to Marshall, Texas, for such purpose; thus deserting the service of the United States. All of this at Jefferson, Texas, on or about the time above specified."

To which charge and specification the accused, Private *Nathan Crockett*, Company B, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'between the hours of one A. M. and four A. M. on the morning of the 5th of January' and substituting therefor the words 'between the hours of ten P. M., January 5, and four A. M., January 6, 1871.' "

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nathan Crockett*, Company B, 11th U. S. Infantry, "To be confined at hard labor, at such military prison as the commanding officer of the Department may direct, for the period of five years; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and then to be dishonorably discharged the service of the United States."

3. Private *John F. W. Verleger*, Company D, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John F. W. Verleger*, company D, 11th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the said service at Jefferson, Texas, on or about the 18th day of August, 1870; and did remain absent until apprehended at St. Louis, Mo., on or about the 25th day of November, 1870; (30) thirty dollars reward paid for his apprehension."

To which charge and specification the accused, Private *John F. W. Verleger*, Company D, 11th U. S. Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did desert the same."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John F. W. Verleger*, Company D, 11th U. S. Infantry, "To be confined at hard labor, at such military prison as the commanding officer of the Department may direct, for the period of three years; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and then to be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentences in the foregoing cases of Unassigned Recruit *Nathan Crockett*, 11th U. S. Infantry, Privates *Nathan Crockett*, Company B, and *John F. W. Verleger*, Company D, 11th U. S. Infantry, are approved and the sentences will be duly executed. The men will be dishonorably discharged at once. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I of Special Order No. 4, current series, from Department Headquarters, and of which Captain HENRY L. CHIPMAN, 11th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

AT JACKSON BARRACKS, LOUISIANA.

1. Private JOHN HAYDEN .....Company G, 10th U. S. Infantry.
2. Private CHARLES H. DRENNAN .....Company E, 19th U. S. Infantry.
3. Private WILLIAM H. CRAMER.....Company E, 19th U. S. Infantry.
4. Private WILLIAM THOMPSON.....Company H, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA)

SAN ANTONIO, TEXAS, *March* 16, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 26. }

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, November 21, 1870, pursuant to paragraph III of Special Order No. 142 and paragraph II of Special Order No. 159, Headquarters Department of Texas, dated San Antonio, Texas, November 12 and December 6, 1870, and of which Major BENNET A. CLEMENTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private *John Hayden*, Company G, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *John Hayden*, company G, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same. This at New Orleans, Louisiana, and from a detachment of the 19th U. S. Infantry, guard over prisoners, *en route* to Jackson Barracks, Louisiana, on or about the 11th day of December, 1870."

To which charge and specification the accused, Private *John Hayden*, Company G, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Hayden*, Company G, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay due or that may become due; and to be confined for one year in such military prison or penitentiary as the proper authority may direct."

2. Private *Charles H. Drennan*, Company E, 19th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"That Private *Charles H. Drennan*, company E, 19th U. S Infantry, did absent himself, without permission from proper authority, from his company and post on or about the 23d day of January, 1871; and did remain absent until arrested by First Sergeant Henry Schweis, company E, 19th U. S. Infantry, on or about the 28th day of January, 1871. This at or near Jackson Barracks, Louisiana, on or about the dates above specified."

To which charge and specification the accused, Private *Charles H. Drennan*, Company E, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles H. Drennan*, Company E, 19th U. S. Infantry, "To forfeit to the United States one month's pay; and to be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of one month."

3. Private *William H. Cramer*, Company E, 19th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"That Private *William H. Cramer*, company E, 19th U. S. Infantry, a regularly enlisted soldier in the service of the United States, did desert said service on or about the 14th day of January, 1871; and did remain absent until apprehended at New Orleans, Louisiana, on or about the 16th day of January, 1871; thirty dollars reward paid for his apprehension. This at Jackson Barracks, Louisiana."

CHARGE II—"Violation of the 38th Article of War."

Specification—"That Private *William H. Cramer*, company E, 19th U. S. Infantry, did make away with certain articles of clothing, to wit: two (2) flannel shirts, two (2) flannel sack coats, three (3) pairs of drawers, one (1) pair of bootees, one (1) woolen blanket, and one (1) great coat, infantry; all of which was issued to him as parts of his uniform as a United States soldier, and during the short interval from the time he joined the company, January 3, 1871, to January 17, 1871. This at Jackson Barracks, Louisiana, during the month of January, 1871."

To which charges and specifications the accused, Private *William H. Cramer*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'desert the service,' and substitute therefor the words 'absent himself without authority.'"

Of the first charge, "Not Guilty, but guilty of 'absence without leave.'"
Of the specification, second charge, "Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William H. Cramer*, Company E, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for a period of two months; and to forfeit to the United States eleven dollars per month of his monthly pay for the same period; and, in addition, to forfeit to the United States one dollar and ninety-one cents per week of his pay for nine weeks, to cover the value of the clothing lost."

4. Private *William Thompson*, Company H, 19th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *William Thompson*, company H, 19th U. S. Infantry, did feloniously take, steal and carry away one valise containing four pairs pants, three shirts, two pairs of stockings and one pair drawers, the property of Private Thomas Lowe, of company H, 19th Infantry, U. S. Army; and did sell or dispose of the same, and appropriate the proceeds to his own use. This at Baton Rouge Barracks, Louisiana, on the 14th day of January, 1871."

To which charge and specification the accused, Private *William Thompson*, Company H, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *William Thompson*, Company H, 19th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Privates *John Hayden*, Company G, 10th U. S. Infantry, *Charles H. Drennan* and *William H. Cramer*, Company E, 19th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Hayden*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *William Thompson*, Company H, 19th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph III of Special Order No. 142 and paragraph II of Special Order No 159, series 1870, from Department Headquarters, and of which Major BENNET A. CLEMENTS, Surgeon, U. S. Army, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood

AT FORT DAVIS, TEXAS.

1. Private DUDLEY WASHINGTON.....Company B, 9th U. S. Cavalry.
2. Private JOHN WILLIAMS.....Company C, 9th U S. Cavalry.
3. Private THOMAS MARSHALL .....Company A, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *March* 23, 1871.

GENERAL COURT MARTIAL ORDERS, NO. 27.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, January 5, 1871, pursuant to paragraph V of Special Order No. 151, and paragraph V of Special Order No. 32, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and February 15, 1871, and of which Captain JOHN W. FRENCH, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Dudley Washington*, Company B, 9th U. S. Cavalry.

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

Specification 1*st*—"In this, that he, Private *Dudley Washington*, B company, 9th U. S. Cavalry, did become drunk and disorderly, and unfitted thereby for any duty whatever. All this at Fort Davis, Texas, on or about the 20th day of November, 1870."

Specification 2*d*—"In this, that he, Private *Dudley Washington*, B company, 9th U. S. Cavalry, did, without cause or provocation, wilfully and feloniously threaten and assault the person of Samuel Lovett, civilian, with a deadly weapon, to wit: a butcher knife; and when ordered by the first sergeant of his company to deliver up the said knife, did refuse to obey the said order, but did thereupon wilfully and feloniously threaten and assault the person of said sergeant with the knife aforesaid; he being in the execution of his duty. All this at Fort Davis, Texas, on or about the 20th day of November, 1870."

To which charge and specifications the accused, Private *Dudley Washington*, Company B, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Dudley Washington*, Company B, 9th U. S. Cavalry, "To forfeit to the United States ten dol-

lars of his monthly pay for the period of six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

2. Private *John Williams*, Company C, 9th U. S. Cavalry.

CHARGE—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Williams*, of company C, 9th U. S. Cavalry, did refuse to obey the order of acting First Sergeant Monroe Terrill; and did draw a razor and attempt to use it on the body of said Sergeant Terrill; and did resist by force of arms the authority of said Sergeant Terrill, who was in the execution of his office as acting first sergeant of the company. This at Fort Davis, Texas, on or about the 19th day of November, 1870."

To which charge and specification the accused, Private *John Williams*, Company C, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Williams*, Company C, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him."

3. Private *Thomas Marshall*, Company A, 24th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Thomas Marshall*, company A, 24th U. S. Infantry, having been duly enlisted into the military service of the United States, did desert the said service from his company and the post of Fort Bliss, Texas, on the 4th day of July, 1870; and did remain absent until arrested at or near Fort Bliss, Texas, July 25, 1870; thirty (30) dollars paid for his apprehension."

CHARGE II—"Larceny, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Marshall*, company A, 24th U. S. Infantry, did steal and carry away from his company quarters, and the post of Fort Bliss, Texas, one breech-loading Springfield rifle-musket, the property of the United States, and for which Brevet Lieutenant Colonel F. M. Crandall, Captain 24th U. S. Infantry, is responsible, with intent to sell the same. This at Fort Bliss, Texas, on the evening of the 4th day of July, 1870."

To which charges and specifications the accused, Private *Thomas Marshall*, Company A, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the first charge, "Not guilty of desertion 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, Private *Thomas Marshall*, Company A, 24th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for three months." The court is thus lenient owing to the length of time the prisoner has already undergone confinement.

II. The proceedings, findings and sentences in the foregoing cases of Privates *Dudley Washington*, Company B, *John Williams*, Company C, 9th U. S. Cavalry, and *Thomas Marshall*, Company A, 24th U. S. Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT JACKSON BARRACKS, LOUISIANA.

1. Artificer WALTER S. HUDDLESTON.....Company D, 19th U. S. Infantry.
2. Private CHARLES JOHNSON. ....Company H, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *March* 24, 1871.

GENERAL COURT MARTIAL ORDERS, NO. 28.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major BENNET A. CLEMEMTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Artificer *Walter S. Huddleston*, Company D, 19th U. S. Infantry.

CHARGE—"Violation of the 44th Article of War."

Specification 1st—"That Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry, did absent himself, without permission from proper authority, from the following roll calls of his company: viz., noon roll call on the 4th day of March, 1871, and noon roll call on the 5th day of March, 1871, and Sunday Morning Inspection of his company on the 5th day of March, 1871. This at or near Jackson Barracks, Louisiana, on or about the dates above specified."

Specification 2d—"That Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry, having been duly detailed for guard duty by the acting first sergeant of his company, failed to comply with said order. This at or near Jackson Barracks, Louisiana, on or about the 5th day of March, 1871."

To which charge and specifications the accused, Artificer *Walter S. Huddleston*, Company D, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Artificer *Walter S. Huddleston*, Company D, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of two months; and to forfeit to the United States ten dollars per month of his pay for the same period."

2. Private *Charles Johnson*, Company H, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Charles Johnson*, of company H, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 19th day of July, 1870, at Baton Rouge Barracks, Louisiana; and did remain absent until he surrendered himself at the post of Mobile, Alabama, on or about the 27th day of January, 1871."

To which charge and specification the accused, Private *Charles Johnson*, Company H, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Johnson*, Company H, 19th U. S. Infantry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined in such penitentiary or military prison as the proper authority may direct for the period of one year."

II. The proceedings, findings and sentences in the cases of Artificer *Walter S. Huddleston*, Company D, and Private *Charles Johnson*, Company H, 19th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Johnson*, Fort Jackson, Louisiana, is designated as the place of confinement

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT JACKSON BARRACKS, LOUISIANA.

1. Private THOMAS BAXENTINE.....Company H, 19th U S. Infantry.
2. Lance Corporal THOMAS CLANCY.....Company K, 19th U S. Infantry.
3. Private GEORGE A. ANDERSON..... Company K, 19th U. S. Infantry.
4. Private PETER WRIGHT.....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *March* 25, 1871.

GENERAL COURT MARTIAL ORDERS, No. 29.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major BENNET A. CLEMENTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private *Thomas Baxentine*, Company H, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Thomas Baxentine*, company H, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 28th day of January, 1871, at Baton Rouge Barracks, Louisiana; and did remain absent until apprehended at or near Port Hudson, Louisiana, on or about the 7th day of February, 1871; thirty dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Thomas Baxentine*, Company H, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Baxentine*, Company H, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined at hard labor, in such military prison as the proper authority may direct, for the period of two years."

2. Lance Corporal *Thomas Clancy*, Company K, 19th U. S Infantry.

CHARGE—"Absence without leave."

Specification—"That Lance Corporal *Thomas Clancy*, company K, 19th U. S. Infantry, having been duly enlisted into the service of the United States, did absent himself, without permission from proper authority, from his post and company and remain absent until arrested by Sergeant William Scully, company K, 19th U. S. Infantry. This at or near the post of Forts Jackson and St. Philip, Louisiana, on or about the 8th day of February, 1871."

To which charge and specification the accused, Lance Corporal *Thomas Clancy*, Company K, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Lance Corporal *Thomas Clancy*, Company K, 19th U. S. Infantry, "To forfeit to the United States five dollars of his pay."

3. Private *George A. Anderson*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *George A. Anderson*, company K, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 8th day of February, 1871, at Fort Jackson Louisiana; and did remain absent until on or about the 14th day of February, 1871, when he delivered himself up to First Lieutenant Mark Walker, 19th U. S. Infantry, at Baton Rouge, Louisiana."

To which charge and specification the accused, Private *George A. Anderson*, Company K, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George A. Anderson*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison as the proper authority may direct, for one year."

4. Private *Peter Wright*, Company K, 19th U. S. Infantry.

CHARGE—"Absence without leave."

Specification—"That Private *Peter Wright*, company K, 19th U. S. Infantry, having been duly enlisted in the service of the United States, did absent himself, without permission from proper authority, from his post and company; and did remain absent until arrested by Sergeant William Scully, company K, 19th U. S. Infantry. This at or near the post of Forts Jackson and St. Philip, Louisiana, on or about the 8th day of February, 1871."

To which charge and specification the accused, Private *Peter Wright*, Company K, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Peter Wright*, Company K, 19th U. S. Infantry, "To forfeit to the United States five dollars of his pay."

II. The proceedings, findings and sentences in the cases of Privates *Thomas Baxentine*, Company H, and *George A. Anderson*, Company K, 19th U. S. Infantry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Lance Corporal

Thomas Clancy and Private *Peter Wright*, Company K, 19th U. S. Infantry, are approved and the sentences will be duly executed. If the charges against these men had been properly investigated by the post commander as required by General Order No. 198, series of 1869, from the Headquarters of the Fifth Military District, and No. 55, series of 1870, from the Headquarters of the Department of Texas, he must have seen that they were not proper cases for the cognizance of a General Court Martial. It is expected that such carelessness will not be exhibited again.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *March* 31, 1871.

GENERAL COURT MARTIAL ORDERS, No. 30.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, January 23, 1871, pursuant to paragraph II of Special Order No. 4, Headquarters Department of Texas, dated San Antonio, Texas, January 5, 1871, and of which Captain JOHN B. PARKE, 10th U. S. Infantry, is President, was arraigned and tried:

Corporal *William Costigan*, Company I, 10th U. S. Infantry.

CHARGE I—"Conduct prejudical to good order and military discipline."

Specification—"In this, that Corporal *William Costigan*, company I, 10th U. S. Infantry, having been regularly detailed for guard, did appear at guard mounting so drunk as to be unfit to perform his duties properly. This at Ringgold Barracks, Texas, on or about the 26th day of January, 1871."

CHARGE II—"Disobedience of orders, in violation of the 9th Article of War."

Specification 1st—"In this, that Corporal *William Costigan*, company I, 10th U. S. Infantry, having been ordered in arrest by the officer of the day, Captain R. P. Wilson, 10th U. S. Infantry, he being in the execution of his office, did fail to obey said order. This at Ringgold Barracks, Texas, on or about the 26th day of January, 1871."

Specification 2d—"In this, that Corporal *William Costigan*, company I, 10th U. S. Infantry, did, while under the influence of intoxicating liquors, and after having been ordered to his quarters in arrest by the officer of the day, visit the quarters of Second Lieutenant C. S. Burbank, 10th U. S. Infantry, and when ordered to his quarters by him (Lieutenant Burbank) did fail to obey the order; but did remain until taken in charge by a member of the post guard and placed in confinement. This at Ringgold Barracks, Texas, on or about the 26th day of January, 1871."

To which charges and specifications the accused, Corporal *William Costigan*, Company I, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *William Costigan*, Company I, 10th U. S. Infantry, "To be reduced to the rank of a private soldier; and to be confined at hard labor, under charge of the guard at the

post where his company may be serving, for the period of eight months; forfeiting ten dollars of his monthly pay for the same period."

II. The proceedings, findings and sentence in the foregoing case of Corporal *William Costigan*, Company I, 10th U. S. Infantry, are approved and the sentence will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood
A. A. G.

At Fort Concho, Texas.

1. Private Henry C. Finney ....Company A, 4th U. S. Cavalry.
2. Private Francis Fitzsimmons..... ....Company B, 4th U. S. Cavalry.
3. Private Thomas Sheehan..... .....Company B, 4th U. S. Cavalry.
4. Private Patrick O'Shea.....Company I, 4th U. S. Cavalry
5. Private Edward Hughes .....Company B, 11th U. S. Infantry.
6. First Sergeant John B. Hamilton.....Company E, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *March* 31, 1871.

General Court Martial }
Orders, No. 31. }

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, February 23, 1871, pursuant to paragraph I of Special Order No. 32, Headquarters Department of Texas, dated San Antonio, Texas, February 15, 1871, and of which Major John P. Hatch, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Henry C. Finney*, Company A, 4th U. S. Cavalry.

Charge I—"Violation of the 42d Article of War."

Specification—"In this, that Private *Henry C. Finney*, of company A, 4th U. S. Cavalry, did lie out of his quarters during the night of November 18, 1870, without permission from proper authority. This at San Antonio, Texas."

Charge II—"Violation of the 44th Article of War."

Specification—"In this, that Private *Henry C. Finney*, of company A, Fourth U. S. Cavalry, having been regularly detailed for duty as a member of the police guard, did fail to appear at the time and place of mounting the guard. This at San Antonio, Texas, on the 19th day of November, 1870."

Charge III—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry C. Finney*, of company A, Fourth U. S. Cavalry, did steal from Private John W. Comfort, of company A, 4th U. S. Cavalry, one (1) blouse, of the money value of five dollars, ($5.00,) more or less. This at San Antonio, Texas, on or about the 18th day of November, 1870."

Charge IV—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry C. Finney*, of company A, Fourth U. S. Cavalry, did absent himself from the quarters of his company, without permission from proper authority, from about retreat on the 18th day of November, 1870, until about 9:30 o'clock A. M. on the 19th day of November, 1870, to the prejudice of good order and military discipline. This at San Antonio, Texas."

To which charges and specifications the accused, Private *Henry C. Finney*, Company A, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Guilty."
To the third charge and its specification, "Not Guilty."
To the fourth charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, "Not Guilty."
Of the third charge, "Not Guilty."
Of the specification, fourth charge, "Guilty."
Of the fourth charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry C. Finney*, Company A, Fourth U. S. Cavalry, "To three months at hard labor under the charge of the guard, at such post as his company may be serving; and forfeit ten dollars of his montly pay for the same period."

2. Private *Francis Fitzsimmons*, Company B, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Francis Fitzsimmons*, company B, 4th U. S. Cavalry, having been duly mounted as a member of the post guard at Fort Concho, Texas, on the 21st day of January, 1871, did become so drunk between the hours of retreat and 10 o'clock P. M. as to be utterly unable to perform his duty as a sentinel. This at Fort Concho, Texas, on the evening of the 21st of January, 1871."

To which charge and specification the accused, Private *Francis Fitzsimmons*, Company B, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Francis Fitzsimmons*, Company B, 4th U. S. Cavalry, "To walk post in charge of sentinel No. 1, at the post where he may be serving, from reveille until 12 o'clock meridian, and from 1 P. M. until retreat, for thirty days; and to be confined in charge of the guard until he shall have completed the sentence."

3. Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Thomas Sheehan*, of company B, 4th U. S. Cavalry, having been duly enlisted into the United States service at New York, N. Y., on the 9th day of October, 1869, did desert the same at Fort Concho, Texas, on the 29th day of October, 1870. All this at or near Fort Concho, Texas, on or about the 29th day of October, 1870."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that Private *Thomas Sheehan*, of company B, 4th U. S. Cavalry, having been mounted as a member of the police guard at Fort Concho, Texas, on the morning of the 29th of October, 1870, did desert the same. All this at or near Fort Concho, Texas, on or about the 29th day of October, 1870."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Thomas Sheehan*, of company B, 4th U. S. Cavalry, did steal or otherwise make away with ordnance and ordnance stores entrusted to his care, to the value of one hundred and forty-seven ($147.99) dollars and ninety-nine cents, and camp and garrison equipage to the value of two ($2) dollars, at the time of his deserting. All this at or near Fort Concho, Texas, on or about the 29th day of October, 1870."

Specification 2d—"In this, that Private *Thomas Sheehan*, of company B, 4th U. S. Cavalry, having mounted as a member of the police guard at Fort Concho, Texas, on the 29th day of October, 1870, and posted as a sentinel over the picket line of company B, 4th U. S. Cavalry, did steal or allow to be stolen therefrom two horses, the property of the United States, and for which Captain Clarence Mauck, 4th U. S. Cavalry, is responsible. All this at or near Fort Concho, Texas, on or about the 29th day of October, 1870."

To which charges and specifications the accused, Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry, "To be indelibly marked on the left hip with the letter 'D,' two inches long; to be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at such point, other than the one where his company is serving, as may be designated by the commander of the Department, for a period of five years."

4. Private *Patrick O'Shea*, Company I, 4th U. S. Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Patrick O'Shea*, company I, 4th U. S. Cavalry, did, while a member of the post guard, become so drunk as to be totally unfitted to perform his duty. This at or near Fort Concho, Texas, on or about the 13th day of February, 1871."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Patrick O'Shea*, company I, 4th U. S. Cavalry, having been duly mounted a member of the post guard and placed on duty as a herder, did desert his post and remain absent until arrested and confined. This at Fort Concho, Texas, on or about the 13th day of February, 1871."

To which charges and specifications the accused, Private *Patrick O'Shea*, Company I, 4th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Patrick O'Shea*, Company I, 4th U. S. Cavalry, "To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States; and then to be confined at such point as the Department Commander may designate, other than the one where his company may be serving, for the period of one year."

5. Private *Edward Hughes*, Company B, 11th U. S. Infantry.

CHARGE—"Larceny, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Hughes*, company B, 11th U. S. Infantry, did aid and assist Private William Starke, company B, 11th U. S. Infantry, in feloniously breaking open and entering the store of one Gustave Hoffman, citizen, and in stealing therefrom a sum of money to wit: eighty dollars ($80.00), more or less, in United States currency, the property of the said Hoffman, by waiting outside of and near said store while the said Starke committed the acts set forth. This at or near Fort Concho, Texas, on or about the 17th day of January, 1871."

To which charge and specification the accused, Private *Edward Hughes*, Company B, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Edward Hughes*, Company B, 11th U. S. Infantry.

6. First Sergeant *John B. Hamilton*, Company E, 11th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, First Sergeant *John B. Hamilton*, company E, 11th U. S. Infantry, did assault Private Henry Costello, company E, 11th U. S. Infantry, in an unprovoking manner, because said Private Costello did report to the officer of the day, Captain Robert McClermont, 11th U. S. Infantry, that he (Private Costello) did not receive sufficient food in his company."

Specification 2d—"In this, that he, First Sergeant *John B. Hamilton*, company E, 11th U. S Infantry, did strike Private Costello, of the same company, with his fist, knocking him down, and kicked him (Private Costello) with his foot, threatening to do so again if he (Private Costello) ever dared to report such matters again. All this at Fort Concho, Texas, on or about the 23d day of February, 1871."

To which charge and specifications the accused, First Sergeant *John B. Hamilton*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him. First Sergeant *John B. Hamilton*, Company E, 11th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Privates *Henry C. Finney*, Company A, and *Francis Fitzsimmons*, Company B, 4th U. S. Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry, are approved. So much of the sentence as relates to marking with the letter "D" is remitted; the remainder is approved and will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Patrick O'Shea*, Company I, 4th U. S. Cavalry, are approved. The sentence is approved, except the words "other than the one where his company may be serving," which portion is disapproved. The post of his company is designated as the place of confinement. As thus modified the sentence will be duly executed.

The proceedings, findings and acquittal in the case of Private *Edward Hughes*, Company B, 11th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

The record in the case of First Sergeant *John B. Hamilton*, Company E, 11th U. S. Infantry, does not show that the Judge Advocate was sworn in presence of the accused; but in view of the fact that the finding is one of acquittal, fully sustained by the evidence, the proceedings are allowed to pass. Sergeant *Hamilton* will be released from arrest and returned to duty.

III. The General Court Martial instituted by paragraph I of Special Order No. 32, current series, from Department Headquarters, and of which Major JOHN P. HATCH, 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At San Antonio, Texas.

1. Private Michael Carberry ....Unassigned Recruit, 4th U. S. Cavalry.
2. Private Harry Fisher .....Company M, 4th U. S. Cavalry.
3. Private Theodore Johnson.....Company M, 4th U. S. Cavalry.
4. Private James Riley .....Company M, 4th U. S. Cavalry
5. Private Daniel Crowley.....Company F, 17th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(Texas and Louisiana)

San Antonio, Texas, *April* 1, 1871.

General Court Martial }
Orders, No. 32. }

I. Before a General Court Martial which convened at San Antonio, Texas, on Tuesday, March 28, 1871, pursuant to paragraph I of Special Order No. 60, Headquarters Department of Texas, dated San Antonio, Texas, March 27, 1871, and of which Colonel Abner Doubleday, 24th U. S. Infantry, is President, were arraigned and tried:

1. Private *Michael Carberry*, unassigned recruit, 4th U. S. Cavalry.

Charge—"Desertion."

Specification—"In this, that Private *Michael Carberry*, an unassigned recruit of the 4th regiment of Cavalry, having been duly enlisted in the service of the United States, did desert the said service; and did remain absent until on or about the 23d day of February, 1871, when he was apprehended at Galveston, Texas; thirty dollars ($30) having been paid for his apprehension. This near the Guadaloupe river while *en route* to San Antonio, Texas, on or about the 20th day of November, 1870."

To which charge and specification the accused, Private *Michael Carberry*, unassigned recruit, 4th U. S. Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Michael Carberry*, unassigned recruit, 4th U. S. Cavalry, "To forfeit all pay and allowances now due or to become due him; to have his head shaved and be dishonorably discharged and trumpeted out of the service of the United States; and then to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three years."

2. Private *Harry Fisher*, Company M, 4th U. S. Cavalry.

Charge—"Desertion."

Specification—"In this, that Private *Harry Fisher*, of company M, 4th U. S. Cavalry, being a duly enlisted soldier in the service of the United States, did desert the same at San Antonio, Texas, on or about the 24th day of March, 1871; and did remain so absent until apprehended by a detachment of company L, 4th U. S. Cavalry, *en route* to San Antonio, Texas, on the 24th day of March, 1871. This at San Antonio, Texas, on or about the 24th day of March, 1871."

To which charge and specification the accused, Private *Harry Fisher*, Company M, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Harry Fisher*, Company M, 4th U. S. Cavalry, "To forfeit all pay and allowances now due or to become due him; to have his head shaved; and be dishonorably discharged and trumpeted out of the service of the United States; and then to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three years."

3. Private *Theodore Johnson*, Company M, 4th U. S. Cavalry.

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

Specification 1st—"In this, that Private *Theodore Johnson*, of company M, 4th U. S. Cavalry, after having been arrested by First Sergeant Fredrick C. Fredrickson, of company M, 4th U. S. Cavalry, for riotous conduct in the streets of San Antonio, Texas, did use threatening and abusive language to him, First Sergeant Fredrick C. Fredrickson, in the following words, to wit: "you son of a b——h, you dare not come out here and fight me, and I will have it out of you yet,' or words to that effect."

Specification 2d—"In this, that Private *Theodore Johnson*, of company M, 4th U. S. Cavalry, while in the custody of First Sergeant Fredrick C. Fredrickson, company M, 4th U. S. Cavalry, did break away and attempt to escape; and did strike the said first sergeant in the face with his fist while struggling with him, the said sergeant, he being in the execution of his office."

Specification 3d—"In this, that Private *Theodore Johnson*, of company M, 4th U. S. Cavalry, while being conveyed to the post guard house, did use threatening and abusive language about First Sergeant Fredrick C. Fredrickson and Corporal William H. Bairnson, of company M, 4th U. S. Cavalry, in the following words, to wit: 'they are not either of them man enough to come out here and fight me, and I will give either of them ten dollars ($10) to do so, God d—n them; and I will make things square with the sons of b——hs yet,' or words to that effect."

Specification 4th—"In this, that Private *Theodore Johnson*, of company M, 4th U. S. Cavalry, being at the time a patient in the post hospital and under medical treatment, did absent himself from said

hospital without proper authority; and did remain so absent until arrested by First Sergeant Fredrickson, of company M, 4th U. S. Cavalry. All this at San Antonio, Texas, on or about the 23d of March, 1871."

To which charge and specifications the accused, Private *Theodore Johnson*, Company M, 4th U. S. Cavalry, pleaded as follows:

To the first specification,	"Not Guilty."
To the second specification,	"Not Guilty."
To the third specification,	"Not Guilty."
To the fourth specification,	"Guilty."
To the charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Theodore Johnson*, Company M, 4th U. S. Cavalry, "To forfeit to the United States fifteen dollars per month of his monthly pay for six calendar months; and to be confined at hard labor, under charge of the police guard of the post where his company may be serving, with a twenty-four pound ball attached to his left leg by a chain eighteen inches long, for the same period." The court is thus lenient in consideration of the previous good conduct of the prisoner as shown in evidence.

4. Private *James Riley*, Company M, 4th U. S. Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *James Riley*, Company M, 4th U. S. Cavalry, did, being regularly detailed and mounted as a member of the post guard, become so much under the influence of liquor as to be unable to perform his duties properly. This at San Antonio, Texas, on or about the 23d day of February, 1871, between the hours of 11 and 12 o'clock P. M."

To which charge and specification the accused, Private *James Riley*, Company M, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Riley*, Company M, 4th U. S. Cavalry, "To be confined under charge of the post guard for the period of three months; the first seven days of each month to be solitary confinement on bread and water diet, the remainder of the time to do hard labor."

5. Private *Daniel Crowley*, Company F, late 17th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Daniel Crowley*, Company F, of the then 17th regiment of U. S. Infantry, having been duly enlisted in the service of the United States, did desert the service on or about the 16th day of December, 1866; and did remain absent until he surrendered himself as a deserter at Galveston, Texas, on or about the 12th day of March, 1871. This at or near San Antonio, Texas."

To which charge and specification the accused, Private *Daniel Crowley*, Company F, of the then 17th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Crowley*, Company F, late 17th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now or that may hereafter become due to him; to be dishonorably discharged the service of the United States; and then to be confined at hard labor in such military prison as the reviewing officer may direct for the period of three years."

II. The proceedings, findings and sentences in the cases of Privates *Michael Carberry*, unassigned recruit, *Harry Fisher*, Company M, 4th U. S. Cavalry, and *Daniel Crowley*, Company F, late 17th U. S. Infantry, are approved, and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement. In the case of unassigned recruit *Carberry*, it is within the knowledge of the reviewing authority that a reward of thirty dollars was *not* paid as charged in the specification.

The proceedings, findings and sentences in the cases of Privates *Theodore Johnson* and *James Riley*, Company M, 4th U. S. Cavalry, are approved, and the sentences will be duly executed.

III. The General Court Martial instituted by paragraph I of Special Order No. 60, current series, from Department Headquarters, and of which Colonel ABNER DOUBLEDAY, 24th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood

AT JACKSON BARRACKS, LOUISIANA.

1. Private HENRY O'BRIEN ..... Company C, 5th U. S. Infantry.
2. Private JAMES ALLEN.....Company D, 19th U S. Infantry.
3. Private JOHN MCCORMICK..... .....Company G, 19th U. S. Infantry.
4. Private CHARLES A. COPLAN.... .....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *April* 6, 1871.

GENERAL COURT MARTIAL ORDERS, No. 33.

1. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major BENNET A. CLEMENTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private, late corporal, *Henry O'Brien*, Company C, 5th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"That Private, late corporal, *Henry O'Brien*, company C, 5th U. S. Infantry, a duly enlisted soldier in the army of the United States, did desert the same; and did remain absent until he surrendered himself at Jackson Barracks, Louisiana, on the 26th day of January, 1871. This while *en route* from Fort Wallace, Kansas, to Washington, D. C., on or about the 27th day of September, 1870."

CHARGE II—"Neglect of duty."

Specification—"That Private, late corporal, *Henry O'Brien*, company C, 5th U. S. Infantry, having been ordered by Special Order No. 138, Headquarters Fort Wallace, Kansas, August 5, 1870, to proceed to Washington, D. C., in charge of Private F. W. D Jasker, an insane soldier of company C, 5th U. S. Infantry, and report to the Adjutant General of the Army for further orders, did fail to do so. This while *en route* from Fort Wallace, Kansas, to Washington, D. C., and on or about the 27th day of September, 1870."

To which charges and specifications the accused, Private *Henry O'Brien*, Company C, 5th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private, late corporal, *Henry O'Brien*, Company C, 5th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or

may become due him; and to be confined in such military prison as the proper authority may direct for a period of two years."

2. Private *James Allen*, Company D, 19th U. S. Infantry.

CHARGE I—"Violation of the 42d Article of War."

Specification—"That Private *James Allen*, company D, 19th U. S Infantry, did absent himself from and did lie out of his company quarters without permission from proper authority. This at or near Jackson Barracks, Louisiana, on or about the night from the 4th to the 5th day of March, 1871."

CHARGE II—"Violation of the 44th Article of War."

Specification—"That Private *James Allen*, company D, 19th U. S. Infantry, did absent himself from reveille roll call and Sunday morning inspection of his company without permission from proper authority. This at or near Jackson Barracks, Louisiana, on or about the 5th day of March, 1871."

CHARGE III—"Disobedience of orders."

Specification—"That Private *James Allen*, company D, 19th U. S Infantry, having been ordered by his company commander, Captain J. H. Smith, company D, 19th U. S. Infantry, to stop in his company quarters and not to absent himself from his company and command, did wilfully disobey said order by absenting himself from his company and command. This at or near Jackson Barracks, Louisiana, on or about the 4th day and 5th day of March, 1871."

CHARGE IV—"Utter worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"That Private *James Allen*, company D, 19th U. S. Infantry, has, since the first day of August, 1870, been tried by Garrison Court Martial for, and found to be guilty of, 'Violation of the 45th Article of War' on the 2d day of August, 1870; 'Violation of the 44th Article of War' on the 26th day of August, 1870; on the 10th day of December, 1870; on the 20th day of January, 1871; and on the 17th day of February, 1871. This at Jackson Barracks, Louisiana, on or about the dates above specified."

Specification 2d—"That Private *James Allen*, company D, 19th U. S. Infantry, has, since the 1st day of July, 1870, up to this date, March 5, 1871, been in confinement sixty-two (62) days, more or less; all of said confinement being solely due to his absenting himself from his company and command without permission from proper authority, and intemperate habits. This at or near Jackson Barracks, Louisiana, Ship Island, Mississippi, and Greenville, Louisiana, and during the months of July, 1870, August, 1870, October, 1870, December, 1870, January, 1871, and February, 1871."

To which charges and specifications the accused, Private *James Allen*, Company D, 19th U. S. Infantry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specification,	"Guilty."
To the fourth charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Allen*, Company D, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the proper authority may direct for a period of six months."

3. Private *John McCormick*, Company G, 19th U. S. Infantry.

CHARGE I—"Burglary, to the prejudice of good order and military discipline."

Specification—"That Private *John McCormick*, company G, 19th U. S. Infantry, did forcibly enter the house of one Cora Leslie, a servant employed in the garrison, and did take therefrom two (2) watches, one (1) shawl and other articles of value. This at Baton Rouge Barracks, Louisiana, on the evening of March 4, 1871."

CHARGE II—"Desertion."

Specification—"That Private *John McCormick*, company G, 19th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 9th day of March, 1871, between the hours of 12 o'clock, midnight, and 5 o'clock A. M., he being then in close confinement at Baton Rouge Barracks, Louisiana; and did remain absent until apprehended at or near Baton Rouge, Louisiana, on or about the 9th day of March, 1871; $30 reward paid for his apprehension. This at or near Baton Rouge, Louisiana, on or about the 9th day of March, 1871."

To which charges and specifications the accused, Private *John McCormick*, Company G, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John McCormick*, Company G, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the proper authority may direct for a period of three years, wearing a ball and chain, the ball to weigh twenty-four pounds and the chain to be three feet long."

4. Private *Charles A Coplan*, Company K, 19th U. S. Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"That Private *Charles A. Coplan*, company K, 19th U. S. Infantry, did, while on duty as a sentinel, allow a convict prisoner to come in close proximity to his post and carry away a canteen containing spirituous liquor, he knowing at the time what it contained and that it was contrary to his orders to allow anything to be given to or taken by

prisoners inside the stockade, except by permission of the officer of the day. This at Fort Jackson, Louisiana, on or about the 18th day of February, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Charles A. Coplan*, company K, 19th U. S. Infantry, did, while on duty as a sentinel on post No. 2, which is a post in the stockade surrounding the convict prison at Fort Jackson, Louisiana, place a canteen containing spirituous liquor and marked K, 19. 65., that being his (*Coplan's*) number in the company, in the vicinity of his post; and did allow a convict prisoner to approach and carry away said canteen containing said liquor, with his (*Coplan's*) knowledge and consent. This at Fort Jackson, Louisiana, on or about the 18th day of February, 1871."

To which charges and specifications the accused, Private *Charles A. Coplan*, Company K, 19th U. S. Infantry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'and that it was contrary to his orders to allow anything to be given to or taken by prisoners inside the stockade, except by permission of the officer of the day.'"

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 accused:

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, Private *Charles A. Coplan*, Company K, 19th U. S. Infantry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of three months."

II. The proceedings, findings and sentence in the case of Private *Henry O'Brien*, Company C, 5th U. S. Infantry, are approved; but in consideration of the favorable recommendation of all the members of the court, and for the reasons stated in their recommendation, the sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for a period of twelve months

The proceedings, findings and sentences in the cases of Privates *James Allen*, Company D, *John McCormick*, Company G, and *Charles A. Coplan*, Company K, 19th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *Allen* the post of his company, and in that of Private *McCormick*, Fort Jackson, Louisiana, are designated as the places of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *April* 7, 1871.

GENERAL COURT MARTIAL }
ORDERS, NO. 34. }

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, February 2, 1871, pursuant to paragraph III of Special Order No. 18, and paragraph III of Special Order No. 31, Headquarters Department of Texas, dated San Antonio, Texas, January 23 and February 14, 1871, and of which Captain DAVID SCHOOLEY, 25th U. S. Infantry, is President, was arraigned and tried:

Private *James Taylor*, Company E, 25th U. S. Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"That Private *James Taylor*, company E, 25th U. S. Infantry, having been detailed for guard duty and posted as a sentinel, did quit his post without being regularly relieved. This at California Springs, Texas, on or about the 21st day of January, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *James Taylor*, company E, 25th U. S. Infantry, having quit his post while on guard, did attempt to steal the bread ration of his company. This at California Springs, Texas, on or about the 21st day of January, 1871."

CHARGE III—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *James Taylor*, company E, 25th U S. Infantry, having been ordered by Corporal John Williams, company E, 25th U. S. Infantry, to catch up a certain mule loaded with company rations, for the purpose of unsaddling him, did, by delaying and pretending to carry out said order, so manage as to take from a sack on said mule thirteen loaves of bread the same being a portion of the rations of his company. This while going into camp on the Pecos river, Texas, on or about the 30th day of January, 1871."

To which charges and specifications the accused, Private *James Taylor*, Company E, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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,	"Not Guilty."
Of the third charge,	"Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Taylor*, Company E, 25th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for four months; and to be confined at hard labor in charge of the guard for the same period."

II. The proceedings, findings and sentence in the foregoing case of Private *James Taylor*, Company E, 25th U. S. Infantry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

AT FORT MCKAVETT, TEXAS.

1. Private RICHARD BOON.....Company F, 9th U. S. Cavalry.
2. Private CHARLES MILLER ....Company F, 9th U. S. Cavalry.
3. Private EDWARD TURNER.....Company D, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *April* 8, 1871.

GENERAL COURT MARTIAL ORDERS, NO. 35.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Wednesday, January 25, 1871, pursuant to paragraph IV of Special Order No. 15, Headquarters Department of Texas, dated San Antonio, Texas, January 18, 1871, and of which Captain HENRY CARROLL, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Richard Boon*, Company F, 9th U. S. Cavalry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that Private *Richard Boon*, company F, 9th U. S. Cavalry, after being regularly mounted as a member of the post guard at Fort McKavett, Texas, did, without proper permission, leave his said guard and the place where he was posted; and did remain absent until arrested and brought into camp by a patrol of the guard. This at Fort McKavett, Texas, on the 5th day of March, 1871."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that Private *Richard Boon*, company F, 9th U. S. Cavalry, after being regularly mounted as a member of the post guard at Fort McKavett, Texas, did become so much under the influence of intoxicating liquor as to render him unfit for the proper performance of his duties as one of the guard. This at or near Fort McKavett, Texas, March 5, 1871."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Richard Boon*, company F, 9th U. S. Cavalry, did, without proper permission, take from the stables of company F, 9th U. S. Cavalry, a government horse; and did ride said horse out of the camp of Fort McKavett, Texas; and did keep and use said horse for his own private purpose until it was taken from him by a patrol of the guard. This at or near Fort McKavett, Texas, on the 5th March, 1871."

To which charges and specifications the accused, Private *Richard Boon*, Company F, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Richard Boon*, Company F, 9th U. S. Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due; and to be confined at hard labor for two years, at such place as the reviewing authority may direct."

2. Private *Charles Miller*, Company F, 9th U. S. Cavalry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *Charles Miller*, company F, 9th U. S. Cavalry, did cross the San Saba river, in violation of the orders of the commanding officer of this post. This at Fort McKavett, Texas, on or about February 4, 1871."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Charles Miller*, company F, 9th U. S. Cavalry, did go beyond the limits of his post, without permission, during the night. This at Fort McKavett, Texas, on or about February 5, 1871."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Charles Miller*, company F, 9th U. S. Cavalry, being absent without leave beyond the limits of his post, in the night, and being arrested by a guard, did escape by running away, and caused the guard to fire upon him. This at or near Fort McKavett, Texas, on or about February 4, 1871."

Specification 2d—"In this, that Private *Charles Miller*, company F, 9th U. S. Cavalry, did, through gross carelessness, shoot himself through the finger or hand, and thereby render himself unfit for service for a considerable length of time. This at Fort McKavett, Texas, on or about February 5, 1871."

To which charges and specifications the accused, Private *Charles Miller*, Company F, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty."
Of the second charge. "Guilty."
Of the first specification, third charge, "Guilty."
Of the second specification, third charge, "Guilty."
Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Miller*, Company F, 9th U. S. Cavalry, "To be confined at hard labor in charge of the guard for four months; and to forfeit to the United States five dollars of his monthly pay for the same period."

3. Private *Edward Turner*, Company D, 24th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Edward Turner*, unassigned recruit, 24th U. S Infantry, a duly enlisted soldier in the service of the United States, did desert the same on the 5th day of January, 1871, while *en route* from San Antonio, Texas, to Fort McKavett, Texas; and did re-

main so absent until apprehended by Joseph M. Fridge, company A, 4th U. S. Cavalry, and returned by him to his detachment, Lieutenant J. B. Nixon, 24th U. S. Infantry, commanding, on or about the 8th day of January, 1871. This while on the march from San Antonio, Texas, to Fort McKavett, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Edward Turner*, Company D, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward Turner*, Company D, 24th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to be dishonorably discharged the service; and to be confined at hard labor, at such place as the proper authority may direct, for the period of five years."

II. The proceedings, findings and sentences in the cases of Privates *Richard Boon* and *Charles Miller*, Company F, 9th U. S. Cavalry, and *Edward Turner*, Company D, 24th U. S. Infantry, are approved, and the sentences will be duly executed. In the cases of Privates *Boon* and *Turner*, Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Order No. 15, current series, from Department Headquarters, and of which Captain HENRY CARROLL, 9th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

AT FORT DUNCAN, TEXAS.

1. Private HENRY FLETCHER.....Company L, 9th U. S. Cavalry.
2. Private JOHN C. GIVENS.....Company L, 9th U. S. Cavalry.
3. Private JAMES TAYLOR.....Company E, 25th U. S. Infantry.
4. Sergeant BENJAMIN DERBIGNEY.....Company I, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA)
SAN ANTONIO, TEXAS, *April* 12, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 36. }

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, February 2, 1871, pursuant to paragraph III of Special Order No. 18, and paragraph III of Special Order No. 31, Headquarters Department of Texas, dated San Antonio, Texas, January 23, and February 14, 1871, and of which Captain DAVID SCHOOLEY, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Henry Fletcher*, Company L, 9th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Henry Fletcher*, company L, 9th Cavalry, U. S. Army, did enter the mess room of his company and did there assault and attempt to strike and injure Private Robert Embry, company L, 9th Cavalry, U. S. Army, by throwing at the said Private Embry a large iron weight. This at Fort Duncan, Texas, on or about the 12th day of March, 1871."

To which charge and specification the accused, Private *Henry Fletcher*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Fletcher*, Company L, 9th U. S. Cavalry, "To forfeit to the United States eight dollars of his monthly pay for one month." The court is thus lenient in view of the evident provocation the accused had for committing the offence.

2. Private *John C. Givens*, Company L, 9th U. S. Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *John C. Givens*, company L, 9th Cavalry, U. S. Army, being on daily duty as clerk in the post adjutant's office, did unauthorizedly write his name upon a pass given

by his company commander to a number of the enlisted men of his company, which pass was then in the office of the post adjutant awaiting the approval of the post commander. This at Fort Duncan, Texas, on or about the 12th day of March, 1871."

Specification 2d—"In this, that Private *John C. Givens*, Company L, 9th Cavalry, U. S. Army, being on daily duty as clerk in the post adjutant's office, did unauthorizedly enter his name upon the official list of authorized absentees from the post; and did furnish the said list to the sergeant of the garrison-guard. This at Fort Duncan, Texas, on or about the 12th day of March, 1871."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that Private *John C. Givens*, company L, 9th Cavalry, U. S. Army, did absent himself from the garrison without leave from proper authority, between the hours of 1 and 6 P. M. This at Fort Duncan, Texas, on or about the 12th day of March, 1871."

To which charges and specifications the accused, Private *John C. Givens*, Company L, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John C. Givens*, Company L, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his monthly pay for two months; and to be confined, in charge of the post guard, for one month, standing on the head of a barrel in front of the guard house from reveille until noon, and then to carry a log weighing thirty pounds from noon until retreat, allowing one half hour for each meal."

3. Private *James Taylor*, Company E, 25th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *James Taylor*, company E, 25th U. S. Infantry, did, while a prisoner in the guard house, on or about February 16, 1871, sell to one Private Joseph Bush, company I, 25th U. S. Infantry, also a prisoner, one new pair of government trowsers, valued at $2.10, for the sum of one dollar in articles from a post trader; and did, on the morning of March 17, 1871, represent to his company commander, Captain David Schooley, 25th U. S. Infantry, then officer of the day, by showing him a ragged and worn out pair of trowsers which he had on, that he was [in] great need and should have another new pair of trowsers at once. This at Fort Duncan, Texas."

To which charge and specification the accused, Private *James Taylor*, Company E, 25th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Taylor*, Company E. 25th U. S. Infantry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances now due or to become due, except the just dues of the laundress and the post trader." This sentence to take effect at the expiration of the sentence heretofore pronounced upon him by this court.

4. Sergeant *Benjamin Derbigney*, Company I, 25th U. S. Infantry.

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

Specification—"That Sergeant *Benjamin Derbigney*, Company I, 25th U. S. Infantry, having been duly mounted, and on duty as sergeant of the post guard, and having received instructions from First Lieutenant E. D. Dimmick, 9th U. S. Cavalry, officer of the day, to make frequent inspections, during the night, of the cells, and prisoners confined in post guard house, and see that the irons on the prisoners were secure, did fail to comply with said instructions by not entering the cell on the west side of guard house, in which prisoners were confined, or make any examination of the prisoners confined therein, from tattoo roll-call until the guard was visited by the officer of the day between the hours of two and three o'clock A. M. on the morning of the 30th of January, 1871; and, by failing and neglecting to comply with said instructions, did suffer and allow three (3) prisoners, viz.: Richard English, Ross Moore and John Darcy, then confined in west cell of guard house, to make their escape therefrom by digging a large hole through and under the walls of said cell of the post guard house which would at least take four hours to accomplish. This at Fort Duncan, Texas, on the night of the 29th or the morning of 30th of January, 1871."

To which charge and specification the accused, Sergeant *Benjamin Derbigney*, Company I, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Benjamin Derbigney*, Company I, 25th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for three months." The court is thus lenient in view of the mitigating circumstances in the case and the previous excellent character of the accused as personally known to each member of the court.

II. The proceedings, findings and sentences in the cases of Privates *Henry Fletcher*, Company L, 9th U. S. Cavalry, *James Taylor*, Company E, and Sergeant *Benjamin Derbigney*, Company I, 25th U. S. Infantry, are approved and the sentences will be duly executed.

The proceedings and findings in the case of Private *John C. Givens*, Company L, 9th U. S. Cavalry, are approved. So much of the sentence

as relates to standing on the head of a barrel is amended by substituting "for two hours each day," in place of "from reveille until noon." As thus amended the sentence will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT JACKSON BARRACKS, LOUISIANA.

1. Artificer SAMUEL TOWNSEND ..... Company K, 19th U. S. Infantry.
2. Private LEVI DEAN ..... Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.
SAN ANTONIO, TEXAS, *April* 13, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 37. }

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major BENNET A. CLEMENTS, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Artificer *Samuel Townsend*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Artificer *Samuel Townsend*, K company, 19th U. S. Infantry, being a duly enlisted man in the military service of the United States, did desert the same on or about the 12th day of March, 1871, and did remain absent until arrested by Lieutenant Spencer, 19th U. S Infantry, on the 14th day of March, 1871. This at the post of Forts Jackson and St. Philip, Louisiana, on or about the dates above stated."

To which charge and specification the accused, Artificer *Samuel Townsend*, Company K, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Artificer *Samuel Townsend*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison as the proper authority may direct, for the period of one year."

2. Private *Levi Dean*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Levi Dean*, K company, 19th U. S. Infantry, being a duly enlisted man in the service of the United States, did desert the same, and remain absent from his company and post until apprehended March the 14th, 1871, by Lieutenant Spencer, 19th U. S. Infantry. This at the post of Forts Jackson and St Philip, Louisiana, from the 12th day of March, 1871, until the day above specified."

To which charge and specification the accused, Private *Levi Dean*, Company K, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Levi Dean*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison as the proper authority may direct, for the period of one year."

II. The proceedings, findings and sentences in the foregoing cases of Artificer *Samuel Townsend* and Private *Levi Dean*, Company K, 19th U. S. Infantry, are approved and the sentences will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,

Assistant Adjutant General.

OFFICIAL:

H. Clay Wood

M. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort McKavett, Texas.

1. Private Andrew Raily ....Company M, 9th U. S. Cavalry.
2. Private John Patterson..... .....Company D, 24th U. S. Infantry.
3. Private William H. Booker..... ....Company E, 24th U. S. Infantry.
4. Private Adam McDonald ....Company E, 24th U. S. Infantry.
5. Musician John Tillisbanner.. ....Company C, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *April* 15, 1871.

General Court Martial Orders, No. 38.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Wednesday, January 25, 1871, pursuant to paragraph IV of Special Order No. 15, Headquarters Department of Texas, dated San Antonio, Texas, January 18, 1871, and of which Captain Henry Carroll, 9th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Andrew Raily*, Company M, 9th U. S. Cavalry.

Charge—"Violation of the 50th Article of War."

Specification—"In this, that Private *Andrew Raily*, of company M, 9th U. S. Cavalry, did without urgent necessity or without leave from proper authority, quit his guard in company M's corral and did go to the laundress' quarters, where he was arrested by a patrol of the post guard. This at Fort McKavett, Texas, between the hours of 11 and 12 o'clock A. M., on the 24th of March, 1871."

To which charge and specification the accused, Private *Andrew Raily*, Company M, 9th U. S. Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Andrew Raily*, Company M, 9th U. S. Cavalry, "To forfeit to the United States twelve (12) dollars of his monthly pay for six months; and to be confined in charge of the guard at hard labor, at the station of his company, for the period of six months."

2. Private *John Patterson*, Company D, 24th U. S. Infantry.

Charge I—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *John Patterson*, company D, 24th U. S. Infantry, having been duly warned and detailed for guard, did fail

to prepare himself properly for that duty. This at Fort McKavett, Texas, on or about the 28th of March, 1871."

CHARGE II—"Violation of the 38th Article of War."

Specification—"That Private *John Patterson*, company D, 24th U. S. Infantry, did lose or spoil through neglect the clothing issued to him by the United States. This at Fort McKavett, Texas, on or about March 9, 14, and 19, 1871."

To which charges and specifications the accused, Private *John Patterson*, Company D, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Patterson*, Company D, 24th U. S. Infantry, "To be confined at the station of his company for four (4) months; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

3. Private *William H. Booker*, Company E, 24th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that Private *William H. Booker*, company E, 24th U. S. Infantry, was drunk when falling in with his company for dress parade, on the evening of the 26th of March, 1871. This at Fort McKavett, Texas, on or about the 26th day of March, 1871."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that Private *William H. Booker*, company E, 24th U. S. Infantry, did spoil through neglect his Springfield rifle musket. This at Fort McKavett, Texas, on or about the 26th day of March, 1871."

To which charges and specifications the accused, Private *William H. Booker*, Company E, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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, Private *William H. Booker*, Company E, 24th U. S. Infantry, "To be confined in the post guard house for three months; and to forfeit to the United States two (2) dollars per week of his pay for twenty-five (25) weeks."

4. Private *Adam McDonald*, Company E, 24th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Adam McDonald*, company E, 24th U. S. Infantry, did steal, take or carry away from his

company quarters, one pair of shoes valued at four dollars ($4.00), the property of Corporal James Roney, company E, 24th U. S. Infantry. This at or near Fort McKavett, Texas, on or about the 22d of March, 1871."

To which charge and specification the accused, Private *Adam McDonald*, Company E, 24th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Adam McDonald*, Company E, 24th U. S. Infantry, "To be drummed out in presence of the command of the post at which he may be serving, carrying on his back a placard with the words 'THIEF' marked on it in large letters: to be dishonorably discharged the service, with loss of all pay and allowances now due or to become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of six (6) months."

5. Musician *John Tillisbanner*, Company C, 25th U. S. Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Musician *John Tillisbanner*, company C, 25th U. S. Infantry, did cross the San Saba river and leave the limits of the post of Fort McKavett, Texas, without authority, in violation of the following order:

HEADQUARTERS FORT McKAVETT, TEXAS,
September 18, 1871.

GENERAL ORDERS
No. 36.

EXTRACT.

II. Hereafter no enlisted men of the command will leave the limits of this garrison when not on duty, except on a written pass of their company or other commander.

BY ORDER OF CAPTAIN C. N. W. CUNNINGHAM:

(Signed) EDWARD DONOVAN,
1st Lieut. and Adjutant 24th Infantry,
Post Adjutant.

This at or near Fort McKavett, Texas, on or about the 19th day of March, 1871."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that Musician *John Tillisbanner*, company C, 25th U. S. Infantry, did fall into the ranks of the field music at dress parade, so much under the influence of liquor as to be unable to walk straight; and was totally unfit for the proper performance of his duties as a musician. This at Fort McKavett, Texas, on the 19th day of March, 1871."

To which charges and specifications the accused, Musician *John Tillisbanner*, Company C, 25th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Musician *John Tillisbanner*, Company C, 25th U. S. Infantry, "To forfeit to the United States ten dollars of his monthly pay for six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

II. The proceedings, findings and sentences in the cases of Privates *Andrew Raily*, Company M, 9th U. S. Cavalry, *John Patterson*, Company D, *William H. Booker* and *Adam McDonald*, Company E, 24th U. S. Infantry, and Musician *John Tillisbanner*, Company C, 25th U. S. Infantry, are approved, and the sentences will be duly executed. In the case of Private *McDonald*, the post of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Order No. 15, current series, from Department Headquarters, and of which Captain HENRY CARROLL, 9th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
A. A. G.

AT JACKSON BARRACKS, LOUISIANA.

1. Musician PATRICK PHILBIN.....Company B, 19th U. S. Infantry.
2. Artificer WALTER S. HUDDLESTON.... Company D, 19th U. S. Infantry.
3. Private WILLIAM J. SLOAN ....Company G, 19th U. S. Infantry.
4. Private WILHELM OLSEN.....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *April* 17, 1871.

GENERAL COURT MARTIAL }
ORDERS, No. 39. }

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Captain WILLIAM T. GENTRY, 19th U. S. Infantry, is President, were arraigned and tried:

1. Musician *Patrick Philbin*, Company B, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Musician *Patrick Philbin*, company B, 19th U. S. Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same at Shreveport, Louisiana, on or about the 10th day of March, 1871; and did remain absent until apprehended as a deserter at New Orleans, Louisiana, on or about the 22d day of March, 1871. Thirty dollars ($30) paid for his apprehension."

To which charge and specification the accused, Musician *Patrick Philbin*, Company B, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Musician *Patrick Philbin*, Company B, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison as the proper authority may direct, for the period of one year."

2. Artificer *Walter S. Huddleston*, Company D, 19th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"That Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry, a duly enlisted soldier in the service of the United

States, did desert said service at or near Jackson Barracks, La., on or about the 29th day of March, 1871, by escaping from the guard placed over him, he being at the time a prisoner tried by a General Court Martial and awaiting sentence; and did remain absent therefrom until arrested and brought back by Sergeant Dewitt A. C. Lee, company D, 19th U. S. Infantry, at or near the city of New Orleans, La., on or about the 29th day of March, 1871. This at or near the places and on or about the dates above specified."

CHARGE II—"Violation of the 99th Article of War."

Specification—"That Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry, did, when ordered by Sergeant Dewitt A. C. Lee, company D, 19th U. S. Infantry, to halt, disobey said order, and did strike with his fist said Sergeant Dewitt A. C. Lee, company D, 19th U. S. Infantry, who tried to arrest him, Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry; said Sergeant Dewitt A. C. Lee, company D, 19th U. S. Infantry, being in the execution of his office at the time. This at or near the city of New Orleans, Louisiana, on or about the 29th day of March, 1871."

To which charges and specifications the accused, Artificer *Walter S. Huddleston*, company D, 19th U. S. Infantry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'desert said service at or near Jackson Barracks, La., on or about the 29th day of March, 1871, by escaping,' and substituting therefor the word 'escape.'"

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 accused:

Of the specification, first charge, "Guilty, except the words 'desert said service at or near Jackson Barracks, La., on or about the 29th day of March, 1871, by escaping,' and substitute therefor the word 'escape.'"

Of the first charge, "Not Guilty, but guilty of 'conduct prejudicial to good order and military discipline.'"

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

SENTENCE.

And the court does therefore sentence him, Artificer *Walter S. Huddleston*, Company D, 19th U. S. Infantry, "To forfeit to the United States all of his monthly pay for a period of six months; and to be confined under charge of the guard at hard labor, at the post where his company may be serving, for the same period."

3. Private *William J. Sloan*, Company G, 19th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That Private *William J. Sloan*, company G, 19th U. S. Infantry, having been duly mounted as a member of the post guard, and while on duty as such, was found drunk. This at Baton Rouge Barracks, La., on or about February 11, 1871."

To which charge and specification the accused, Private *William J. Sloan*, Company G, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William J. Sloan*, Company G, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for a period of ninety (90) days; the first seven (7) to be solitary confinement on bread and water diet."

4. Private *Wilhelm Olsen*, Company K, 19th U. S. Infantry.

CHARGE—"Highway robbery, to the prejudice of good order and military discipline."

Specification—"That *Wilhelm Olsen*, Company K, 19th U. S. Infantry, did assault Private David Slawson, I company, 19th U. S. Infantry, and did rob him, the said Slawson, of one dollar and twenty-five cents ($1.25), and one canteen containing whiskey. This at or near Fort Jackson, Louisiana, on or about the 6th day of March, A. D. 1871."

To which charge and specification the accused, Private *Wilhelm Olsen*, Company K, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Wilhelm Olsen*, Company K, 19th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Musician *Patrick Philbin*, Company B, Artificer *Walter S. Huddleston*, Company D, and Private *William J. Sloan*, Company G, 19th U. S. Infantry, are approved and the sentences will be duly executed. In the case of Musician *Philbin*, Fort Jackson, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *Wilhelm Olsen*, Company K, 19th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private Patrick Smith ....Company K, 4th U. S. Cavalry.
2. Private John McCormick.....Company A, 10th U. S. Infantry.
3. Private Thomas Scully.....Company A, 10th U. S. Infantry.
4. Private William Walker.....Company A, 10th U. S. Infantry.
5. Private John Callahan.....Company G, 10th U. S. Infantry.
6. Private Charles Campbell.....Company G, 10th U. S. Infantry.
7. Private Patrick Connors..... .....Company H, 10th U. S. Infantry.
8. Private Joseph Feeney.....Company H, 10th U. S. Infantry.
9. Private Martin Finnerty.....Company H, 10th U. S. Infantry.
10. Private Patrick Ish ....Company H, 10th U. S Infantry.
11. Private Edward O'Malley.....Company H, 10th U. S. Infantry.
12. Private Edward Goreham.....Company K, 10th U. S. Infantry.
13. Private John Wade..... ..... Company K, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *April* 21, 1871.

General Court Martial }
Orders, No. 40. }

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, March 20, 1871, pursuant to paragraph II of Special Order No. 48, Headquarters Department of Texas, dated San Antonio, Texas. March 7, 1871, and of which Captain Jesse A. P. Hampson, 10th U. S. Infantry, is President, were arraigned and tried :

1. Private *Patrick Smith*, Company K, 4th U. S. Cavalry.

Charge—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1*st*—"In this, that he, Private *Patrick Smith*, company K, 4th U. S. Cavalry, has by the frequent use of intoxicating liquor and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, from the 14th day of March, 1869, to the 14th day of March, 1871."

Specification 2*d*—"In this, that he, Private *Patrick Smith*, company K, 4th U. S. Cavalry, did by the frequent use of intoxicating liquor and by his almost constant neglect of duty, render himself so worthless as to cause his confinement in the guard house and to be absent without leave for two hundred and ninety days out of two years' service, to-wit: March 14, 1869, from duty to absent without leave; March 15, 1869, from absent without leave to confinement; March 19, 1869, from confinement to duty; March 20, 1869, from duty to absent without leave; March 22, 1869, from absent without leave to desertion; April 1, 1869, from desertion to confinement; October 13, 1869, from confinement to duty; June 2, 1870, from duty to absent without leave; June 5, 1870, from absent without leave to confinement; June 17, 1870, from confinement to sick in hospital; June 20, 1870, from sick in hospital to absent without leave; June 21, 1870, from absent without leave to confinement; July 16, 1870, from confinement to duty; October 27, 1870, from duty to absent

without leave; October 28, 1870, from absent without leave to confinement; October 30, 1870, from confinement to duty; January 22, 1871, from duty to absent without leave; January 23, 1871, from absent without leave to duty; February 11, 1871, from duty to confinement; February 15, 1871, from confinement to duty; February 20, 1871, from duty to absent without leave; February 21, 1871, from absent without leave to confinement; March 12, 1871, from confinement to duty; March 14, 1871, from duty to absent without leave; March 16, 1871, from absent without leave to confinement. All this at or near Fort Brown, Texas, on or about the above specified time."

To which charge and specification the accused, Private *Patrick Smith*, Company K, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Smith*, Company K, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States; and to forfeit all pay and allowances that are due or may become due; and to be drummed out of the service."

2. Private *John McCormick*, Company A, 10th U. S. Infantry.

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

Specification—"In this, that he, Private *John McCormick*, company A, 10th U. S. Infantry, while on duty as a sentinel in charge of prisoners, did wilfully and maliciously fire his musket at, with intent to kill, Private Charles Campbell, company G, 10th U. S. Infantry, a teamster in the quartermaster's department; the said Private Charles Campbell being at the time on a mule, the property of the United States; and that the said Private *John McCormick*, company A, 10th U. S. Infantry, did, in discharging his musket with intent to kill said Private Charles Campbell, company G, 10th U. S. Infantry, mortally wound the aforesaid mule. This at Fort Brown, Texas, on the 14th day of March, 1871."

To which charge and specification the accused, Private *John McCormick*, Company A, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John McCormick*, Company A, 10th U. S. Infantry, "To be confined at hard labor, at such place as the Commanding General may direct, for the period of two (2) years."

3. Private *Thomas Scully*, Company A, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Thomas Scully*, a duly enlisted soldier of the United States and Private of company A, 10th U. S. Infantry, did desert said service and his company at Fort Brown, Texas, when in confinement awaiting trial; and did escape into Mexico, on or about the 11th day of March, 1871; and did not return until apprehended at Brownsville, Texas, on or about the 13th day of March, 1871. This at Fort Brown, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Thomas Scully*, Company A, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Scully*, Company A, 10th U. S. Infantry. "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service; and to be confined at such place as the Commanding General may direct, for four (4) years."

4. Private *William Walker*, Company A, 10th U. S. Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *William Walker*, company A, 10th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same, on or about the 2d of December, 1870. This at Fort Brown, Texas, on or about the 2d of December, 1870."

CHARGE II—"Robbery, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Walker*, of company A, 10th U. S. Infantry, on or about the 30th day of November, 1870, in the city of Matamoras, Mexico, did without provocation, make an assault and did strike down Private George Wick, company A, 10th U. S. Infantry; thereby wounding said Private Wick, company A, 10th U. S. Infantry, in and upon the face, head and body; and he, Private *Walker*, company A, 10th U. S. Infantry, did then and there take from the pockets of Private Wick, company A, 10th U. S. Infantry, the sum of forty (40) dollars in U. S. currency. This at Matamoras, Mexico, on or about the 30th day of November, 1870."

To which charges and specifications the accused, Private *William Walker*, Company A, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *William Walker*, Company A, 10th U. S. Infantry, "To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service; and to be confined at hard labor at such place as the Commanding General may direct, for four (4) years."

5. Private *John Callahan*, Company G, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *John Callahan*, of company G, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did at Fort Brown, Texas, on the 9th day of February, 1871, desert the said service; and did remain absent until apprehended at Brazos de Santiago, Texas, on the 18th day of February, 1871."

To which charge and specification the accused, Private *John Callahan*, Company G, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Callahan*, Company G, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged and drummed out of the service; and to be confined at such place as the Commanding General may direct, for three (3) years."

6. Private *Charles Campbell*, Company G, 10th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Charles Campbell*, company G, 10th U. S. Infantry, did repeatedly use gross and filthy language in abuse of Private John McCormick, company A, 10th U. S. Infantry; said McCormick being at the time in the lawful discharge of his duties as a sentinel in charge of prisoners. This at Fort Brown, Texas, on or about the 14th day of March, 1871."

Specification 2d—"In this, that he, Private *Charles Campbell*, company G, 10th U. S. Infantry, did appear at the engine house where Private John McCormick, company A, 10th U. S. Infantry, a member of the post guard at Fort Brown, Texas, and a sentinel in charge of prisoners, was; and did twice call Private McCormick a son of a bitch. This at Fort Brown, Texas, on or about the 14th of March, 1871."

To which charge and specifications the accused, Private *Charles Campbell*, Company G, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Campbell*, Company G, 10th U. S. Infantry, "To forfeit to the United States his monthly pay for twelve (12) months; and to be confined at hard labor under charge of the guard for the same period."

7. Private *Patrick Connors*, Company H, 10th U. S. Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Patrick Connors*, company H, 10th U. S. Infantry, a member of the post guard and regularly posted as a sentinel on post No. 3; did, while on duty as such sentinel, between the hours of 11 o'clock P. M., and 1 o'clock A. M., sleep on his post. This at Fort Brown, Texas, on the 22d day of March, 1871."

To which charge and specification the accused, Private *Patrick Connors*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Connors*, Company H, 10th U. S. Infantry, "To forfeit to the United States fifteen (15) dollars of his monthly pay for two (2) years; and to be confined under charge of a guard, at hard labor, for the same period."

8. Private *Joseph Feeney*, Company H, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Joseph Feeney*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has by the frequent use of intoxicating liquor, and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, from on or about the 1st day of August 1869, until on or about the 1st day of August, 1870."

Specification 2d—"In this, that he, Private *Joseph Feeney*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has by the almost constant use of intoxicating liquor, rendered himself so worthless that he has performed no more than fifteen tours of guard duty during the year from about August, 1869, until August, 1870."

Specification 3d—"In this, that he, Private *Joseph Feeney*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did by the frequent use of intoxicating liquor and by the almost constant neglect of his duty, render himself so worthless as to cause his confinement in the guard house for the greater portion of the year ending August 1, 1870, to-wit.: From the 11th of August, 1869, until the 29th of January, 1870; from the 1st of March, 1870, until the 2d of March, 1870; from the 7th of March, 1870, until the 9th of March, 1870; from the 14th of March, 1870, until the 26th of April, 1870; from the 27th of April, 1870, until the 31st of May, 1870; from the 1st of June, 1870, until the 2d of June, 1870; from the 4th of June, 1870, until the 16th of June, 1870; from the 18th of June, 1870, until the 5th of July, 1870; and from the 28th of July, 1870, until the 1st of August, 1870. Total, 284 days. All this at or near Fort Brown, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Joseph Feeney*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph Feeney*, Company H, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now due or may become due him; to have his head shaved; and to be dishonorably discharged and drummed out of the service."

9. Private *Martin Finnerty*, Company H, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Martin Finnerty*, Company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has by the frequent use of intoxicating liquor, and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, from on or about the 22d day of February, 1870, until on or about the 17th day of January, 1871."

Specification 2d—"In this, that he, Private *Martin Finnerty*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has, by the almost constant use of intoxicating liquor, rendered himself so worthless that he has performed no more than nine tours of guard duty during the term from the 22d day of February, 1870, until the 17th day of January, 1871. This at Fort Brown, Texas."

Specification 3d—"In this, that he, Private *Martin Finnerty*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did, by the frequent use of intoxicating liquor and by the almost constant neglect of duty, render himself so worthless as to cause his confinement in the guard house for the greater portion of the term from February 22, 1870, until January 17, 1871, to-wit: From April 16, 1870, until April 17, 1870; from April 18, 1870, until May 28, 1870; from May 31, 1870, until June 2, 1870; from June 4, 1870, until July 6, 1870; from July 13, 1870, until September 10, 1870; from September 15, 1870, until September 21, 1870; from October 8, 1870, until October 24, 1870; from November 7, 1870, until December 19, 1870; from January 14, 1871, until January 17, 1871. Total 117 days. All this at Fort Brown, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Martin Finnerty*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Martin Finnerty*, Company H, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now or may become due him; to have his head shaved; and to be dishonorably discharged and drummed out of the service."

10. Private *Patrick Ish*, Company H, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Patrick Ish*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has, by the frequent use of intoxicating liquor and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, from on or about the 1st day of August, 1869, until on or about the 1st day of August, 1870."

Specification 2d—"In this, that he, Private *Patrick Ish*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has, by the almost constant use of intoxicating liquor, rendered himself so worthless that he has performed no more than six tours of guard duty during the year from about August, 1869, until August, 1870. This at Fort Brown, Texas, from on or about the 1st day of August, 1869, until on or about the 1st day of August, 1870."

Specification 3d—"In this, that he, Private *Patrick Ish*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did, by the frequent use of intoxicating liquor and by the almost constant neglect of his duty, render himself so worthless as to cause his confinement in the guard house for the greater portion of the year ending August 1, 1870, to-wit: From the 1st day of August, 1869, until the 6th day of August, 1869; from the 22d day of August 1869, until the 30th day of August, 1869; from the 1st day of November, 1869, until the 6th day of December, 1869; from the 9th day of December, 1869, until the 21st day of April, 1870; from the 26th day of April, 1870, until the 2d day of June, 1870; and from the 9th day of July, 1870, until the 1st day of August, 1870. Total 244 days. All this at Fort Brown, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Patrick Ish*, Company H, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Ish*, Company H, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now or may become due him; to have his head shaved; and to be dishonorably discharged and drummed out of the service."

11. Private *Edward O'Malley*, Company H, 10th U. S. Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Edward O'Malley*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has, by the frequent use of intoxicating liquor and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, from on or about the 2d day of March, 1870, until on or about the 2d day of March, 1871."

Specification 2d—"In this, that he, Private *Edward O'Malley*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, has, by the almost constant use of intoxicating liquor, rendered himself so worthless that he has performed no more than fifteen (15) tours of guard duty during the year ending March 2, 1871. This at Fort Brown, Texas, from on or about the 2d day of March, 1870, until on or about the 2d day of March, 1871."

Specification 3d—"In this, that he, Private *Edward O'Malley*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did, by the frequent use of intoxicating liquor and by the almost constant neglect of his duty, render himself so worthless as to cause his confinement in the guard house for the greater portion of the year ending March 2, 1871, to-wit: From April 9, 1870, until January 4, 1871; from January 8, 1871, until January 25, 1871; from February 11, 1871, until February 18, 1871. Total 297 days. All this at Fort Brown, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, pleaded in bar of trial that he had been tried and punished for the offences. The court overruled the plea to the first and third specifications and to the charge, and sustained the plea to the second specification. The accused, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, then pleaded as follows:

To the first specification,	"Not Guilty."
To the third specification,	"Not Guilty."
To the charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward O'Malley*, Company H, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances that are now or may become due him; to have his head shaved; and to be dishonorably discharged and drummed out of the service."

12. Private *Edward Goreham*. Company K, 10th U. S. Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *Edward Goreham*, company K, 10th U. S. Infantry, a member of the post guard, did become so much under the influence of liquor as to render him incapable of performing the duties of a soldier properly. This at Fort Brown, Texas, on or about the 10th of February, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Edward Goreham*, company K, 10th U. S. Infantry, a member of the post guard, did introduce whiskey to the cells in which a number of prisoners were confined; on being ordered away from the cell by Private Frank B. Wheeler, company A, 10th U. S. Infantry, the sentry posted in front of the guard house and known as post No. (1) one, did use abusive language to said sentry and did persist in giving the prisoners whiskey. This at Fort Brown, Texas, between the hours of eight (8) and nine (9) o'clock P. M., February 10, 1871."

To which charges and specifications the accused, Private *Edward Goreham*, Company K, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Edward Goreham*, Company K, 10th U. S. Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months; and to be confined under guard for the same period, the first fourteen (14) days of each month on bread and water diet only."

13. Private *John Wade*, Company K, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *John Wade*, a duly enlisted soldier in the service of the United States, private of company K, 10th regiment of Infantry, United States Army, did absent himself from, and desert the said service from Fort Brown, Texas, on the 1st day of February, 1871; and did remain absent from said service until arrested in the city of Brownsville, Texas, on the night of the 11th of February, 1871."

To which charge and specification the accused, Private *John Wade*, Company K, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Wade*, Company K, 10th U. S. Infantry, "To forfeit to the United States fifteen (15) dollars of his monthly pay for six (6) months; and to be confined under the charge of a

guard for the same period, the first fourteen days of each month to be in solitary confinement on bread and water diet only, the remainder of the time at hard labor."

II. The proceedings, findings and sentences in the cases of Privates *Patrick Smith*, Company K, U. S. 4th Cavalry, *William Walker*, Company A, *John Callahan* and *Charles Campbell*, Company G, *Patrick Connors*, *Joseph Feeney*, *Martin Finnerty*, *Patrick Ish*, and *Edward O'Malley*, Company H, *Edward Goreham*, and *John Wade*, Company K, 10th U. S. Infantry, are approved and the sentences will be duly executed. The post of their companies is designated as the place of confinement in the cases of Privates *Campbell* and *Goreham*, and Fort Jackson, Louisiana, in those of Privates *Walker*, *Callahan*, and *Connors*.

The proceedings, findings and sentence in the case of Private *John McCormick*, Company A, 10th U. S. Infantry, are approved, but in view of the favorable recommendation of six members of the court, the sentence is remitted. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Thomas Scully*, Company A, 10th U. S. Infantry, are approved. The period of confinement is reduced to three years. As thus mitigated the sentence will be duly executed. Fort Jackson, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, of Special Order No. 48, current series, from Department Headquarters, and of which Captain JESSE A. P. HAMPSON, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
Aide.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *April* 22, 1871.

GENERAL COURT MARTIAL ORDERS, No. 41.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, February 2, 1871, pursuant to paragraph III of Special Order No. 18, and paragraph III of Special Order No. 31, Headquarters Department of Texas, dated San Antonio, Texas, January 23 and February 14, 1871, and of which Captain DAVID SCHOOLEY, 25th U. S. Infantry, is President, was arraigned and tried:

Private *Felix Allums*, Company K, 24th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Felix Allums*, Company K, 24th U. S. Infantry, detailed as cook in the post hospital, did on several different occasions, viz., on the 1st and 2d days of January, and on the 8th and 23d days of February, 1871, without leave, permission, or urgent necessity, take from a pile of Government lumber, near the Government carpenter shop at this post, boards, scantling, and other Government lumber, and did split up and use the same for kindling wood; he at the time well knowing that said lumber was not intended for any such purpose. This at Fort Duncan, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *Felix Allums*, Company K, 24th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word '2d,' and substituting therefor '3d' in the third line, and excepting the words '23d day' and 'without leave, permission, or urgent necessity,' and 'and other Government lumber,' and 'he at the time well knowing that the said lumber was not intended for any such purpose,' inserting the word 'two' between the words 'post' and 'boards' in the 7th line, and the words 'and one piece of' between the words 'boards' and 'scantling,' in the same line, but attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Felix Allums*, Company K, 24th U. S. Infantry.

II. The proceedings, findings and acquittal in the foregoing case of Private *Felix Allums*, Company K, 24th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph III of Special Order No. 18, and paragraph III of Special Order No. 31, current series, from Department Headquarters, and of which Captain DAVID SCHOOLEY, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
A.A.G.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *April* 28, 1871.

GENERAL COURT MARTIAL ORDERS, No. 42.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Monday, January 23, 1871, pursuant to paragraph II, of Special Order No. 4, Headquarters Department of Texas, dated San Antonio, Texas, January 5, 1871, and of which Captain JOHN B. PARKE, 10th U. S. Infantry, is President, was arraigned and tried:

Private *Jerome D. Carman*, Company G, 15th U. S. Infantry.

CHARGE—"Desertion."

Specification 1st—"In this, that *Jerome D. Carman*, an enlisted soldier in the service of the United States, private of company G, 15th Infantry, United States Army, did desert the said service from Fort Bayard, New Mexico, on or about the 28th day of March, 1870, and did remain absent from said service until he surrendered himself as a deserter at the post of Ringgold Barracks, Texas, on or about the 3d day of November, 1870."

Specification 2d—"In this, that the said Private *Jerome D. Carman*, Company G, 15th U. S. Infantry, having surrendered himself as a deserter at the post of Ringgold Barracks, did, previous to trial, escape from confinement from said post, and did remain absent until apprehended at or about 9 miles therefrom. This on or about the 14th day of November, 1870."

To which charge and specifications the accused, Private *Jerome D. Carman*, Company G, 15th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Jerome D. Carman*, Company G, 15th U. S. Infantry, "To forfeit to the United States all pay due or which may become due, except the just dues of the laundress; and to be dishonorably discharged the service of the United States; and to be confined, in such military prison as the Commanding General may direct, for the period of three years."

II. The proceedings, findings and sentence in the foregoing case of Private *Jerome D. Carman*, Company G, 15th U. S. Infantry, are approved, but in view of the established insanity of the accused, the sentence is remitted.

III. The General Court Martial instituted by paragraph II, of Special Order No. 4, current series, from Department Headquarters, and of which Captain JOHN B. PARKE, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A.A.G.

At Fort Concho, Texas.

1. Private William Harvey ... .Company B, 4th U. S. Cavalry.
2. Private William H. Jones..... .....Company B, 4th U. S. Cavalry.
3. Private Thomas Sherhan ....Company B, 4th U. S. Cavalry.
4. Private Thomas Reger ....Company G, 4th U. S. Cavalry.
5. Private George Burns ....Company E, 11th U. S. Infantry.
6. Private William Adams .....Company H, 11th U. S. Infantry.
7. Private Frank Hazard ....Company H, 11th U. S. Infantry.
8. Private Thomas Hennessy..... ....Company H, 11th U. S. Infantry.
9. Private William L. Morel .....Company H, 11th U. S. Infantry.
10. Private John Thompson..... .....Company H, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *May* 13, 1871.

General Court Martial Orders, No. 43.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, April 20, 1871, pursuant to paragraph II, of Special Order No. 70, Headquarters Department of Texas, dated San Antonio, Texas, April 11, 1871, and of which Major John P. Hatch, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *William Harvey*, Company B, 4th U. S. Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *William Harvey*, company B, 4th U. S. Cavalry, having been duly mounted as a member of the post guard on the 15th day of April, 1871, at Fort Concho, Texas, and having been, by the sergeant of the guard, placed in charge of four (4) prisoners, to mix mortar for the masons, did allow said prisoners to become so drunk as to be unable to perform the work required of them. This at Fort Concho, Texas, on or about the 15th day of April, 1871."

To which charge and specification the accused, Private *William Harvey*, Company B, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *William Harvey*, Company B, 4th U. S. Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of four months."

2. Private *William H. Jones*, Company B, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, the said Private *William H. Jones*, company B, 4th U. S. Cavalry, a duly enlisted soldier in the United States service, did desert the same at Fort Concho, Texas, on or about the 8th day of April, 1871; and did remain absent until arrested at or near Kickapoo Springs, Texas, on or about April 9, 1871, dressed in citizen's clothing; thirty dollars reward paid for his apprehension."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, the said Private *William H. Jones*, company B, 4th U. S. Cavalry, having been regularly mounted a member of the post guard, Fort Concho, Texas, on the 8th day of April, 1871, did quit his said guard without permission from proper authority, and remain absent until arrested on the 9th day of April, 1871, at Kickapoo Springs, a distance of about 28 miles from the post. All this at or near Fort Concho, Texas, on or about the 8th day of April, 1871."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said *William H. Jones*, private company B, 4th U. S. Cavalry, being a member of the post guard, and placed in charge of five prisoners (Sheehan, B company, 4th U. S. Cavalry, and Hazard, H company, 11th U. S. Infantry, and three others), sent out to chop wood, did allow and assist said prisoners (Sheehan and Hazard) to escape. All this at or near Fort Concho, Texas, on or about the 8th day of April, 1871."

To which charges and specifications the accused, Private *William H. Jones*, Company B, 4th U. S. Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'dressed in citizen's clothing.'"

To the first charge,	"Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William H. Jones*, Company B, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay now due or that may become due; and to be confined at such place, other than the one where he is now serving, as the Department Commander may direct, for a period of five years."

3. Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, the said *Thomas Sheehan*, private, company B, 4th U. S. Cavalry, a duly enlisted soldier in the United States service, did desert the same on or about the 8th day of March, 1871; and did remain absent until arrested at Kickapoo Springs, Texas, on the 9th day of April, 1871; thirty (30) dollars reward paid for his apprehension. All this at or near Fort Concho, Texas, on or about the 8th day of April, 1871."

To which charge and specification the accused, Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Sheehan*, Company B, 4th U. S. Cavalry, "To be dishonorably discharged the service, forfeiting all pay and allowances now due or that may become due him; and to be confined at hard labor at such point, other than the one where he is now serving, as the Department Commander may direct, for a period of five years."

4. Private *Thomas Reger*, Company G, 4th U. S. Cavalry.

CHARGE—"General worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Thomas Reger*, company G, 4th U. S. Cavalry, has been in confinement since he joined his company, February 27, 1870, up to the present date, April 3, 1871, three hundred and twenty-six (326) days; said confinement all owing to his inebriate habits."

Specification 2d—"In this, that Private *Thomas Reger*, company G, 4th U. S. Cavalry, having been released from confinement on the 28th day of March, 1871, did promise his company commander, Captain Joseph Rendlebrock, 4th U. S. Cavalry, that he would not drink any more intoxicating liquors as long as he remained a member of company G, or words to that effect; but did become so drunk on the same day as to be entirely unable to perform any duty required of him; and did commit a nuisance in his company quarters. This at San Antonio and Fort Concho, Texas, on or about the dates above specified."

To which charge and specifications the accused, Private *Thomas Reger*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'and did commit a nuisance in his company quarters.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Reger*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay now due or that may become due him; and to be confined at such point, other than the one where he is now serving, as the Department Commander shall direct, for a period of five years."

5. Private *George Burns*, Company E, 11th U. S. Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *George Burns*, company E, 11th U. S. Infantry, did, after having been duly posted as a sentinel on post No. 4, by Corporal Keho, company B, 4th U. S. Cavalry, corporal of the guard, leave said post between the hours of eight and nine o'clock P. M., on the 31st of March, 1871; and did remain absent for some time without proper authority. All this at the post of Fort Concho, Texas, on or about the 31st day of March, 1871."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that he, the said Private *George Burns*, company E, 11th U. S. Infantry, being duly posted as a sentinel, did become so intoxicated as to be unable to perform his duty as a sentinel. All this at the post of Fort Concho, Texas, on or about the 31st day of March, 1871."

To which charges and specifications the accused, Private *George Burns*, Company E, 11th U. S. Infantry, pleaded as follows:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George Burns*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at such point, other than the one where he is now serving, as the Department Commander shall direct, for a period of three years."

6. Private *William Adams*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Adams*, Company H, 11th U. S. Infantry, a duly enlisted soldier in the United States army, did desert the service of the United States at Fort Concho, Texas, on or about the 10th day of March, 1871; and did remain absent until apprehended at or near Mernardville, Texas, and delivered to the military authorities at Fort McKavett, Texas, on or about the 14th day of March, 1871. All this at or near the places on or about the dates above specified."

To which charge and specification the accused, Private *William Adams*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Adams*, Company H, 11th U. S. Infantry, "To be dishonorably discharged the service, forfeiting all pay and allowances now due or that may become due; and to be confined for a period of five years at such point, other than the one where he is now serving, as the Department Commander may direct."

7. Private *Frank Hazard*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Frank Hazard*, company H, 11th U. S. Infantry, a duly enlisted soldier in the army of the United States, did desert the service of the United States at Fort Concho, Texas, on or about the 10th day of March, 1871; and did remain absent until apprehended at or near Mernardville, Texas, and delivered to the military authorities at Fort McKavett, Texas, on or about the 14th day of March, 1871. All this at or near the places, on or about the dates above specified."

ADDITIONAL CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Frank Hazard*, company H, 11th U. S. Infantry, a duly enlisted soldier in the United States service, did desert the same on the 8th day of April, 1871, and did remain absent until apprehended at Kickapoo Springs, Texas, on the 9th day of April, 1871; thirty (30) dollars reward paid for his apprehension. All this at or near Fort Concho, Texas, on or about the 8th day of April, 1871."

To which charges and specifications the accused, Private *Frank Hazard*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification to the charge, "Guilty."
Of the charge, "Guilty."
Of the specification to the additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Hazard*, Company H, 11th U. S. Infantry, "To be dishonorably discharged the service, forfeiting all pay and allowances now due or that may become due; and to be confined for a period of five years at such point, other than the one where he is now serving, as the Department Commander may direct."

8. Private *Thomas Hennessy*, Company H, 11th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Thomas Hennessy*, company H, 11th U. S. Infantry, did become drunk, and behave in a riot-

ous and disorderly manner in the barrack room of company H, 11th U. S. Infantry. All this at or near Fort Concho, Texas, on or about the 17th day of April, 1871."

Specification 2d—"In this, that he, Private *Thomas Hennessy*, company H, 11th U. S. Infantry, did make an unprovoked assault on Private Anton Linbrunner, of same company, with a knife. All this at or near Fort Concho, Texas, on or about the 17th day of April, 1871."

Specification 3d—"In this, that he, Private *Thomas Hennessy*, company H, 11th U. S. Infantry, did, when ordered by Corporal William Brendes, company H, 11th U. S. Infantry, to desist in his assault on Private Anton Linbrunner, with a knife, neglect to obey his, Corporal W. Brendes', order, and refused to give up the knife until forcibly taken away from him. All this at or near Fort Concho, Texas, on or about the 17th day of April, 1871."

Specification 4th—"In this, that he, Private *Thomas Hennessy*, company H, 11th U. S. Infantry, did say to Sergeant Charles B. Brentano, company H, 11th U. S. Infantry, (the sergeant being in the proper discharge of his duties,) 'You God damned Dutch loafing son of a bitch, I will get square with you if I get ten years for it,' or words to that effect. All this at Fort Concho, Texas, on or about the 17th of April, 1871."

To which charge and specifications the accused, Private *Thomas Hennessy*, Company H, 11th U. S. Infantry, pleaded as follows:

To the first specification,	"Guilty."
To the second specification,	"Not Guilty."
To the third specification,	"Guilty."
To the fourth specification,	"Guilty."
To the charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Not Guilty."
Of the third specification,	"Guilty."
Of the fourth specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Tomas Hennessy*, Company H, 11th U. S. Infantry, "To forfeit six dollars per month of his monthly pay for five months; and to be confined at hard labor, in charge of the guard, for thirty days."

The court is thus lenient in consideration of the youth of the prisoner.

9. Private *William L. Morel*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William L. Morel*, company H, 11th U. S. Infantry, a duly enlisted soldier in the United States Army, did desert the service of the United States at Fort Concho, Texas, on or about the 10th day of March, 1871; and did remain absent until apprehended at or near Mernardville, Texas, and delivered to the military authorities at Fort McKavett, Texas, on or

about the 14th day of March, 1871. All this at or near the places, on or about the dates above specified."

To which charge and specification the accused, Private *William L. Morel*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William L. Morel*, Company H, 11th U. S. Infantry, "To be dishonorably discharged the service, forfeiting all pay and allowances now due or that may become due; and to be confined for a period of three (3) years at such point, other than the one where he is now serving, as the Department Commander may direct."

10. Private *John Thompson*, Company H, 11th U. S. Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Thompson*, company H, 11th U. S. Infantry, did steal from the quarters of company H, 11th U. S. Infantry, one great coat, foot, the property of Private Daniel Hickey, company H, 11th U. S. Infantry. All this at Fort Concho, Texas, on or about the 18th day of April, 1871."

To which charge and specification the accused, Private *John Thompson*, Company H, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Thompson*, Company H, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at such point, other than the one where he is now serving, as the Department Commander may direct, for a period of three years."

II. The proceedings, findings and sentences in the cases of Privates *William Harvey*, Company B, 4th U. S. Cavalry, and *Thomas Hennessy*, Company H, 11th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Privates *William H. Jones*, Company B, 4th U. S. Cavalry, *William Adams* and *Frank Hazard*, Company H, 11th U. S. Infantry, are approved. So much of the sentences as designates a point "other than the one where they are now serving," is disapproved. The period of confinement is reduced to three years at the posts of their companies in each case. The prisoners will be dishonorably discharged at the expiration of their sentences. As thus modified the sentences will be duly executed.

The proceedings and findings in the case of Private *Thomas Sheehan*,

Company B, 4th U. S. Cavalry, are approved; but in view of the fact that the prisoner is already undergoing a sentence of five years' confinement at Fort Jackson, and has been dishonorably discharged the service, the sentence is remitted.

The proceedings and findings in the case of Private *Thomas Reger*, Company G, 4th U. S. Cavalry, are approved. So much of the sentence as relates to imprisonment, is remitted. The remainder is approved and will be duly executed.

In the case of Private *George Burns*, Company E, 11th U. S. Infantry, the proceedings and findings are approved, although it appears from the evidence that the accused was drunk when posted as a sentinel by the corporal. So much of the sentence as designates a point "other than the one where he is now serving," is disapproved. The period of confinement is reduced to one year at the post of his company. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus modified the sentence will be duly executed.

The proceedings and findings in the case of Private *William L. Morel*, Company H, 11th U. S. Infantry, are approved. So much of the sentence as designates a point "other than the one where he is now serving," is disapproved. The post of his company is designated as the place of confinement. The prisoner will be dishonorably discharged at the expiration of his sentence. As thus modified the sentence will be duly executed.

In the case of Private *John Thompson*, Company H, 11th U. S. Infantry, the evidence does not, in the judgment of the Department Commander, support the finding. The proceedings are approved; but the findings and sentence are disapproved. Private *Thompson* will be released from confinement and returned to duty.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Davis, Texas.

1. Private Charles Hall.... . .....Company K, 9th U. S. Cavalry.
2. Private Robert Peel .... Company A, 25th U. S. Infantry.
3. Private William S. Whitney..... ..Company A, 25th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *May* 15, 1871.

General Court Martial Orders, No. 44.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, January 5, 1871, pursuant to paragraph V, of Special Order No. 151, and paragraph V, of Special Order No. 32, Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and February 15, 1871, and of which Captain John W. French, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Charles Hall*, Company K, 9th U. S. Cavalry.

Charge—"Violation of the 99th Article of War."

Specification 1st—"In this, that he, Private *Charles Hall*, being an enlisted soldier in the service of the United States, in troop K, 9th U. S. Cavalry, did create and enter into a fight in the quarters of troop K, 9th U. S. Cavalry, with Private John Allen, troop K, 9th U. S. Cavalry. This at Fort Davis, Texas, on or about the 21st day of February, 1871."

Specification 2d—"In this, that he, Private *Charles Hall*, troop K, 9th U. S. Cavalry, when being ordered by Sergeant Sandy Wilds, troop K, 9th U. S. Cavalry, to stop fighting and making a noise, did utterly refuse to obey said order, and did strike Sergeant Sandy Wilds, troop K, 9th U. S. Cavalry, he, Sergeant Wilds, being at the time in the execution of his office."

To which charge and specifications the accused, Private *Charles Hall*, troop K, 9th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the word 'fight,' substituting therefor the word 'quarrel.'"

Of the second specification, "Guilty, except the word 'fighting,' substituting therefor the word 'quarrelling.'"

Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Charles Hall*, troop K, 9th U. S. Cavalry, "To forfeit to the United States fifteen dollars of

his pay for one month; and to be confined at hard labor, at the post where his company may be serving, for the same period."

2. Private *Robert Peel*, Company A, 25th U. S. Infantry.

CHARGE—"Striking a non-commissioned officer, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert Peel*, company A, 25th U. S. Infantry, did without provocation, maliciously and with intent to do injury, strike with his fist Sergeant Lewis Baldwin, company A, 25th U. S. Infantry, three different times, inflicting a severe cut over said sergeant's left eye, and while said sergeant was quietly standing by the fire in company quarters. This at Fort Davis, Texas, on the 25th day of February, 1871, about four o'clock P. M."

To which charge and specification the accused, Private *Robert Peel*, Company A, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'without provocation, maliciously' and 'quietly.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Peel*, Company A, 25th U. S. Infantry, "To forfeit to the United States fifteen dollars of his pay for one month."

3. Private *William S. Whitney*, Company A, 25th U. S. Infantry.

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

Specification—"In this, that he, Private *William S. Whitney*, company A, 25th U. S. Infantry, being in a disorderly altercation with another member of his company, did, when ordered to stop by Sergeant Lewis Baldwin, company A, 25th U. S. Infantry, remonstrate with and catch hold of said sergeant, saying 'you, Sergeant Baldwin, want to make all company A afraid of you,' or words to that effect, when he, the said sergeant, was in the proper execution of his duty. This at Fort Davis, Texas, on the afternoon of the 25th February, 1871."

To which charge and specification the accused, Private *William S. Whitney*, Company A, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'disorderly' and 'you, Sergeant Baldwin, want to make all company A afraid of you.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William S. Whitney*, Company A, 25th U. S. Infantry, "To forfeit to the United States fifteen dollars of his monthly pay for one month."

II. In the case of Private *Charles Hall*, Company K, 9th U. S. Cavalry, the proceedings and findings on the first specification and charge are ap-

proved. The second specification is defective in not stating the time and place of the commission of the offence. The proceedings and finding on that specification are disapproved. The sentence is approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Robert Peel* and *William S. Whitney*, Company A, 25th U. S. Infantry, are approved, and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood,

Assistant Adjutant General.

AT SAN ANTONIO, TEXAS.

1. Private PATRICK RYAN ..... Company M. 4th U. S. Cavalry.
2. Private WILLIAM GOODWIN .....Company D, 10th U. S. Infantry.
3. Private JOHN H. MILLS.....Company F, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *May* 19, 1871.

GENERAL COURT MARTIAL ORDERS, No. 45.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, May 11, 1871, pursuant to paragraph III, of Special Order No. 87, paragraph II, of Special Order No. 89, and paragraphs I and II, of Special Order No. 92, Headquarters Department of Texas, dated San Antonio, Texas, May 3, 6 and 10, 1871, and of which Lieutenant Colonel JAMES H. CARLETON, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Private *Patrick Ryan*, Company M, 4th U. S. Cavalry.

CHARGE—"Disobedience of orders."

Specification—"In this, that Private *Patrick Ryan*, of company M, 4th U. S. Cavalry, when a prisoner under charge of a sentinel, and ordered to do certain work for which instructions had been received from the officer of the day, did refuse to do the work; and did sit down and fail to work when ordered by the sentinel in charge to perform the required duty. This at post of San Antonio, Texas, on or about the second day of May, 1871."

To which charge and specification the accused, Private *Patrick Ryan*, Company M, 4th U. S. Cavalry, pleaded as follows:

To the specification, "I admit the facts as set forth in the specification."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the plea of the accused, finds him as follows:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Ryan*, Company M, 4th U. S. Cavalry, "To forfeit to the United States fifteen dollars per month of his monthly pay for six months."

2. Private *William Goodwin*, Company D, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Goodwin*, of company D, 10th U. S. Infantry, having been duly enlisted into the service of the United States, did desert said service at Austin, Texas, on or about the 26th day of February, 1871; and did remain absent

until apprehended at or near Bastrop, Texas, on or about the 6th day of March, 1871. This at or near and on or about the places and dates above specified."

To which charge and specification the accused, Private *William Goodwin*, Company D, 10th U. S. Infantry, pleaded "Guilty."

The court, after mature deliberation, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Goodwin*, Company D, 10th U. S. Infantry, "To forfeit all pay that is now or may become due him; and to be confined at hard labor until the expiration of his enlistment; and then to be dishonorably discharged, and drummed, trumpeted or bugled out of the service."

3. Private *John H. Mills*, Company F, 10th U. S. Infantry.

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

Specification—"In this, that he, Private *John H. Mills*, company F, 10th U. S. Infantry, did wilfully and maliciously, and without just cause or provocation, kill and murder Artificer Thomas Dardis, of the same company and regiment, by stabbing him with a knife. This at San Antonio, Texas, on the 19th of September, 1869."

To which charge and specification the accused, Private *John H. Mills*, Company F, 10th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, after mature deliberation, finds the accused:

Of the specification, "Guilty, except the words 'wilfully and maliciously, and without just cause or provocation,' and the words 'and murder,' but attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John H. Mills*, Company F, 10th U. S. Infantry.

II. The proceedings, findings and sentences in the cases of Privates *Patrick Ryan*, Company M, 4th U. S. Cavalry, and *William Goodwin*, Company D, 10th U. S. Infantry, are approved, and the sentences will be duly executed. The post of his company is designated as the place of confinement in the case of Private *Goodwin*.

The proceedings, findings and acquittal in the case of Private *John H. Mills*, Company F, 10th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

III. The General Court Martial instituted by paragraph III, of Special Order No. 87, paragraph II, of Special Order No. 89, and paragraphs I and II, of Special Order No. 92, current series, from Department Headquarters, and of which Lieutenant Colonel JAMES H. CARLETON, 4th U. S. Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

At Jackson Barracks, Louisiana.

1. Private Daniel Hunter .....Company C, 10th U. S. Infantry.
2. Musician Frederick Cross.....Company A, 19th U. S. Infantry.
3. Private James Carl.....Company A, 19th U. S. Infantry.
4. Private Louis Cross.....Company A, 19th U. S. Infantry.
5. Private Mathew Patterson .....Company A, 19th U. S. Infantry.
6. Private Mathew Witz.....Company A, 19th U. S. Infantry.
7. Private John Murray .....Company C, 19th U. S. Infantry.
8. Private Robert A. Buckley.....Company D, 19th U. S. Infantry.
9. Private Henry Demer.....Company E, 19th U. S. Infantry.
10. Private Nicholas Myers.....Company E, 19th U. S Infantry.
11. Private John Johnson.....Company I, 19th U. S. Infantry.
12. Private Edgar Lee .....Company K, 19th U. S. Infantry.
13. Private Daniel McCollum.....Company K, 19th U. S. Infantry.
14. Private Newton Pugh.....Company K, 19th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *May* 29, 1871.

General Court Martial Orders, No. 46.

I. Before a General Court Martial which convened at Jackson Barracks, New Orleans, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I of Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major Bennett A. Clements, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private *Daniel Hunter*, Company C, 10th U. S. Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *Daniel Hunter*, C company, 10th U. S. Infantry, a duly enlisted soldier in the United States service, did desert the same at Fort McIntosh, Texas, between tattoo on the night of February 28, 1871, and reveille on the morning of March 1, 1871; and did so remain absent until apprehended and arrested at or near New Orleans, La., on or about March 18, 1871. All this at or near Fort McIntosh, Texas, and New Orleans, La., on or about the times and dates above specified."

To which charge and specification the accused, Private *Daniel Hunter*, Company C, 10th U. S. Infantry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Daniel Hunter*, Company C, 10th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of one (1) year."

2. Musician *Frederick Cross*, Company A, 19th U. S. Infantry.

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

Specification—"In this, that *Frederick Cross*, musician of company A, 19th

U. S. Infantry, did, with Louis Cross, private company A, 19th U. S. Infantry, go into the passage way leading to the powder magazine at Fort St. Philip, La., for the purpose of taking away powder; and while engaged in this purpose did, by accident or otherwise, set the said magazine on fire, by which the s id magazine and about nine thousand (9000) pounds of damaged powder were destroyed. This at Fort St. Philip, La., on or about the 28th day of March, 1871."

To which charge and specification the accused, Musician *Frederick Cross*, Company A, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Musician *Frederick Cross*, Company A, 19th U. S. Infantry, "To forfeit to the United States five (5) dollars of his pay."

3. Private *James Carl*, Company A, 19th U. S, Infantry.

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

Specification—"In this, that *James Carl*, private of company A, 19th U. S Infantry, did, with two others, viz.: Mathew Patterson and Mathew Witz, both privates of company A, 19th U. S. Infantry, enter the dwelling of Mrs. Elizabeth Collete, and having asked for something to eat, and having been refused the same, did threaten that, unless food was given to him and the others with him, viz.: the said Mathew Patterson and the said Mathew Witz, he would damage the property of the said Mrs. Collete; and being still refused something to eat, did violently break, damage and destroy, various articles of personal property in and about the premises of the said Mrs. Collete, viz.: two (2) chairs; and did behave in a disorderly manner and refuse to leave the premises of the said Mrs. Collete, though repeatedly requested by her to do so; and did put the said Mrs. Collete, and others in and about her premises, in great bodily fear by threats of violence and disorderly conduct. All this about four miles from the post of Forts Jackson and St. Philip, La., on or about the 28th day of March, 1871."

To which charge and specification the accused, Private *James Carl*, Company A, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Carl*, Company A, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of one (1) year."

4. Private *Louis Cross*, Company A, 19th U. S. Infantry.

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

Specification—"In this, that *Louis Cross*, private of company A, 19th U. S. Infantry, did, with Frederick Cross, musician, company A, 19th U. S. Infantry, go into the passage way leading to the powder magazine at Fort St. Philip, La., for the purpose of taking away powder; and while engaged in this purpose did, by accident or otherwise, set the said maga-

zine on fire, by which the said magazine and about nine thousand (9000) pounds of damaged powder were destroyed. This at Fort St. Philip, La., on or about the 28th day of March, 1871."

To which charge and specification the accused, Private *Louis Cross*, Company A, 19th U. S. Infantry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Louis Cross*, Company A, 19th U. S. Infantry, "To forfeit to the United States five (5) dollars of his pay."

5. Private *Mathew Patterson*, Company A, 19th U. S. Infantry.

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

Specification—"In this, that Private *Mathew Patterson*, company A, 19th U. S Infantry, did, with two others, viz.: James Carl and Mathew Witz, both privates of company A, 19th U. S. Infantry, enter the dwelling of Mrs. Elizabeth Collete, and having asked for something to eat, and having been refused the same, did threaten that, unless food was given to him and the others with him, viz.: the said James Carl and Mathew Witz, he would damage the property of the said Mrs. Collete; and being still refused something to eat, did violently break, damage and destroy, various articles of personal property in and about the premises of the said Mrs. Collete, viz.: chairs, a table, a bed, blankets, a shot gun, a skiff, and other articles of personal property; and did behave in a disorderly manner and refuse to leave the premises of the said Mrs. Collete, though repeatedly requested by her to do so; and did put the said Mrs. Collete and others in and about her premises in great bodily fear by threats of violence and disorderly conduct; and did attempt by force to violate the chastity of the said Mrs. Collete; and did violently and repeatedly seize the said Mrs. Collete and repeatedly throw her down, and attempt to raise her clothes; and did by threats and other means attempt to force the said Mrs. Collete to yield to his wishes; and did say in words or effect 'If you don't come to bed to me, I will kill you and tear down your house'; and did by various and sundry means, then and there, try to commit a rape upon the person of Mrs. Elizabeth Collete, a respectable white lady of about the age of fifty years. All this about four miles from the post of Forts Jackson and St. Philip, La., on or about the 28th day of March, 1871."

To which charge and specification the accused, Private *Mathew Patterson*, Company A, 19th U. S. Infantry, pleaded "Not Guilty"

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words. 'a table, a bed, blankets, a skiff, and other articles of personal property.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Mathew Patterson*, Company A, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become

due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of three (3) years."

6. Private *Mathew Witz*, Company A, 19th U. S. Infantry.

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

Specification—"In this, that *Mathew Witz*, private of company A, 19th U. S. Infantry, did, with two others, viz.: James Carl and Mathew Patterson, both privates of company A, 19th U. S. Infantry, enter the dwelling of Mrs. Elizabeth Collete, and having asked for something to eat and having been refused the same, did threaten that, unless food was given to him and the others with him, viz.: the said James Carl and the said Mathew Patterson, he would damage the property of the said Mrs. Collete; and being still refused something to eat, did violently break, damage and destroy, various articles of personal property in and about the premises of the said Mrs. Collete, viz.: two (2) chairs and a shot gun; and did behave in a disorderly manner and refuse to leave the premises of the said Mrs. Collete, though repeatedly requested by her to do so; and did put the said Mrs. Collete and others in and about her premises in great bodily fear, by threats of violence and disorderly conduct. All this about four miles from the post of Forts Jackson and St. Philip, La., on or about the 28th day of March, 1871."

To which charge and specification the accused, Private *Mathew Witz*, Company A, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Mathew Witz*, Company A, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of two (2) years."

7. Private *John Murray*, Company C, 19th U. S. Infantry.

CHARGE I—"Assault with intent to kill, to the prejud.ce of good order and military discipline."

Specification—"That Private *John Murray*, company C, 19th U. S. Infantry, did, without just cause or provocation, discharge a loaded musket at Corporal William Allen, company E, 19th U. S. Infantry, with intent to kill said Allen. This at or near Jackson Barracks, La., on or about March 25, 1871."

CHARGE II—"Desertion."

Specification—"That Private *John Murray*, company C, 19th U. S. Infantry, having been duly enlisted in the service of the United States on the 16th day of November, 1869, did desert the same by escaping from the guard on the 28th day of March, 1871; and did remain absent until apprehended in the city of New Orleans, on or about the 30th day of March, 1871, thirty (30) dollars reward paid for his apprehension. This at or near Jackson Barracks, La., on or about the dates above specified."

To which charges and specifications the accused, Private *John Murray*, Company C, 19th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Murray*, Company C, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such penitentiary or military prison as the proper authority may direct, for a period of two (2) years."

8. Private *Robert A. Buckley*, Company D, 19th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert A. Buckley*, company D, 19th U. S. Infantry, having been mounted as one of the post guard of Jackson Barracks, La., and as such having been placed in charge of certain prisoners, to-wit: Privates Stevens, company E, 19th U. S. Infantry, and O'Brien, company C, 5th U. S. Infantry, with instructions to keep said prisoners at work; did allow said prisoners to obtain and drink whiskey or other intoxicating liquor to such an extent as to prevent them from working. This at the post of Jackson Barracks, La., between the hours of 8.30 and 11.30 A. M., on the 22d day of April, 1871."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Robert A. Buckley*, company D, 19th U. S. Infantry, having been mounted as a member of the post guard at Jackson Barracks, La., and as such having been placed in charge of prisoners at work, did become so totally drunk as to render him unable to perform his duty. This at the post of Jackson Barracks, La., between the hours of 8.30 and 11.30 A. M., on the 22d day of April, 1871."

To which charges and specifications the accused, Private *Robert A. Buckley*, Company D, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Robert A. Buckley*, Company D, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six months; and to forfeit to the United States all of his pay for the same period."

9. Private *Henry Demer*, Company E, 19th U. S. Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Henry Demer*, company E, 19th U. S. Infantry, having been mounted as one of the post guard of Jackson Barracks, La., and as such having been placed in charge of certain prisoners, to-wit: Privates Allen, company D, and Cramer, company E, 19th U. S. Infantry, with instructions to keep said prisoners at work, did allow said prisoners to obtain and drink whiskey or other intoxicating liquor to such an extent as to prevent them from working. This at the

post of Jackson Barracks, La., between the hours of 8.30 and 11.30 A. M., on the 22d day of April, 1871."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, *Henry Demer*, E company, 19th U. S. Infantry, having been mounted as a member of the post guard of Jackson Barracks, La., and as such having been placed in charge of prisoners at work, did while on such duty become so drunk as to be unable to perform his duty. This at Jackson Barracks, La., on or about the 22d day of April, 1871."

To which charges and specifications the accused, Private *Henry Demer*, Company E, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Henry Demer*, Company E, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six (6) months; and to forfeit to the United States all pay for the same period."

10. Private *Nicholas Myers*, Company E, 19th U. S. Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That *Nicholas Myers*, private of company E, 19th U. S. Infantry, having been absent on a twelve hours' pass, returned to his company quarters at about 11 o'clock P. M., on the 21st of April, 1871, in a boisterously drunken condition, using violent, abusive and threatening language towards Private James M. Stevens, company E, 19th U. S. Infantry; and to the disturbance of the quiet and orderly men of the company. This at Jackson Barracks, La., on or about April 21, 1871."

Specification 2d—"That *Nicholas Myers*, private of company E, 19th U. S. Infantry, in violation of orders, took from the gun rack of company E, 19th U. S. Infantry, and carried from the company quarters a breech loading Springfield rifle musket, the property of the United States; which, in consequence of said unauthorized handling and removal was, when found by the 1st sergeant of the company, broken off at the small of the stock and otherwise badly damaged This at Jackson Barracks, La., on or about the 21st day of April, 1871."

To which charge and specification the accused, Private *Nicholas Myers*, Company E, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considerered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Nicholas Myers*, Company E, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of three (3) months; and to forfeit to the United States all pay for the same period."

11. Private *John Johnson*, Company I, 19th U. S. Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"That he, the said Private *John Johnson*, company I, 19th U. S. Infantry, having been regularly posted as a sentinel on post No. 2, (which is a post on the stockade surrounding the convict prisoners,) did go to sleep on said post and did remain asleep until awakened by the corporal of the guard, Corporal Rolla Simmons, company K, 19th U. S. Infantry. This at Fort Jackson, La., between the hours of 12 o'clock M. and 2 o'clock A. M., on the morning of the 19th day of April, 1871."

To which charge and specification the accused, Private *John Johnson*, Company I, 19th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Johnson*, Company I, 19th U. S. Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six (6) months; and to forfeit to the United States all of his pay for the same period."

12. Private *Edgar Lee*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Edgar Lee*, [Company K.] 19th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 11th day of April, 1871, at Fort Jackson, La., and did remain absent until apprehended about twenty (20) miles from Fort Jackson, La., in citizen's clothing, on or about the 12th day of April, 1871."

To which charge and specification the accused, Private *Edgar Lee*, Company K, 19th U. S. Infantry, pleaded as follows:

To the specification, "Not Guilty."
To the charge, "Not Guilty, but guilty of 'absence without leave.'"

FINDING.

The court, having maturely considerered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edgar Lee*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of two (2) years."

13. Private *Daniel McCollum*, Company K, 19th U. S. Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"In this, that he, Private *Daniel McCollum*, company K, 19th U. S. Infantry, having been duly posted as a sentinel over the prison stockade, on the post known as No. 1, did go to sleep upon his post before he was regularly relieved. This at Fort Jackson, La., on or about the 12th day of April, 1871."

To which charge and specification the accused, Private *Daniel McCollum*, Company K, 19th U. S Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Daniel McCollum*, Company K, 19th U. S. Infantry.

14. Private *Newton Pugh*, Company K, 19th U. S. Infantry.

CHARGE—"Desertion."

Specification—"That Private *Newton Pugh*, company K, 19th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 11th day of April, 1871, at Fort Jackson, La., and did remain absent until apprehended about twenty (20) miles from Fort Jackson, La , in citizen's clothing, on or about the 12th day of April, 1871."

To which charge and specification the accused, Private *Newton Pugh*, Company K, 19th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Newton Pugh*, Company K, 19th U. S. Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay that is or may become due him; and to be confined, in such military prison or penitentiary as the proper authority may direct, for the period of two (2) years."

II. The proceedings, findings and sentences in the cases of Privates *Daniel Hunter*, Company C, 10th U. S. Infantry, *James Carl*, *Mathew Patterson* and *Mathew Witz*, Company A, *John Murray*, Company C, *Edgar Lee* and *Newton Pugh*, Company K, 19th U. S. Infantry, are approved, and the sentences will be duly executed. The prisoners will be dishonorably discharged at the expiration of their sentences. The posts of their respective companies are designated as the places of confinement.

The proceedings, findings and sentences in the cases of Musician *Frederick* and Private *Louis Cross*, Company A, 19th U. S. Infantry, are approved, but in view of the favorable recommendation of the court, the sentence in each case is remitted. They will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *Robert A. Buckley*, Company D, *Henry Demer* and *Nicholas Myers*, Company E, and *John Johnson*, Company I, 19th U. S. Infantry, are approved and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Daniel McCollum*, Company K, 19th U. S. Infantry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
Adj.

At Fort Brown, Texas.

1. Unassigned Recruit Thomas Gorman.....U. S. Army.
2. Unassigned Recruit James Warnock .....U. S. Army.
3. Private Henry Lewis .....Company H, 10th U. S. Infantry.
4. Private John Gallagher.....Company I, 10th U. S. Infantry.
5. Private James F. White.....Company I, 10th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(Texas and Louisiana.)

San Antonio, Texas, *June* 2, 1871.

General Court Martial Orders, No. 47.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, March 20, 1871, pursuant to paragraph II, of Special Order No. 48, Headquarters Department of Texas, dated San Antonio, Texas, March 7, 1871, and of which Captain Jesse A. P. Hampson, 10th U. S. Infantry, is President, were arraigned and tried:

1. Unassigned Recruit *Thomas Gorman*, U. S. Army.

Charge I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Unassigned Recruit *Thomas Gorman*, U. S. Army, did take, steal and carry from the quarters of company A, 10th U. S. Infantry, one (1) woolen blanket, the property of Unassigned Recruit Charles W. Cheney, U. S. Army. This at Fort Brown, Texas, on the 19th day of April, 1871."

Charge II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Unassigned Recruit *Thomas Gorman*, U. S. Army, did resist the authority of Lance Sergeant Robert Stewart, U. S. Army, to arrest him, and did attempt to strike him with a brick. This at Brownsville, Texas, on the 19th day of April, 1871."

To which charges and specifications the accused, Unassigned Recruit *Thomas Gorman*, U. S. Army, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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, Unassigned Recruit *Thomas Gorman*, U. S. Army, "To forfeit all pay and allowances now due or that may become due him; to be dishonorably discharged and drummed out of the service, having a board attached to his back with the word "*Thief*," in large letters; and to be confined, at such prison as the Commanding General may direct, for three (3) years."

2. Unassigned Recruit *James Warnock*, U. S. Army.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Unassigned Recruit *James Warnock*, U. S. Army, did take, steal and carry from the quarters of company A, 10th U. S. Infantry, one (1) woolen blanket, the property of Unassigned Recruit Charles W. Cheney, U. S. Army. This at Fort Brown, Texas, on the 19th day of April, 1871."

To which charge and specification the accused, Unassigned Recruit *James Warnock*, U. S. Army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Unassigned Recruit *James Warnock*, U. S. Army, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged and drummed out of the service, having a board attached to his back with the word "*Thief*" in large letters; and to be confined, at such prison as the Commanding General may direct, for three (3) years."

3. Private *Henry Lewis*, Company H, 10th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Henry Lewis*, company H, 10th U. S. Infantry, being a member of the post guard, duly mounted at Fort Brown, Texas, April 13th, 1871, did become so much intoxicated from the use of liquor as to be unable to perform his duty in a proper manner. This at Fort Brown, Texas, the 14th day of April, 1871."

To which charge and specification the accused, Private *Henry Lewis*, Company H, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Lewis*, Company H, 10th U. S. Infantry, "To be confined at hard labor under charge of a guard for the period of six (6) months."

4. Private *John Gallagher*, Company I, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Gallagher*, company I, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Ringgold Barracks, Texas, on or about the 16th day of March, 1871, and did so remain absent until apprehended at Brazos de Santiago, Texas, on or about the 1st of April, 1871."

To which charge and specification the accused, Private *John Gallagher*, Company I, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Gallagher*, Company I, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged and drummed out of the service; and to be confined, at such place as the Commanding General may direct, for three (3) years."

5. Private *James F. White*, Company I, 10th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James F. White*, company I, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Ringgold Barracks, Texas, on or about the 16th day of March, 1871, and did so remain absent until apprehended at Brazos de Santiago, Texas, on or about the 1st of April, 1871."

To which charge and specification the accused, Private *James F. White*, Company I, 10th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James F. White*, Company I, 10th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged and drummed out of the service; and to be confined at hard labor, at such place as the Commanding General may direct, for three (3) years."

II. The proceedings, findings and sentences in the cases of Unassigned Recruits *Thomas Gorman*, and *James Warnock*, U. S. Army, are approved and the sentences will be duly executed; the prisoners will be dishonorably discharged at the expiration of their sentences. The post at which they are now serving is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Henry Lewis*, Company H, 10th U. S. Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *John Gallagher*, and *James F. White*, Company I, 10th U. S. Infantry, are approved, and the sentences will be duly executed; the prisoners will be dishonorably discharged at the expiration of their sentences. The post of their company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, Special Order No. 48, current series, from Department Headquarters, and of which Captain JESSE A. P. HAMPSON, 10th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Blacksmith Charles Miller ....Company F, 4th U. S. Cavalry.
2. Trumpeter Ellwood Kay..... .....Company D, 4th U. S. Cavalry.
3. Private James Burns .....Company D, 4th U. S. Cavalry.
4. Private Austin G. Greer..... ...Company D, 4th U. S. Cavalry.
5. Private Jeremiah Shea.....Company H, 4th U. S. Cavalry.
6. Private Joseph A. Thompson..... ..Company A, 11th U. S. Infantry.
7. Sergeant Thomas J. Grise ..... Company F, 11th U. S. Infantry.
8. Private Ira G. Robertson.....Company G, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *June* 9, 1871.

General Court Martial Orders, No. 48.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, April 24, 1871, pursuant to paragraph III, of Special Order No. 70, Headquarters Department of Texas, dated San Antonio, Texas, April 11, 1871, and of which Colonel William H. Wood, 11th U. S. Infantry, is President, were arraigned and tried:

1. Blacksmith *Charles Miller*, Company F, 4th U. S. Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Blacksmith *Charles Miller*, company F, 4th U. S. Cavalry, being on extra duty as blacksmith in the quartermaster's department, did steal from the quartermaster's blacksmith shop five (5) ambulance nuts, the property of the United States, and for which Captain William T. Howell, Assistant Quartermaster, U. S. Army, is responsible; and did sell or dispose of the same, receiving from one R. Carter, a citizen, for three (3) the sum of five (5) dollars, more or less. This at Fort Griffin, Texas, on or about the 17th day of March, 1871."

To which charge and specification the accused, Blacksmith *Charles Miller*, Company F, 4th U. S. Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Blacksmith *Charles Miller*, Company F, 4th U. S. Cavalry.

2. Trumpeter *Ellwood Kay*, Company D, 4th U. S. Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Trumpeter *Ellwood Kay*, company D, 4th U. S. Cavalry, having been ordered by Sergeant John Dunning, company D, 4th U. S. Cavalry, (the said sergeant Dunning being at

the time in the proper discharge of his office,) to fall in the ranks and stop his talking, did reply in an insolent manner: 'You need'nt get your back up;' and did still continue his talking. This at Fort Griffin, Texas, on or about the 15th day of May, 1871."

Specification 2d—"In this, that Trumpeter *Ellwood Kay*, company D, 4th U. S. Cavalry, having been ordered by Sergeant John Dunning, company D, 4th U. S. Cavalry, (the said sergeant Dunning being at the time in the proper discharge of his office,) to dismount, did fail to obey the said order and replied in a very disrespectful manner: 'You can go and f—k yourself,' or words to that effect. This at Fort Griffin, Texas, on or about the 15th day of May, 1871."

To which charge and specifications the accused, Trumpeter *Ellwood Kay*, Company D, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Trumpeter *Ellwood Kay*, Company D, 4th U. S. Cavalry, "To be confined in the post guard house two months; and forfeit ten (10) dollars of his monthly pay, per month, for the same period."

3. Private *James Burns*, Company D, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, the said Private *James Burns*, of company D, 4th U. S. Cavalry, having been regularly detailed and mounted as a member of the post guard and having been duly posted on post No. 6, as a sentinel in charge of the hay stack, did go to sleep on said post between the hours of midnight and 1 A. M., in which condition he was found by the officer of the day. This at Fort Griffin, Texas, on or about the 10th of March, 1871."

To which charge and specification the accused, Private *James Burns*, Company D, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Burns*, Company D, 4th U. S. Cavalry, "To be confined at hard labor under charge of the guard at the post of his company for nine (9) months; and to forfeit to the United States five (5) dollars per month of his monthly pay for the same period."

4. Private *Austin G. Greer*, Company D, 4th U. S. Cavalry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Private *Austin G. Greer*, company D, 4th U. S. Cavalry, having been regularly mounted as a member of the post guard at Fort Griffin, Texas, on the 24th day of February, 1871, did become so drunk as to be unable to properly perform the

duties of a sentinel. All this at Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *Austin G. Greer*, Company D, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Austin G. Greer*, Company D, 4th U. S. Cavalry, "To be confined at hard labor in charge of the post guard, for the period of five (5) months."

5. Private *Jeremiah Shea*, Company H, 4th U. S. Cavalry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Jeremiah Shea*, company H, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, did become so much under the influence of intoxicating liquors as to be unable to perform his duty as a soldier. This at Fort Griffin, Texas, on or about the 18th day of March, 1871."

To which charge and specification the accused, Private *Jeremiah Shea*, Company H, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Jeremiah Shea*, Company H, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard at the post of his company, for the period of five (5) months."

6. Private *Joseph A. Thompson*, Company A, 11th U. S. Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, the said *Joseph A. Thompson*, company A, 11th U. S. Infantry, having been duly mounted as a member of the post guard at Fort Griffin, Texas, did become so drunk as to be unable to perform the duty of a sentinel, at 8 o'clock P. M., on the 27th day of February, 1871. All this at Fort Griffin, Texas, on or about the 27th day of February, 1871."

To which charge and specification the accused, Private *Joseph A. Thompson*, Company A, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph A. Thompson*, of Company A, 11th U. S. Infantry, "To be confined at hard labor in charge of the post guard, for the period of five (5) months."

7. Sergeant *Thomas J. Grise*, Company F, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Sergeant *Thomas J. Grise*, of company F, 11th U. S. Infantry, having been duly mounted as sergeant in charge of the post guard, did become so much under the influence of intoxicating liquors as to be unable to properly perform the duties of a soldier. This at Fort Griffin, Texas, on the 25th day of February, 1871, between the hours of 3 and 5 o'clock P. M."

To which charge and specification the accused, Sergeant *Thomas J. Grise*, Company F, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Thomas J. Grise*, Company F, 11th U. S. Infantry, "To be reduced to the ranks; and then confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of four (4) months."

8. Private *Ira G. Robertson*, Company G, 11th U. S. Infantry.

CHARGE—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Ira G. Robertson*, company G, 11th U. S. Infantry, being on duty as a member of the detail at work in the post garden, did assault and knock down Private John McDonald, company F, 11th U. S. Infantry, another member of said detail, with a pickaxe, thereby doing him bodily harm; and while he, the said Private McDonald, was lying on the ground, he, the said Private *Robertson*, did raise the pickaxe a second time to strike him with the sharp edge, and was only prevented from doing so by Private Robert Michalls, company D, 4th U. S. Cavalry, in charge of party. This at the post garden near Fort Griffin, Texas, on or about the morning of the 21st of April, 1871."

To which charge and specification the accused, Private *Ira G. Robertson*, Company G, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, after maturely deliberating on the evidence adduced, for four hours on the 27th instant and for one hour on the 28th, was unable to determine on any finding of the specification.

Of the charge, "Guilty, except the words 'with intent to kill.'"

And the court, not having come to any finding upon the specification, does not pronounce sentence upon *Ira G. Robertson*, private of Company G, 11th U. S. Infantry.

II. The proceedings, findings and acquittal in the case of Blacksmith *Charles Miller*, Company F, 4th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Trumpeter *Ellwood Kay*, Company D, 4th U. S. Cavalry, are approved; but in consideration of the recommendation of the members of the court, so much of the sentence as relates to imprisonment is remitted. The remainder will be duly executed.

The proceedings, findings and sentence in the case of Private *James Burns*, Company D, 4th U. S. Cavalry, are approved; but in considera-

tion of the recommendation of the members of the court, the period of confinement is reduced to six months. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Austin G. Greer*, Company D, *Jeremiah Shea*, Company H, 4th U. S. Cavalry, and *Joseph A. Thompson*, Company A, 11th U. S. Infantry, are aproved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Sergeant *Thomas J. Grise*, Company F, 11th U. S. Infantry, are approved; but in consideration of the recommendation of the members of the court, so much of the sentence as relates to imprisonment is remitted. The remainder will be duly executed.

In the case of Private *Ira G. Robertson*, Company G, 11th U. S. Infantry, the court having failed to reach a finding on the specification, and having virtually acquitted the prisoner of the criminal portion of the charge, he will be released and returned to duty.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *June* 10, 1871.

GENERAL COURT MARTIAL ORDERS, No. 49.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, June 1, 1871, pursuant to paragraph II, of Special Order No. 99, and paragraphs I and II, of Special Order No. 107, dated Headquarters Department of Texas, San Antonio, Texas, May 18 and 29, 1871, and of which Colonel ABNER DOUBLEDAY, 24th U. S. Infantry, was President, was arraigned and tried:

Private *Henry Costillo*, Company E, 11th U. S. Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Henry Costillo*, of company E, 11th U. S. Infantry, having been duly mounted as a member of the post guard, and sent by order of the officer of the day as a sentinel over prisoners at work, did become so much under the influence of intoxicating liquor as to be totally unable to perform his duties. This at San Antonio, Texas, on or about the 3d day of June 1871."

To which charge and specification the accused, Private *Henry Costillo*, Company E, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after due deliberation, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Costillo*, Company E, 11th U. S. Infantry, "To be confined at hard labor under charge of the guard, at such place as the reviewing authority may direct, for the period of three months."

II. The proceedings, findings and sentence in the foregoing case of Private *Henry Costillo*, Company E, 11th U. S. Infantry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II of Special Order No. 99, and paragraphs I and II of Special Order No. 107, current series, from Department Headquarters, and of which Colonel ABNER DOUBLEDAY, 24th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Corporal Patrick McKenna.....Company G, 4th U. S. Cavalry.
2. Farrier David Jordan.....Company G, 4th U. S. Cavalry.
3. Private Patrick Rooney.....Company G, 4th U. S. Cavalry.
4. Private Alex. J. Sulzer.....Company G, 4th U. S. Cavalry.
5. Private Louis Worth.....Company G, 4th U. S. Cavalry.
6. Corporal Charles H. Haley.....Company I, 4th U. S. Cavalry.
7. Saddler James Morgan.....Company I, 4th U. S. Cavalry.
8. Private Frank Auld.....Company E, 11th U. S. Infantry.
9. Private David Barry.....Company E, 11th U. S. Infantry.
10. Private James Brown.....Company E, 11th U. S. Infantry.
11. Private Thomas Long.....Company E, 11th U. S. Infantry.
12. Private Michael Cahill.....Company H, 11th U. S. Infantry.
13. Private Henry Miller.....Company H, 11th U. S. Infantry.
14. Private John Murray.....Company H, 11th U. S. Infantry.
15. Private Thomas Payton.....Company H, 11th U. S. Infantry.
16. Private Vine E. Welch.....Company H, 11th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)

San Antonio, Texas, *June* 19, 1871.

General Court Martial Orders, No. 50.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Thursday, April 20, 1871, pursuant to paragraph II, of Special Order No. 70, Headquarters Department of Texas, dated San Antonio, Texas, April 11, 1871, and of which Major John P. Hatch, 4th U. S. Cavalry, is President, were arraigned and tried:

1. Corporal *Patrick McKenna*, Company G, 4th U. S. Cavalry.

Charge I—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that Corporal *Patrick McKenna*, company G, 4th U. S. Cavalry, did become so drunk as to be unable to perform his duty. All this at or near Fort Concho, Texas, on or about the 19th day of May, 1871."

Charge II—"Breach of arrest."

Specification—"In this, that he, Corporal *Patrick McKenna*, company G, 4th U. S. Cavalry, after being ordered in arrest to his quarters by his company commander, did break said arrest by leaving his quarters and going to the company stables. All this at or near Fort Concho, Texas, at stable call on the afternoon of May 19, 1871."

To which charges and specifications the accused, Corporal *Patrick McKenna*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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, Corporal *Patrick McKenna*, Company G, 4th U. S. Cavalry, "That he be reduced to the grade of a private soldier, and forfeit to the United States $10.00 per month of his monthly pay for three months."

2. Farrier *David Jordan*, Company G, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Farrier *David Jordan*, company G, 4th U. S. Cavalry, being enlisted as a soldier in the service of the United States, did desert the same at Fort Concho, Texas, on the 28th day of April, 1871, and did remain absent until arrested on the 29th day of April, 1871, at Kickapoo Springs, Texas; thirty ($30) dollars reward paid for his apprehension."

CHARGE II—"Theft."

Specification—"In this, that Farrier *David Jordan*, company G, 4th U. S. Cavalry, did steal and take away the following property of the United States, for which First Lieutenant Wm. C. Hemphill, 4th U. S. Cavalry, is responsible: viz., one (1) Spencer carbine, one (1) cavalry saddle, one (1) curb bridle, one (1) saddle blanket, and one (1) cavalry horse. All this at Fort Concho, Texas, on the 28th day of April, 1871."

To which charges and specifications the accused, Farrier *David Jordan*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Farrier *David Jordan*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due him; and to be confined at hard labor, at such point as may be designated by the proper authority, for a period of five years."

3. Private *Patrick Rooney*, Company G, 4th U. S. Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Patrick Rooney*, company G, 4th U. S. Cavalry, did steal one (1) Spencer carbine, the property of the United States, issued to Private John P. Hunter, company G, 4th U. S. Cavalry, and for which First Lieutenant William C. Hemphill, 4th U. S. Cavalry, is responsible, the carbine being found in the possession of him, *Patrick Rooney*, on the night of May 16, 1871, while he was absent from his quarters. This at Fort Concho, Texas, on the night of May 16, 1871."

To which charge and specification the accused, Private *Patrick Rooney*, Company G, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Patrick Rooney*, Company G, 4th U. S. Cavalry, "To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances now due or that may become due him, and to be confined at hard labor, at such point as may be designated by the proper authority, for the period of three years."

4. Private *Alex. J. Sulzer*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Alex. J. Sulzer*, company G, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, post of Fort Concho, Texas, and being duly posted in charge of No. 7 post (magazine), and having been regularly instructed, did fail to obey said instructions, and did neglect to call the hours, and, on search being made, was found asleep on his post by the sergeant of the guard. This at Fort Concho, Texas, between the hours of 8 and 10 P. M. on the night of May 20, 1871."

To which charge and specification the accused, Private *Alex. J. Sulzer*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Alex. J. Sulzer*, Company G, 4th U. S. Cavalry, "To be confined at hard labor in charge of the guard, at the post where his company may be serving, for four months; and to forfeit ten dollars per month of his monthly pay for the same period."

5. Private *Louis Worth*, Company G, 4th U. S. Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Louis Worth*, company G, 4th U. S. Cavalry, having been duly posted as a sentinel in charge of post No. 7 (magazine), did leave said post without permission from proper authority. All this at Fort Concho, Texas, on or about the 19th day of May, 1871."

To which charge and specification the accused, Private *Louis Worth*, Company G, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Louis Worth*,

Company G, 4th U. S. Cavalry, "To forfeit to the United States $10.00 per month of his monthly pay for the period of six months."

The court is thus lenient in consideration of his previous good character.

6. Corporal *Charles H. Haley*, Company I, 4th U. S. Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—In this, that he, the said Corporal *Charles H. Haley*, company I, 4th U. S. Cavalry, having on the 19th day of May, 1871, been regularly detailed for police duty, with orders to report at the adjutant's office at 7:30 A. M., on the 20th May, 1871, did fail to report; and did become so drunk as to be totally unable to perform the duties of non-commissioned officer of the police party, the duty for which he was detailed. All this at or near Fort Concho Texas, on or about the dates above specified."

To which charge and specification the accused, Corporal *Charles H. Haley*, Company I, 4th U. S. Cavalry, pleaded as follows:

To the specification, "Guilty, except the words 'and did become so drunk as to be totally unable to perform the duties of non-commissioned officer of the police party, the duty for which he was detailed.'"

To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Charles H. Haley*, Company I, 4th U. S. Cavalry, "To be reduced to the grade of private, and to forfeit to the United States $14.00 of his monthly pay for one month."

The court is thus lenient in consideration of his previous good character, as shown by his discharge from Company D, 1st U. S. Cavalry.

7. Saddler *James Morgan*, Company I, 4th U. S. Cavalry.

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

Specification—"In this, that he, Saddler *James Morgan*, company I, 4th U. S. Cavalry, at the supper table of company I, 4th U. S. Cavalry, did use the following words or language: to wit., that he, Saddler *Morgan*, would kill Sergeant James H. Clayton, company I, 4th U. S. Cavalry, acting quartermaster sergeant, or that Sergeant Clayton should kill him first; and when asked by Sergeant Clayton what he meant by these words, did reply that he would kill him, Sergeant Clayton, or that he, Sergeant Clayton, should kill him *(Morgan)* first. All this at the post of Fort Concho, Texas, on the 7th day of May, 1871."

To which charge and specification the accused, Saddler *James Morgan*, Company I, 4th U. S. Cavalry, pleaded as follows:

To the specification, "Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Saddler *James Morgan*, Company I, 4th U. S. Cavalry, "To be confined in charge of the post guard, at the post where his company may be serving, for three months; and to forfeit ten ($10.00) dollars per month of his monthly pay for the same period."

8. Private *Frank Auld*, Company E, 11th U. S. Infantry.

CHARGE I—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Frank Auld*, E company, 11th U. S. Infantry, since the date on which he joined his company, viz., March 4, 1870, has been tried and convicted by three (3) courts martial, dated as follows: General Order No. 38, Headquarters Post Fort Concho, Texas, October 25, 1870; General Order No. 42, Headquarters Post Fort Concho, Texas, November 19, 1870; and General Order No. 4, Headquarters Post Fort Concho, Texas, January 26, 1871. All this at Fort Concho, Texas, on or about the dates above stated."

Specification 2d—"In this, that he, Private *Frank Auld*, E company, 11th U. S. Infantry, has, through his own worthlessness and misconduct, been since March 4, 1870,—the date on which he joined his company,—placed in confinement eleven (11) times, viz.: confined March 29, 1870; confined May 4, 1870; confined October 12, 1870; confined November 11, 1870; confined November 16, 1870; confined December 26, 1870; confined March 10, 1871; confined March 12, 1871; confined March 15, 1871; and confined March 17, 1871. All this at or near Columbus, Texas, and Fort Concho, Texas, on or about the dates above stated."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Frank Auld*, E company, 11th U. S. Infantry, did feloniously take and appropriate to his own use, from the quarters of E company, 11th U. S. Infantry, one Springfield rifled musket, which was the property of the United States, and for the time being in charge of Private Charles Jackson, E company, 11th U. S. Infantry. All this at or near Fort Concho, Texas, on or about the 16th day of March, 1871."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Frank Auld*, company E, 11th U. S. Infantry, did feloniously attempt to sell to a citizen (name unknown) one Springfield rifled musket, the property of the United States. All this at or near Fort Concho, Texas, on or about the 25th day of December, 1870."

To which charges and specifications the accused, Private *Frank Auld*, Company E, 11th U. S. Infantry, pleaded as follows:

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

To the specification, second charge, "Guilty, excepting the word 'feloniously.' "

To the second charge, "Not Guilty."
To the specification, third charge, "Not Guilty."
To the third charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Auld*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at hard labor at such point, other than the one where his company may be serving, as the Department Commander may direct, for a period of five years."

9. Private *David Barry*, Company E, 11th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *David Barry*, company E, 11th U. S. Infantry, did take or steal from the store of Messrs. Wikes & Newton, near the post of Fort Concho, Texas, two bottles of brandy peaches and one pair of gaiter shoes of value, with intention of appropriating the same to his own use and benefit. All this at or near the post of Fort Concho, Texas, on or about the 28th of April, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Private *David Barry*, company E, 11th U. S. Infantry, did absent himself from his company and the post of Fort Concho, Texas, without permission from proper authority and in violation of existing orders, and cross the main Concho river. All this at or near Fort Concho, Texas, on or about the 28th April, 1871."

To which charges and specifications the accused, Private *David Barry*, Company E, 11th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *David Barry*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the United States service, with forfeiture of all pay and allowances now due or that may become due him; and that he be confined at hard labor for the period of three years, at such place, other than where his company is now serving, as the Department Commander directs."

10. Private *James Brown*, Company E, 11th U. S. Infantry.

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

Specification 1*st*—"In this, that he, Private *James Brown*, company E, 11th U. S. Infantry, having behaved in a disrespectful and disorderly manner in the company orderly room, and being ordered to go out of the said room by his first sergeant, did refuse to obey said order, and did offer forcible resistance when ejected by the said first sergeant; this while the said first sergeant was in the proper discharge of his duty. This at Fort Concho, Texas, on or about the 17th day of April, 1871."

Specification 2*d*—"In this, that he, Private *James Brown*, company E, 11th U. S. Infantry, did use contemptuous and disrespectful language towards his first sergeant, calling him 'a Dutch son of a bitch' and 'a bastard,' or words to that effect; this while the said first sergeant was in the proper discharge of his duties. This at Fort Concho, Texas, on or about the 17th day of April, 1871."

Specification 3*d*—"In this, that he, Private *James Brown*, company E, 11th U. S. Infantry, did commit an assault and battery, with intent to kill, on First Sergeant Henry Ruhland, company E, 11th U. S. Infantry, while the said first sergeant was in the proper discharge of his duty. This at Fort Concho, Texas, on or about the 17th day of April, 1871."

To which charge and specifications the accused, Private *James Brown*, Company E, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Brown*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at hard labor, at such point, other than the one where his company is serving, as the Department Commander shall direct, for a period of ten (10) years."

11. Private *Thomas Long*, Company E, 11th U. S. Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Thomas Long*, company E, 11th U. S. Infantry, did take or steal from the store of

Messrs. Wikes & Newton, near the post of Fort Concho, Texas, two bottles of brandy cherries and twenty pounds of tobacco, more or less, the property of the said Messrs. Wikes & Newton, and of value, with the intention of appropriating the same to his own use and benefit. All this at or near the post of Fort Concho, Texas, on or about the 28th day of April, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *Thomas Long*, company E, 11th U. S. Infantry, did absent himself from his company and the post of Fort Concho, Texas, without permission from proper authority and in violation of existing orders, and cross the main Concho river."

Specification 2d—"In this, that he, the said Private *Thomas Long*, company E, 11th U. S. Infantry, did absent himself from the drill of his company on the forenoon of the 28th of April, 1871, without permission from proper authority. All this at or near Fort Concho, Texas, on or about the 28th day of April, 1871."

To which charges and specifications the accused, Private *Thomas Long*, Company E, 11th U. S. Infantry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specifications, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, excepting the words 'two bottles of brandy cherries and.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Long*, Company E, 11th U. S. Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances that may be now due or may become due him; and to be confined at such point, other than the one where his company may be serving, as the Department Commander shall direct, for a period of two years."

12. Private *Michael Cahill*, Company H, 11th U. S. Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Michael Cahill*, company H, 11th U. S. Infantry, did absent himself from his company, without permission from proper authority, on the morning of May 2, 1871, and did remain so absent until reveille on the 3d of May, 1871."

CHARGE II—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *Michael Cahill*, company H, 11th U. S. Infantry, did fail to appear with his company at the time fixed for morning drill, 9 A. M. This on the 2d day of May, 1871."

Specification 2d—"In this, that he, Private *Michael Cahill*, company H, 11th U. S. Infantry, did fail to appear with his company at the

time fixed for afternoon drill, 3 P. M. This on the 2d of May, 1871. All this at Fort Concho, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *Michael Cahill*, Company H, 11th U. S. Infantry, pleaded as follows:

To the specification, first charge, "Guilty, excepting the words 'and did remain so absent until reveille on the 3d of May, 1871.'"

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

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, first charge, "Guilty, except the words 'and did remain so absent until reveille on the 3d of May, 1871.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Cahill*, Company H, 11th U. S. Infantry, "To forfeit ten dollars per month of his monthly pay for one month; to walk the ring, in charge of the sentinel on post No. 1, from guard mounting until tattoo, one hour off for supper, for ten days; and to be confined in charge of the post guard until he shall have completed this portion of his sentence."

13. Private *Henry Miller*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Henry Miller*, company H, 11th U. S. Infantry, a duly enlisted soldier in the United States army, did desert the service of the United States at Fort Concho, Texas, on the 3d day of May, 1871; and did remain absent until apprehended at or near Kickapoo Springs, Texas, on the 4th day of May, 1871. All this at or near the above specified places on or about the above specified dates."

To which charge and specification the accused, Private *Henry Miller*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Miller*, Company H, 11th U. S. Infantry, "To make good to the United States the expense of his apprehension; and to be confined at hard labor in charge of the post guard, where his company may be serving, for a period of six months, forfeiting six dollars per month of his monthly pay for the same period."

14. Private *John Murray*, Company H, 11th U. S. Infantry.

CHARGE I—"Disobedience of orders."

Specification 1st—"In this, that Private *John Murray*, company H, 11th U. S. Infantry, did, in violation of the following order, viz.,

'HEADQUARTERS POST OF FORT CONCHO, TEXAS,
August 15, 1870.

General Orders, }
No. 27. }

I. No member of this command will go beyond the limits of this post without permission from the commanding officer; in cases of enlisted men the permission will be in writing.

By command of Bvt. Brig. Gen'l Alvan C. Gillem:

(Signed) W. C. BEACH,
First Lieutenant 11th Infantry, Post Adjutant.'

go beyond the limits of the post without permission from his commanding officer. This on the night of May 1, 1871."

Specification 2d—"In this, that he, Private *John Murray*, company H, 11th U. S. Infantry, did, in violation of the following order, viz.,

'HEADQUARTERS POST OF FORT CONCHO, TEXAS,
August 15, 1870.

General Orders, }
No. 27. }

II. No enlisted man will take his arms from his quarters except when on duty requiring him to do so.

By order of Bvt. Major General A. C. Gillem:

(Signed) W. C. BEACH,
First Lieutenant 11th Infantry, Post Adjutant.'

take his musket, accoutrements and twenty rounds of ammunition from his quarters, without orders or permission from his commanding officer. This on the night of May 1, 1871."

CHARGE II—"Violation of the 42d Article of War."

Specification—"In this, that he, Private *John Murray*, company H, 11th U. S. Infantry, did lie out of his quarters, without permission from his superior officer, on the night of May 1, 1871, between the hours of 9 P. M. and 3 A. M. All this at or near Fort Concho, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *John Murray*, Company H, 11th U. S. Infantry, pleaded as follows:

To the first specification, first charge	"Not Guilty."
To the second specification, first charge,	"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 accused:

Of the first specification, first charge,	"Not 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, Private *John Murray*, Company H, 11th U. S. Infantry, "To forfeit ten dollars of his monthly pay for one month."

15. Private *Thomas Payton*, Company H, 11th U. S. Infantry.

CHARGE I—"Disobedience of orders."

Specification 1st—"In this, that he, Private *Thomas Payton*, company H, 11th U. S, Infantry, did, in violation of the following order, viz.,

'HEADQUARTERS POST OF FORT CONCHO,
FORT CONCHO, TEXAS, *August* 15, 1870.

General Orders, }
No. 27. }

I. No member of this command will go beyond the limits of this post

without permission from the commanding officer; in cases of enlisted men the permission will be in writing.

By command of Bvt. Brig. Gen'l Alvan C. Gillem:

(Signed) W. C. BEACH,
First Lieutenant 11th Infantry, Post Adjutant.'

did go beyond the limits of the post without permission from his commanding officer. This on the night of May 1, 1871."

Specification 2d—"In this, that he, Private *Thomas Payton*, company H, 11th U. S. Infantry, did, in violation of the following order, viz.,

'HEADQUARTERS POST OF FORT CONCHO, TEXAS,
August 15, 1870.

General Orders, No. 27,

II. No enlisted man will take his arms from his quarters except when on duty requiring him to do so.

By command of Bvt. Brig. Gen'l Alvan C. Gillem:

(Signed) W. C. BEACH,
First Lieutenant 11th Infantry, Post Adjutant.'

take his musket, accoutrements and twenty rounds of ammunition from his quarters without orders or permission from his commanding officer. This on the night of May 1, 1871."

CHARGE II—"Violation of the 42d Article of War."

Specification—"In this, that he, Private *Thomas Payton*, company H, 11th U. S. Infantry, did lie out of his quarters without permission from his superior officer. This on the night of May 1, 1871, between the hours of 9 P. M. and 3 A. M. All this at or near Fort Concho, Texas, on or about the above specified dates."

To which charges and specifications the accused, Private *Thomas Payton*, Company H, 11th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Thomas Payton*, Company H, 11th U. S. Infantry, "To forfeit ten dollars of his monthly pay for one month."

16. Private *Vine E. Welch*, Company H, 11th U. S. Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Vine E. Welch*, Company H, 11th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 13th day of April, 1871; and did remain absent until the evening of the 17th of April, 1871, when he gave himself up to sentinel No. 3. All this at or near Fort Concho, Texas, on or about the 13th day of April, 1871."

To which charge and specification the accused, Private *Vine E. Welch*, Company H, 11th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Vine E. Welch*, Company H, 11th U. S. Infantry, "That he be dishonorably discharged the United States service, with forfeiture of all pay and allowances now due or that may become due; and be confined at hard labor in such prison, other than where he is now serving, as the Commanding General may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of Corporal *Patrick McKenna*, Privates *Alex. J. Sulzer*, and *Louis Worth*, Company G, Corporal *Charles H. Haley* and Saddler *James Morgan*, Company I, 4th U. S. Cavalry, Privates *John Murray* and *Thomas Payton*, Company H, 11th U. S. Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Farrier *David Jordan*, Company G, 4th U. S. Cavalry, are approved. The period of confinement is reduced to two years at the post of his company. As thus modified the sentence will be duly executed.

The proceedings and findings in the cases of Privates *Patrick Rooney*, Company G, 4th U. S. Cavalry, *David Barry* and *Thomas Long*, Company E, 11th U. S. Infantry, are approved. The period of confinement in each case is reduced to six months at the posts of their respective companies.

The proceedings and findings in the cases of Privates *Frank Auld* and *James Brown*, Company E, 11th U. S. Infantry, are approved. So much of the sentence in each case as relates to imprisonment is remitted. The remainder is approved and will be duly executed.

As thus modified the sentences will be duly executed.

The proceedings and findings in the case of Private *Michael Cahill*, Company H, 11th U. S. Infantry, are approved. So much of the sentence as relates to walking the ring is so modified as to require that he shall walk the ring every alternate hour from reveille until retreat, for ten days. As thus modified the sentence will be duly executed.

The proceedings and findings in the case of Private *Henry Miller*, Company H, 11th U. S. Infantry, are approved. In consideration of the favorable recommendation of the court, so much of the sentence as relates to imprisonment is remitted; the remainder is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *Vine E. Welch*, Company H, 11th U. S. Infantry, are approved; but in view of extenuating circumstances appearing on the record, the sentence is mitigated to six months' confinement at the post of his company and forfeiture of eight dollars per month of his pay for the same period. The remainder of the sentence is remitted.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
~~Assistant Adjutant General.~~
Acting Adjt. General

AT FORT DAVIS, TEXAS.

1. Private MAUNCH BURNHAM.....Company B, 9th U. S. Cavalry.
2. Private JOHN RUNDLE .....Company C, 9th U. S. Cavalry.
3. Private HENRY WILLIAMS.....Company C, 9th U. S. Cavalry.
4. Private BRYANT J. KING .....Company I, 9th U. S. Cavalry.
5. Private GEORGE THERREL.....Company I, 9th U. S. Cavalry.
6. Sergeant HAM HAWKINS .....Company K, 9th U. S. Cavalry.
7. Private JOHN BROOKS.....Company K, 9th U. S. Cavalry.
8. Corporal JOHN WARE.....Company B, 24th U. S. Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *June* 20, 1871.

GENERAL COURT MARTIAL ORDERS, NO. 51.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, January 5, 1871, pursuant to paragraph V of Special Order No. 151, and paragraph V of Special Order No. 32. Headquarters Department of Texas, dated San Antonio, Texas, November 26, 1870, and February 15, 1871, and of which Captain JOHN W. FRENCH, 25th U. S. Infantry, is President, were arraigned and tried:

1. Private *Maunch Burnham*, Company B, 9th U. S. Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Maunch Burnham*, company B, 9th U. S. Cavalry, did, without any authority or permission whatever, absent himself repeatedly from his company quarters, two hours, more or less. All this at Fort Davis, Texas, on or about the nights of the 30th September and the 2d of October, 1870."

Specification 2d—"In this, that he, Private *Maunch Burnham*, company B, 9th U. S. Cavalry, did, in direct violation of the verbal orders of his company commander, prohibiting his quitting the immediate vicinity of the street of his company until further orders, leave the said limits repeatedly thereafter. All this on or about the 30th of September, 1870, and the 1st and 2d of October, 1870."

CHARGE II—"Theft."

Specification—"In this, that he, Private *Maunch Burnham*, company B, 9th U. S. Cavalry, did feloniously enter and steal from the quarters of William Borner, civilian, band teacher of the 9th U. S. Cavalry, a sum of money belonging to said band teacher, to wit.: seventy-six dollars and fifty cents. All this at Fort Davis, Texas, or about the 30th of September, 1870."

To which charges and specifications the accused, Private *Maunch Burnham*, Company B, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, "Not Guilty."
Of the second charge, "Not Guilty."

And the court does therefore acquit him, Private *Maunch Burnham*, Company B, 9th U. S. Cavalry.

2. Private *John Rundle*, Company C, 9th U. S. Cavalry.

CHARGE I —"Assault with a dangerous weapon."

Specification—"In this, that he, Private *John Rundle*, of company C, 9th U. S. Cavalry, did make an assault upon Private William Swanson, of his company, and did strike said Swanson in the breast with a pistol; and did thereafter, without cause or provocation, make another assault upon said Swanson with a razor, inflicting a slight wound. This in the barracks of company C, 9th U. S. Cavalry, on or about the 11th day of November, 1870."

CHARGE II —"Conduct to the prejudice of good order and military [discipline]."

Specification—"In this, that he, Private *John Rundle*, company C, 9th U. S. Cavalry, was drunk and grossly disorderly in the barracks of his company. This at Fort Davis, Texas, on or about the 11th day of November, 1870."

To which charges and specifications the accused, Private *John Rundle*, Company C, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Rundle*, Company C, 9th U. S. Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for two months."

The court is thus lenient on account of the long confinement the accused has undergone.

3 Private *Henry Williams*, Company C, 9th U. S. Cavalry.

CHARGE I—"Violation of the 99th Article of War."

Specification—"In this, that he, Private *Henry Williams*, company C, 9th U. S. Cavalry, did, when duly detailed to work at the post garden, four miles from the post of Fort Davis, Texas, pursuant to the following order:

'HEADQUARTERS FORT DAVIS, TEXAS,
March 19th, 1870.

SPECIAL ORDERS, No. 19. }

(Extract)

V. Private *Henry Williams*, company C, 9th Cavalry, is hereby detailed on duty in the post garden, and will at once report to Second Lieutenant T. B. REED, 24th Infantry, for duty.

BY ORDER OF BREVET MAJOR GENERAL E. HATCH,
(Signed) JOHN S. LOUD,
First Lieutenant and Adjutant 9th Cavalry,
Brevet Captain, U. S. Army, Post Adjutant.'

did, after reporting to Corporal Horace Stephens, company K, 9th U. S. Cavalry, in pursuance to said order, leave his post and detachment without the permission of the non-commissioned officer, corporal in charge of the detachment, Corporal Horace Stephens, and visit the post of Fort Davis, Texas. This on or about the 19th day of June, 1870."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry Williams*, company C, 9th U. S. Cavalry, did steal and dispose of one Remington revolver, the property of the government, for which Horace Stephens, corporal, company K, 9th U. S. Cavalry, was responsible. This on or about the 18th day of June, 1870."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Henry Williams*, company C, 9th U. S. Cavalry, did, on or about the 19th day of June, 1870, remonstrate with Corporal Horace Stephens, in charge of the detachment at post garden, about the amount of work ordered for him to do on that day, and did tell Private Richard Griffin that he intended to kill Corporal Horace Stephens, or words to that effect."

To which charges and specifications the accused, Private *Henry Williams*, Company C, 9th U. S. Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."
To the third charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Williams*, Company C, 9th U. S. Cavalry, "To forfeit five dollars of his monthly pay for one month."

The court is thus lenient on account of the long confinement of the accused.

4. Private *Bryant J. King*, Company I, 9th U. S. Cavalry.

CHARGE—"Sleeping on post."

Specification—"In this, that the said *Bryant J. King*, company I, 9th U. S. Cavalry, being duly posted as a sentinel over the horses and stables of company I, 9th U. S. Cavalry, did leave said post and lie down and sleep, in which condition he was found by the officer of the day, at or about 3 o'clock A. M, January 23, 1871. This at Fort Quitman, Texas, on or about the day and date above specified."

To which charge and specification the accused, Private *Bryant J. King*, Company I, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Bryant J. King*, Company I, 9th U. S. Cavalry, "To forfeit to the United States ten dollars of his

monthly pay for six months; and to be confined at hard labor, at the post where his company may be serving, for the same period.!'

5. Private *George Therrel*, Company I, 9th U. S. Cavalry.

CHARGE—"Desertion."

Specification—"That Private *George Therrel*, company I, 9th U. S. Cavalry, having been duly enlisted into the military service of the United States, did desert the said service from his company and post of Fort Quitman, Texas, on the 19th day of July, 1870; and did remain absent therefrom until arrested by the military authorities at Fort Seldon, New Mexico, on the 5th day of November, 1870. This at Fort Quitman, Texas, on or about the time above mentioned."

To which charge and specification the accused, Private *George Therrel*, Company I, 9th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Therrel*, Company I, 9th U. S. Cavalry, "To be dishonorably discharged from the military service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at such place as the proper authority may direct for the period of three years."

6. Sergeant *Ham Hawkins*, Company K, 9th U. S. Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Sergeant *Ham Hawkins*, company K, 9th U. S. Cavalry, having been duly detailed and marched on as sergeant of the post guard, did absent himself therefrom, and did remain absent for the space of one hour, without proper authority from his commanding officer. This at Fort Davis, Texas, between the hours of 12 and 3 A. M. November 29, 1870."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Ham Hawkins*, company K, 9th U. S. Cavalry, having been duly detailed and marched on as sergeant of the post guard, did say in the presence of two corporals of his guard, 'I am going to visit the 3d relief,' or words to that effect, thereby causing one of them to make a false statement to the officer of the day when asked where the sergeant of the guard was. This at Fort Davis, Texas, about 1 o'clock A. M, November 29, 1870."

Specification 2d—"In this, that he, Sergeant *Ham Hawkins*, company K, 9th U. S. Cavalry, having been duly detailed and marched on as sergeant of the post guard, when asked by the officer of the day why he had been absent from his guard, did reply, 'I have been out to visit the 3d relief,' or words to that effect; thereby making a false statement to his superior officer, he well knowing that he had not visited the relief. This at Fort Davis, Texas, on or about 2:20 A. M. November 29, 1870."

To which charges and specifications the accused, Sergeant *Ham Hawkins*, Company K, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Ham Hawkins*, Company K, 9th U. S. Cavalry, "To be reduced to the ranks; to forfeit to the United States ten dollars of his monthly pay for three months; and to be confined at hard labor, at such post where his company may be serving, for the period of three months."

7. Private *John Brooks*, Company K, 9th U. S. Cavalry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *John Brooks*, company K, 9th U. S. Cavalry, having been duly mounted and marched on as a member of the post guard, did quit his guard and leave the guard house, at about 9 o'clock P. M., without any authority or permission whatever, and did remain so absent until about 11 o'clock P. M. This at Fort Davis, Texas, on the night of the 25th of March, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Brooks*, company K, 9th U. S. Cavalry, being a member of the post guard, and having quitted said guard, did proceed to where there was a dance going on, about one-half mile from the post of Fort Davis, without authority, and did there act in a drunken and disorderly manner. This at Fort Davis, Texas, on the night of March 25, 1871, between the hours of 9 and 11 o'clock P. M."

To which charges and specifications the accused, Private *John Brooks*, Company K, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Brooks*, Company K, 9th U. S. Cavalry, "To forfeit to the United States twelve (12) dollars of his monthly pay for six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

8. Corporal *John Ware*, Company B, 24th U. S. Infantry.

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

Specification—"In this, that he, Corporal *John Ware*, company B, 24th U. S. Infantry, having been duly mounted as corporal of the post guard, did, after posting his relief, take one supernumerary and proceed to a place where there was a dance going on, about one-half mile from the post of Fort Davis, without any authority whatever; and did remain at said dance for one-half hour, more or less. This at Fort Davis, Texas, on the 25th day of March, 1871, about 11 o'clock P. M."

To which charge and specification the accused, Corporal *John Ware*, Company B, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *John Ware*, Company B, 24th U. S. Infantry.

II. The proceedings, findings and acquittal in the case of Private *Maunch Burnham*, Company B, 9th U. S. Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *John Rundle*, and *Henry Williams*, Company C, *Bryant J. King*, Company I, Sergeant *Ham Hawkins*, and Private *John Brooks*, Company K, 9th U. S. Cavalry, are approved and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *George Therrel*, Company I, 9th U. S. Cavalry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Corporal *John Ware*, Company B, 24th U. S. Infantry, are approved. It is evident that the accused was not properly advised by the Judge Advocate, or he would not have interposed a plea of "Guilty." Corporal *Ware* will be released from arrest and returned to duty.

III. The General Court Martial instituted by paragraph V, of Special Order No. 151, series 1870, and paragraph V, of Special Order No. 32, current series, from Department Headquarters, and of which Captain JOHN W. FRENCH, 25th U. S. Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Jackson Barracks, Louisiana.

1. Private Francis H. Daly.....Company D, 6th Infantry.
2. Private James Sloan.....Company F, 14th Infantry.
3. Private Daniel Gaff.....Company C, 19th Infantry.
4. Private William Powers.....Company C, 19th Infantry.
5. Private Edward Lieben.....Company D, 19th Infantry.
6. Private William E. Osburn.....Company D, 19th Infantry.
7. Private Richard Evans.....Company E, 19th Infantry.
8. Private John Riley.....Company F, 19th Infantry.
9. Private John Ott.....Company G, 19th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *June* 26, 1871.

General Court Martial Orders, No. 52.

I. Before a General Court Martial which convened at Jackson Barracks, Louisiana, on Monday, March 13, 1871, pursuant to paragraph I, Special Order No. 40, Headquarters Department of Texas, dated San Antonio, Texas, February 25, 1871, and of which Major B. A. Clements, Surgeon, U. S. Army, is President, were arraigned and tried:

1. Private *Francis H. Daly*, Company D, 6th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *Francis H. Daly*, company D, 6th Infantry, having been duly enlisted into the service of the United States, did desert the same. This at Fort Smith, Arkansas, on or about the 1st day of August, 1870."

To which charge and specification the accused, Private *Francis H. Daly*, Company D, 6th Infantry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Francis H. Daly*, Company D, 6th Infantry, "To be confined at hard labor, at such place as the proper authority may direct, for the period of two (2) years; and to be dishonorably discharged the service of the United States, with loss of all pay and allowances."

2. Private *James Sloan*, Company F, 14th Infantry.

Charge—"Desertion."

Specification—"That *James Sloan*, company F, 14th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Omaha Barracks, Nebraska, on or about the 2d day of October, 1870, and did remain so absent until he surrendered at Jackson Barracks, Louisiana, on or about the 18th day of March, 1871."

To which charge and specification the accused, Private *James Sloan*, Company F, 14th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Sloan*, Company F, 14th Infantry, "To be confined at hard labor, in such military prison or penitentiary as the proper authority may direct, for the period of two (2) years; and to be dishonorably discharged the service of the United States, with loss of all pay and allowances."

3. Private *Daniel Gaff*, Company C, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Daniel Gaff*, company C, 19th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Little Rock, Arkansas, on or about the 1st day of March, 1870, and remain absent until arrested at Jackson Barracks, Louisiana, on or about the 10th day of June, 1871; thirty ($30.00) dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Daniel Gaff*, Company C, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Gaff*, Company C, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined at hard labor, at such military prison or penitentiary as the proper authority may direct, for the period of two (2) years."

4. Private *William Powers*, Company C, 19th Infantry.

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

Specification 1st—"That Private *William Powers*, company C, 19th Infantry, when ordered by Sergeant Michael R. Sageon, company C, 19th Infantry, to come with him to the guard house did disobey said order; and did use the following highly disrespectful language towards said Sergeant Michael R. Sageon, company C, 19th Infantry, to wit: 'You are a damned liar; and neither you nor any other man can take me to the guard house,' or words to that effect; and did seize said Sergeant Michael R. Sageon, company C, 19th Infantry, by the throat and shake his fist in said Sergeant Sageon's face—said Sergeant Michael R. Sageon, company C, 19th Infantry, being in the execution of his duty at the time. This at Jackson Barracks, Louisiana, on or about the 30th day of May, 1871."

Specification 2d—"That Private *William Powers*, company C, 19th Infantry, did use the following highly disrespectful language towards Sergeant John A. Clark, company C, 19th Infantry, to wit: 'If you don't let me alone I'll knock your head off,' or words to that effect; and did strike at said Sergeant John A. Clark, company C, 19th Infantry, who was in the execution of his duty at the time, aiding Sergeant Michael R. Sageon, company C, 19th Infantry, to take Private *William Powers*, company C, 19th Infantry, to the guard house. This at Jackson Barracks, Louisiana, on or about the 30th day of May, 1871."

To which charge and specifications the accused, Private *William Powers*, Company C, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Powers*, Company C, 19th Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of four (4) months; and to forfeit to the United States his monthly pay for the same period."

5. Private *Edward Lieben*, Company D, 19th Infantry.

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

Specification 1st—"That he, Private *Edward Lieben*, company D, 19th Infantry, did, without cause, strike and kick several times Private Overstreet, company D, 19th Infantry. This at or near Jackson Barracks, Louisiana, on or about the 11th day of May, 1871."

Specification 2d—"That he, Private *Edward Lieben*, company D, 19th Infantry, having been ordered by Lieutenant Thomas M. Wenie, 19th Infantry, to stop fighting and go to his quarters, did disobey the said order; and did strike, kick and resist Sergeant Van Horn and Privates Young and Overstreet, company D, 19th Infantry—the said sergeant and privates being in the line of their duty at the time—they having been ordered by Lieutenant Thomas M. Wenie to take him, *Lieben*, to the guard house. This at Jackson Barracks, Louisiana, on or about the 11th day of May, 1871."

Specification 3d—"That he, Private *Edward Lieben*, company D, 19th Infantry, did, in company with Privates Osburn and Rawley, company D, 19th Infantry, forcibly enter the house of Wilson Parker, a citizen living at the corner of Adam street and the levee; and did abuse the said Wilson Parker and his wife, Lene Parker, and break and destroy one (1) clock, valued at fourteen ($14.00) dollars, the property of the said Wilson Parker; and did destroy other property belonging to the said Wilson Parker. All this at or near New Orleans, Louisiana, on or about the 11th day of May, 1871."

To which charge and specifications the accused, Private *Edward Lieben*, Company D, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'and kick several times.'"

Of the second specification, "Guilty, except the words 'stop fighting and,' and the word 'kick.'"

Of the third specification, "Guilty, except the words 'Privates Rawley and Osburn, company D, 19th Infantry,' substituting therefor the words 'two men,' and the words 'and did abuse the said Wilson Parker and his wife, Lene Parker,' and the words 'and did destroy other property belonging to the said Wilson Parker;' of all the excepted words 'Not Guilty.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Lieben*, Company D, 19th Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six (6) months; and to forfeit all pay and allowances for the same period."

6. Private *William E. Osburn*, Company D, 19th Infantry.

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

Specification 1st—"That he, Private *William E. Osburn*, company D, 19th Infan-

try, did, without cause, strike and otherwise abuse, and did try to rescue a prisoner (Private Edward Lieben, company D, 19th Infantry,) from Sergeant Van Horn and Privates Young and Overstreet, company D, 19th Infantry,—the said sergeant and men being in line of their duty at the time—they having been ordered by Lieutenant Wenie, 19th Infantry, to take the said Lieben to the guard house. This at or near Jackson Barracks, Louisiana, on or about the 11th day of May, 1871."

Specification 2d—"That he, Private *William E. Osburn*, company D, 19th Infantry, did, in company with Privates Lieben and Rawley, company D, 19th Infantry, forcibly enter the house of Wilson Parker, a citizen living at the corner of Adam street and the levee; and did abuse the said Wilson Parker and his wife, Lene Parker, and break and destroy one (1) clock, valued at fourteen ($14) dollars, the property of the said Wilson Parker; and did destroy other property belonging to the said Wilson Parker. All this at or near New Orleans, Louisiana, on or about the 11th day of May, 1871."

To which charge and specifications the accused, Private *William E. Osburn*, Company D, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'strike and otherwise;' of these words 'Not Guilty.'"

Of the second specification, "Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William E. Osburn*, Company D, 19th Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of four (4) months; and to forfeit all pay and allowances for the same period."

7. Private *Richard Evans*, Company E, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Richard Evans*, company E, 19th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert said service on or about the 21st day of May, 1871; and did remain absent until apprehended at New Orleans, Louisiana, on or about the 31st day of May, 1871. This at or near Jackson Barracks, Louisiana, on or about the dates above specified."

To which charge and specification the accused, Private *Richard Evans*, Company E, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Evans*, Company E, 19th Infantry, "To be confined at hard labor, at such place as the proper authority may direct, for a period of two (2) years; and to be dishonorably discharged the service of the United States, with loss of all pay and allowances."

8. Private *John Riley*, Company F, 19th Infantry.

CHARGE—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *John Riley*, company F, 19th Infantry, did absent himself from Sunday morning inspection and remain absent until arrested and brought into camp. All this at Jackson Barracks, Louisiana, on or about the 28th day of May, 1871."

Specification 2d—"In this, that he, Private *John Riley*, company F, 19th Infantry, having been detailed on the evening of the 27th of May, for guard the next day, did absent himself from his quarters and garrison; and did fail to appear at the parade of the guard detail on the morning of the 28th of May, 1871. All this at Jackson Barracks, Louisiana, on or about the specified time."

To which charge and specifications the accused, Private *John Riley*, Company F, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Riley*, Company F, 19th Infantry, "To be confined at hard labor under charge of the guard, at the place where his company may be serving, for the period of two months; and to forfeit to the United States all pay and allowances for the same period."

9. Private *John Ott*, Company G, 19th Infantry.

CHARGE—"Desertion."

Specification—"That he, Private *John Ott*, company G, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 8th day of September, 1870, from Baton Rouge Barracks, Louisiana; and did remain absent until apprehended in the city of New Orleans, Louisiana, on or about the 1st day of June, 1871; thirty dollars reward paid for his apprehension. All this at Baton Rouge Barracks, Louisiana, and New Orleans, Louisiana, on or about the dates above specified."

To which charge and specification the accused, Private *John Ott*, Company G, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Ott*, Company G, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due him; and to be confined at hard labor, at such military prison or penitentiary as the proper authority may direct, for the period of two (2) years."

II. The proceedings, findings and sentences in the cases of Privates *Francis H. Daly*, Company D, 6th Infantry; *Daniel Gaff*, Company C, *Richard Evans*, Company E, and *John Ott*, Company G, 19th Infantry, are approved, and the sentences will be duly executed. They will be dishonorably discharged at once. Fort Jackson, Louisiana, is designated as the place of confinement in each case.

The proceedings, findings and sentence in the case of Private *James Sloan*, Company F, 14th Infantry, are approved; but in view of the favorable recommendation of the court, the sentence is mitigated to a forfeiture of ten dollars per month of his pay for a period of eight months. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private *William Powers*, Company C, 19th Infantry, are approved; but on the recommendation of five members of the court, the sentence is mitigated to forfeiture of ten dollars per month of his pay for a period of four months. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Edward Lieben, William E. Osburn*, Company D, and *John Riley*, Company F, 19th Infantry, are approved, and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

AT FORT RICHARDSON, TEXAS.

1. Private GEORGE N. POTTER ..... Company A, 4th Cavalry.
2. Private HENRY BENSON ..... Company B, 4th Cavalry.
3. Private GEORGE W. LENOX..... Company F, 4th Cavalry.
4. Private MICHAEL STICKNEY ..... Company C, 11th Infantry.
5. Artificer ROBERT HILL ..... Company K, 11th Infantry.
6. Private JOHN FLANNAGAN..... Company K, 11th Infantry.
7. Private HENRY PALMER..... Company K, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *July* 17, 1871.

GENERAL COURT MARTIAL ORDERS, No. 53.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, May 22, 1871, pursuant to paragraph V, of Special Order No. 93, Headquarters Department of Texas, dated San Antonio, Texas, May 11, 1871, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, were arraigned and tried:

1. Private *George N. Potter*, Company A, 4th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *G. N. Potter*, of company A, 4th Cavalry, did steal from the tent which was occupied by Privates Moon and O'Brian, of company A, 4th Cavalry, on the evening of the 24th of March, 1871, two Spencer carbines, the property of the United States, which carbines had been issued to said privates for use while serving in the company, they being held accountable for the same by their company commander. This at the post Fort Concho, Texas, on or about the 24th March, 1871."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *George N. Potter*, of company A, 4th Cavalry, did sell to a citizen, D Bronson by name, for the sum of fifteen dollars ($15,00), two Spencer carbines, the property of the United States, and for which First Lieutenant William A. Thompson, 4th Cavalry, was accountable. This near Fort Concho, Texas, on or about the 24th of March, 1871."

To which charges and specifications the accused, Private *George N. Potter*, Company A, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George N. Potter*, Company A, 4th Cavalry, "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 to be confined at hard labor, in such military prison as the proper authority may direct, for the period of three (3) years, at the expiration of which to be dishonorably discharged from, and to be trumpeted out of the United States service."

2. Private *Henry Benson*, Company B, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that *Henry Benson*, private of company B, 4th Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Richardson, Texas, on the 10th day of June, 1871; and did remain absent until arrested by Sergeant Burdell La Praide, company B, 4th Cavalry, on the 12th day of June, 1871. All this at or near Fort Richardson, Texas, on or about the dates set forth."

To which charge and specification the accused, Private *Henry Benson*, Company B, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Benson*, Company B, 4th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due him, the just dues of the laundress excepted; to be confined at hard labor in such military prison as the Department Commander may designate for the period of three (3) years; and to be dishonorably discharged the service of the United States."

3. Private *George W. Lenox*, Company F, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *George W. Lenox*, company F, 4th Cavalry, having been duly enlisted into the service of the United States, did desert said service at or near Fort Richardson, Texas, on the 4th day of April, 1871; and did remain absent until apprehended at or near Crawford's Ranch, Texas, (about twenty-four miles from Fort Richardson, Texas,) on or about April the 5th, 1871; thirty dollars reward paid for his apprehension and delivery. All this at or near Fort Richardson, Texas, and Crawford's Ranch, Texas, on or about April 4th and 5th, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George W. Lenox*, company F, 4th Cavalry, did steal or otherwise dispose of the following articles of ordnance and ordnance stores, pertaining to company F, 4th Cavalry, for which Captain Wirt Davis, 4th Cavalry, was responsible: viz., one (1) Spencer carbine, cal. .56 (value $100); one (1) carbine sling (value $1.36); one (1) carbine cartridge box (value $1.43); one (1) sabre belt and plate (value $1.99); one (1) pistol cartridge box (value 60c.); one (1) curry comb (value 30c.); one (1) horse brush (value $1.00). All this at or near Fort Richardson, Texas, on or about April 4, 1871."

To which charges and specifications the accused, Private *George W. Lenox*, Company F, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George W. Lenox*, Company F, 4th Cavalry, "To be dishonorably discharged and trumpeted out of the service of the United States, with forfeiture of all pay and allowances now due or that may become due him, the just dues of the laundress excepted; and then to be confined, in such military prison as the Department Commander may designate, for the period of four (4) years."

4. Private *Michael Stickney*, Company C, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Michael Stickney*, of company C, 11th Infantry, having been duly enlisted as a soldier in the service of the United States, did desert the same at or near Weatherford, Texas, on or about the 25th day of August, 1870; and did remain so absent until he surrendered himself at Fort Richardson, Texas, on or about the 10th day of April, 1871."

To which charge and specification the accused, Private *Michael Stickney*, Company C, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Stickney*, Company C, 11th Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances due or that may become due; and to be confined, in such military prison as the Commanding General may direct, for the period of two (2) years."

5. Artificer *Robert Hill*, Company K, 11th Infantry.

CHARGE I—"Violation of the 21st Article of War."

Specification 1st—"In this, that he, Artificer *Robert Hill*, company K, 11th Infantry, did leave his company and the post of Fort Richardson, Texas, and go to the town of Jacksboro', Texas, without proper authority. This at Fort Richardson, Texas, on or about the 14th day of April, 1871."

Specification 2d—"In this, that he, Artificer *Robert Hill*, company K, 11th Infantry, did leave his company and the post of Fort Richardson, Texas, and go to the town of Jacksboro', Texas, without authority, where he was found by Captain Mason Jackson, 11th Infantry, dressed partly in citizen clothing. This at Fort Richardson, Texas, and Jacksboro', Texas, on or about the 15th day of April, 1871."

CHARGE II—"Disobedience of orders."

Specification 1st—"In this, that he, Artificer *Robert Hill*, company K, 11th Infantry, having been found in the town of Jacksboro', Texas, without authority, by Captain Wirt Davis, 4th Cavalry, officer of the day, and ordered by him to go to the garrison (Fort Richardson) and report to him (Captain Davis), did disobey said order, and did fail to return to said garrison and report as ordered. This at Fort Richardson, Texas, and Jacksboro', Texas, on or about the 14th day of April, 1871."

Specification 2d—"In this that he, Artificer *Robert Hill*, company K, 11th Infantry, having been found in the town of Jacksboro', Texas, without authority, by Captain Mason Jackson, 11th Infantry, and having been ordered by him (Captain Jackson) to go to the garrison (Fort Richardson), did disobey said order, and did fail to return until arrested by Captain Jackson and placed in charge of a patrol guard. This at Fort Richardson, Texas, and Jacksboro', Texas, on or about the 15th day of April, 1871."

CHARGE III—"General worthlessness, to the prejudice of good order and military discipline."

Specification— "That he, Artificer *Robert Hill*, company K, 11th Infantry, did, by the excessive and inordinate use of alcoholic liquors, render himself unfit for duty of any kind, and was confined for drunkenness at the following times, viz: February 20, 1870, July 30, 1870, August 5, 1870, and April 15, 1871, and at various other times during the year 1870, the dates of which are now unknown; and is now subject to attacks of the 'horrors,' thereby rendering himself utterly worthless for duty as an artificer or a soldier. This at Sulphur Springs, Texas, and at Fort Richardson, Texas, on or about the dates above written."

To which charges and specifications the accused, Artificer *Robert Hill*, Company K, 11th Infantry, pleaded as follows:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the specification, third charge, "Guilty, with the exception of the words 'July 30, 1870,' substituting therefor the words 'July 13, 1870.'"

Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Artificer *Robert Hill*, Company K, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due or that may become due him, the just dues of the laundress excepted; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of six (6) months."

6. Private *John Flannagan*, Company K, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *John Flannagan*, company K, 11th Infantry, having been directed to appear as a witness before the General Court Martial in session at the post of Fort Richardson, Texas, by virtue of Special Order No. 93, dated Headquarters Department of Texas, May 11, 1871, was found at the time fixed for his appearance, and

did make his appearance at the court room, so much under the influence of liquor as to be incapable of appearing properly before the court. This at Fort Richardson, Texas, on the 21st day of June, 1871."

To which charge and specification the accused, Private *John Flannagan*, Company K, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Flannagan*, Company K, 11th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of three months."

7. Private *Henry Palmer*, Company K, 11th Infantry.

CHARGE I—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Henry Palmer*, company K, 11th Infantry, did leave his company and the post of Fort Richardson, Texas, and go to the town of Jacksboro', Texas, without proper authority. This at Fort Richardson, Texas, on or about the 15th day of April, 1871."

CHARGE II—"Disobedience of orders."

Specification—"In this, that he, Private *Henry Palmer*, company K, 11th Infantry, having been found in the town of Jacksboro', Texas, without authority, by Captain M. Jackson, 11th Infantry, and having been ordered by him (Capt. Jackson) to go to the garrison (Fort Richardson), did disobey said order, and did run away and hide himself; and when found by Captain Jackson did say 'I will be d—d if I will go to the guard house;' and did resist and refuse to go with him (Captain Jackson), and had to be placed in charge of a patrol. This at Jacksboro', Texas, on or about the 15th day of April, 1871."

To which charges and specifications the accused, Private *Henry Palmer*, Company K, 11th Infantry, pleaded as follows:

To the specification, first charge, "Guilty."
To the first charge, "Guilty."
To the specification, second charge, "Guilty with the exception of the words 'I will be d—d if I will go to the guard house; and did resist and refuse to go with him (Captain Jackson);' of these words "Not Guilty."
To the second charge, "Guilty."

FINDING.

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, Private *Henry Palmer*, Company K, 11th Infantry, "To forfeit to the United States ten ($10) dollars per month of his monthly pay for the period of eight (8) months; and to be confined at hard labor under charge of the guard, at the post where his company may be serving, for the same period."

II. The proceedings, findings and sentences in the cases of Privates *George N. Potter*, Company A, and *Henry Benson*, Company B, 4th Cavalry, are approved, and the sentences will be duly executed. They will be dishonorably discharged and trumpeted out of the service at once. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *George W. Lenox*, Company F, 4th Cavalry, *Michael Stickney*, Company C, 11th Infantry,

are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The record in the case of Artificer *Robert Hill*, Company K, 11th Infantry, is carelessly made up and incomplete, the entire answer to one question having been omitted from the testimony. The proceedings, findings and sentence are approved, and the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private *John Flannigan*, Company K. 11th Infantry, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of Private *Henry Palmer*, Company K, 11th Infantry, are approved. So much of the sentence as relates to confinement is remitted; the remainder is approved and will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *July* 21, 1871.

GENERAL COURT MARTIAL ORDERS, No. 54.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, April 24, 1871, pursuant to paragraph III, of Special Order No. 70, dated Headquarters Department of Texas, San Antonio, Texas, April 11, 1871, and of which Colonel WILLIAM H. WOOD, 11th Infantry, is President, was arraigned and tried:

Private *George S. Chambers*, Company H, 4th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, did become so drunk as to be unable to perform any duty that might be required of him. This at Fort Griffin, Texas, on or about the twenty-second day of June, 1871."

Specification 2d—"In this, that he, *George S. Chambers*, private company H, 4th Cavalry, did use disrespectful language towards Acting Assistant Surgeon E. Alexander, U. S. Army, (Dr. Alexander at the time being in medical attendance on him) saying 'God damn you, I know you; and the next time you go on scout I will kill you,' or words to that effect. All this at Fort Griffin, Texas, on or about the twenty-second day of June, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, did, without permission from proper authority, absent himself from the afternoon stable call of his company. This at Fort Griffin, Texas, on or about the 15th day of June, 1871."

Specification 2d—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, did, without permission from proper authority, absent himself from the afternoon stable call of his company, on or about the 19th day of June, 1871, after he had been by his company commander refused permission to be absent from said call; and did so remain absent until arrested by the post guard. This at Fort Griffin, Texas, on or about the date above mentioned."

Specification 3d—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, did, without permission from proper authority, absent himself from the afternoon stable call of his company; and did so remain absent from his company until he was arrested. This at Fort Griffin, Texas, on or about the 27th day of June, 1871."

Specification 4th—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, having been arrested after tattoo, by First Sergeant Charles Newhouse, company H, 4th Cavalry, in obedience to the orders of his company commander, did ask the said First Sergeant Charles Newhouse for permission to get a drink of water, and, when the permission was granted, did take advantage of the same to make his escape from the custody of the said First Sergeant Charles Newhouse, company H, 4th Cavalry. This at Fort Griffin, Texas, on or about the 27th day of June, 1871."

CHARGE III—"Absence without leave."

Specification—"In this, that he, Private *George S. Chambers*, company H, 4th Cavalry, did, without permission from proper authority, absent himself

from his company and post, from about midnight on the 27th day of June, 1871; and did so remain absent without leave until arrested out of the post at or about 9 o'clock A. M., June 28, 1871. This at Fort Griffin, Texas, on or about the dates above mentioned."

To which charges and specifications the accused, Private *George S. Chambers*, Company H, 4th Cavalry, 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 first specification, second charge,	"Guilty."
To the second specification, second charge,	"Guilty."
To the third specification, second charge,	"Guilty."
To the fourth specification, second charge,	"Guilty."
To the second charge,	"Guilty."
To the specification, third charge,	"Guilty."
To the third charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second 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 fourth 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, Private *George S. Chambers*, Company H, 4th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or that may become due him."

II. The proceedings, findings and sentence in the foregoing case of Private *George S. Chambers*, Company H, 4th Cavalry, are approved, and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph III, of Special Order No. 70, current series, from Department Headquarters, and of which Colonel WILLIAM H. WOOD, 11th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Sergeant James Williams.....Company E, 9th Cavalry.
2. Private Jessie Fuqua.....Company G, 9th Cavalry.
3. Private William A. Gales.....Company G, 9th Cavalry.
4. Private Henry Robinson.....Company G, 9th Cavalry.
5. Sergeant Jack Jones.....Company C, 24th Infantry.
6. Sergeant James W. Plant.....Company C, 24th Infantry.
7. Private George Hopkins.....Company C, 24th Infantry.
8. Private Logan Kennedy.....Company I, 24th Infantry.
9. Private James Berkley.....Company D, 25th Infantry.
10. Private James Joice.....Company D, 25th Infantry.
11. Private Charles Riz.....Company D, 25th Infantry,
12. Sergeant Albert Stout.....Company F, 25th Infantry.
13. Private John Histon.....Company F, 25th Infantry.
14. Private Isaac D. Mitchell.....Company F, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *August* 3, 1871.

General Court Martial Orders, No. 55.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, June 12, 1871, pursuant to paragraph VI of Special Order No. 109, Headquarters Department of Texas, dated San Antonio, Texas, May 31, 1871, and of which Captain David D. Van Valzah, 25th Infantry, is President, were arraigned and tried:

1. Sergeant *James Williams*, Company E, 9th Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Sergeant *James Williams*, company E, 9th Cavalry, having been absent on detached service, did about 2 o'clock on the morning of the 14th day of June, 1871, return to the camp of his company or detachment (on the river or stream known as the Piedra Pinta) in a drunken condition; and did arouse and disturb the camp by loud and boisterous noise, talking and hollowing; and by carelessly letting his horse run loose in camp. This to the great prejudice of good order and military discipline, late in the night of the 13th day of June, 1871, in camp on the Piedra Pinta, near Fort Clark, Texas."

To which charge and specification the accused, Sergeant *James Williams*, Company E, 9th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Sergeant *James Williams*, Company E, 9th Cavalry, "To be reduced to the ranks, and to forfeit to the United States ten (10) dollars of his monthly pay, for three (3) months."

2. Private *Jessie Fuqua*, Company G, 9th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Jessie Fuqua*, company G, 9th Cavalry, did, on or about the 12th and 13th days of February, 1871, and previous thereto, habitually carry upon his person a razor, in violation of the published orders and regulations of the post of Fort Clark, Texas. The orders and regulations referred to having been duly published in a circular from the headquarters of the post of Fort Clark, Texas, under date of November 15, 1870, and especially prohibiting the carrying of knives and razors by the enlisted men of the command. This at Fort Clark, Texas, on and about the 12th and 13th days of February, 1871, and previous thereto, and subsequent to the 15th day of November, 1870."

Specification 2d—"In this, that he, the said Private *Jessie Fuqua*, company G, 9th Cavalry, did, in violation of post orders and regulations, carry upon his person a razor; and did inflict therewith a wound upon the hand of Private Frank Clark, same company. This in his company quarters at Fort Clark, Texas, on the night of February 12, 1871."

Specification 3d—"In this, that he, the said Private *Jessie Fuqua*, company G, 9th Cavalry, did, during the night of February 12th, 1871, between the hours of tattoo and reveille, absent himself from his company quarters without proper authority; and did go, on about or between the hours of 12 and 3 o'clock at night, to the tent occupied by two of the company laundresses (Mrs. Earle and Mrs. Lucinda Johnson), and did with a razor (or similar sharp instrument) cut through the tent with the evident intent to obtain an entrance thereto in an improper manner and for malicious and criminal purposes. This at Fort Clark, Texas, on or about the night of February 12th or morning of February 13, 1871."

Specification 4th—"In this, that he, the said Private *Jessie Fuqua*, company G, 9th Cavalry, when he was arrested by Sergeant Joseph Remore, of same company, on the morning of February 13, 1871, and brought before Captain A. E. Hooker, 9th Cavalry, did have upon his person a razor. This in violation of regulations and orders at Fort Clark, Texas."

To which charge and specifications the accused, Private *Jessie Fuqua*, Company G, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Not Guilty."
Of the third specification,	"Guilty."
Of the fourth specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Jessie Fuqua*, Company G, 9th Cavalry, "To be dishonorably discharged; to have his head shaved and to be drummed out of the service; and to be confined, at such military prison as the Commanding General may direct, for the period of two (2) years."

3. Private *William A. Gales*, Company G, 9th Cavalry.

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

Specification 1st—"That Private *William A. Gales*, company G, 9th Cavalry, did steal, take and carry away the sum of three hundred and seventy (370) dollars, more or less, of U. S. currency, belonging to wagoner Frank Red, company I, 24th Infantry, and did conceal the same under a bush near the quartermaster's corral. This at Fort Clark, Texas, on the night of March 11, 1871, or on the morning of March 12, 1871."

Specification 2d—"That Private *William A. Gales*, company G, 9th Cavalry, did threaten to shoot Private Walker Jones, company E, 9th Cavalry, and with a loaded musket watch or lie in wait for the said Private Jones; and did say 'I will kill him (meaning Private Jones) if it is the last thing I do. I will shoot him down.' or words to that effect. This at Fort Clark, Texas, on the night of March 11, 1871, or on the morning of March 12, 1871."

To which charge and specifications the accused, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William A. Gales*, Company G, 9th Cavalry, "To have his head shaved; to be dishonorably discharged and drummed out of the United States service; and confined, in such military prison as the Department Commander may direct, for the period of three (3) years."

4. Private *Henry Robinson*, Company G, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Henry Robinson*, company G, 9th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Clark, Texas, on or about the 12th day of May, 1871; and did remain absent until apprehended at or near Fort Duncan, Texas, on or about the 31st of May, 1871."

To which charge and specification the accused, Private *Henry Robinson*, Company G, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Robinson*, Company G, 9th Cavalry, "To have his head shaved, and to be trumpeted out of the service, dishonorably discharged; and to be confined at hard labor, in such military prison as the proper authority may direct, for the period of eighteen (18) calendar months."

5. Sergeant *Jack Jones*, Company C. 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said *Jack Jones*, a sergeant of company C, 24th Infantry, did, when ordered to remain in camp by the 1st sergeant of the company, leave said camp and go to the post of Fort McKavett, without proper authority. This at or near the camp of C company, 24th Infantry, near Fort McKavett, Texas, on or about the 6th of May, 1871."

Specification 2d—"In this, that he, the said Sergeant *Jack Jones*, company C, 24th Infantry, being placed in charge of the mules belonging to the transportation of C company, 24th Infantry, and sent on herd with orders to remain on said duty until night, did return to camp without authority, several honrs before his instructions allowed. This at or near Fort McKavett, Texas, on or about the 7th of May, 1871."

Specification 3d—"In this, that he, the said Sergeant *Jack Jones*, company C, 24th Infantry, when he had returned from duty without authority, and

being ordered to return to said duty by the 1st sergeant of the company, did say 'I'll be damned if I will,' or words to that effect. This at or near Fort McKavett, Texas, on the 7th of May, 1871."

To which charge and specifications the accused, Sergeant *Jack Jones*, Company C, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Not Guilty."
Of the second specification, "Guilty, but attach no criminality thereto."
Of the third specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Sergeant *Jack Jones*, Company C, 24th Infantry.

6. Sergeant *James W. Plant*, Company C, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, the said Sergeant *James W. Plant*, company C, 24th Infantry, did appear on guard mounting as sergeant of the guard in a state of intoxication. All this at or near Fort Clark, Texas, on the 16th of May, 1871."

To which charge and specification the accused, Sergeant *James W. Plant*, Company C, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *James W. Plant*, Company C, 24th Infantry, "To be reduced to the ranks; and to be confined under charge of the guard, at the station of his company, for the period of ten (10) days."

7. Private *George Hopkins*, Company C, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *George Hopkins*, company C, 24th Infantry, did take, steal and carry away, and appropriate to his own use, tobacco belonging to a comrade, one Horace Blind, private company C, 24th Infantry. All this at or near Camp Wood, Texas, on or about the 4th day of June, 1871."

To which charge and specification the accused, Private *George Hopkins*, Company C, 24th Infantry, pleaded as follows:

To the specification, "Guilty, except the word 'steal.'"
To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'steal,' but attach no criminality thereto; and of the excepted word Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *George Hopkins*, Company C, 24th Infantry.

8. Private *Logan Kennedy*, Company I, 24th Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that the said Private *Logan Kennedy*, company I, 24th Infantry, having been duly detailed and mounted as a sentinel of the

post guard, and posted and instructed as number four (No. 4), first relief, did fail and neglect to walk his post promptly and in a soldierly manner in accordance with the instructions received by him from the non-commissioned officer of the guard, but did lounge about and sit down on or near his post, in violation of the instructions received by him in accordance with the general regulations for guard duty. All this at Fort Clark, Texas, during the night of the 8th of June, 1871."

To which charge and specification the accused, Private *Logan Kennedy*, Company I, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Logan Kennedy*, Company I, 24th Infantry, "To be confined at hard labor for the period of one (1) month; and to forfeit to the United States ten (10) dollars of his pay."

9. Private *James Berkley*, Company D, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *James Berkley*, company D, 25th Infantry, having been duly detailed, mounted, posted and instructed by proper authority as a sentinel of the post guard, on post No. 2 (over the quartermaster's and subsistence store houses, the carpenter's shop, and the lumber and wood yard, each in close proximity to the other), did sleep on his post. This at Fort Clark, Texas, during the night of the 15th day of June, 1871."

To which charge and specification the accused, Private *James Berkley*, Company D, 25th Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did sleep on his post.'"
To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did sleep on his post,' and of the excepted words 'Not Guilty.'"
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *James Berkley*, Company D, 25th Infantry.

10. Private *James Joice*, Company D, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *James Joice*, company D, 25th Infantry, being a member of the post guard and having been regularly posted as a sentinel on post No. 1, did go to sleep on his post before being relieved. This at Fort Clark, Texas, on or about the 24th day of April, 1871."

To which charge and specification the accused, Private *James Joice*, Company D, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Joice*, Company D, 25th Infantry, "To be confined in charge of the guard at hard labor for

the period of one year; and forfeit to the United States ten (10) dollars per month of his monthly pay, for the same period."

11. Private *Charles Riz*, Company D, 25th Infantry.

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

Specification—"In this, that Private *Charles Riz*, company D, 25th Infantry, did wilfully and maliciously assault and beat with his fists, and did otherwise illtreat and injure Private Joseph Brown, company D, 25th Infantry. This at Fort Clark, Texas, in the barracks of company D, 25th Infantry, on the 24th day of March, 1871."

To which charge and specification the accused, Private *Charles Riz*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'maliciously,' and of the excepted word 'Not Guilty.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Riz*, Company D, 25th Infantry, "To be confined at hard labor for thirty days."

12. Sergeant *Albert Stout*, Company F, 25th Infantry.

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

Specification—"In this, that he, the said Sergeant *Albert Stout*, F company, 25th Infantry, while on duty as sergeant of the guard at the post of Fort Clark, Texas, did allow one prisoner, Chapman, to have whiskey or other intoxicating liquor, so that said prisoner Chapman appeared on parade at the publishing of the General Court Martial Orders in a drunken condition. This at Fort Clark, Texas, on the 3d of April, 1871."

To which charge and specification the accused, Sergeant *Albert Stout*, Company F, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

The court does therefore acquit him, Sergeant *Albert Stout*, Company F, 25th Infantry.

13. Private *John Histon*, Company F, 25th Infantry.

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

Specification—"In this, that he, *John Histon*, private, company F, 25th Infantry, having been regularly detailed and duly mounted as a member of the post guard, and having been placed in charge of prisoner Philip Gant, company G, 9th Cavalry, did allow the said Gant to escape from confinement. All this at or near Fort Clark, Texas, on or about the 13th day of May, 1871, between the hours of two and four o'clock P. M."

To which charge and specification the accused, Private *John Histon*, Company F, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Histon*, Company F, 25th Infantry, "To be confined at hard labor for three (3) months."

14. Private *Isaac D. Mitchell*, Company F, 25th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Isaac D. Mitchell*, Company F, 25th Infantry, having been duly enlisted in the United States service, did desert the said service, inasmuch as he did leave Fort Clark, Texas, the station of company F, 25th Infantry, without any authority whatever; and did remain absent until apprehended on the Fort Duncan road, between Fort Clark and Fort Duncan, Texas, on the 25th day of May, 1871. All this at or near Fort Clark, Texas, on or about the 24th day of May, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Isaac D. Mitchell*, company F, 25th Infantry, did take, steal and carry away, and attempt to appropriate to his own use, one telescope, the property of the United States, for which 1st Lieutenant Edwin J. Stivers, 25th Infantry, was responsible, and which was at the time of the theft in charge of Sergeant Thomas K. Wilkins, company F, 25th Infantry. All this at or near Fort Clark, Texas, on or about the 24th day of May, 1871."

To which charges and specifications the accused, Private *Isaac D. Mitchell*, Company F, 25th Infantry, pleaded as follows:

To the specification, first charge, "Guilty, except the words 'did desert the said service inasmuch as he.'"

To the first charge, "Not Guilty.

To the specification, second charge, "Guilty, except the word 'steal,' and the words 'and attempt to appropriate to his own use,' and the words 'the theft.'"

To the second charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Isaac D. Mitchell*, Company F, 25th Infantry, "To be dishonorably discharged the service; to have his head shaved and to be drummed out; and to be confined at hard labor at such place as the proper authority may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of Sergeant *James Williams*, Company E, 9th Cavalry, Sergeant *James W. Plant*, Company C, 24th Infantry, Privates *James Joice* and *Charles Riz*, Company D, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Privates *Jessie Fuqua* and *Henry Robinson*, Company G, 9th Cavalry, and *Isaac D. Mitchell*, Company F, 25th Infantry, are approved. So much of the sentence, in each case, as relates to having the head shaved is remitted; the remainder is approved and will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *William A. Gales*, Company G, 9th Cavalry, are approved. So much of the sentence as relates to

having the head shaved is remitted. He will be dishonorably discharged at once. As thus modified the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittals, in the cases of Sergeant *Jack Jones*, Private *George Hopkins*, Company C, 24th Infantry, Private *James Berkley*, Company D, and Sergeant *Albert Stout*, Company F, 25th Infantry, are approved. They will be released from arrest and returned to duty.

The proceedings, findings and sentences in the cases of Private *Logan Kennedy*, Company I, 24th Infantry, and Private *John Histon*, Company F, 25th Infantry, are approved, and the sentences will be duly executed. The posts of their respective companies are designated as the places of confinement.

III. The General Court Martial instituted by paragraph VI of Special Order No. 109, current series, from this Headquarters, and of which Captain DAVID D. VAN VALZAH, 25th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

AT FORT RICHARDSON, TEXAS.

1. Private FRITZLAND DUDLEY.....Company A, 4th Cavalry.
2. Private CHARLES ELLIS.....Company A, 4th Cavalry.
3. Private CHARLES BONNER.....Company B, 4th Cavalry.
4. Private THOMAS LAWSON.....Company B, 4th Cavalry.
5. Private THOMAS O'NEELE.....Company B, 4th Cavalry.
6. Private CHARLES BEALS.....Company F, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *August* 19, 1871.

GENERAL COURT MARTIAL ORDERS, No. 56.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, May 22, 1871, pursuant to paragraph V of Special Order No. 93, Headquarters Department of Texas, dated San Antonio, Texas, May 11, 1871, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, were arraigned and tried:

1. Private *Fritzland Dudley*, Company A, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Fritzland Dudley*, company A, 4th Cavalry, a member of the police guard mounted at Fort Richardson, Texas, on the 24th day of June 1871, having been duly posted over prisoners, did allow Private John Wholy, of company E, 4th Cavalry, to escape from his charge. All this at Fort Richardson, Texas, on the 24th day of June, 1871."

To which charge and specification the accused, *Fritzland Dudley*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Fritzland Dudley*, Company A, 4th Cavalry.

2. Private *Charles Ellis*, Company A, 4th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Charles Ellis*, of company A, 4th Cavalry, a member of a picket guard, did go to sleep while duly posted as a sentinel. All this at or near Fort Richardson, Texas, on or about the 25th day of June, 1871."

To which charge and specification the accused, Private *Charles Ellis*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Charles Ellis*, Company A, 4th Cavalry.

3. Private *Charles Bonner*, Company B, 4th Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that Private *Charles Bonner*, of company B, 4th Cavalry, having been notified to accompany his company on a scout, did fail to attend at the time and place of assembly. This at or near Fort Richardson, Texas, on the 19th day of May, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Charles Bonner*, of company B, 4th Cavalry, while held a prisoner under charge of Lieutenant Olmsted, 4th Cavalry, did attempt to escape and evade the same by flight; and did remain absent till apprehended and brought back by Sergeant Bates, company E, 4th Cavalry."

Specification 2d—"In this, that Private *Charles Bonner*, of company B, 4th Cavalry, having been brought back as set forth in the first specification to the second charge, and turned over as a prisoner to, and placed in charge of Sergeant Miles Variley, company E, 4th Cavalry, did act in a very insubordinate manner, [w]hooping and yelling, and daring the guard to give him a 'horse and a revolver for only ten minutes,' saying 'I will have two hundred Comanche Indians down on you, I am a Texan and have not lived here for nothing, you d——d sons of bitches,' or words to that effect; and did abuse and blackguard the said Sergeant Variley in a very outrageous manner. This while on the line of march, in pursuit of hostile Indians, on or about the 19th day of May, 1871, on the road leading from and between Fort Richardson, Texas, and Salt Creek, Texas."

To which charges and specifications the accused, *Charles Bonner*, Company B, 4th Cavalry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Bonner*, Company B, 4th Cavalry, "To forfeit to the United States all pay now due or that may become due him; and be confined in such military prison as the Department Commander may direct, for the period of two years; and then be dishonorably discharged from the United States service."

4. Private *Thomas Lawson*, Company B, 4th Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Thomas Lawson*, of company B, 4th Cavalry, having been notified to accompany his company on a scout, did absent himself from, and did fail to attend at, the time and place of assembly of his company. This at or near Fort Richardson, Texas, on or about the 19th day of May, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Lawson*, of company B, 4th Cavalry, having been arrested on account of absence from the place of assembly of his company, as set forth in the specification to the first charge, and turned over as a prisoner, and placed in charge of Sergeant Miles Variley, company E, 4th Cavalry; and directed to walk behind a wagon, did refuse to walk behind said wagon, and did attempt to draw a pistol for the purpose of shooting the said Sergeant Variley; and did,

when Sergeant Variley rode up for the purpose of enforcing the order, catch the said Sergeant Variley's horse by the bridle; and did abuse the said Sergeant Variley, using the most outrageous language, the precise words used being now forgotten. This while on the line of march, in pursuit of hostile Indians, on or about the 19th day of May, 1871, and on the road between Fort Richardson, Texas, and Salt Creek, Texas."

To which charges and specifications the accused, Private *Thomas Lawson*, Company B, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Thomas Lawson*, Company B, 4th Cavalry, "To be dishonorably discharged the service of the United States; and be confined at such military prison as the Department Commander may order, for the period of three years; and to forfeit to the United States all pay and allowances now due or [that] may become due him."

5. Private *Thomas O'Neele*, Company B, 4th Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Thomas O'Neele*, of company B, 4th Cavalry, having been notified to accompany his company on a scout, was absent from, and did fail to attend at, the time and place of assembly of his company. This at or near Fort Richardson, Texas, on or about the 19th day of May, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Thomas O'Neele*, company B, 4th Cavalry, having been arrested on account of absence from the place of assembly of his company, as set forth in the specification to the first charge, and turned over as a prisoner and placed in charge of Sergeant Miles Variley, company E, 4th Cavalry, and ordered to walk behind a wagon, did become very insubordinate; and did threaten to shoot the said Sergeant Variley, and did say that there would be one sergeant less in E company (meaning the said Sergeant Variley) before the scout was over; and did call the said Sergeant Variley 'an Irish bastard and son-of-a-bitch,' or epithets of a nature kindred thereto; and did make use of other abusive and outrageous language, the precise words used being now forgotten. This while on the march, in pursuit of hostile Indians, on or about the 19th day of May, 1871, and on the road between Fort Richardson, Texas, and Salt Creek, Texas."

To which charges and specifications the accused, Private *Thomas O'Neele*, Company B, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Thomas O'Neele*, Com-

pany B, 4th Cavalry, "To forfeit to the United States eight (8) dollars of his monthly pay for the period of one year; and to be confined at hard labor in charge of the guard, at the place where his company may be serving, for the same period."

6. Private *Charles Beals*, Company F, 4th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Charles Beals*, of company F, 4th Cavalry, a member of the police guard mounted at Fort Richardson, Texas, on the 24th day of June, 1871, was found sleeping on his post at the hour of 10 o'clock P. M., on the 24th day of June, 1871. This at Fort Richardson, Texas, on the date above set forth."

To which charge and specification the accused, Private *Charles Beals*, Company F, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Beals*, Company F, 4th Cavalry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for the period of six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

II. The proceedings, findings and aquittal in the cases of Privates *Fritzland Dudley*, and *Charles Ellis*, Company A, 4th Cavalry, are approved. They will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Charles Bonner*, Company B, 4th Cavalry, are approved. The period of confinement is reduced to one year at the post of his company. The prisoner will be dishonorably discharged at once. As thus amended the sentence is approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Thomas Lawson*, and *Thomas O'Neele*, Company B, 4th Cavalry, are approved, and the sentences will be duly executed. In the case of Private *Lawson*, the State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Charles Beals*, Company F, 4th Cavalry, are approved, but in view of the favorable recommendation of the court, the sentence is mitigated to forfeiture of ten dollars per month of his monthly pay for the period of three months; and confinement at hard labor, at the post of his company, for the same period. As thus mitigated the sentence will be duly executed.

III. The General Court Martial instituted by paragraph V of Special Order No. 93, current series, from Department Headquarters, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Recruit Gustav Sauneman.....Company A, 10th Infantry.
2. Private John Henry.....Company G, 10th Infantry.
3. Private William Thompson.....Company G, 10th Infantry.
4. Private Louis Brown.....Company H, 10th Infantry.
5. Private Anthony Mannetti.....Company H, 10th Infantry.
6. Recruit Charles Kellogg.....Company K, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *August* 21, 1871.

General Court Martial Orders, No. 57.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Thursday, July 20, 1871, pursuant to paragraph IV, of Special Order No. 141, Headquarters Department of Texas, dated San Antonio, Texas, July 8, 1871, and of which Lieutenant Colonel Alexander McD. McCook, 10th Infantry, is President, were arraigned and tried:

1. Recruit *Gustav Sauneman*, Company A, 10th Infantry.

Charge I—"Absence without leave."

Specification—"In this, that he, Recruit *Gustav Sauneman*, Company A, 10th Infantry, did absent himself without authority from his company and post, from tattoo roll call on the 8th of June, 1871, and did remain absent until 3 o'clock P. M., on the 10th day of June, 1871. This at Fort Brown, Texas, on or about the date specified."

Charge II—"Violation of the 38th Article of War."

Specification—"In this, that he, Recruit *Gustav Sauneman*, Company A, 10th Infantry, did sell, or lose through carelessness, the following articles of U. S. property, viz., of ordnance and ordnance stores: one (1) screw driver, 42 cents; one (1) tompion, 2 cents; of C., C. & G. Eq., one (1) bed sack, $1.56; one mosquito bar, 89 cents; one (1) pair scales, 31 cents; two letters A, 2 cents; two (2) bugles, 2 cents; four (4) numbers, 4 cents; one (1) eagle, 1 cent; also his clothing outfit, amounting to $23,08. This at Fort Brown, Texas, on or about the 9th day of June, 1871."

To which charges and specifications the accused, Recruit *Gustav Sauneman*, Company A, 10th Infantry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Recruit *Gustav Sauneman*, Company A, 10th Infantry, "To forfeit to the United States ten ($10) dollars

per month of his monthly pay for a period of three months, and to be confined at hard labor in charge of the guard, at the station of his company, for four (4) months."

2. Private *John Henry*, Company G, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, Private *John Henry*, company G, 10th Infantry, having been duly mounted as a member of the post guard at Fort Brown, Texas, was, at 9 o'clock on the night of June 14, 1871, so much under the influence of intoxicating liquors as to be unable to perform his duty properly. All this at Fort Brown, Texas, on or about the 14th day of June, 1871."

To which charge and specification the accused, Private *John Henry*, Company G, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Henry*, Company G, 10th Infantry, "To be confined at hard labor, in charge of the guard, for three (3) months, at the station of his company; the first and last seven days of each month to be solitary confinement, on bread and water."

3. Private *William Thompson*, Company G, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that he, Private *William Thompson*, company G, 10th Infantry, having been duly mounted as a member of the post guard at Fort Brown, Texas, did become so much intoxicated as to be unable to perform his duty properly. All this at Fort Brown, Texas, on or about the 15th day of June, 1871."

To which charge and specification the accused, Private *William Thompson*, Company G, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Thompson*, Company G, 10th Infantry, "To be confined at hard labor, in charge of the guard, for three (3) months, at the station of his company; the first and last seven days of each month to be solitary confinement, on bread and water."

4. Private *Louis Brown*, Company H, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Louis Brown*, company H, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at post hospital, Fort Brown, Texas, May 26, 1871; and did remain absent until June 9, 1871, when he surrendered himself at Fort Brown, Texas. This at post hospital, Fort Brown, Texas, on the date specified."

To which charge and specification the accused, Private *Louis Brown*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 *Louis Brown*, Company H, 10th Infantry, "To be confined at hard labor under charge of the guard, at the post where his company is serving, for the period of two months; and to forfeit to the United States twelve ($12) dollars per month of his monthly pay for two months."

5. Private *Anthony Mannetti*, Company H, 10th Infantry.

CHARGE—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Anthony Mannetti*, company H, 10th Infantry, a duly mounted member of the post guard at Fort Brown, Texas, did, between the hours of seven and nine P. M., June 14, 1871, absent himself, without permission, from the guard; and did remain absent until about five A. M., June 15, 1871. All this at Fort Brown, Texas, on or about June 14, 1871."

To which charge and specification the accused, Private *Anthony Mannetti*, Company H, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Anthony Mannetti*, Company H, 10th Infantry, "To forfeit to the United States ten ($10) dollars per month of his monthly pay for two months; and to be confined at hard labor under charge of the guard, at the station of his company, for two (2) months."

6. Recruit *Charles Kellogg*, Company K, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Charles Kellogg*, a duly enlisted soldier in the army of the United States, recruit of company K, 10th regiment of Infantry, did absent himself from and desert the said service at Fort Brown, Texas, May 17, 1871; and did remain so absent until arrested as a deserter in the city of Brownsville, Texas, May 24, 1871; thirty dollars paid for apprehension."

To which charge and specification the accused, Recruit *Charles Kellogg*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Charles Kellogg*, Company K, 10th Infantry, "To forfeit to the United States all pay and allowances that are now due or that may become due him, except the just dues of the laundress; to be confined at hard labor, in such military prison as the Department Commander may direct, for the period of four (4) years, after the expiration of which time to be dishonorably discharged the service of the United States."

II. The proceedings and findings in the case of Recruit *Gustav Sauneman*, Company A, 10th Infantry, are approved. So much of the sentence as relates to confinement is remitted; the remainder is approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *John Henry*, *William Thompson*, Company G, *Louis Brown* and *Anthony Mannetti*, Company H, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Recruit *Charles Kellogg*, Company K, 10th Infantry, are approved, and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV of Special Order No. 141, current series, from this Headquarters, and of which Lieutenant Colonel ALEXANDER McD. McCOOK, 10th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood
~~Aide-de-Camp.~~
A. A. General

AT SAN ANTONIO, TEXAS.

1. Trumpeter JAMES BOUGHTON..... Company M, 4th Cavalry.
2. Private TIMOTHY KELLY..... Company M, 4th Cavalry.
3. Private GEORGE CROSBY..... Company C, 10th Infantry.
4. Private MORRIS FITZGERALD..... Company C, 10th Infantry.
5. Private JAMES HOLLAND..... Company C, 10th Infantry.
6. Private HERMAN WEISE..... Company C, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *August* 25, 1871.

GENERAL COURT MARTIAL ORDERS, No. 58.

I. Before a General Court Martial which convened at San Antonio, Texas, on Saturday, August 5, 1871, pursuant to paragraph II, of Special Order No. 158, and paragraph I, of Special Order No. 161, Headquarters Department of Texas, dated San Antonio, Texas, August 4 and 9, 1871, and of which Lieutenant Colonel JAMES H. CARLETON, 4th Cavalry, is President, were arraigned and tried:

1. Trumpeter *James Boughton*, Company M, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Trumpeter *James Boughton*, company M, 4th Cavalry, did strike and knock down with his fist First Sergeant F. C. Fredrickson, company M, 4th Cavalry, when he (Sergeant Fredrickson) was in the line of his duty. This in the quarters of company M, 4th Cavalry, at San Antonio, Texas, on the 2d day of August, 1871."

To which charge and specification the accused, Trumpeter *James Boughton*, Company M, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Trumpeter *James Boughton*, Company M, 4th Cavalry, "To be confined at hard labor under charge of a guard for the period of one (1) year; and to forfeit all pay and allowances for the same period, except the just dues of the laundress."

2. Private *Timothy Kelly*, Company M, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Timothy Kelly*, company M, 4th Cavalry, did use threatening language towards, and strike with his fist, First Sergeant F. C. Fredrickson, company M, 4th Cavalry, when he (Sergeant Fredrickson) was in the line of his duty. This in the quarters of company M, 4th Cavalry, at San Antonio, Texas, on or about the 2d day of August, 1871."

To which charge and specification the accused, Private *Timothy Kelly*, Company M, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Timothy Kelly*, Company M, 4th Cavalry, "To forfeit to the United States ten ($10) dollars per month of his monthly pay, for the period of three (3) months."

3. Private *George Crosby*, Company C, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification 1*st*—"In this, that the said *George Crosby*, private, company C, 10th Infantry, after having been duly posted to guard Government funds, for which Major C. M. Terrell, Paymaster, U. S. A., was responsible, did become drunk. This at a camp near Fredericksburg, Texas, on or about the evening of the 14th July, 1871."

Specification 2*d*—"In this, that the said *George Crosby*, private, company C, 10th Infantry, having been detailed as part of an escort of U. S. funds, in the possession of Major C. M. Terrell, Paymaster, U. S. A., while on said escort, was so under the influence of intoxicating drink as to render him unfit for duty. This *en route* from San Antonio, Texas, to Fort McKavett, Texas, from the 11th to the 14th July, 1871, inclusive."

To which charge and specifications the accused, Private *George Crosby*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Crosby*, Company C, 10th Infantry, "To be confined at the post where his company may be serving, at hard labor under charge of the guard, for the period of four (4) months."

4. Private *Morris Fitzgerald*, Company C, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification 1*st*—"In this, that the said *Morris Fitzgerald*, private, company C, 10th Infantry, after having been duly posted to guard Government funds, for which Major C. M. Terrell, Paymaster, U. S. A, was responsible, did become drunk. This at a camp near Fredericksburg, Texas, on or about the evening of the 13th July, 1871."

Specification 2*d*—"In this, that the said *Morris Fitzgerald*, private, company C, 10th Infantry, having been detailed as part of an escort of U. S. funds, in the possession of Major C. M. Terrell, Paymaster, U. S. A., while on said escort, was so under the influence of intoxicating drink as to render him unfit for duty. This *en route*

from San Antonio, Texas, to Fort McKavett, Texas, from the 11th to the 14th July, 1871, inclusive."

To which charge and specifications the accused, Private *Morris Fitzgerald*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Morris Fitzgerald*, Company C, 10th Infantry.

5. Private *James Holland*, Company C, 10th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification 1st—"In this, that the said Private *James Holland*, company C, 10th Infantry, having been duly detailed as part of an escort to Major C. M. Terrell, Paymaster, U. S. A., and having been duly posted as a sentinel over Government funds, did go to sleep on said post, and allow his arms to be taken away without resistance, by the sergeant of the escort. This at camp near the Llano, between the night of the 14th and morning of the 15th of July, 1871, between the hours of 10 o'clock P. M. and 2 o'clock A. M."

Specification 2d—"In this, that the said *James Holland*, private, company C, 10th Infantry, did, after having been duly posted as a sentinel over U. S. Government funds, in the possession of Major C. M. Terrell, Paymaster, U. S. A., and for which he (Major Terrell) was responsible, leave his post without being relieved. This at camp near the Llano, on or about the night of July 14 and morning of the 15th, 1871."

CHARGE II—"Drunkenness on duty."

Specification 1st—"In this, that the said *James Holland*, private, company C, 10th Infantry, having been detailed as part of an escort to Major C. M. Terrell, Paymaster, U. S. A., and having been duly detailed and posted over U. S. funds, for which said Major C. M. Terrell was responsible, did become drunk and unfit to perform said duty. This between the night of the 14th and morning of the 15th of July, 1871, between the hours of ten o'clock P. M., and two o'clock A. M., at camp near Llano, Texas."

Specification 2d—"In this, that the said *James Holland*, private, company C, 10th Infantry, having been detailed as part of an escort of U. S. funds, in the possession of Major C. M. Terrell, Paymaster, U. S. A., while on said escort, was so under the influence of intoxicating drink as to render him unfit for duty. This *en route* from San Antonio, Texas, to Fort McKavett, Texas, from the 11th to the 14th July, 1871, inclusive."

To which charges and specifications the accused, Private *James Holland*, Company C, 10th Infantry, pleaded as follows:

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

To the second charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Holland*, Company C, 10th Infantry, "To be confined at hard labor under charge of the guard, at the post where his company may be serving, for the period of six (6) months; and to forfeit ten ($10) dollars of his monthly pay, per month, for the same period."

6. Private *Herman Weise*, Company C, 10th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification 1st—"In this, that the said *Herman Weise*, private, company C, 10th Infantry, having been duly detailed and posted as sentinel over U. S. funds, for which Major C. M. Terrell, Paymaster, U. S. A., was responsible, did leave said post without authority between the night of the 13th and morning of the 14th July, 1871. This at camp near Fredericksburg, Texas."

Specification 2d—"In this, that he, the said Private *Herman Weise*, company C, 10th Infantry, having been duly detailed as part of an escort for public funds, for which Major C. M. Terrell, Paymaster, U. S. A., was responsible, and having been duly posted as a sentinel over said funds, did go to sleep while on said post. This at camp near the Llano, between the night of the 14th and morning of the 15th of July, 1871."

CHARGE II—"Drunkenness on duty."

Specification 1st—"In this, that the said *Herman Weise*, private, company C, 10th Infantry, having been detailed as part of an escort to Major C. M. Terrell, Paymaster, U. S. A., and having been duly detailed and posted over U. S. funds, for which said Major C. M. Terrell, Paymaster, U. S. Army, was responsible, did become drunk and unfit to perform said duty. This between the night of the 13th and morning of the 14th of July, 1871, at a camp near Fredericksburg, Texas."

Specification 2d—"In this, that the said *Herman Weise*, private, company C, 10th Infantry, having been detailed as part of an escort of U. S. funds, in the possession of Major C. M. Terrell, Paymaster, U. S. A., while on said escort, was so under the influence of intoxicating drink as to render him unfit for duty. This *en route* from San Antonio, Texas, to Fort McKavett, Texas, from the 11th to the 14th of July, 1871, inclusive."

Specification 3d—"In this, that the said *Herman Weise*, private, company C, 10th Infantry, having been detailed as part of an escort to Major C. M. Terrell, Paymaster, U. S. A., and having been duly detailed and posted over U. S. funds, for which Major C. M. Terrell, Paymaster, U. S. A., was responsible, did become drunk. This between the night of the 14th and morning of the 15th of July, 1871, at a camp near the Llano."

To which charges and specifications the accused, Private *Herman Weise*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Herman Weise*, Company C, 10th Infantry, "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 per month of his monthly pay for the same period."

II. The proceedings, findings and sentence in the case of Trumpeter *James Boughton*, Company M, 4th Cavalry, are approved. Upon the recommendation of five members of the court the sentence is mitigated to confinement at hard labor, at the post of his company, for the period of six months, and forfeiture of all pay and allowances for the same period, except the just dues of the laundress. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Private *Timothy Kelly*, Company M, 4th Cavalry, and Private *Herman Weise*, Company C, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *George Crosby*, Company C, 10th Infantry, are approved. The sentence, although it is considered inadequate, is confirmed and will be duly executed.

The proceedings, findings and acquittal in the case of Private *Morris Fitzgerald*, Company C, 10th Infantry, are approved. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *James Holland*, Company C, 10th Infantry, are approved. The sentence is confirmed and will be duly executed, although it is entirely inadequate to the enormity of the offence proven.

III. The General Court Martial instituted by paragraph II, of Special Order No. 158, and paragraph I, of Special Order No. 161, current series, from this Headquarters, and of which Lieutenant Colonel JAMES H. CARLETON, 4th Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

~~Aide-de-Camp.~~ A. A. General

At Fort Griffin, Texas.

1. Farrier Martin G. Rossmalier.....Company H, 4th Cavalry.
2. Private Philip McGoveran..... Company H, 4th Cavalry.
3. Private Thomas Burke.....Company A, 11th Infantry.
4. Private George Davies .....Company A, 11th Infantry.
5. Private Bernard Kiernan.....Company A, 11th Infantry.
6. Private George H. Lewis .....Company A, 11th Infantry.
7. Private John Meyers.....Company A, 11th Infantry.
8. Private Robert Blake.....Company G, 11th Infantry.
9. Private James Hurley.....Company G, 11th Infantry.
10. Private Martin McDonough.....Company G, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *September* 5, 1871.

General Court Martial Orders, No. 59.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Thursday, August 17, 1871, pursuant to paragraph III of Special Order No. 158, Headquarters Department of Texas, dated San Antonio, Texas, August 4, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Farrier *Martin G. Rossmalier*, Company H, 4th Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Farrier *Martin G. Rossmalier*, company H, 4th Cavalry, did, without permission from proper authority, take one horse, the property of the United States, and for which Captain S. Gunther, 4th Cavalry, is responsible, from the vicinity of the company stables of company H, 4th Cavalry, to John Walther's ranch, near Fort Griffin, Texas; and did offer to sell or otherwise to improperly dispose of the said horse to the said Walther, for the sum of forty dollars, with the intent to appropriate the same for his own private benefit; and did tell the said Walther that the horse was his *(Rossmalier's)*, and that he got the horse from a negro at Austin, Texas; and did leave the said horse at said Walther's ranch from the night of June 5, 1871, until about ten o'clock A. M., June 6, 1871, when the whereabouts of the said horse were reported to First Sergeant Charles Newhouse, company H, 4th Cavalry, by private George Cook, company H, 4th Cavalry; when he, First Sergeant Charles Newhouse, sent Corporal Patrick Butler, company H, 4th Cavalry, to recover and bring the said horse to the garrison. This at or near Fort Griffin, Texas, on or about the dates above mentioned."

To which charge and specification the accused, Farrier *Martin G. Rossmalier*, Company H, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Farrier *Martin G. Rossmalier*, Company H, 4th Cavalry.

2. Private *Philip McGoveran*, Company H, 4th Cavalry.

CHARGE I—"Desertion,"

Specification—"In this, that he, Private *Philip McGoveran*, company H, 4th Cavalry, having been duly enlisted in the Army of the United States, did desert said service at Fort Griffin, Texas, on or about the 2d day of July, 1871, and did remain absent until apprehended at or near Sandy river, Texas, on or about the 5th day of July, 1871; thirty ($30) dollars paid for his apprehension. This at or near Fort Griffin, Texas, on or about the 2d day of July, 1871."

CHARGE II—"Theft."

Specification—"In this, that he, Private *Philip McGoveran*, company H, 4th Cavalry, did feloniously steal and carry away from the post of Fort Griffin, Texas, the following ordnance and ordnance stores, for which Captain S. Gunther, 4th Cavalry, is responsible to the United States: viz., one Spencer carbine, cal. 50, value $50; one sabre, value $6. 50; one carbine sling, value $1. 36; one carbine swivel, value 50 cts.; one carbine cartridge box, value $1. 43; one sabre belt and plate, value $1. 90; one carbine screw driver, value 15 cts; twenty rounds carbine cartridges, value $1. 20; one pair of spurs and straps, value 55 cts.; and the following camp and garrison equipage, viz. one pair metallic scales, value 31 cts.; one number 4, value 1 ct.; one letter H, value 1 ct.; one pair crossed sabres value 1 ct.; one canteen, value 29 cts.; and one bedsack value $1. 71; total value of ordnance stolen $63.50; total value of camp and garrison equipage stolen $2. 34. This at Fort Griffin, Texas, on or about the 2d day of July, 1871."

To which charges and specifications the accused, Private *Philip McGoveran*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Philip McGoveran*, Company H, 4th Cavalry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate for the period of seven (7) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

3. Private *Thomas Burke*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Thomas Burke*, company A, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 1st day of July, 1871; and did remain absent until apprehended and brought back to the post of Fort Griffin, Texas, on the 5th day of July, 1871; thirty dollars reward being paid for his apprehension. All this at or near the post of Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *Thomas Burke*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Burke*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate for the period of five (5) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

4. Private *George Davies*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *George Davies*, Company A, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 1st day of July, 1871; and did remain absent until apprehended and brought back to the post of Fort Griffin, Texas, on the 5th day of July, 1871; thirty dollars paid for his apprehension. All this at or near Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *George Davies*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Davies*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate for the period of five (5) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

5. Private *Bernard Kiernan*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Bernard Kiernan*, of company A, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 1st day of July 1871; and did remain absent until apprehended and brought back to the post of Fort Griffin, Texas, on the 5th day of July, 1871; thirty

dollars being paid for his apprehension. All this at or near Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *Bernard Kiernan*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Bernard Kiernan*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate, for the period of five (5) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

6. Private *George H. Lewis*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *George H. Lewis*, company A, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the first day of July, 1871; and did remain absent until apprehended and brought back to the post of Fort Griffin, Texas, on the 5th day of July, 1871; thirty dollars reward being paid for his apprehension. All this at or near Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *George H. Lewis*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George H. Lewis*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate, for the period of five (5) years; and to forfeit to the United States all pay and allowances now due or that may become due him."

7. Private *John Meyers*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *John Meyers*, of company A, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the first day of July, 1871; and did remain absent until apprehended and brought back to the post of Fort Griffin, Texas, on the 5th day of July, 1871; thirty dollars being paid for his apprehension. All this at or near Fort Griffin, Texas, on or about the date above specified."

To which charge and specification the accused, Private *John Meyers*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Meyers*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined, at such place as the Department Commander may designate, for the period of five (5) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

8. Private *Robert Blake*, Company G, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Robert Blake*, of company G, 11th Infantry, being a duly enlisted soldier in the service of the United States, did desert the said service; and did remain absent therefrom until apprehended and brought back. Thirty dollars paid for his apprehension. This at Fort Griffin, Texas, on or about the 1st of July, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert Blake*, of company G, 11th Infantry, did feloniously take, steal and appropriate to his own use the following articles, the property of the United States, for which Captain Theo. Schwan, 11th Infantry, is responsible, viz., one breech-loading Springfield rifle-musket, value fifty ($50) dollars; twenty centre primed metallic cartridges, value one dollar (1. 20) twenty cents; one gun sling, value twenty-five (25) cents; one canteen and strap, value twenty-nine (29) cents; one haversack, value forty-three (43) cents; two letters and four numbers, value six (6) cents; one bed sack, single, value one dollar ($1. 56) and fifty-six cents; and one tompion, value two (2) cents. This at Fort Griffin, Texas, on or about the 1st day of July, 1871."

To which charges and specifications the accused, Private *Robert Blake*, Company G, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Robert Blake*, company G, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate for the period of seven (7) years; and to forfeit to the United States all pay and allowances that are due or that may become due him."

9. Private *James Hurley*, Company G, 11th Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James Hurley*, of company G, 11th Infantry, was drunk; and while so drunk, did strike, without provocation, Private Hettel, a member of his *(Hurley's)* company. This at Fort Griffin, Texas, on or about July 1, 1871."

Specification 2d—"In this, that he, Private *James Hurley*, company G,

11th Infantry, having been ordered into confinement, for drunkenness, by Sergeant Terrence Corbett, company G, 11th Infantry, who was then and there in the discharge of his duty, did refuse to accompany the said non-commissioned officer to the guard house, to which it was necessary to take him by force. This at Fort Griffin, Texas, on or about July 1, 1871."

Specification 3d—"In this, that he, Private *James Hurley*, of company G, 11th Infantry, was so drunk as to be unable to perform in a proper manner the duties of a soldier. This at Fort Griffin, Texas, on or about the 15th of June, 1871."

Specification 4th—"In this, that he, Private *James Hurley*, company G, 11th Infantry, being on fatigue duty, did persistently and repeatedly disobey the lawful and positive orders of his superior, Sergeant John Jackson, company G, 11th Infantry, the non-commissioned officer in charge of the party. This at or near Fort Griffin, Texas, on or about June 15, 1871."

Specification 5th—"In this, that he, Private *James Hurley*, of company G, 11th Infantry, having been ordered on detached service, did become so much under the influence of intoxicating drink as to be unable to discharge in a proper manner the duties of a soldier. This at Fort Griffin, Texas, on or about July 2, 1871."

Specification 6th—"In this, that he, Private *James Hurley*, of company G, 11th Infantry, while on detached service *en route* for Mountain Pass, Texas, did leave his party and lie down; and having been ordered to rise and get into the wagon by Sergeant William Wright, company G, 11th Infantry, in charge of party, did resist the said non-commissioned officer who, in order to carry out his order to said *Hurley*, was compelled to employ force. This on or about July 2, 1871, as specified."

Specification 7th—"In this, that he, Private *James Hurley*, company G, 11th Infantry, was drunk. This at Fort Griffin, Texas, August 12, 1871."

Specification 8th—"In this, that he, Private *James Hurley*, of company G, 11th Infantry, from the 4th of April, 1871, the date on which he joined his company, up to the present time, has proved himself to be habitually intemperate, and, whenever intoxicated, has manifested so quarrelsome and insubordinate a disposition, and shown such unwillingness to perform his proper and legitimate duties, as to render him essentially worthless as a soldier. This at Fort Griffin, Texas, August 14, 1871."

To which charge and specifications the accused, Private *James Hurley*, Company H, 11th Infantry, pleaded as follows:

To the first specification,	"Guilty."
To the second specification,	"Not Guilty."
To the third specification,	"Not Guilty."
To the fourth specification,	"Not Guilty."
To the fifth specification,	"Not Guilty."
To the sixth specification,	"Not Guilty."
To the seventh specification,	"Guilty."
To the eighth specification,	"Not Guilty."
To the charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the third specification,	"Guilty."
Of the fourth specification,	"Guilty."
Of the fifth specification,	"Guilty."
Of the sixth specification,	"Guilty."
Of the seventh specification,	"Guilty."
Of the eighth specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Hurley*, Company H, 11th Infantry, "To be dishonorably discharged the service of the United States, with a forfeiture of all pay and allowances; and to be drummed out of the camp where his company may be serving."

10. Private *Martin McDonough*, Company G, 11th Infantry.

CHARGE I—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, was drunk in the ranks of his company when paraded for payment. This at Fort Griffin, Texas, on or about March 1, 1871."

Specification 2d—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, was so drunk as to be unable to perform the duties of a soldier in a proper manner. This at Fort Griffin, Texas, on or about March 28, 1871."

Specification 3d—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, was so drunk as to be unable to perform in a proper manner the duties of a soldier. This at Fort Griffin, Texas, on or about July 6, 1871."

Specification 4th—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, was drunk while on the march with his company *en route* for Phantom Hill, Texas. This on the 7th of July, 1871, as specified."

Specification 5th—"In this, that he, Private *Martin McDonough*, Company G, 11th Infantry, was so drunk as to be unable to discharge, in a proper manner, the duties of a soldier. This at Fort Griffin, Texas, on or about the 11th of August 1871."

Specification 6th—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, is habitually intemperate; and by reason of such intemperance, has become utterly unreliable and worthless as a soldier. This at Fort Griffin, Texas, on or about the 14th August, 1871."

CHARGE II—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Martin McDonough*, company G, 11th Infantry, having been duly mounted as a member of the post guard and placed as such in charge of certain prisoners, did become so much intoxicated as to be unable to perform, in a proper manner, the duties of a sentinel. This at Fort Griffin, Texas, on or about the 12th of August, 1871."

To which charges and specifications the accused, Private *Martin McDonough*, Company G, 11th Infantry, pleaded as follows:

To the first specification, first charge,	"Guilty."
To the second specification, first charge,	"Guilty."
To the third specification, first charge,	"Guilty."
To the fourth specification, first charge,	"Guilty."

To the fifth specification, first charge, "Guilty."
To the sixth 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 accused:

Of the first specification, first charge. "Guilty."
Of the second specification, first charge, "Guilty."
Of the third specification, first charge. "Guilty."
Of the fourth specification, first charge, "Guilty."
Of the fifth specification, first charge, "Guilty."
Of the sixth specification, first charge, "Not Guilty."
Of the first charge, "Guilty, excepting the word 'worthlessness,' and substituting therefor the word 'conduct.'"
Of the specification, second charge, "Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Martin McDonough*, Company G, 11th Infantry, "To be confined at hard labor under charge of the guard for the period of ten (10) months; and to wear an iron ball weighing twenty (20) pounds, with a chain three (3) feet long, for the same time."

II. The proceedings, findings and acquittal in the case of Farrier *Martin G. Rossmalier*, Company H, 4th Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings and findings in the cases of Privates *Philip McGooeran*, Company H, 4th Cavalry, *Thomas Burke*, *George Davies*, *Bernard Kiernan*, *George H. Lewis*, *John Meyers*, Company A, and *Robert Blake*, Company G, 11th Infantry, are approved. The period of confinement in each case is reduced to three years. As thus amended the sentences are approved and will be duly executed. The State Penitentiary at Baton Rouge, La., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *James Hurley*, Company G, 11th Infantry, are approved, and the sentence will be duly executed.

The proceedings and findings in the cases of Private *Martin McDonough*, Company G, 11th Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

~~Aide de Camp.~~
Assistant Adjutant General.

At Fort McKavett, Texas.

1. Corporal Green Umber.....Company F, 9th Cavalry.
2. Private John Jones.....Company F, 9th Cavalry.
3. Corporal Peter Gorman.....Company E, 11th Infantry.
4. Corporal Richard Yates.....Company E, 11th Infantry.
5. Private John Ryan.....Company E, 11th Infantry.
6. Private Lee Irvin.....Company E, 24th Infantry.
7. Private James Gibson.....Company H, 24th Infantry.
8. Private John Fisher.....Company I, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *September* 6, 1871.

General Court Martial Orders, No. 60.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Thursday, August 3, 1871, pursuant to paragraph VIII, Special Order No. 152, Headquarters Department of Texas, dated San Antonio, Texas, July 28, 1871, and of which Colonel Abner Doubleday, 24th Infantry, is President, were arraigned and tried:

1. Corporal *Green Umber*, Company F, 9th Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That Corporal *Green Umber*, company F, 9th Cavalry, did without authority, sell to one Samuel Garrettson, a civilian, a quantity of rations belonging to his detachment, to the amount of two dollars, more or less; and did keep and apply to his own use the two dollars, more or less, named. This at or near the sub-post of Mayner's creek, Texas, on or about July 6, 1871."

Specification 2d—"That Corporal *Green Umber*, company F, 9th Cavalry, did report to his commanding officer that he had found fresh trail of a large party of Indians crossing the road from Mayner's creek to Paint Rock, Texas; and that he had seen the Indians standing around their camp fire; which report was false and known by said Corporal *Umber* to be false; and by which false report unnecessary suffering was caused certain soldiers and horses of the U. S. Cavalry. This at or near Paint Rock Spring, Texas, on or about August 4, 1871."

To which charge and specifications the accused, Corporal *Green Umber*, Company F, 9th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Corporal *Green Umber*, Company F, 9th Cavalry.

2. Private *John Jones*, Company F, 9th Cavalry.

CHARGE—"Sleeping on post."

Specification—"That Private *John Jones*, company F, 9th Cavalry, having been regularly posted as sentinel over the horse herd of a detachment of the 9th Cavalry, did leave his post and arms, and go up in a tree near by; and did there sleep until the corporal of the guard had taken possession of his (*Jones'*) carbine. This without proper authority and near Lapan Springs, Texas, August 3, 1871."

To which charge and specification the accused, Private *John Jones*, Company F, 9th Cavalry, pleaded as follows:

To the specification, "Guilty, except the words 'leave his post and'"

To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words, 'leave his post and'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Jones*, Company F, 9th Cavalry, "To be confined at hard labor, in charge of the guard, for the remainder of his enlistment; and to forfeit eight dollars of his monthly pay for the same period."

3, 4 and 5. Corporals *Peter Gorman* and *Richard Yates* and Private *John Ryan*, Company E, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that they, and each of them, Corporals *Peter Gorman* and *Richard Yates* and Private *John Ryan*, all of company E, 11th Infantry, United States Army, having been duly enlisted in the service of the United States, did desert their company and the said service of the United States, at or near Fort Concho, Texas, on or about the 28th day of July, 1871; and did remain absent until apprehended by Sergeant Houston Lust, company E, 24th United States Infantry, near the Guadaloupe river, Texas, on or about the 4th day of August, 1871; they being at the time dressed in citizens' clothing. This at or near the places above written, on or about the dates above specified."

To which charge and specification the accused, Corporals *Peter Gorman* and *Richard Yates* and Private *John Ryan*, Company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Corporal *Peter Gorman*, Corporal *Richard Yates*, and Private *John Ryan* Company E, 11th Infantry:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence them, Corporal *Peter Gorman*, Corporal *Richard Yates* and Private *John Ryan*, company E, 11th Infantry, and each of them, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at hard labor for a period of two years, in such penitentiary as the Department Commander may direct."

6. Private *Lee Irvin*, Company E, 24th Infantry.

CHARGE—"Sleeping on post."

Specification—"That Private *Lee Irvin*, company E, 24th Infantry, having been duly posted as a sentinel at Pecan Springs, Texas, did sleep on his

post until found in that condition by Sergeant David Beck, company E, 24th Infantry. This at or near Pecan Springs, Texas, on or about July 16, 1871."

To which charge and specification the accused, Private *Lee Irvin*, Company E, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Lee Irvin*, Company E, 24th Infantry, "To be confined at hard labor, in charge of the guard, for two months."

The court is thus lenient in consideration of mitigating circumstances and the previous good character of the prisoner.

7. Private *Jame Gibson*, Company H, 24th Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that Private *James Gibson*, company H, 24th Infantry, having been placed in charge of two prisoners, did allow one, Tallishanner, a citizen, to escape. All this at or near Fort McKavett, Texas, on or about July 14, 1871."

To which charge and specification the accused, Private *James Gibson*, Company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *James Gibson*, Company H, 24th Infantry.

8. Private *John Fisher*, Company I, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *John Fisher*, company I, 24th Infantry, being detailed on duty in the commissary department of the post of Fort McKavett, Texas, did unlawfully and feloniously take away and steal from the commissary storehouse a quantity of coffee contained in a sack, said coffee weighing eighty (80) pounds, more or less, and of the value of fifteen (15) dollars, more or less; and that the said Private *John Fisher*, did destroy, sell, exchange or otherwise dispose of the said coffee to some person or persons unknown, and this for his own private uses, purposes or benefits; and that the said coffee was the property of the United States Government. This at and near Fort McKavett, Texas, on or about the 17th day of July, 1871."

To which charge and specification the accused, Private *John Fisher*, Company I, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Fisher*, Company I, 24th Infantry, "To forfeit all pay due or that may become due him; to have his head shaved, and be dishonorably discharged and drummed out of the

service; and then to be confined at hard labor, in such penitentiary as the Department Commander may direct, for the period of one year."

II. The proceedings, findings and acquittals in the cases of Corporal *Green Umber*, Company F, 9th Cavalry, and Private *James Gibson*, Company H, 24th Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Private *John Jones*, Company F, 9th Cavalry, Corporals *Peter Gorman* and *Richard Yates* and Private *John Ryan*, Company E, 11th Infantry, Privates *Lee Irvin*, Company E, and *John Fisher*, Company I, 24th Infantry, are approved, and the sentences will be duly executed. The post of his company is designated as the place of confinement in the case of *Jones*, the State penitentiary at Baton Rouge, Louisiana, in the cases of *Gorman*, *Yates*, *Ryan* and *Fisher*.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

H. Clay Wood
~~Aide-de-Camp.~~
Assistant Adjutant General.

At Fort Griffin, Texas.

1. Private David Phile .....Company I, 4th Cavalry.
2. Private Henry Bracken.....Company F, 11th Infantry.
3. Private Owen Terney .....Company F, 11th Infantry.
4. Private Michael Kennedy.....Company G, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *September* 7, 1871.

General Court Martial Orders, No. 61.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Thursday, August 17, 1871, pursuant to paragraph III, of Special Order No. 158, Headquarters Department of Texas, dated San Antonio, Texas, August 4, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Private *David Phile*, Company I, 4th Cavalry.

Charge—"Violation of the 9th Article of War."

Specification 1st—"In this, that Private *David Phile*, company I, 4th Cavalry, having been arrested by Second Lieutenant D. B. Taylor, 11th Infantry, officer of the day, being then in the execution of his office, did refuse to go with and did turn on him, Lieutenant Taylor, officer of the day; and did attempt to draw a pistol, saying, 'God damn you, I will kill you,' or words to that effect. This at the post of Fort Griffin, Texas, between the hours of 11 and 12 o'clock P. M., on the 24th of July, 1871."

Specification 2d—"In this, that he, the aforesaid *David Phile*, company I, 4th Cavalry, did assault Lieutenant Taylor, 11th Infantry, officer of the day, catching him around the neck and trying to throw him down; and was only prevented from doing so by Lieutenant Taylor, throwing him (Private *Phile*) down on his back; and while on the ground the aforesaid Private *Phile* did get his pistol out of the holster and place the muzzle to Lieutenant Taylor's temple, saying, 'God damn you, I will blow your head off,' and was only prevented from so doing by Lieutenant Taylor, officer of the day, getting hold of the pistol; when it went off, wounding the officer of the day, Lieutenant Taylor, in the ear. All this at Fort Griffin, Texas, between the hours of 11 and 12 o'clock P. M., on the 24th day of July, 1871."

To which charge and specifications the accused, Private *David Phile*, Company I, 4th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *David Phile*, Company I, 4th Cavalry, "To be dishonorably discharged and drummed out of the service of the United States, with loss of all pay and allowances due or to become due; and to be confined in such military prison as the Department Commander may direct, for the period of twelve (12) years."

2. Private *Henry Bracken*, Company F, 11th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Henry Bracken*, company F, 11th Infantry, being a member of the post guard at Fort Griffin, Texas, and in charge of two prisoners, did allow one of them, Private Welch, of company H, 4th Cavalry, to get so drunk as to be unable to perform the duties required of him. This at Fort Griffin, Texas, on the 22d day of August, 1871, between the hours of 10 o'clock and 11 o'clock A. M."

To which charge and specification the accused, Private *Henry Bracken*, Company H, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Henry Bracken*, company F, 11th Infantry.

3. Private *Owen Terney*, Company F, 11th Infantry.

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

Specification—"In this, that he, Private *Owen Terney*, company F, 11th Infantry, having been regularly detailed and duly mounted as a member of the post guard, and posted as a sentinel on post No. 1, did allow Private Richard McMicken, company G, 11th Infantry, a prisoner in confinement for desertion, to make his escape from the post guard house; and although seen by him, Private *Owen Terney*, company F, 11th Infantry, in the act of escaping, did fail to give the alarm. This at Fort Griffin, Texas, about 10:30 P. M., on the 26th day of July, 1871."

To which charge and specification the accused, Private *Owen Terney*, Company F, 11th Infantry, pleaded as follows:

To the specification, "Guilty, excepting the words 'and although seen by him, Private *Owen Terney*, company F, 11th Infantry, in the act of escaping, did fail to give the alarm,' and of the excepted words 'Not Guilty.'"
To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Owen Terney*, Company F, 11th Infantry, "To be confined at hard labor, under charge of the guard, for four months; and to forfeit to the United States ten dollars ($10.00) per month of his monthly pay for the same period."

4. Private *Michael Kennedy*, Company G, 11th Infantry.

CHARGE I—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, being on fatigue duty, and having been cautioned by Sergeant John Jackson, company G, 11th Infantry, in charge, not to absent himself from said party and from his work, did, in defiance of said order, leave his party and the work assigned him, to which he did not return on that day. This near Fort Griffin, Texas, on the 15th of June, 1871."

Specification 2d—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, was so drunk as to be unable to discharge, in a proper manner, the duties of a soldier. This at [Fort] Griffin, Texas, on or about the 1st of July, 1871."

Specification 3d—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, having been ordered on detached service, did become so much under the influence of intoxicating liquor as to be unable to discharge properly the duties of a soldier. This at Fort Griffin, Texas, on or about the 2d of July, 1871."

Specification 4th—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, was so drunk as to be unable to discharge, in a proper manner, the duties of a soldier. This at Fort Griffin, Texas, on or about August 12, 1871."

Specification 5th—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, was so drunk as to be unable to discharge, in a proper manner, the duties of a soldier. This at Fort Griffin, on the 13th of August, 1871."

Specification 6th—"In this, that he, Private *Michael Kennedy*, company G, 11th Infantry, having been arrested by Corporal Driscoll, company G, 11th Infantry, for absence without leave and drunkenness, did violently resist the said non-commissioned officer, who was then and there in the proper execution of his office and acting in obedience to the orders of his company commander. This at or near Fort Griffin, Texas, August 13, 1871."

Specification 7th—"That he, Private *Michael Kennedy*, company G, 11th Infantry, is habitually intemperate and, while intoxicated, vicious in his disposition and insubordinate in his conduct toward non-commissioned officers; and that, by reason of such intemperate habits, vicious disposition and insubordinate conduct, he has become worthless as a soldier, and an incumberance and disgrace to the service. This at Fort Griffin, on or about August 13, 1871."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Michael Kennedy*, of company G, 11th Infantry, having been detailed by the acting first sergeant of his company for a certain fatigue duty, did fail, at the time fixed, to repair to the place of rendezvous designated. This at Fort Griffin, Texas, August 13, 1871."

CHARGE III—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Michael Kennedy*, of company G, 11th Infantry, did absent himself from his company without leave from his commanding officer. This at Fort Griffin, Texas, on or about August 13, 1871."

To which charges and specifications the accused, Private *Michael Kennedy*, Company G, 11th Infantry, pleaded as follows:

To the first specification, first charge,	"Not Guilty."
To the second specification, first charge,	"Not Guilty."
To the third specification, first charge,	"Not Guilty."
To the fourth specification, first charge,	"Guilty."
To the fifth specification, first charge,	"Guilty."

To the sixth specification, first charge, "Not Guilty."
To the seventh specification, first charge, "Not Guilty."
To the first charge, "Not Guilty."
To the specification, second charge, "Not Guilty."
To the second charge, "Not Guilty."
To the specification, third charge, "Guilty."
To the third charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Guilty."
Of the second specification, first charge, "Guilty."
Of the third specification, first charge, "Guilty."
Of the fourth specification, first charge, "Guilty."
Of the fifth specification, first charge, "Guilty."
Of the sixth specification, first charge, "Guilty."
Of the seventh specification, first charge, "Not Guilty."
Of the first charge, "Guilty, excepting the word 'worthlessness,' and substituting therefor the word 'conduct.'"
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, Private *Michael Kennedy*, Company G, 11th Infantry, "To be confined at hard labor, under charge of the guard, for the period of six months, wearing an iron ball weighing twenty (20) pounds by a chain three (3) feet long; and to forfeit ten ($10) dollars per month of his monthly pay during the same period."

II. The proceedings, findings and sentences in the cases of Privates *David Phile*, Company I, 4th Cavalry, and *Owen Terney*, Company F, 11th Infantry, are approved, and the sentences will be duly executed. In the case of Private *Phile*, the State penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *Henry Bracken*, Company F, 11th Infantry, are approved. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Michael Kennedy*, Company G, 11th Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

III. The General Court Martial instituted by paragraph III. of Special Order No. 158, current series, from this Headquarters, and of which Major HENRY DOUGLASS, 11th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.
~~Aide de Camp~~.
Assistant Adjutant General.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *September* 16, 1871.

GENERAL COURT MARTIAL ORDERS, No. 62.

I. Before a General Court Martial which convened at Fort McKavett, Texas, Thursday, August 3, 1871, pursuant to paragraph VIII, Special Order No. 152, Headquarters Department of Texas, dated San Antonio, Texas, July 28, 1871, and of which Lieutenant Colonel LEVI C. BOOTES, 25th Infantry, is President, was arraigned and tried:

First Lieutenant *Charles F. Robe*, 25th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

CHARGE II—"Breach of arrest."

To which charges and their specifications the accused, First Lieutenant *Charles F Robe*, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty"
Of the second specification, first charge,	"Not Guilty."
Of the third specification, first charge,	"Not Guilty."
Of the fourth specification, first charge,	"Guilty, except the word 'knowingly.'"
Of the fifth specification, first charge,	"Not Guilty."
Of the sixth specification, first charge,	"Not 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, First Lieutenant *Charles F. Robe*, 25th Infantry, "To be reprimanded in orders by the Department Commander."

II. The proceedings, findings and sentence in the foregoing case of First Lieutenant *Charles F. Robe*, 25th Infantry, are approved.

Considering all the circumstances of the case the sentence is remitted.

III. The General Court Martial instituted by paragraph VIII, of Special Order No. 152, current series, from Department Headquarters, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

~~Aide-de-Camp.~~

A. A. G.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *October* 10, 1871.

GENERAL COURT MARTIAL ORDERS, No. 63.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Thursday, August 31, 1871, pursuant to paragraph I, of Special Order No. 157, Headquarters Department of Texas, dated San Antonio, Texas, August 3, 1871, and of which Major JAMES F. WADE, 9th Cavalry, is President, was arraigned and tried:

Captain *Charles C. Hood*, 24th Infantry.

CHARGE I—"Wilfully, or through neglect, suffering certain arms belonging to the United States to be spoiled or damaged."

Specification—"In this, that he, the said Captain *Charles C. Hood*, 24th Infantry, having been entrusted, in his official capacity as company commander, with the care and custody of certain arms, the property of the United States, which had become, or were supposed to be, unserviceable, and which had been inspected and ordered to be shipped to the U. S. Arsenal at San Antonio, Texas, for repairs, did, in shipping the same to the U. S. Arsenal at San Antonio, Texas, in obedience to General Orders No. 13, dated Headquarters Fifth Military District, Austin, Texas, January 24, 1870, wilfully, or through neglect, suffer seven breech-loading rifle muskets to be packed in a carbine arm chest much too small to accommodate them; and did, in order to admit of their reception into said arm chest, wilfully, or through neglect, suffer the said seven muskets to be broken at the handles, and the breech screws to be knocked out or otherwise forcibly removed; thereby spoiling and damaging said muskets to such an extent that the several parts of said muskets could not be made available for repairs or other use. This at Fort Davis, Texas, on or about the 18th day of April, 1871."

CHARGE II—"Disobedience of orders."

Specification—"In this, that he, Captain *Charles C. Hood*, 24th Infantry, having, in his capacity as company commander, become entrusted with the care and custody of certain arms belonging to the United States, which had become, or were supposed to be, unserviceable, and which, under the requirements of General Orders No. 13, dated Headquarters Fifth Military District, Austin, Texas, January 24, 1870, it became his duty to ship to an arsenal for repairs, did, in causing the same to be packed for shipment to the U. S. Arsenal at San Antonio, Texas, for that purpose, instead of causing the same to be properly packed, as required by said order, direct or allow certain of said arms, to wit: seven breech-loading rifle muskets, to be packed in a carbine arm chest much too small to accommodate them; and in order to accommodate said muskets to the dimensions of said arm chest, did direct or allow said muskets to be broken at the handles of the stocks, and the breech screws to

be forcibly removed. This in violation of paragraph II of said order, requiring said arms to be properly packed. This at Fort Davis, Texas, on or about the 18th day of April, 1871."

To which charges and specifications the accused, Captain *Charles C. Hood*, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Captain *Charles C. Hood*, 24th Infantry, 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, Captain *Charles C. Hood*, 24th Infantry.

II. The proceedings, findings and acquittal of the court in the foregoing case of Captain *Charles C. Hood*, 24th Infantry, are approved. He will accordingly be released from arrest and restored to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

~~Aide-de-Camp.~~

A. A. G.

At Fort Griffin, Texas.

1. Private John Hughes.....Company D, 4th Cavalry.
2. Private Patrick Gaulshihan.....Company H, 4th Cavalry.
3. Private Daniel Unks.....Company H 4th Cavalry.
4. Private Richard Welch.....Company H, 4th Cavalry.
5. Private John Quinn.....Company A, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *October* 11, 1871.

General Court Martial Orders, No. 64.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Thursday, August 17, 1871, pursuant to paragraph III, of Special Order No. 158, Headquarters Department of Texas, dated San Antonio, Texas, August 4, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Private *John Hughes*, Company D, 4th Cavalry.

Charge—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *John Hughes*, company D, 4th Cavalry, having been duly mounted as a member of the post guard, and properly posted as a sentinel, was found sleeping upon his post by Second Lieutenant D. B. Taylor, 11th Infantry, officer of the day. This at Fort Griffin, Texas, on or about the 14th day of September, 1871, between the hours of 12 o'clock midnight and 1 o'clock A. M."

To which charge and specification the accused, Private *John Hughes*, Company D, 4th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *John Hughes*, Company D, 4th Cavalry, "To be confined at hard labor under charge of the guard for six (6) months; and to forfeit to the United States ten ($10) dollars per month of his monthly pay for the same period."

2. Private *Patrick Gaulshihan*, Company H, 4th Cavalry.

Charge I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, has become so much addicted to the use of intoxicating liquor as to render him worthless as a soldier. This at Fort Griffin, Texas, July 23, 1871."

Specification 2d—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, was so much under the influence of intoxicating liquor as

to be unable to perform in a proper manner the duties of a soldier. This at Fort Griffin, Texas, on or about the 4th of June, 1871."

Specification 3d—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, having been released from confinement on the 9th day of July, 1871, and told by First Sergeant James W. Foley, company H, 4th Cavalry, to try and amend his conduct and behave himself in a soldier-like manner, did reply, 'I cannot soldier, nor do I want to.' This at Fort Griffin, Texas, July 9, 1871."

Specification 4th—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, having been issued one hat and one cord and tassel by order of his company commander, did refuse to sign the receipt therefor on the clothing receipt rolls, when ordered to do so by First Sergeant James W. Foley, company H, 4th Cavalry. This at Fort Griffin, Texas, about the 23d day of July, 1871."

CHARGE II—"Absence without leave."

Specification 1st—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, did, without proper authority, absent himself from his company from about 11 A. M until after tattoo on the 9th of July, 1871. This at Fort Griffin, Texas."

Specification 2d—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, did, without proper authority, absent himself from his company from about 9 A. M., until about 7 P. M. July 22, 1871, when he was brought back by an armed party. This at Fort Griffin, Texas."

CHARGE III—"Disobedience of orders."

Specification—"In this, that he, Private *Patrick Gaulshihan*, company H, 4th Cavalry, having been ordered by Lieutenant Leopold O. Parker, 4th Cavalry, his company commander, (he being in the execution of his office,) to turn in the ammunition for which he was responsible, did refuse and neglect to obey said order. This at Fort Griffin, Texas, on or about the 19th day of July, 1871."

To which charges and specifications the accused, Private *Patrick Gaulshihan*, Company H, 4th Cavalry, pleaded as follows:

To the first specification, first charge,	"Not Guilty."
To the second specification, first charge,	"Guilty."
To the third specification, first charge,	"Not Guilty."
To the fourth specification, first charge,	"Not Guilty."
To the first charge,	"Guilty."
To the first specification, second charge,	"Not Guilty."
To the second specification, second charge,	"Guilty."
To the second charge,	"Guilty."
To the specification, third charge,	"Not Guilty."
To the third charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Not Guilty."
Of the second specification, first charge,	"Guilty."
Of the third specification, first charge,	"Guilty."
Of the fourth specification, first charge,	"Not Guilty."
Of the first charge,	"Guilty."
Of the first specification, second charge,	"Guilty."
Of the second 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, Private *Patrick Gaulshihan*, Company H, 4th Cavalry, "To be confined, at hard labor in charge of the guard, for nine (9) months; to wear an iron ball weighing twenty (20) pounds with a chain three (3) feet long; and to forfeit to the United States ten ($10) dollars per month of his monthly pay for the same period."

3. Private *Daniel Unks*, Company H, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Daniel Unks*, of company H, 4th Cavalry, having been duly enlisted as a soldier in the army of the United States, did desert said service at Fort Griffin, Texas, on or about the 2d day of July, 1871, and did remain absent until apprehended at or near Sandy River, Texas, on or about the 5th of July, 1871. Thirty dollars paid for his apprehension. This at Fort Griffin, Texas, on or about the 2d day of July, 1871."

CHARGE II—"Theft."

Specification—"In this, that he, Private *Daniel Unks*, company H, 4th Cavalry, did feloniously steal and carry away from the post of Fort Griffin, Texas, the following ordnance and ordnance stores for which Captain S. Gunther, 4th Cavalry, is responsible to the United States, viz.: one Spencer carbine, calibre .50, value $50.00; one Remington revolver, value $50.00; one cavalry sabre, value $6.50; one carbine sling, value $1.36; one carbine swivel, value $1.50; one carbine cartridge box, value $1.43; one sabre belt and plate, value $1.90; one pistol holster, value ninety (90) cents; one cartridge pouch, value 60 cents; one carbine screw-driver, value fifteen (15) cents; one pistol screw-driver, value twenty (20) cents; twenty rounds carbine cartridges, value $1.20; twelve rounds pistol ammunition, value twenty-five cents; one pair spurs and straps, value fifty-five (55) cents; one curry comb, value $1.00; one horse brush, value thirty (30) cents; and the following camp and garrison equipage, viz.: one number 4, value one (1) cent; one letter H, value one (1) cent; one crossed sabre, value (1) cent; one canteen, value twenty-nine (29) cents; one bed sack, value $1.71. Total money value of ordnance stolen $116.84. Total money value of camp and garrison equipage stolen $2.00. This at Fort Griffin, Texas, on or about the 2d day of July, 1871."

To which charges and specifications the accused, Private *Daniel Unks*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Daniel Unks*, Company H, 4th Cavalry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may designate for the period of seven (7) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted."

4. Private *Richard Welch*, Company H, 4th Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Richard Welch*, of company H, 4th Cavalry, did, without cause or necessity, absent himself from the drill of his company on the morning of July 12, 1871. This at Fort Griffin, July 12, 1871."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Richard Welch*, company H, 4th Cavalry, did, without permission from proper authority, absent himself from his company from about 7 A. M. until about 4 P. M. This at Fort Griffin, July 12, 1871."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Richard Welch*, company H, 4th Cavalry, has become so much addicted to the use of intoxicating liquor as to render him worthless as a soldier. This at Fort Griffin, Texas, July 12, 1871."

Specification 2d—"In this, that he, Private *Richard Welch*, company H, 4th Cavalry, has been more or less under the influence of intoxicating liquor from the 15th day of June, 1871, to the 12th day of July, 1871. This at Fort Griffin, Texas."

Specification 3d—"In this, that he, Private *Richard Welch*, company H, 4th Cavalry, was tried and found guilty by two Garrison Courts Martial during the month of June, 1871, for crimes which originated from the use of intoxicating liquor. This at Fort Griffin, Texas."

Specification 4th—"In this, that he, Private *Richard Welch*, company H, 4th Cavalry, having been regularly detailed and placed on duty as a herder with the mules pertaining to the post quartermaster's department, and having been furnished with one Spencer carbine, one carbine sling, and one carbine swivel, for which Captain W. T. Howell, A. Q. M., U. S. A., is responsible, to be used for the protection of said herd, did, through his neglect, lose said carbine, value $50.00; carbine sling, value $1.36; and swivel, value 50 cents; and was unable to report at what time or under what circumstances the said loss occurred. This at Fort Griffin, Texas, on or about the 11th day of July, 1871."

To which charges and specifications the accused, Private *Richard Welch*, Company H, 4th Cavalry, pleaded as follows:

To the specification, first charge,	"Guilty."
To the first charge,	"Guilty."
To the specification, second charge,	"Guilty."
To the second charge,	"Guilty."
To the first specification, third charge,	"Not Guilty."
To the second specification, third charge,	"Not Guilty."
To the third specification, third charge,	"Guilty."
To the fourth specification, third charge,	"Guilty."
To the third charge,	"Guilty."

FINDING.

The court, after mature consideration, finds the accused, Private *Richard Welch*, Company H, 4th Cavalry:

Of the specification, first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the specification, second charge,	"Guilty."
Of the second charge,	"Guilty."
Of the first specification, third charge,	"Not Guilty"
Of the second specification, third charge,	"Guilty."
Of the third specification, third charge,	"Guilty."
Of the fourth specification, third charge,	"Guilty."

Of the third charge, "Guilty, except the word 'worthlessness,' and substituting therefor 'conduct.'"

SENTENCE.

And the court does therefore sentence him, Private *Richard Welch*, Com-

pany H, 4th Cavalry, "To be confined, at hard labor under 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."

5. Private *John Quinn*, Company A, 11th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *John Quinn*, company A, 11th Infantry, having been duly mounted as a member of the post guard, and posted as a sentry on post No. 2, over the stables, did sit down and fall asleep; in which condition he was found by the officer of the day between the hours of 2 and 3 o'clock A. M., on the 7th of July, 1871. This at Fort Griffin, Texas, on the date above specified."

To which charge and specification the accused, Private *John Quinn*, Company A, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Quinn*, Company A, 11th Infantry, "To be confined, at hard labor under charge of the guard, for two months; and to forfeit ten (10) dollars per month of his monthly pay for the same period."

II. The proceedings, findings and sentences in the cases of Privates *John Hughes*, Company D, and *Richard Welch*, Company H, 4th Cavalry, are approved, and the sentences will be duly executed.

In the case of Private *Patrick Gaulshihan*, Company H, 4th Cavalry, the record is fatally defective in not showing that the Judge Advocate was duly sworn. The proceedings, findings and sentence are set aside. Private *Gaulshihan* will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *Daniel Unks*, Company H, 4th Cavalry, are approved. The period of confinement is reduced to three years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *John Quinn*, Company A, 11th Infantry, are approved. The sentence, although it is considered wholly inadequate to the offence, is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

H. Clay Wood.

Aide-de-Camp.

A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Baton Rouge, Louisiana.

1. Recruit John S. Westervelt, Jr. ..... 19th Infantry.
2. Private Thomas Brown ..... Company A, 19th Infantry.
3. Private Justus Burns ..... Company A, 19th Infantry.
4. Private John Williams ..... Company B, 19th Infantry.
5. Private Patrick H. Ashmore ..... Company G, 19th Infantry.
6. Private James McElroy ..... Company H, 19th Infantry.
7. Private Herbert W. Reese ..... Company H, 19th Infantry.
8. Artificer Joseph M. Armstrong ..... Company I, 19th Infantry.
9. Private John D. Kelly ..... Company I, 19th Infantry.
10. Private George Werther ..... Company I, 19th Infantry.
11. Private Walter Whitely ..... Company I, 19th Infantry.
12. Private Thomas Corbis ..... Company K, 19th Infantry.
13. Private Thomas Furry ..... Company K, 19th Infantry.
14. Private Allen Hurst ..... Company K, 19th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *October* 13, 1871.

General Court Martial Orders, No. 65.

I. Before a General Court Martial which convened at Baton Rouge, Louisiana, on Monday August 28, 1871, pursuant to paragraph II, of Special Order No. 166, Headquarters Department of Texas, dated San Antonio, Texas, August 7, 1871, and of which Captain Howard E. Stansbury, 19th Infantry, is President, were arraigned and tried :—

1. Recruit *John L. Westervelt, Jr.*, 19th Infantry.

Charge I—"Theft, to the prejudice of good order and military discipline."

Specification—"That *John L. Westervelt, Jr.*, unassigned recruit of the 19th Infantry, did feloniously steal and carry away from the tent of Private Henry Schmidt, company B, 19th Infantry, one pair of upper gaiters; and did sell or dispose of the same. This at Baton Rouge, La., on or about August 15, 1871."

Charge II—"Desertion."

Specification—"That Unassigned Recruit *John L. Westervelt, Jr.*, 19th Infantry, a duly enlisted soldier in the army of the United States, while in confinement in the post guard house at Baton Rouge, La., and awaiting trial by G. C. M. on charges preferred against him for theft, did on or about the 23d of August, 1871, escape [from] the guard at Baton Rouge, La., and did desert the said service remaining absent until on or about the 24th day of August, 1871, when he was apprehended at or near New Orleans, La., and turned over to the post of Jackson Barracks, La. All this at or near Baton Rouge, La., on or about the 26th day of August, 1871.

To which charges and specifications the accused, Recruit *John L. Westervelt, Jr.*, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Recruit *John L. Westervelt, Jr.*, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due; and to be confined in such military prison as the reviewing authority may direct for the period of six (6) years."

2. Private *Thomas Brown*, Company A, 19th Infantry.

CHARGE—"Disobedience of orders."

Specification—"That he, Private *Thomas Brown*, company A, 19th Infantry, having been ordered by Second Lieutenant George K. Spencer, 19th Infantry, not to leave the garrison, did disobey said order, and go to the city of Baton Rouge, La., and remain there until arrested by the patrol. This at or near Baton Rouge Barracks, La., on or about August 31, 1871."

To which charge and specification the accused, Private *Thomas Brown*, Company A, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Brown*, Company A, 19th Infantry, "To forfeit to the United States ten dollars ($10) of his pay; and to be confined at hard labor in charge of the guard for one month. The court is thus lenient on account of the previous good character of the accused."

3. Private *Justus Burns*, Company A, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Justus Burns*, private of company A, 19th Infantry, did desert the service by leaving his company and command without proper authority, and so remaining absent from his company and command until he was arrested about eighteen miles from his proper station, and delivered to the officer of the day, as a deserter, at the post where his company was serving. All this at Baton Rouge, La., on or about the 22d day of July, 1871."

To which charge and specification the accused, Private *Justus Burns*, Company A, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Justus Byrns*, Company A, 19th Infantry, "To be dishonorably discharged the service of the United States with loss of all pay and allowances that are or may become due; and to be confined in such military prison as the reviewing authority may direct for the period of five (5) years."

4. Private *John Williams*, Company B, 19th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *John Williams*, company B, 19th Infantry, being a member of the post guard and duly posted as a sentinel on post No. 4, Arsenal grounds, was found asleep. This at Baton Rouge Barracks, La., on the night of June 17, 1871."

To which charge and specification the accused, Private *John Williams*, Company B, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused.

Of the specification, "Guilty of the facts as stated but attach no criminality thereto."

Of the charge, "Guilty, but attach no criminality thereto."

And the court does therefore acquit him, Private *John Williams*, Company B, 19th Infantry.

5. Private *Patrick H. Ashmore*, Company G, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Patrick H. Ashmore*, company G, 19th Infantry, having been duly enlisted into the service of the United States on the 16th day of December, 1870, to serve for the period of five years, did desert the same on or about the 18th day of January, 1871, at Baton Rouge Barracks, La.; and did remain absent until apprehended at Baton Rouge, La., on or about the 3d day of August, 1871. Thirty dollars reward paid for apprehension."

To which charge and specification the accused, Private *Patrick H. Ashmore*, Company G, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick H. Ashmore*, Company G, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and to be confined in such military prison as the reviewing authority may direct for the period of five (5) years."

6. Private *James McElroy*, Company H, 19th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that *James McElroy*, private, company H, 19th Infantry, being a member of the post guard and having been duly posted as a sentry, was found drunk on duty. This at Baton Rouge, La., on or about the 9th day of August, 1871."

To which charge and specification the accused, Private *James McElroy*, Company H, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James McElroy*, Company H, 19th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of three months, under guard."

7. Private *Herbert W. Reese*, Company H, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Herbert W. Reese*, company H, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 11th day of December, 1869; and did remain absent until apprehended on or about the 25th day of July, 1871. Thirty dollars reward paid for his apprehension, This at Baton Rouge Barracks, La., on or about the 11th day of December, 1869."

To which charge and specification the accused, Private *Herbert W. Reese*, Company H, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Herbert W. Reese*, Company H, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and to be confined in such military prison as the reviewing authority may direct for the period of five (5) years."

8. Artificer *Joseph M. Armstrong*, Company I, 19th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Artificer *Joseph M. Armstrong*, company I, 19th Infantry, having been duly enlisted into the service of the United States, did desert the same; and did remain absent until apprehended and brought back by a guard; thirty (30) dollars reward paid for his apprehension. All this at or near Fort Jackson, Louisiana, on the 30th day of May, 1871."

To which charge and specification the accused, Artificer *Joseph M. Armstrong*, Company I, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'desert the same,' substituting therefor 'absent himself without proper authority.'"

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

SENTENCE.

And the court does therefore sentence him, Artificer *Joseph M. Armstrong*, Company I, 19th Infantry, "To forfeit to the United States five (5) dollars of his pay."

9. Private *John D. Kelly*, Company I, 19th Infantry.

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

Specification 1*st*—"That he, Private *John D. Kelly*, I company, 19th Infantry, did assault Lance Corporal George W. Springer, K company, 19th Infantry, severely injuring him. This near the post of Forts Jackson and St. Philip, La., on or about the 26th day of May, 1871."

Specification 2*d*—"That he, Private *John D. Kelly*, I company, 19th Infantry, did assault and strike with his fist Corporal Melvin Miller, I company, 19th Infantry. This while being conveyed to the guard house at the post of Forts Jackson and St. Philip, La., on or about the 26th day of May, 1871."

To which charge and specifications the accused, Private *John D. Kelly*, Company I, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *John D. Kelly*, Company I, 19th Infantry:

Of the first specification, "Guilty, but attach no criminality thereto."

Of the second specification, "Guilty, but attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John D. Kelly*, Company I, 19th Infantry.

10. Private *George Werther*, Company I, 19th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that *George Werther*, a private of company I, 19th Infantry, did, while supernumerary of the guard on the 3d of August, 1871, become so drunk as to be unable to properly perform the duties of a soldier. This at Baton Rouge, La., on or about the date above specified."

CHARGE II—"General worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that *George Werther*, a private of company I, 19th Infantry, has, since September, 1870, been in confinement for drunkenness the following number of times: Confined August 14, 1870, for drunkenness on duty; sentenced by G. C. M. Order No. 13, Headquarters Department of Texas, February 15, 1871, to 5 months' hard labor; confined the 4th day of June, 1871, for drunkenness and released on the 8th day of June, 1871; confined the 10th of July, 1871, for drunkenness and released the 14th day of July, 1871; confined July 22, 1871, and released the 23d day of July, 1871; confined 26th [July,] 1871, for drunkenness and released July 27, 1871. This at Fort Jackson, Louisiana, and Baton Rouge, Louisiana, on or about the dates specified."

To which charges and specifications the accused, Private *George Werther*, Company I, 19th Infantry, 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, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George Werther*, Company I, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances."

11. Private *Walter Whitely*, Company I, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, the said Private *Walter Whitely*, having been duly enlisted into the service of the United States, did desert the same; and did remain absent until apprehended and brought back by a guard, thirty (30) dollars reward paid for his apprehension. All this at or near Fort Jackson, La., on the 30th day of May, 1871."

To which charge and specification the accused, Private *Walter Whitely*, Company I, 19th Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did desert the same,' and substituting therefor 'did absent himself without leave.'"

To the charge, "Not Guilty, but Guilty of 'absence without leave.'"

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did desert the same,' substituting therefor the words 'did absent himself without proper authority."

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

SENTENCE.

And the court does therefore sentence him, Private *Walter Whitely*, Company I, 19th Infantry, "To forfeit to the United States five (5) dollars of his pay."

12. Private *Thomas Corbis*, Company K, 19th Infantry.

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

Specification—"That he, Private *Thomas Corbis*, K company, 19th Infantry, did enter the house of Mrs. J. Keiger, and did refuse to leave said house until forced to do so by Adolph Clark and Victor Ducat, citizens. This near the post of Forts Jackson and St. Philip, La., on or about the twentieth day of May, A. D. 1871."

To which charge and specification the accused, Private *Thomas Corbis*, Company K, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Corbis*, Company K, 19th Infantry, "To forfeit to the United States ten (10) dollars of his pay."

13. Private *Thomas Furry*, Company K, 19th Infantry.

CHARGE—"Desertion."

Specification—"That he, Private *Thomas Furry*, K company, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on the 21st day of July, 1871; and did remain absent until arrested about seventeen miles from Baton Rouge, La., July 22, 1871, and returned to the garrison. This at Baton Rouge, La., on or about the days above specified."

To which charge and specification the accused, Private *Thomas Furry*, Company K, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Furry*, Company K, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and to be confined in such military prison as the reviewing authority may direct, for the period of five (5) years."

14. Private *Allen Hurst*, Company K, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Allen Hurst*, company K, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on the night of the 23d of May, 1871; and did remain absent until arrested by 1st Sergeant William Emmons, company K, 19th Infantry, about 3 miles from Fort Jackson, La., on the night of May 23, 1871. This at or near Fort Jackson, La., May 23, 1871; thirty dollars ($30) paid for apprehension."

To which charge and specification the accused, Private *Allen Hurst*, Company K, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Allen Hurst*, Company K, 19th 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 such place as the reviewing officer may direct, for the period of eighteen (18) months."

II. The proceedings and findings in the case of Recruit *John L. Westervelt, Jr.*, 19th Infantry, are approved. The period of confinement is reduced to four years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Thomas Brown*, Company A, *James McElroy*, Company H, Artificer *Joseph M. Armstrong*, Privates *George Werther*, *Walter Whitely*, Company I, and *Thomas Corbis*, Company K, 19th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Privates *Justus Burns*, Company A, *Patrick H. Ashmore*, Company G, *Herbert W. Reese*, Company H, and *Thomas Furry*, Company K, 19th Infantry, are approved. The period of confinement, in each case, is reduced to three years, at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentences are approved and will be duly executed.

The proceedings, findings and acquittals in the cases of Privates *John Williams*, Company B, *John D. Kelly*, Company I, 19th Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Private *Allen Hurst*, Company K, 19th Infantry, are approved and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee

Aide-de-Camp.

AT JACKSON BARRACKS, LOUISIANA.

1. Private WILLIAM SCHWARTZ..... Company H, 2d Infantry.
2. Private JAMES DAYTON..... Company B, 19th Infantry.
3. Private JOSEPH HOUSER..... Company D, 19th Infantry.
4. Private OWEN QUINN..... Company D, 19th Infantry.
5. Private CORNELIUS WEIDER..... Company D, 19th Infantry.
6. Private WILLIAM ALLEN..... Company E, 19th Infantry.
7. Private EMOS E. MARTIN..... Company I, 19th Infantry.
(*Alias* CHARLES E. MASON, Detachment of Recruits for 19th Infantry.)

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *October* 19, 1871.

GENERAL COURT MARTIAL ORDERS, No. 66.

I. Before a General Court Martial which convened at Jackson Barracks, La., on Monday, August 28, 1871, pursuant to paragraph I. of Special Order No. 160, Headquarters Department of Texas, dated San Antonio, Texas, August 7, 1871, and of which Colonel CHARLES H. SMITH, 19th Infantry, is President, were arraigned and tried:

1. Private *William Schwartz*, Company H, 2d Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *William Schwartz*, of company H, 2d Infantry, a duly enlisted soldier in the United States service, did desert the same on or about the 22d day of October, 1870; and did remain absent until apprehended July 15, 1871. This at Montgomery, Alabama, on or about the date above specified."

To which charge and specification the accused, Private *William Schwartz*, Company H, 2d Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Schwartz*, Company H, 2d Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances; and to be confined in such military prison as the Department Commander may direct, for the period of two years."

2. Private *James Dayton*, Company B, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *James Dayton*, Company B, 19th Infantry, having been duly enlisted in the service of the United States, did desert the same, at Baton Rouge, Louisiana, on or about July 24, 1871; and did remain absent until apprehended as a deserter at New Orleans,

Louisiana, on or about July 28, 1871; thirty (30) dollars reward paid for his apprehension."

To which charge and specification the accused, Private *James Dayton*, Company B, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Dayton*, Company B, 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances; and to be confined in such military prison as the Department Commander may direct, for the period of one year."

3. Private *Joseph Houser*, Company D, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Joseph Houser*, company D, 19th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 11th day of July, 1871; and remain absent until apprehended at Mobile city, Alabama, on or about the 8th day of August, 1871. This at or near Jackson Barracks, New Orleans, La., and Mobile city, Alabama, on or about the dates above specified."

To which charge and specification the accused, Private *Joseph Houser*, Company D, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph Houser*, Company D, 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances; and to be confined in such military prison as the Department Commander may designate, for the period of one year."

4. Private *Owen Quinn*, Company D, 19th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Owen Quinn*, company D, 19th Infantry, did steal from the bed of Private Lars Collin, 19th Infantry, two woolen blankets, valued at $3.00 each; said blankets being the property of Private Lars Collin, company D, 19th Infantry. This at or near Jackson Barracks, New Orleans, La., on or about the 18th day of July, 1871."

To which charge and specification the accused, Private *Owen Quinn*, Company D, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'from the bed.'"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Owen Quinn*, Company D, 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances; [and] to be confined in such military prison as the Department Commander may direct, for the period of six (6) months."

5. Private *Cornelius Weider*, Company D, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Cornelius Weider*, company D, 19th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 12th of March, 1871; and remain absent until apprehended by civil authorities at New Orleans, La., on the 12th of September, 1871; thirty dollars reward paid for his apprehension. All this at or near Jackson Barracks, La., on or about the dates above specified."

To which charge and specification the accused, Private *Cornelius Weider*, Company D, 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Cornelius Weider*, Company D, 19th Infantry, "To be dishonorably discharged from the service of the United States, with the loss of all pay and allowances; and to be confined in such military prison as the Department Commander may designate, for the period of two years."

6. Private *William Allen*, (late corporal) company E, 19th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *William Allen*, (late corporal) company E, 19th Infantry, did, without provocation or just cause, seize and lay hold of Corporal Cornelius Lenyham, company E, 19th Infantry; and did use violence towards him with attempt to kill; and did cut him with a bowie or dirk knife; and did continue to use the same until said knife was wrenched from him by Private Patrick Conoly, company E, 19th Infantry; and he, Private *William Allen*, (late corporal) company E, 19th Infantry, did afterwards use violence towards said Corporal Lenyham, until prevented by others. This at the post of Jackson Barracks, New Orleans, La., on or about the 11th day of September, 1871."

Specification 2d—"In this, that Private *William Allen*, (late corporal) company E, 19th Infantry, having been ordered by 1st Sergeant Henry Schweis, company E, 19th Infantry, to desist from his outrageous conduct upon Corporal Lenyham, company E, 19th Infantry, (he, the said 1st sergeant being then in the execution of his office) did assail and kick, in a brutal manner, the said 1st Sergeant Schweis, until he, the said Allen, was prevented by the aid and assistance of 1st Sergeant James Hill, company D, 19th Infantry. This at the post of Jackson Barracks, New Orleans, La., on or about the 11th day of September, 1871."

Specification 3d—"In this, that Private *William Allen*, (late corporal) company E, 19th Infantry, having been ordered by Sergeant John McGrath, company E, 19th Infantry to desist from his outrageous conduct toward 1st Sergeant Henry Schweis, company E, 19th Infantry, did thereupon immediately seize and throw the said Sergeant John McGrath, company E, 19th Infantry, over the banister of the stairs, leading down from the quarters, a distance of 10 feet, more or less, with attempt to kill; said Sergeant McGrath having received such injuries therefrom that he had to be at once placed under the care of the post surgeon in the post hospital. All this at the post of Jackson Barracks, New Orleans, La., in or about the quarters of company E, 19th Infantry, on or about the 11th day of September, 1871."

To which charge and specifications the accused, Private *William Allen*, (late corporal) Company E, 19th Infantry, pleaded as follows:

To the first specification, "Not Guilty."

To the second specification, "Guilty, except the words 'until he, the said *Allen*, was prevented by the aid and assistance of 1st Sergeant James Hill, company D, 19th Infantry,' and to these excepted words 'Not Guilty.'"

To the third specification, "Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'with attempt to kill,' and the words 'did continue to use the same until said knife was wrenched from him by Private Patrick Connoly, of company E, 19th Infantry,' and of the excepted words 'Not Guilty.'"

Of the second specification, "Guilty."

Of the third specification, "Guilty, except the words 'with attempt to kill,' and of the excepted words 'Not Guilty.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Allen*, (late corporal) Company E, 19th Infantry, "To be confined and kept at hard labor at the station where his company may be serving, for the period of six (6) months; and forfeit ten (10) dollars per month of his pay for the same period."

7. Private *Enos E. Martin*, Company I, 19th Infantry, *alias Charles E. Mason*, detachment of recruits for 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Enos E. Martin*, company I, 19th Infantry, *alias Charles E. Mason*, detachment of recruits for 19th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 23d day of May, 1871; and remained absent until apprehended at New Orleans, Louisiana, on or about August 4, 1871. This at or near Fort Jackson, Louisiana, on or about the date above specified."

To which charge and specification the accused, Private *Enos E. Martin*, Company I, 19th Infantry, *alias Charles E. Mason*, detachment of recruits for 19th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Enos E. Martin*, Company I, 19th Infantry, *alias Charles E. Mason*, detachment of recruits for 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances; and to be confined in such military prison as the Department Commander may direct, for the period of two years."

II. The proceedings, findings and sentences in the cases of *William Schwartz*, Company H, 2d Infantry, *James Dayton*, Company B, *Joseph Houser*, *Owen Quinn*, *Cornelius Weider*, Company D, and *Enos E. Martin*, Company I, *alias Charles E. Mason*, detachment of recruits for 19th Infantry, are approved,

and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *William Allen*, (late corporal) Company E, 19th Infantry, are approved. The sentence, although considered wholly inadequate to the offence, is approved, and will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *October* 31, 1871.

GENERAL COURT MARTIAL ORDERS, No. 67.

I. Before a General Court Martial which convened at Fort Duncan, Texas, October 14, 1871, pursuant to paragraph I, Special Order No. 180, dated September 4, 1871; No. 192, dated September 22, 1871; No. 195, dated September 27, 1871; and paragraphs II and III, Special Order No. 197, dated October 2, 1871, Headquarters Department of Texas, San Antonio, Texas, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, was arraigned and tried:

Assistant Surgeon *Alfred C. Girard*, U. S. Army.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That *Alfred C. Girard*, Assistant Surgeon, U. S. Army, (entering the adjutant's office and approaching the post adjutant, Lieutenant Archibald Bogle, 25th Infantry,) did, while he (Bogle) was at his desk engaged in the performance of his official duty as post adjutant, without just cause or provocation, and without announcing his intention or giving sufficient warning, and taking a mean advantage, deal the said Bogle a blow upon the head with his fist; and, following up the blow, did commit a dastardly, cowardly and brutal assault upon the person of the said Bogle, by beating him with his fists, knocking him down, jumping upon, kicking, stamping and choking him (Bogle) while prostrate upon the stone floor of the office in a powerless and defenceless condition; and did gouge, bite, pull the hair, scratch, and tear the clothing of the said Bogle—he, the said Bogle, being totally unarmed as he (*Girard*) very well knew—whereas the said *Girard* had strapped to his waist a six shooter with which he had provided himself for the occasion, and with murderous intent for the purpose of shooting the said Bogle (which intention he had privately avowed). This at Fort Duncan, Texas, on or about the 9th day of June, 1871."

CHARGE II—"Conduct unbecoming an officer and a gentleman."

Specification—"That *Alfred C. Girard*, Assistant Surgeon, U. S. Army, did enter the adjutant's office, and, approaching the post adjutant, Lieutenant Archibald Bogle, 25th Infantry, while he was at his desk engaged in the performance of his official duties as post adjutant, without just cause or provocation, and without announcing his purpose or giving sufficient warning, and taking a mean advantage, deal the said Bogle a blow upon the head with his fist, knocking him down; and did, and following up the said blow, did commit a dastardly, cowardly and brutal assault upon the said Bogle, by beating him with his fist, knocking him down, jumping upon him, kicking, stamping and choking him (Bogle) while prostrate upon the stone floor of the office in a defenceless condition; and did gouge, bite, pull the hair, scratch the face and tear the clothing of the said Bogle; he, Bogle, being totally unarmed, as he, *Girard*, very well knew—whereas the said *Girard* had strapped to his waist a sixshooter with which he had provided himself for the occasion, and with murderous intent for the purpose of shooting the said Bogle—which intention he had privately avowed. This at Fort Duncan, Texas, on or about the ninth day of June, 1871."

CHARGE III—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"That *Alfred C. Girard*, Assistant Surgeon, U. S. Army, did, in a murderous manner, assault, with the avowed intention of killing him,

Archibald Bogle, Lieutenant 25th Infantry. This at Fort Duncan, Texas, on or about the ninth day of June, 1871."

To which charges and specifications the accused, Assistant Surgeon *Alfred C. Girard*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Assistant Surgeon *Alfred C. Girard*, U. S. Army, as follows:

CHARGE I.

Of the specification, "Guilty, with the exception of the following words, to-wit: 'engaged in the performance of his official duties as post adjutant, without just cause or provocation, and without announcing his intention or giving sufficient warning, and taking a mean advantage;' and the words 'dastardly, cowardly and brutal;' and the words 'jumping upon, kicking, stamping and choking him (Bogle) while prostrate upon the stone floor of the office in a powerless and defenceless condition; and did gouge, bite, pull the hair, scratch and;' and the words 'as he, *Girard*, very well knew—whereas the said *Girard* had strapped to his waist a six shooter with which he had provided himself for the occasion, and with murderous intent for the purpose of shooting the said Bogle (which intention he had privately avowed).'"

Of the charge, "Guilty."

CHARGE II.

Of the specification, "Guilty, with the exception of the words following, to-wit.: 'engaged in the performance of his official duties as post adjutant, without just cause or provocation, and without announcing his purpose or giving sufficient warning, and taking a mean advantage;' and the words 'dastardly, cowardly and brutal;' and the words 'jumping upon[him,] kicking, stamping and choking him (Bogle) while prostrate upon the stone floor of the office in a defenceless condition; and did gouge, bite, pull the hair, scratch the face and,'—and the words 'as he, *Girard*, very well knew—whereas the said *Girard* had strapped to his waist a six shooter with which he had provided himself for the occasion, and with murderous intent for the purpose of shooting the said Bogle—which intention he had previously [privately] avowed.'"

Of the charge, "Not Guilty."

CHARGE III.

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Assistant Surgeon *Alfred C. Girard*, U. S. Army, "*To forfeit to the United States ten (10) dollars of his pay.*"

II. The proceedings, findings and sentence in the foregoing case of Assistant Surgeon *Alfred C. Girard*, U. S. Army, are approved, and the sentence will be duly executed.

III. The General Court Martial of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

1. Corporal LOUIS GENTON..... General Service, U. S. Army.
2. Private HENRY MURRAY..... General Service, U. S. Army.
3. Private PETER J. REDMOND..... General Service, U. S. Army.
4. Private RICHARD KELLY..... Company C, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(TEXAS AND LOUISIANA.)
SAN ANTONIO, TEXAS, *November* 6, 1871.

GENERAL COURT MARTIAL ORDERS, No. 68.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, November 2, 1871, pursuant to paragraph IV, of Special Order No. 212, Headquarters Department of Texas, dated San Antonio, Texas, October 30, 1871, and of which Lieutenant Colonel JAMES H. CARLETON, 4th Cavalry, is President, were arraigned and tried:

1. Corporal *Louis Genton*, General Service, U. S. Army.

CHARGE—"Violation of the 99th Article of War."

Specification 1st—"In this, that he, Corporal *Louis Genton*, General Service, U. S. Army, on duty in the Assistant Adjutant General's Office, Headquarters Department of Texas, did, at the dinner table of a private boarding house, kept by Mrs. Patching, introduce in the conversation during dinner certain official matters in relation to charges preferred, or to be preferred, against certain enlisted men; which matters were not then publicly known, and which he had no authority to give publicity to. This at San Antonio, Texas, on the 31st day of October, 1871."

Specification 2d—"In this, that he, Corporal *Louis Genton*, General Service, U. S. Army, on duty in the Assistant Adjutant General's Office, Headquarters Department of Texas, did, in the sitting room of a private boarding house, and in presence of ladies, make use of boisterous, insulting and threatening language towards Private Henry Muller, General Service, U. S. Army, saying, 'That he could make away with any man at Headquarters;' 'That he and two others were going to run Headquarters;' adding, 'I'll be God damned if I don't do it,' and other profane language; and, although remonstrated with as to the impropriety of such conduct and language, did continue to use such profane language; thereby causing the ladies to withdraw from the room. This at San Antonio, Texas, on the 31st day of of October, 1871."

To which charge and specifications the accused, Corporal *Louis Genton*, General Service, U. S. Army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *Louis Genton*, General Service, U. S. Army, "To be reduced to the ranks; and to forfeit ten dollars of his pay."

2. Private *Henry Murray*, General Service, U. S. Army.

CHARGE I—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Henry Murray*, General Service, U. S. Army, on duty as clerk in the Assistant Adjutant General's Office, Headquarters Department of Texas, did, without permission from proper authority, absent himself from said office. This at San Antonio, Texas, on the morning of the 31st day of October, 1871."

CHARGE II—"Neglect of duty, in violation of the 99th Article of War."

Specification—"In this, that he, Private *Henry Murray*, General Service, U. S. Army, on duty as clerk in the Assistant Adjutant General's Office, Headquarters Department of Texas, did fail to perform the duty assigned to him in said office. This at San Antonio, Texas, on the morning of the 31st day of October, 1871."

To which charges and specifications the accused, Private *Henry Murray*, General Service, U. S. Army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Henry Murray*, General Service, U. S. Army, "To forfeit ten dollars of his monthly pay."

3. Private *Peter J. Redmond*, General Service, U. S. Army.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Peter J. Redmond*, General Service, U. S. Army, on duty as clerk in the Assistant Adjutant General's Office, Headquarters Department of Texas, did become so much under the influence of intoxicating liquor as to be unable to properly perform his duty. This at San Antonio, Texas, on the 30th and 31st days of October, 1871."

CHARGE II—"Neglect of duty, in violation of the 99th Article of War."

Specification—"In this, that he, Private *Peter J. Redmond*, General Service, U. S. Army, on duty as clerk in the Assistant Adjutant General's Office, Headquarters Department of Texas, did fail to perform the duty assigned to him in said office. This at San Antonio, Texas, on the 30th and 31st days of October, 1871."

To which charges and specifications the accused, Private *Peter J. Redmond*, General Service, U. S. Army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Peter J. Redmond*, General Service, U. S. Army, "To be placed in close confinement for ten days, and to forfeit ten dollars of his monthly pay."

4. Private *Richard Kelly*, Company C, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that Private *Richard Kelly*, company C, 10th Infantry, a member of the post guard at San Antonio, Texas, did become so drunk as to be unable to do his duty properly. This at the post of San Antonio, Texas, on or about the twenty-first day of October, 1871."

To which charge and specification the accused, Private *Richard Kelly*, Company C, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Kelly*, Company C, 10th Infantry, "To be confined at hard labor under charge of the guard, for the period of three months."

II. The proceedings, findings and sentences in the cases of Corporal *Lewis Genton*, and Private *Henry Murray*, General Service, U. S. Army, and Private *Richard Kelly*, Company C, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Peter J. Redmond*, General Service, U. S. Army, are approved. So much of the sentence as relates to confinement, is remitted, the remainder is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

AT FORT DUNCAN, TEXAS.

1. Private WILLIAM DAVIS ....Company L. 9th Cavalry.
2. Private GEORGE MILLER ....Company L. 9th Cavalry.
3. Private JOHN BROWN ....Company K. 24th Infantry.
4. Private GEORGE CARPENTER..... .....Company K. 24th Infantry.
5. Private JAMES HOLT..... ....Company K. 24th Infantry.
6. Private WILLIAM LYONS..... .....Company I, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

(TEXAS AND LOUISIANA.)

SAN ANTONIO, TEXAS, *November* 7, 1871.

GENERAL COURT MARTIAL ORDERS, No. 69.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 4, 1871, pursuant to paragraph III, of Special Order No. 173, Headquarters Department of Texas, dated San Antonio, Texas, August 24, 1871, and of which Major ZENAS R. BLISS, 25th Infantry, is President, were arraigned and tried:

1. Private *William Davis*, Company L, 9th Cavalry.

CHARGE—"Desertion."

Specification—"That Private *William Davis*, company L, 9th Cavalry, having been duly enlisted in the service of the United States, did desert the said service on or about the 14th day of February, 1871; and did remain absent therefrom until the 27th day of March, 1871, when he surrendered himself to the commanding officer of his company. This at Fort Duncan, Texas."

To which charge and specification the accused, Private *William Davis*, Company L, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Davis*, Company L, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due except the just dues of the laundress; and to be confined at hard labor for the balance of his enlistment, (which expires on the twentieth (20) day of December, 1871,) at such place as the commanding officer of the Department of Texas may direct."

2. Private *George Miller*, Company L, 9th Cavalry.

CHARGE—"Violation of the 38th Article of War."

Specification—"That Private *George Miller*, company L, 9th Cavalry, U. S. Army, did sell and dispose of one (1) Remington revolving pistol, calibre .44, the property of the United States. This at Fort Duncan, Texas, on or about the 9th day of July 1871."

To which charge and specification the accused, Private *George Miller*, Company L, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Miller*, Company L, 9th Cavalry, "To be confined at hard labor in charge of the guard during the remainder of his term of service, (which expires on the twenty-sixth (26) day of December, 1871,) in addition to having the value of one Remington revolver charged against his pay upon the muster and pay rolls of his company, as specified in General Order No. 51, War Department, Adjutant General's Office, dated June 1, 1871."

3. Private *John Brown*, Company K, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Brown*, company K, 24th Infantry, having been duly enlisted into the service of the United States as a soldier, did desert the same on the 20th day of May, 1871; and did remain absent until the 26th day of May, 1871, when he voluntarily surrendered himself. This at Fort Duncan, Texas."

To which charge and specification the accused, Private *John Brown*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'desert the same,' substituting therefor the words 'absent himself, without leave, from his company.'"

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

SENTENCE.

And the court does therefore sentence him, Private *John Brown*, Company K, 24th Infantry, "To be confined at hard labor in charge of the guard for the period of three months; and to forfeit to the United States ten dollars ($10) per month of his monthly pay for the same period."

4. Private *George Carpenter*, Company K, 24th Infantry.

CHARGE—"Sleeping on post, in violation of the 46th Article of War."

Specification—"That Private *George Carpenter*, company K, 24th Infantry, having been duly mounted as a member of the post guard, and being posted as a sentinel at the quartermaster's stables, did enter the east stable, occupied by company L, 9th Cavalry, and sit down on a box and go to sleep; and did remain asleep until awakened by First Lieutenant F. A. Kendall, 25th Infantry, officer of the day, while making his rounds. This at Fort Duncan, Texas, between the hours of 4 and 4:30 o'clock A. M., on or about the morning of the 16th of August, 1871."

To which charge and specification the accused, Private *George Carpenter*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Carpenter*, Company K, 24th Infantry, "To be dishonorably discharged the service of the

United States, with the loss of all pay and allowances that are now due or that may become due; and then to be confined at hard labor in charge of the post guard, for two years."

5. Private *James Holt*, Company K, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That *James Holt*, private of company K, 24th Infantry, (being on detached service as a wagoner with a party under charge of Lieutenant G. H. Radetzki, 9th Cavalry, signal officer) did, having been ordered by Private John H. Dogoytt, Company I, 25th Infantry, who was in charge of the baggage wagons, to take in his (*Holt's*) wagon a mess chest belonging to the commanding officer of the party, refuse to take in the said mess chest, and drive off, leaving the chest on the ground, saying, 'I don't take orders from any God damned man, without he is an officer,' or words to that effect. This on or about the 25th day of February, 1871, about eight miles north of Eagle Pass, Texas, near the Rio Grande."

Specification 2d—"That *James Holt*, private of company K, 24th Infantry, being on detached service as wagoner, with a party under the charge of Lieutenant G. H. Radetzki, 9th Cavalry, signal officer, having driven, in a careless manner, the team he was driving upon the one in front of him, nearly upsetting it, endangering both wagons and mules; and having been ordered by Private John H. Dogoytt, Company I, 25th Infantry, who was in charge of said wagons, to pull his mule back and off from the wagon he had run into, did, on the contrary, urge them on: and when the said Dogoytt (seeing this movement) strove to arrest a catastrophe by seizing and endeavoring to turn the lead mules to the side of the road, did jump down from the mule he was riding; and, drawing from the tongue of his wagon a heavy iron pin, a foot or more in length and weighing five pounds, more or less, did assault with the said pin the said Dogoytt, while in the lawful execution of his duty; and did strike on the head and knock down the said Dogoytt with the said weapon; and attempt to beat the said Dogoytt, with the aforesaid dangerous and deadly weapon, when prostrate upon the ground, until he was restrained by a guard. This on or about the 25th day of February, 1871, eight miles north of Eagle Pass, Texas, near the Rio Grande."

To which charge and specifications the accused, Private *James Holt*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'saying I don't take orders from any God-damned man without he is an officer, or words to that effect,' and of the excepted words, 'Not Guilty.'"

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Holt*, Company K, 24th Infantry, "To forfeit ten dollars ($10) per month of his pay to the United States, for four months."

6. Private *William Lyons*, Company I, 25th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"That he, Private *William Lyons*, company I, 25th Infantry, did feloniously take, steal, and carry away one (1) Derringer pistol, the property of F. Groos & Co., valued at seven dollars ($7); and did dispose of the same to Private William Jackson, Company I, 25th Infantry, for

four dollars ($4). more or less. This at or near Eagle Pass, Texas, on or about the 10th day of April, 1871."

CHARGE II—"Absence without leave."

Specification—"That Private *William Lyons*, company I, 25th Infantry, did, without authority, absent himself from his company and post, and visit the town of Eagle Pass, Texas. This at Fort Duncan, Texas, on or about the 10th day of April, 1871."

To which charges and specifications the accused, Private *William Lyons*, Company I, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Lyons*, Company I, 25th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due, except the just dues of the laundress; and then to be confined, at hard labor in charge of the guard, for the period of six months, wearing a twelve (12) pound ball attached to his left leg by a chain four (4) feet long."

II. The proceedings, findings and sentence in the case of Private *William Davis*, Company L 9th Cavalry, are approved, and the sentence will be duly executed. The post of his company is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *George Miller*, Company L, 9th Cavalry, *John Brown* and *James Holt*, Company K, 24th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *George Carpenter*, Company K, 24th Infantry, are approved; but in view of the favorable recommendation of the court, the sentence is mitigated to confinement at hard labor, at the post of his company, for six months, and forfeiture of twelve dollars per month of his pay for the same period. As thus mitigated the sentence will be duly executed.

The proceedings and findings in the case of Private *William Lyons*, Company I, 25th Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

III. The General Court Martial instituted by paragraph III, of Special Order No. 173, current series, from this Headquarters, and of which Major ZENAS R. BLISS, 25th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Adee
Aide-de-Camp.

At Fort Clark, Texas.

1. Private Bill Sheridan.....Company A, 25th Infantry.
2. Sergeant Edward Williams .....Company D, 25th Infantry.
3. Private John Brooks .....Company D, 25th Infantry.
4. Private Walter F. Gilmore.....Company D, 25th Infantry.
5. Private John Island.....Company D, 25th Infantry.
6. Private Albert Shannon.....Company H, 25th Infantry.
7. Private John Stokes..... .. ....Company H, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *November* 10, 1871.

General Court Martial Orders, No. 70.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, September 17, 1871, pursuant to paragraph V, of Special Order No. 180, Headquarters Department of Texas, dated San Antonio, Texas, September 4, 1871, and of which Colonel Abner Doubleday, 24th Infantry, is President, were arraigned and tried:

1. Private *Bill Sheridan*, Company A, 25th Infantry.

Charge I—"Desertion."

Specification—"In this, that he, Private *Bill Sheridan*, company A, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on the 7th day of June, 1871; and did remain absent until arrested about eight miles, more or less, from his company and post, on the 10th day of June, 1871; thirty dollars reward paid for his apprehension. All this at or near Fort Davis, Texas, on or about the dates above specified."

Charge II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Bill Sheridan*, company A, 25th Infantry, did take, steal and carry away from the quarters of company A, 25th Infantry, one Springfield breech-loading rifled musket, the property of the United States, and for which Private Alexander Robertson, company A, 25th Infantry, was responsible. All this at or near Fort Davis, Texas, on or about the 7th day of June, 1871."

Additional Charge—"Desertion."

Specification—"In this, that he, Private *Bill Sheridan*, company A, 25th Infantry, having been duly enlisted and received pay in the service of the United States, did desert the same; and did remain absent until apprehended and brought back by a guard; thirty dollars paid for his apprehension. All this at or near Fort Clark, Texas, on or about the 29th day of August, 1871."

To which charges and specifications the accused, Private *Bill Sheridan*, Company A, 25th Infantry, pleaded as follows:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Guilty."
To the additional charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Bill Sheridan*, Company A, 25th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay due or that may become due; and to be confined at hard labor, at such penitentiary as the Department Commander may direct, for the period of five (5) years."

2. Sergeant *Edward Williams*, Company D, 25th Infantry.

CHARGE—"Manslaughter, to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *Edward Williams*, company D, 25th Infantry, did, without provocation, shoot with a carbine, and wound in several places, Private John L. Turner, Band, 25th Infantry; from which said wounds said Turner died on the 15th day of September, 1871. This at or near Fort Clark, Texas, on or about September 14, 1871."

To which charge and specification the accused, Sergeant *Edward Williams*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore honorably acquit him, Sergeant *Edward Williams*, Company D, 25th Infantry.

3. Private *John Brooks*, Company D, 25th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *John Brooks*, company D, 25th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Clark, Texas, on or about the 11th day of May, 1871; and did remain absent until apprehended at or near San Antonio, Texas, on or about the 3d of September, 1871; thirty dollars have been paid for his apprehension."

To which charge and specification the accused, Private *John Brooks*, Company D, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Brooks*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and then to be confined at hard labor in charge of the guard, for three (3) years."

4. Private *Walter F. Gilmore*, Company D, 25th Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Private *Walter F. Gilmore*, Company D, 25th Infantry, being a member of the post guard and having been placed in charge of two prisoners, viz.: Private Bill Sheridan, company A, 25th Infantry, and Isaac D. Mitchell, citizen, by the sergeant of the guard, did allow said prisoners to escape. All this at Fort Clark, Texas, on the 29th day of August, 1871."

To which charge and specification the accused, Private *Walter F. Gilmore*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Walter F. Gilmore*, Company D, 25th Infantry, "To forfeit ten (10) dollars of his monthly pay for six months; and to be confined at hard labor in charge of the guard, wearing a twenty-four pound ball attached to his left leg by a chain four (4) feet long, for the same period."

5. Private *John Island*, Company D, 25th Infantry.

CHARGE I—"Desertion."

Specification--"In this, that he, Private *John Island*, company D, 25th Infantry, having been duly enlisted in the service of the United States, did desert said service; and did remain absent until arrested on the 30th day of August, 1871, near the Rio Grande; thirty dollars being paid for his apprehension. This at or near Fort Clark, Texas, on the 29th day of August, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Island*, company D, 25th Infantry, did take, steal and carry away, and appropriate to his own use and benefit, one Springfield rifled musket, model of 1869, (subsequently recovered,) forty rounds of centre primed metalic cartridges, and one set of infantry accoutrements complete; all of which were the property of the United States (in value amounting to seven (7) dollars and eighty (80) cents). The above mentioned accoutrements and amunition have not been recovered. All this at or near Fort Clark, Texas, on or about the 29th day of August, 1871."

To which charges and specifications the accused, Private *John Island*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'in value amounting to seven dollars and eighty cents.'"

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Island*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due, except the just dues of the laundress; and then to be confined at hard labor in charge of the guard, one year, wearing a ball weighing twenty-four (24) pounds attached to his right leg, by a chain four (4) feet long, for one year."

6. Private *Albert Shannon*, Company H, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *Albert Shannon*, company H, 25th Infantry, having been duly mounted as a member of the post guard, and duly posted as a sentinel on post No. 5, over the cavalry stables, did go to sleep on his post; and was so found by Corporal Joseph Minott, company F, 25th Infantry, corporal of the guard. All this at Fort Clark, Texas, between the hours of eleven o'clock P. M., August 24, 1871, and one o'clock A. M., August 25, 1871."

To which charge and specification the accused, Private *Albert Shannon*, Company H, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Albert Shannon*, Company H, 25th Infantry, "To be confined at hard labor in charge of the guard for ninety (90) days; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period." The court is thus lenient in consideration of extenuating circumstances shown in the evidence.

7. Private *John Stokes*, Company H, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *John Stokes*, company H, 25th Infantry, having been duly detailed, mounted, posted and instructed, by proper authority, as a sentinel of the post guard on post No. 4 (outside of the corral), did sleep on his post. This at Fort Clark, Texas, during the night of the 3d day of September, 1871."

To which charge and specification the accused, Private *John Stokes*, Company H, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Stokes*, Company H, 25th Infantry, "To forfeit twelve (12) dollars of his monthly pay for six (6) months; and to be confined at hard labor, in charge of the guard, for the same period, wearing a twenty-four (24) pound ball attached to his left leg by a chain four (4) feet long."

II. The proceedings and findings in the case of Private *Bill Sheridan*, Company A, 25th Infantry, are approved. The period of confinement is reduced to three years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentence is approved and will be duly executed.

The proceedings, findings and acquittal in the case of Sergeant *Edward Williams*, Company D, 25th Infantry, are approved. He will be released from arrest and returned to duty.

The proceedings, findings and sentences in the cases of Privates *John Brooks*, Company D, and *Albert Shannon*, Company H, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Privates *Walter F. Gilmore*, and *John Island*, Company D, and *John Stokes*, Company H, 25th Infantry, are approved. So much of the sentence in each case as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Private George Kline.....Company D, 4th Cavalry.
2. Private John Quinn.....Company A, 11th Infantry.
3. Private Richard Watson.....Company F, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
(Texas and Louisiana.)
San Antonio, Texas, *November* 11, 1871.

General Court Martial Orders, No. 71.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, October 17, 1871, pursuant to paragraph III, of Special Order No. 201, Headquarters Department of Texas, dated San Antonio, Texas, October 7, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Private *George Kline*, Company D, 4th Cavalry.

Charge—"Desertion."

Specification—"In this, that he, Private *George Kline*, company D, 4th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert the said service on or about the 1st day of July, 1871, and did remain absent until arrested at Sandy Creek, Texas, on or about the 5th day of July, 1871, thirty dollars having been paid for his apprehension. This at Fort Griffin, Texas."

To which charge and specification the accused, Private *George Kline*, Company D, 4th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *George Kline*, Company D, 4th Cavalry, "To be dishonorably discharged the service of the United States; to be confined at such place as the Department Commander may direct for the period of five (5) years; and to forfeit all pay and allowances that are now due or that may become due him."

2. Private *John Quinn*, Company A, 11th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *John Quinn*, company A, 11th Infantry, being a prisoner in the post guard house awaiting the promulgation of his sentence for violation of the 46th Article of War, and being at the spring, near the post, getting water, under charge of a member of the guard, did desert and did escape from said guard; and did not return, although two shots were fired at him by said guard, until he was apprehended about three (3) miles from the post of Fort Griffin, Texas, and brought back to said post. This at or near Fort Griffin, Texas, on or about the 24th day of September, 1871."

To which charge and specification the accused, Private *John Quinn*, Company A, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Quinn*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined, at such military prison as the Department Commander may designate, for the period of three (3) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

3. Private *Richard Watson*, Company F, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Richard Watson*, company F, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same. This at Fort Griffin, Texas, on or about the 11th day of April, 1871."

To which charge and specification the accused, Private *Richard Watson*, Company F, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Richard Watson*, Company F, 11th Infantry, "To be dishonorably discharged the service of the United States; to be confined at such military prison as the Department Commander may designate, for the period of seven (7) years; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

II. The proceedings, and findings in the cases of Privates *George Kline*, Company D, 4th Cavalry, and *Richard Watson*, Company F, 11th Infantry, are approved. The period of confinement in each case is reduced to three years, at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentences are approved, and will be duly executed.

The proceedings, findings and sentence in the case of Private *John Quinn*, Company A, 11th Infantry, are approved, and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph III, of Special Order No. 201, current series, from this Headquarters, and of which Major HENRY DOUGLASS, 11th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

At Fort McKavett, Texas.

1. Private John Carter ..... Company F, 9th Cavalry.
2. Private Joseph C. Dunger..... Company M, 9th Cavalry.
3. Private James Scott ..... Company M, 9th Cavalry.
4. Private John W. Thomas..... Company F, 9th Cavalry.
5. Private Robert Hale .... Band, 24th Infantry.
6. Private Joseph A. Brown..... Company A, 24th Infantry.
7. Private Alfred M. Carroll..... Company E, 24th Infantry.
8. Private James Gibson..... Company H, 24th Infantry.
9. Private John H. Hamilton..... ,.... Company H, 24th Infantry.
10. Private Charles Harris..... Company A, 24th Infantry.
11. Private Thomas Johnson..... Company D, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *November* 15, 1871.

General Court Martial Orders, No. 72.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Tuesday, September 12, 1871, pursuant to paragraph I, Special Order No. 179, Headquarters Department of Texas, dated San Antonio, Texas, September 1, 1871, and paragraph II, Special Order No. 183, Headquarters Department of Texas, dated San Antonio, Texas, September 9, 1871, and of which Captain John W. Clous, 24th Infantry, is President, were arraigned and tried:

1. Private *John Carter*, Company F, 9th Cavalry.

Charge I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *John Carter*, Company F, 9th Cavalry, was absent from his company quarters after 'taps,' on the night of the 7th of August, 1871, without permission. This at or near Fort McKavett, Texas."

Charge II—"Burglary, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John Carter*, Company F, 9th Cavalry, did break into and enter the store of Mr. B. J. DeWitt, situated on the north side of the San Saba river, and did steal therefrom three dollars ($3.00), more or less, in fractional currency. This at or near Fort McKavett, Texas, on or about the 7th of August, 1871."

To which charges and specifications the accused, Private *John Carter*, Company F, 9th Cavalry, 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, finds the accused:

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, Private *John Carter*, Company F, 9th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him; to be drummed out in the presence of his command; and confined at such place as the Department Commander may designate, for the period of two years."

2. Private *Joseph C. Dungee*, Company M, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Joseph C. Dungee*, Company M, 9th Cavalry, having been duly enlisted, did desert the service of the United States on or about October 7, 1870; and did remain absent from his company until apprehended at Fort McKavett, Texas, on or about August 21, 1871, while a recruit of the 24th U. S. Infantry, he having enlisted as a recruit in the 24th U. S. Infantry, under the name of Lewis Parazee. This at or near Fort McKavett, Texas, on or about the dates above given."

To which charge and specification the accused, Private *Joseph C. Dungee*, Company M, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of the accused, and finds him, Private *Joseph C. Dungee*, Company M, 9th Cavalry, as follows:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph C. Dungee*, Company M, 9th Cavalry, "To have his head shaved; to be drummed out; and to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of four (4) years."

3. Private *James Scott*, Company M, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *James Scott*, an enlisted soldier in the service of the United States, and private of company M, 9th Cavalry, U. S. Army, did steal one silver watch, the property of Private Charles H. Davis, company M, 9th Cavalry, U. S. Army; and did sell the same to Private Prince Murry, company I, 24th Infantry. This at or near Fort McKavett, Texas, on or about September 25, 1871."

Specification 2d—"In this, that he, *James Scott*, an enlisted soldier in the service of the United States, and private of M company, 9th Cavalry, U. S. Army, did enter the house of Private Charles H. Davis, company M, 9th Cavalry, U. S. Army, and did steal one hundred and sixty dollars ($160), more or less. This at or near Fort McKavett, Texas, on or about September 26, 1871."

To which charge and specifications the accused, Private *James Scott*, Company M, 9th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Scott*, Company

M, 9th Cavalry, "To have his head shaved; to be drummed out and dishonorably discharged the service, with loss of all pay and allowances; and to be confined at hard labor, in such prison as the proper authority may direct, for two (2) years." The court is thus lenient on account of his previous good character.

4. Private *John W. Thomas*, Company F, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John W. Thomas*, company F, 9th Cavalry, did, while on post as a sentinel (having been duly mounted as a guard) in the corral of company F, 9th Cavalry, take the keys of the store room in said corral, unlock and enter the same; and did steal therefrom one (1) Spencer carbine, the property of the United States, and for which Captain Henry Carroll, 9th Cavalry, is responsible. This at or near Fort McKavett, Texas, on or about the 17th day of September, 1871."

To which charge and specification the accused, Private *John W. Thomas*, Company F, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and did steal therefrom one Spencer carbine, property of the United States, and for which Captain Henry Carroll, 9th Cavalry, is responsible.'"

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

SENTENCE.

And the court does therefore sentence him, Private *John W. Thomas*, Company F, 9th Cavalry, "To be confined in charge of the guard for six (6) months; and to forfeit ten (10) dollars of his monthly pay, for each month, for the period of his confinement."

5. Private *Robert Hale*, Band, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Robert Hale*, Band, 24th Infantry, did steal, take and carry away from the store of Messrs. Champie & Lehne, one (1) pair of boots valued at seven dollars and fifty cents ($7.50). This near Fort McKavett, Texas, on or about the 14th day of August, 1871."

To which charge and specification the accused pleaded "Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused, *Robert Hale*, Band, 24th Infantry, as follows:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence the accused, Private *Robert Hale*, Band of the 24th Infantry, "To be dishonorably discharged the service, with loss of all pay and allowances due or to become due; and to be drummed out of the service at the post where he may be serving; and to be confined at hard labor for the period of two (2) years, at such place as the proper authority may direct."

6. Private *Joseph A. Brown*, Company A, 24th Infantry.

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

Specification—"That Private *Joseph A. Brown*, company A, 24th Infantry, being a member of the post guard, and posted as a sentinel over prison-

ers, did permit, through his culpable negligence, one John W. Wilson, a discharged soldier, confined for desertion, to escape. This at or near Fort McKavett, Texas, on or about July 9, 1871."

To which charge and specification the accused, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Joseph A. Brown*, Company A, 24th Infantry, "To be confined at hard labor in charge of the guard for one year; and to forfeit to the United States eleven (11) dollars per month, of his monthly pay, for the same period."

7. Private *Alfred M. Carroll*, Company E, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Alfred M. Carroll*, company E, 24th Infantry, then lance sergeant of recruits, 24th Infantry, and in charge of the rations furnished by the United States for the use of a detachment of recruits, 24th Infantry, *en route* from Nashville, Tennessee, to Fort McKavett, Texas, did barter a portion of said rations to a citizen for whiskey. This at San Antonio, Texas, between the 28th day of May and the 9th day of June, 1871."

Specification 2d—"In this, that he, Private *Alfred M. Carroll*, company E, 24th Infantry, then lance sergeant of recruits, 24th Infantry, and in charge of the rations furnished by the United States for the use of a detachment of recruits, 24th Infantry, did barter a portion of said rations to a citizen for butter and milk, appropriating the same to his own use and benefit. This at or near Fort McKavett, Texas, between June 19th and July 10, 1871, at various times."

Specification 3d—"In this, that he, Private *Alfred M. Carroll*, company E, 24th Infantry, then lance sergeant of recruits, 24th Infantry, and in charge of the rations furnished by the United States for the use of a detachment of recruits, 24th Infantry, did barter with Melinda, a colored woman, a portion of said rations, for the purpose of paying for his *(Carroll's)* washing. This at or near Fort McKavett, Texas, between June 19th and July 10, 1871, at various times."

To which charge and specifications the accused, Private *Alfred M. Carroll*, Company E, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, after mature consideration of the evidence adduced, finds the accused:

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

And the court does therefore acquit Private *Alfred M. Carroll*, Company E, 24th Infantry.

8. Private *James Gibson*, Company H, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *James Gibson*, company H, 24th Infantry, did load his musket and proceed to the quarters of Sergeant Edward Berry, company H, 24th Infantry, with whom he had had an unpleasant altercation, and while in conversation with Sergeant Berry did

trifle with the lock of his musket in a careless manner, the muzzle of the same being pointed in the direction of Sergeant Berry. This at Fort McKavett, Texas, on or about the 9th day of August, 1871."

CHARGE II—"General Worthlessness."

Specification—"In this, that he, the said Private *James Gibson*, company H, 24th Infantry, is wholly untrustworthy and worthless as a soldier; and has been, in consequence of his repeated bad conduct, confined as a prisoner in charge of the guard on the following occasions, viz.: From September 24th to October 27, 1870, thirty-three days, at Fort Quitman, Texas; from June 15th to June 16, 1871, one day, at Fort Quitman, Texas; from July 15th to August 11, 1871, twenty-seven days, at Fort McKavett, Texas; from August 12th to the present time, September 14, 1871, thirty-three days, at Fort McKavett, Texas; this to the disgrace of his company and regiment, and to the great injury of the service of the United States. This at Forts Quitman, Texas, and McKavett, Texas, from the date of his enlistment to the present time."

To which charges and specifications the accused, Private *James Gibson*, Company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, after considering the evidence adduced, finds the accused:

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, Private *James Gibson*, Company H, 24th Infantry, "To be drummed out in the presence of the command, at the post with which his company may be serving; to be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of two (2) years."

9. Private *John H. Hamilton*, Company H, 24th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, the said Private *John H. Hamilton*, company H, 24th Infantry, after having been duly enlisted as a soldier in the service of the United States, and before the expiration of his term of service, did desert said service at Fort McKavett, Texas, on or about the 17th day of September, 1871, and did remain so absent until apprehended near Menardville, Texas, on or about the 18th of September, 1871."

CHARGE II—"Theft."

Specification 1st—"In this, that he, the said Private *John H. Hamilton*, company H, 24th Infantry, did steal one (1) horse, the private property of 1st Lieut. A. C. Markley, 24th Infantry. This at Fort McKavett, Texas, on or about the 17th day of September, 1871."

Specification 2d—"In this, that he, the said Private *John H. Hamilton*, company H, 24th Infantry, did steal one (1) bridle, the private property of 1st Lieutenant Robert Neely, 24th Infantry. This at Fort McKavett, Texas, on or about the 17th day of September, 1871."

To which charges and specifications the accused, Private *John H. Hamilton*, Company H, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John H. Hamilton*, Company H, 24th Infantry, "To have his head shaved; to be drummed out; and to be dishonorably discharged the service, with loss of all pay and allowances now due or to become due him; and to be confined at hard labor, in such prison as the proper authority may direct, for the period of six years."

10. Private *Charles Harris*, Company A, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Charles Harris*, company A, 24th Infantry, having been duly enlisted in the service of the United States, did desert said service at Fort Bliss, Texas, on the 12th day of December 1870, and did remain absent until apprehended at or near Fort Seldon, New Mexico, March 18, 1871. All this at or near the places and dates above specified."

To which charge and specification the accused, Private *Charles Harris*, Company A, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Harris*, Company A, 24th Infantry, "To be drummed out of the service, in the presence of the command with which his company may be serving; to forfeit all pay and allowances that are due or may become due him; and to be confined at hard labor, at such place as the reviewing authority may designate, for the period of two years."

11. Private *Thomas Johnson*, Company D, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Thomas Johnson*, company D, 24th Infantry, did steal a hat from Sergeant Morris of his company. This at Fort McKavett, Texas, on or about August 25, 1871."

To which charge and specification the accused, Private *Thomas Johnson*, Company D, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Johnson*, Company D, 24th Infantry, "To be drummed out of the service, in the presence of the command at the post or station where his company may be serving, wearing at the time a placard around his neck with the word 'Thief' printed on it in large letters; to be dishonorably discharged, and to forfeit all pay and allowances now due or to become due; and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of six (6) months."

II. The proceedings, findings and sentences in the cases of Privates *John Carter*, Company F, *Joseph C. Dungee* and *James Scott*, Company M, 9th Cavalry; Privates *Robert Hale*, Band, *Charles Harris*, Company A, *James Gibson*

and *John H. Hamilton*, Company H, 24th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *John W. Thomas*, Company F, 9th Cavalry, and *Joseph A. Brown*, Company A, 24th Infantry are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Alfred M. Carrell*, Company E, 24th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *Thomas Johnson*, Company D, 24th Infantry, are approved, and the sentence will be duly executed. The station of his company is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

AT FORT RICHARDSON, TEXAS.

1. Recruit MICHAEL MULVIHILL.....4th Cavalry.
2. Private BYRON D. GRIFFIN.....Company F, 4th Cavalry.
3. Private JOSEPH MCDONALD.....Company F, 4th Cavalry.
4. Private JOHN QUINN.....Company F, 4th Cavalry.
5. Private RICHARD FORESTER.....Company K, 4th Cavalry.
6. Private MICHAEL PADDEN.....Company C, 11th Infantry.
7. Private JOSEPH W. READ.....Company D, 11th Infantry.
8. Private HERMAN LANGE.....Company K, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *November* 16, 1871.

GENERAL COURT MARTIAL ORDERS, No. 73.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, September 11, 1871, pursuant to paragraph I, of Special Order No. 177, Headquarters Department of Texas, dated San Antonio, Texas, August 29, 1871, and of which Major JOHN K. MIZNER, 4th Cavalry, is President, were arraigned and tried:

1. Recruit *Michael Mulvihill*, 4th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Recruit *Michael Mulvihill*, 4th Cavalry, did feloniously enter the house of one James Burns, and did unlawfully take, steal and carry away a large amount of property, viz.: one (1) black cloth coat, one (1) pair black cloth pants, one (1) black silk vest, one (1) razor, one (1) clothes brush, three (3) books, one (1) towel, one (1) razor strap, one (1) shirt. All this at or near the crossing of the San Saba river, on the old Camp Colorado road from Fort Mason, Texas, on or about the 5th day of July 1871."

To which charge and specification the accused, Recruit *Michael Mulvihill*, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Recruit *Michael Mulvihill*, 4th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the Department Commander may direct, for the period of two years; and then to be dishonorably discharged the service of the United States."

2. Private *Byron D. Griffin*, Company F, 4th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Byron D. Griffin*, company F, 4th Cavalry, did open the box of Private Richard Williams, company F, 4th Cavalry, and steal, purloin and abstract therefrom, and appropriate to his own use, the following articles of apparel, viz.: one blouse (cost $2.13), two woolen shirts (cost $4.00), the property of said Private Williams, company F, 4th Cavalry; said articles being found in his (Private *Griffin's*) possession. All this at or near Fort Richardson, Texas, on or about July 5, 1871."

CHARGE II—"Absence without leave."

Specification—"In this, that Private *Byron D. Griffin*, company F, 4th Cavalry, did absent himself from retreat roll call, July 5, 1871, and reveille roll call, July 6, 1871, without proper authority. All this at or near Fort Richardson, July 5 and 6, 1871."

To which charges and specifications the accused, Private *Byron D. Griffin*, Company F, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Not Guilty."

To the specification, second charge, "Guilty, except the words 'retreat roll call, July 5, 1871,' and of the excepted words, Not Guilty."

To the second charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Byron D. Griffin*, Company F, 4th Cavalry, "To forfeit all pay now due or which may become due him; to be dishonorably discharged and trumpeted out of the service of the United States."

3. Private *Joseph McDonald*, Company F, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Joseph McDonald*, company F, 4th Cavalry, having been duly enlisted into the service of the United States, did desert said service while on scout *en route* to Big Wichita, Texas, on or about July 8, 1871, and did remain absent until apprehended at or near Bean's Creek, Texas, on or about July 9, 1871. All this while *en route* to Big Whichta, and at or near Bean's Creek, Texas, July 8 and 9, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Joseph McDonald*, company F, 4th Cavalry, did steal or otherwise dispose of the following articles of ordnance and ordnance stores, camp and garrison equipage, and quartermaster's stores, pertaining to company F, 4th Cavalry, and for which Captain Wirt Davis, 4th Cavalry, was responsible, viz.: one Spencer carbine, one S. and W. pistol, and one cavalry saddle

complete, one pair spurs and straps, one screw driver, (carbine,) one screw driver, (pistol,) one carbine sling and swivel, one carbine cartridge box, one pistol pouch, one pistol belt holster, one sabre belt and plate, eighty (80) rounds metallic carbine cartridges, thirty-six (36) metallic pistol cartridges, one curb bridle, one watering bridle, one lariat and picket pin, one canteen and strap, one pair metallic scales, three sabres, numbers and letters, and one horse. All this while *en route* to Big Wichita, Texas, July 8, 1871."

To which charges and specifications the accused, Private *Joseph McDonald*, Company F, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Joseph McDonald*, Company F, 4th Cavalry, "To forfeit to the United States all pay and allowances that are now or which may become due him; to be confined at hard labor under charge of the guard for a period of three years, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain four feet long; and at the expiration of his sentence to be dishonorably discharged the service of the United States."

4. Private *John Quinn*, Company F, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *John Quinn*, company F, 4th Cavalry, having been duly enlisted into the service of the United States, did desert said service while on scout *en route* to Big Wichita, Texas, on or about July 8, 1871, and did remain absent until apprehended at or near Bean's Creek, Texas, on or about July 9, 1871. All this while *en route* to Big Wichita, and at or near Bean's Creek, Texas, July 8 and 9, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification--"In this, that Private *John Quinn*, company F, 4th Cavalry, did steal, or otherwise dispose of the following articles of ordnance and ordnance stores, camp and garrison equipage and quartermaster's stores pertaining to company F, 4th Cavalry, and for which Captain Wirt Davis, 4th Cavalry, was responsible, viz.: one Spencer carbine, one S. and W. pistol, one cavalry saddle, complete, one pair spurs and straps, one screw driver, (carbine,) one screw driver, (pistol,) one carbine sling and swivel, one carbine cartridge box, one pistol pouch, one pistol belt holster, one sabre belt and plate, (80) eighty rounds metallic carbine cartridges, (36) thirty-six metallic pistol cartridges, one curb bridle, one watering bridle, one lariat and picket pin, one canteen and strap, one pair metallic scales, three sabres, numbers and letters, and one horse. All this while *en route* to Big Wichita, Texas, July 8, 1871."

To which charges and specifications the accused, Private *John Quinn*, Company F, 4th Cavalry, pleaded as follows:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Quinn*, Company F, 4th Cavalry, "To forfeit to the United States all pay and allowances that are now or which may become due him; to be confined at hard labor under charge of the guard for a period of two years and six months, wearing a ball weighing twelve pounds attached to his left leg by a chain four feet long; and at the expiration of his sentence to be dishonorably discharged the service of the United States."

5. Private *Richard Forester*, Company K, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Richard Forester*, company K, 4th Cavalry, having been duly mounted as a member of the post guard at the post of Fort Richardson, Texas, on the 16th day of September, 1871, did become so drunk as to be entirely unfit to perform the duties of a sentinel. This at Fort Richardson, Texas, on or about the 16th day of September, 1871."

To which charge and specification the accused, Private *Richard Forester*, Company K, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Richard Forester*, Company K, 4th Cavalry, "To be confined at hard labor under charge of the guard for a period of eight months, at the expiration of which time to be dishonorably discharged the service of the United States."

6. Private *Michael Padden*, Company C, 11th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Michael Padden*, Company C, 11th Infantry, having marched on guard and been duly posted as sentinel over I company herd, did sit down on his post and go to sleep. This at a camp on the Little Wichita river, Texas, while the command was scouting for Indians in a hostile country, on the 12th of September, 1871, between the hours of 2 o'clock and 2.30 A. M."

To which charge and specification the accused, Private *Michael Padden*, Company C, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Padden*, Company C, 11th Infantry, "To be confined at hard labor in charge of the guard for the period of one year; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

7. Private *Joseph W. Read*, Company D, 11th Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *Joseph W. Read*, company D, 11th Infantry, did become too drunk to properly perform the duties of a soldier while a member of the post guard at Fort Richardson, Texas, on or about the fourteenth of July, 1871."

To which charge and specification the accused, Private *Joseph W. Read*, Company D, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph W. Read*, Company D, 11th Infantry, "To be confined at hard labor in charge of the guard for eight months; and then to be dishonorably discharged the service."

8 Private *Herman Lange*, Company K, 11th Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *Herman Lange*, company K, 11th Infantry, did, after having been regularly mounted as a member of the post guard at Fort Richardson, Texas, become so much under the influence of intoxicating liquor as to be unable to properly perform his duties as a sentinel. This at Fort Richardson, Texas, on the 11th day of August, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Herman Lange*, company K, 11th Infantry, as a member of the post guard at Fort Richardson, Texas, and in charge of a working party of four prisoners, did permit the said prisoners under his charge to become intoxicated; and that he did leave the post with the said prisoners, and did remain absent some five hours or more, until brought back in a gross state of intoxication, by the guard. All this at Fort Richardson, Texas, on the 11th day of August, 1871."

To which charges and specifications the accused, Private *Herman Lange*, Company K, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration finds the accused:
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, Private *Herman Lange*, Company K, 11th Infantry, "To forfeit to the United States all pay and allowances now due or to become due him; and to be confined at hard labor under charge of the post guard for one year, at the expiration of which time to be dishonorably discharged from the service."

II. The proceedings, findings and sentences in the cases of Recruit *Michael Mulvihill*, Privates *Byron D. Griffin*, Company F, *Richard Forester*, Company K, 4th Cavalry, *Joseph W. Read*, Company D, and *Herman Lange*, Company K, 11th Infantry, are approved, and the sentences will be duly executed. In the case of *Mulvihill* the State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of Privates *Joseph McDonald* and *John Quinn*, Company F, 4th Cavalry, are approved. So much of the sentence in each case as relates to wearing a ball and chain is remitted; the remainder is approved and will be duly executed.

The proceedings and findings in the case of Private *Michael Padden*, Company C, 11th Infantry, are approved. The sentence, although considered inadequate, is approved, and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private Charles Kelly.....Company B, 10th Infantry.
2. Private Daniel Foley.....Company B, 10th Infantry.
3. Private Cornelius Fox .....Company E, 10th Infantry.
4. Corporal Neil Barry.....Company I, 10th Infantry.
5. Private Thomas W. Fanthorp.....Company I, 10th Infantry.
6. Private Charles F. Mongron.....Company I, 10th Infantry.
7. Wagoner John Sullivan.....Company I, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *November* 18, 1871.

General Court Martial Orders, No. 74.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, Tuesday, September 26, 1871, pursuant to paragraph II, Special Order No. 186, Headquarters Department of Texas, dated San Antonio, Texas, September 14, 1871, and of which Major Thomas M. Anderson, 10th Infantry, is President, were arraigned and tried:

1. Private *Charles Kelly*, Company B, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *Charles Kelly*, company B, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service from Ringgold Barracks, Texas, on the 12th day of August, 1871, and did remain absent until apprehended about eighty miles from said barracks, on the 18th day of August, 1871."

To which charge and specification the prisoner, Private *Charles Kelly*, Company B, 10th Infantry, pleaded "Guilty."

Finding.

The court, having maturely considered the case, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Charles Kelly*, Company B, 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three (3) years."

2. Private *Daniel Foley*, Company B, 10th Infantry.

Charge—"Violation of the 46th Article of War."

Specification—"In this, that Private *Daniel Foley*, company B, 10th Infantry, a member of the post guard at Ringgold Barracks, Texas, having been regularly posted as a sentinel on post No. 3, guarding a quantity of quartermaster's stores and workshops at Ringgold Barracks, Texas, did leave said post and lie down on a carpenter's bench, near his beat, and there go to sleep, between the hours of four (4) and five (5) o'clock on

the morning of August 12, 1871; and did remain on said bench, asleep, until at or about 20 minutes past 4 o'clock A. M., August 12, 1871, when the officer of the day waked him up by approaching said carpenter's bench. All this at Ringgold Barracks, Texas, August 12, 1871, and at or about the time above specified."

To which charge and specification the accused, Private *Daniel Foley*, Company B, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Daniel Foley*, Company B, 10th Infantry.

3. Private *Cornelius Fox*, Company E, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Cornelius Fox*, company E, 10th Infantry, a member of the post guard at Ringgold Barracks, Texas, having been regularly posted as a sentinel on post No. 2, guarding the corral, subsistence storehouse and a quantity of quartermaster stores, at Ringgold Barracks, Texas, did go to sleep on said post, between the hours of 4 and 5 o'clock, on the morning of August 12, 1871; and did remain asleep on said post, until waked up by the officer of the day, at or about 15 minutes past 4 o'clock A. M., August 12, 1871. All this at Ringgold Barracks, Texas, on the 12th day of August, 1871, and at or about the time above specified."

To which charge and specification the accused, Private *Cornelius Fox*, Company E, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, after having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Cornelius Fox*, Company E, 10th Infantry, "To be confined at hard labor, in charge of the guard, at the post where his company may be serving, for six (6) months; and to forfeit to the United States ten (10) dollars of his monthly pay, for the same period."

4. Corporal *Neil Barry*, Company I, 10th Infantry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that Corporal *Neil Barry*, company I, 10th Infantry, having been detailed and duly mounted as corporal of the guard at Ringgold Barracks, Texas, on the 3d day of July, 1871, did desert from and leave said guard, and did remain absent until arrested at or near King's ranche, Texas, on or about the 20th day of August, 1871. All this at Ringgold Barracks, Texas, and King's ranche, Texas, and on or about the dates above specified."

CHARGE II—"Desertion."

Specification—"In this, that Corporal *Neil Barry*, company I, 10th Infantry, having been duly enlisted into the service of the United States, did desert the same at Ringgold Barracks, Texas, on or about the 3d day of July, 1871; and did remain absent until arrested at or near King's ranche, on the road between Rio Grande City and Corpus Christi, Texas, and on or about the 20th day of August, 1871. All this at Ring-

gold Barracks and King's ranche, Texas, and on or about the dates above specified. Thirty dollars reward paid for his apprehension."

To which charges and specifications the accused, Corporal *Neil Barry*, Company I, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the case, finds the accused:

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, Corporal *Neil Barry*, Company I, 10th Infantry, "To be reduced to the ranks; and to forfeit to the United States all pay and allowances now due or which may hereafter become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and then to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of four (4) years."

5. Private *Thomas W. Fanthorp*, Company I, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Thomas W. Fanthorp*, company I, 10th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same at Ringgold Barracks, Texas, on or about the 3d day of July, 1871; and did remain absent until arrested at or near King's ranche, on the road between Rio Grande City and Corpus Christi, Texas, on or about the 20th day of August, 1871. All this at Ringgold Barracks and King's ranche, Texas, and on or about the dates above specified; thirty dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Thomas W Fanthorp*, Company I, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the case, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas W. Fanthorp*, Company I, 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three (3) years."

6. Private *Charles F. Mongeon*, Company I, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Charles F. Mongeon*, company I, 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 12th day of August, 1871; and did remain absent until he was arrested on or about the 18th day of August, 1871, about 80 miles from Ringgold Barracks, Texas. All this at or near Ringgold Barracks, Texas, and on or about the dates above specified."

To which charge and specification the prisoner, Private *Charles F. Mongeon*, Company I, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the case, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles F. Mongeon*, Company I, 19th Infantry, "To be dishonorably discharged the service of the United States, and 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 to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three (3) years."

7. Wagoner *John Sullivan*, Company I, 10th Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Wagoner *John Sullivan*, company I, 10th Infantry, being on daily duty in the quartermaster's department as teamster, was so drunk as to be unfit to perform his duty properly, on the 18th of September, 1871. This at Ringgold Barracks, Texas, between 1 and 2 o'clock P. M., of September 18, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification 1st—"In this, that he, Wagoner *John Sullivan*, company I, 10th Infantry, did fail to go to work at fatigue call at 1 o'clock P. M., on the 18th day of September, 1871; he being a duly detailed teamster, on daily duty in the quartermaster's department. This at Ringgold Barracks, Texas, September 18, 1871."

Specification 2d—"In this, that he, Wagoner *John Sullivan*, company I, 10th Infantry, a duly detailed teamster, on daily duty in the quartermaster's department, did enter the post trader's store during work hours. This at Ringgold Barracks, Texas, between 1 and 2 o'clock P. M., on September 18, 1871."

Specification 3d—"In this, that he, Wagoner *John Sullivan*, company I, 10th Infantry, did, without just cause or provocation, quarrel with, strike, bite and otherwise maltreat Wagoner Joseph Jackson, company E, 10th Infantry, in the post blacksmith's shop, on September 18, 1871. This at Ringgold Barracks, Texas, between the hours of 1 and 2 o'clock P. M., of September 18, 1871."

Specification 4th—"In this, that he, Wagoner *John Sullivan*, company I, 10th Infantry, did create a disturbance in the post blacksmith's shop, thus interfering with the public work then and there being performed by the post blacksmith. This at Ringgold Barracks, Texas, in the post blacksmith shop, between the hours of 1 and 2 o'clock P. M., on the 18th day of September, 1871."

To which charges and specifications the accused, Wagoner *John Sullivan*, Company I, 10th Infantry, pleaded as follows:

To the first charge and its specification,	"Guilty."
To the second charge and its specifications,	"Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused:

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 fourth specification, second charge,	"Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Wagoner *John Sullivan*, Company I, 10th Infantry, "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 the same period."

II. The proceedings, findings and sentences in the cases of Private *Charles Kelly*, Company B, Corporal *Neil Barry* and Privates *Thomas W. Fanthorp* and *Charles F. Mongeon*, Company I, 10th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the cases of Private *Cornelius Fox*, Company E, and Wagoner *John Sullivan*, Company I, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Daniel Foley*, Company B, 10th Infantry, are approved. He will be released from confinement and returned to duty.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *November* 20, 1871.

GENERAL COURT MARTIAL ORDERS, No. 75.

I. Before a General Court Martial which convened at Fort Davis, Texas, pursuant to paragraph I, of Special Order No. 157, Headquarters Department of Texas, dated San Antonio, Texas, August 3, 1871, and of which Major JAMES F. WADE, 9th Cavalry, is President, was arraigned and tried :

1. Captain *Andrew Sheridan*, 24th Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification 1st—"In this, that he, Captain *Andrew Sheridan*, 24th Infantry, commanding post of Fort Davis, Texas, did, while on duty in said capacity, on the 1st day of May, 1871, go to the store of one Daniel Murphy, Fort Davis, Texas, and did enter said store and did drink wine or other species of liquor until he became beastly and insensibly drunk; and did lie down on a couch or bed in said store in a state of insensible intoxication, from about 1 o'clock P. M. until 5 o'clock P. M., said *Sheridan* being, during that time, totally and utterly unfit to perform any duty whatever. This at Fort Davis, Texas, on or about the hours and date above specified."

Specification 2d—"In this, that he, Captain *Andrew Sheridan*, 24th Infantry, while on duty as commanding officer post of Fort Davis, Texas, did become so drunk as to be totally unfit to properly perform his duties as such commander; and did neglect and fail to sign certain official papers which should have been signed and forwarded to Department Headquarters by mail on the day here set forth. This at Fort Davis, Texas, on the 1st day of May, 1871."

Specification 3d—"In this, that he, Captain *Andrew Sheridan*, 24th Infantry, while on duty as commanding officer post of Fort Davis, Texas, did on the 5th day of May, 1871, become so drunk as to be totally unfit to properly perform any duty whatever. This at Fort Davis, Texas, on the date above specified."

ADDITIONAL CHARGE—"Neglect of duty to the prejudice of good order and military discipline."

Specification—"In this, that he, Captain *Andrew Sheridan*, 24th Infantry, while commanding the post of Fort Davis, Texas, and while acting as an inspector of a quantity of bacon amounting to sixteen thousand four hundred and forty pounds, sent by proper authority for issue to the officers and men under his command, did, in his official capacity as inspector, certify that the condition of said bacon was worthless, and recommended that the same be sold at the post of Fort Davis. This in an inventory and inspection report forwarded under date of May the 12th, 1871, to the Headquarters of the Department of Texas, whereas, in point of fact, about eleven thousand one hundred and fifteen pounds was good issuable bacon, and if properly inspected by Captain *Andrew Sheridan*,

would have been so known to him; but the said Captain *Andrew Sheridan*, did neglect properly to inspect said bacon, and did condemn the said good and issuable bacon as well as that which was not good and not fit for issue."

To which charges and specifications the accused, Captain *Andrew Sheridan*, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused.

Of the first specification, of the charge,	"Not Guilty."
Of the second specification, of the charge,	"Not Guilty."
Of the third specification, of the charge,	"Not Guilty."
Of the charge,	"Not Guilty."
Of the specification, of the additional charge,	"Not Guilty."
Of the additional charge,	"Not Guilty."

And the court does therefore *acquit* him, Captain *Andrew Sheridan*, 24th Infantry.

II. The proceedings, findings and acquittal in the foregoing case of Captain *Andrew Sheridan*, 24th Infantry, are approved. He will be released from arrest and restored to duty.

III. The General Court Martial instituted by paragraph I, Special Order No. 157, current series, from this Headquarters, and of which Major JAMES F. WADE is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

AT FORT STOCKTON, TEXAS.

1. Private BENJAMIN KELSON.....Company D, 9th Cavalry.
2. Private WILLIAM E. LINDERBERGER.....Company D, 9th Cavalry.
3. Private THOMAS MARSHALL..... Company D, 9th Cavalry.
4. Private HENRY TAYLOR..... Company D, 9th Cavalry.
5. Private JAMES P. POINTER .....Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *November* 24, 1871.

GENERAL COURT MARTIAL ORDERS, No. 76.

I. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, September 18, 1871, pursuant to paragraph IV, of Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, September 8, 1871, and of which Captain LEWIS JOHNSON, 24th Infantry, is President, were arraigned and tried :

1. Private *Benjamin Kelson*, Company D, 9th Cavalry.

CHARGE—" Violation of the 46th Article of War."

Specification—" In this, that he, Private *Benjamin Kelson*, company D, 9th Cavalry, having been duly posted as a sentinel over a camp of a detachment of company D, 9th Cavalry, on patrol duty from Fort Lancaster, Texas, to Howard's Well, Texas, did quit his post and lie down on his horse equipments and go to sleep, thereby endangering the lives of the detachment over which he had been posted as a guard. This about 18 miles from Fort Lancaster, Texas, on or about the 3d day of August, 1871."

To which charge and specification the accused, Private *Benjamin Kelson*, Company D, 9th Cavalry, pleaded as follows:

To the specification, " Guilty, except the words 'did quit his post, and the words 'and go to sleep.' "

To the charge, " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, " Guilty, except the words, 'and go to sleep.' "

Of the charge, " Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Kelson*, Company D, 9th Cavalry, " To be confined at hard labor for nine (9) months, and to forfeit his pay and allowances for that period, except two (2) dollars per month; and to be dishonorably discharged the service of the United States at the expiration of the sentence."

2. Private *William E. Linderberger*, Company D, 9th Cavalry.

CHARGE—"Violation of the 20th Article of War."

Specification—"In this, that he, Private *William E. Linderberger*, company D, 9th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Stockton, Texas, on or about the 7th day of June, 1871."

To which charge and specification the accused, Private *William E. Linderberger*, Company D, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William E. Linderberger*, Company D, 9th Cavalry, "To forfeit all pay and allowances now due or to become due; to be confined at hard labor, at such place as the Department Commander may direct, for three years; and to be dishonorably discharged the service of the United States at the expiration of sentence."

3. Private *Thomas Marshall*, Company D, 9th Cavalry.

CHARGE—"Violation of the 20th Article of War."

Specification—"In this, that he, *Thomas Marshall*, private, company D, 9th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Stockton, Texas, on or about the 7th day of June, 1871."

To which charge and specification the accused, Private *Thomas Marshall*, Company D, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Marshal*, Company D, 9th Cavalry, "To forfeit all pay and allowances now due or to become due; to be confined at hard labor, at such place as the Department Commander may direct, for two years; and at the expiration of sentence to be dishonorably discharged the service of the United States."

4. Private *Henry Taylor*, Company D, 9th Cavalry.

CHARGE—"Violation of the 20th Article of War."

Specification—"In this, that he, *Henry Taylor*, private, company D, 9th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Stockton, Texas, on or about the 7th day of June, 1871."

To which charge and specification the accused, Private *Henry Taylor*, Company D, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Taylor*,

Company D, 9th Cavalry, "To forfeit to the United States all pay now due or to become due; to be confined at hard labor, at such place as the Department Commander may direct, for the period of two (2) years; and then to be dishonorably discharged the service."

5. Private *James P. Pointer*, Company K, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification 1st—"In this, that he, Private *James P. Pointer*, company K, 25th Infantry, having been duly posted as a sentinel at the mail station, Escondido Springs, Texas, did sit down and did go to sleep, and did remain asleep until awakened by Lance Corporal Benjamin Mew, company K, 25th Infantry, in charge of the guard at that point. This between the hours of 9 and 10 P. M., on the night of the 29th of July, 1871, at Escondido, Texas."

Specification 2d—"In this, that he, Private *James P. Pointer*, company K, 25th Infantry, having been duly posted as a sentinel and having been once awakened by Lance Corporal Benjamin Mew, company K, 25th Infantry, did fall asleep again and did remain asleep until again awakened by Corporal Benjamin Mew, company K, 25th Infantry, in charge of the guard at that point. This between the hours of 10 and 11 P. M., on the night of July 29, 1871, at Escondido, Texas."

Specification 3d—"In this, that he, Private *James P. Pointer*, company K, 25th Infantry, having been duly posted as a sentinel and having twice fallen asleep, and having twice been awakened by Lance Corporal Benjamin Mew, company K, 25th Infantry, in charge of the guard at that place, did desert his post and go to his quarters, obtain his blankets and did a third time go to sleep, making his bed some distance from his post. This at or about 12 P. M., on the night of July 29, 1871, at Escondido, Texas."

To which charge and specifications the accused, Private *James P. Pointer*, Company K, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James P. Pointer*, Company K, 25th Infantry, "To forfeit all pay and allowances now due or to become due; and to be confined at hard labor, at such place as the reviewing officer may designate, for the period of three (3) years; and to be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentence in the case of Private *Benjamin Kelson*, Company D, 9th Cavalry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentences in the cases of Privates *William E. Linderberger*, *Thomas Marshall*, *Henry Taylor*, Company D, 9th Cavalry, and *James P. Pointer*, Company K, 25th Infantry, are approved,

and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee

Aide-de Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December* 5, 1871.

GENERAL COURT MARTIAL ORDERS, No. 77.

I. Before a General Court Martial which convened at Fort Clark, Texas, Monday, September 18, 1871, pursuant to paragraph I, Special Order No. 180, and Special Order No. 192, Headquarters Department of Texas, dated San Antonio, Texas, September 4 and 22, 1871, respectively, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, was arraigned and tried:

Captain *John Williams*, 25th Infantry.

CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

Specification 1st—"That he, Captain *John Williams*, 25th Infantry, being reported sick by the post surgeon, did daily indulge in the use of intoxicating drinks to such an extent as to seriously impede his recovery and resumption of his duties. This at Fort Clark, Texas, from on or about July 24th to August 29, 1871."

Specification 2d—"In this, that he, Captain *John Williams*, 25th Infantry, being reported sick by the post surgeon, did, on the evening of August 8, 1871, appear in the store of the post trader drunk, and did remain there until reveille on the morning of August 9, 1871; passing the night in drinking intoxicating liquors and playing cards. All this at Fort Clark, Texas, on or about the time specified."

Specification 3d—"In this, that he, Captain *John Williams*, 25th Infantry, being reported sick by the post surgeon, did, on the afternoon of August 28, 1871, appear on the parade at Fort Clark, Texas, in a state of intoxication. This at the place and on or about the time specified."

Specification 4th—"In this, that he, Captain *John Williams*, 25th Infantry, being reported sick by the post surgeon, did, in a state of intoxication, on the afternoon of August 28, 1871, in his quarters, with all the windows and doors open, pass his time in singing songs in a loud tone of voice, to the annoyance of other occupants of the building, and the amusement of the orderlies and other enlisted men on duty at the office of the post commander. This at Fort Clark, Texas, on or about the time specified."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Captain *John Williams*, 25th Infantry, having been placed in close arrest and in charge of a sentinel, did say to said sentinel 'You are the God-damndest man I ever saw, come in and sit down and take a drink of whiskey,' or words to that effect; and did ask said sentinel 'What is the number of your post, call the corporal of the guard and find out the number of your post,' or words to that effect, thereby endeavoring to ridicule and show his disrespect for said sentinel. This at Fort Clark, Texas, on or about August 28, 1871."

CHARGE III—"Disrespect towards his commanding officer."

Specification 1st—"In this, that he, Captain *John Williams*, 25th Infantry, having been placed in close arrest by orders of his commanding officer, did send word by an enlisted man to First Lieutenant and Adjutant Cyrus N. Gray, 25th Infantry, post adjutant, that he, the said Captain *John Williams*, 25th Infantry, 'would not obey an arrest through the adjutant; that his arrest must come through the surgeon,' or words to that effect. This at Fort Clark, Texas, on or about August 28, 1871."

Specification 2d—"In this, that he, Captain *John Williams*, 25th Infantry, having been placed in close arrest by orders of his commanding officer, did visit the office of the post adjutant and say, 'By God, Captain Gray, I want to know what I am in arrest for; I want a written order for my arrest. My arrest cannot come through the adjutant, but through the post surgeon,' or words to that effect. This at Fort Clark, Texas, on or about August 28, 1871."

CHARGE IV—"Breach of arrest."

Specification—"In this, that he, Captain *John Williams*, 25th Infantry, having been placed in close arrest by his commanding officer, Colonel George L. Andrews, 25th Infantry, through the post adjutant, First Lieutenant and Adjutant Cyrus N. Gray, 25th Infantry, did, without authority, visit the post adjutant's office, and did not return to his quarters until ordered there by the officer of the day, accompanied by a guard. This at Fort Clark, Texas, on or about August 28, 1871."

CHARGE V—"Conduct unbecoming an officer and a gentleman."

Specification 1st—"In this, that he, Captain *John Williams*, 25th Infantry, did, about 11 o'clock P. M., cause his servant to build a large fire in his quarters; and when remonstrated with, did say 'I don't care a damn if I burn the whole building down,' or words to that effect; and did, by the intense heat thus caused and by the utterance of uncouth sounds, shouting and other means, make night so hideous as to force the wives of two officers, occupying an adjoining room, to leave their bed, and remain up the remainder of the night; and seriously disturb the occupants of adjoining quarters. This at Fort Clark, Texas, on or about August 27, 1871."

Specification 2d—"In this, that he, Captain *John Williams*, 25th Infantry, did, without provocation, insult Mrs. Paulus, wife of 1st Lieutenant Jacob Paulus, 25th Infantry, by saying to her 'God damn it, what right have you to be passing my door,' or words to that effect; and by throwing his furniture, etc., about his room, and the use of profane and obscene language, so frighten said Mrs. Paulus as to cause her to flee to other quarters for protection. This at Fort Clark, Texas, on or about August 28, 1871."

To which charges and specifications the accused, Captain *John Williams*, 25th Infantry, pleaded "Not Guilty."

FINDING.

Of the first specification, first charge, "The court finds the facts as stated, except the word 'daily,' but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the second specification, first charge, "The court finds the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the third specification, first charge, "The court find the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the fourth specification, first charge, "The court finds the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the first charge, "Not Guilty."

Of the specification, second charge, "The court finds the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the second charge, "Not Guilty."

Of the first specification, third charge, "The court finds the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the second specification, third charge, "The court finds the facts as stated, but attaches no criminality thereto, as the testimony shows the accused was not in his right mind."

Of the third charge, "Not Guilty."

Of the specification, fourth charge, "The court finds the facts as stated, except the words 'and did not return to his quarters until ordered there by the officer of the day, accompanied by a guard,' as the testimony shows the accused was not in his right mind."

Of the fourth charge, "Not Guilty."

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

Of the second specification, fifth charge, "The court finds the facts as stated, except the words 'and by throwing his furniture, etc., about his room,' and the word 'obscene,' as the testimony shows the accused was not in his right mind."

Of the fifth charge, "Not Guilty."

And the court does therefore *acquit* him, Captain *John Williams*, 25th Infantry.

II. The proceedings, findings and acquittal in the foregoing case of Captain *John Williams*, 25th Infantry, are approved. He will be released from arrest and restored to duty.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee

Aide-de Camp.

AT SAN ANTONIO, TEXAS.

1. Private CORNELIUS LANAHAN .....Company M, 4th Cavalry.
2. Private THOMAS REGAN.....Company M, 4th Cavalry.
3. Private EDWARD BROWN .....Company C, 10th Infantry.
4. Private CHARLES HERMAN .....Company C, 10th Infantry.
5. Private OSCAR F. STONDINGER.....Company C, 10th Infantry.
6. Private GEORGE FAY.....Company C, 19th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December* 7, 1871.

GENERAL COURT MARTIAL ORDERS, No. 78.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, November 2, 1871, pursuant to paragraph IV, of Special Order No. 212, Headquarters Department of Texas, dated San Antonio, Texas, October 30, 1871, and of which Lieutenant Colonel JAMES H. CARLETON, 4th Cavalry, is President, were arraigned and tried :

1. Private *Cornelius Lanahan*, Company M, 4th Cavalry.

CHARGE—" Disobedience of orders."

Specification--" In this, that Private *Cornelius Lanahan*, company M, 4th Cavalry, when a prisoner in the post guard house, and ordered by the sergeant of the guard to 'turn out and go to work,' did reply, 'my time is out and I ought to be released, and I won't go to work under a guard,' or words to that effect, and did refuse to go to work. This at San Antonio, Texas, on or about the eighteenth day of October, 1871."

To which charge and specification the accused, Private *Cornelius Lanahan*, Company M, 4th Cavalry, pleaded " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, " Guilty, but attach no criminality thereto; the soldier evidently did not intend any violation of proper orders."

Of the charge, " Not Guilty."

And the court does therefore acquit him, Private *Cornelius Lanahan*, Company M, 4th Cavalry.

2. Private *Thomas Regan*, Company M, 4th Cavalry.

CHARGE I—" Violation of the 45th Article of War."

Specification—" In this, that Private *Thomas Regan*, company M, 4th Cavalry, being a member of the post guard, and having been regularly posted on post No. 2, over the cavalry stables, did become so drunk as to be unable to perform the duties of a sentinel properly. This at San Antonio, Texas, on the evening of October 21, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Thomas Regan*, company M, 4th Cavalry, being a member of the post guard, and posted on post No. 2, did stop a citizen and threaten to shoot him if ever he passed his post again, contrary to any instructions given him. This at San Antonio, Texas, on the evening of October 21, 1871."

To which charges and specifications the accused, Private *Thomas Regan*, Company M, 4th Cavalry, pleaded:

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, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, except the words 'if ever he passed his post again;' and of the excepted words Not Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Regan*, Company M, 4th Cavalry, "To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; and to be dishonorably discharged the service of the United States."

3. Private *Edward Brown*, Company C, 10th Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Edward Brown*, company C, 10th Infantry, being on daily duty as company clerk, did neglect to make out the Sunday morning inspection report of his company (C, 10th Infantry) on Sunday, October 1, 1871. This at San Antonio, Texas."

CHARGE II—"Disobedience of orders."

Specification—"In this, that Private *Edward Brown*, company C, 10th Infantry, being on daily duty as company clerk, did, when ordered by his company commander, First Lieutenant D. H. Kelton, 10th Infantry, to make out the monthly return of company C, 10th Infantry, for the month of September, 1871, refuse to obey said order; and did reply that he would not write any more, or words to that effect. This at San Antonio, Texas, on or about October 2, 1871."

To which charges and specifications the accused, Private *Edward Brown*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Edward Brown*, Company C, 10th Infantry, "To be confined at hard labor in charge of the guard for the period of sixty days, and forfeit all pay and allowances during the same period, including the retained pay; and that he make good the time lost by his confinement before being discharged the service of the United States."

4. Private *Charles Herman*, Company C, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Charles Herman*, company C, 10th Infantry, having been duly mounted as member of the guard at this post, and regularly posted as a sentinel at the guard house over prisoners, did leave his post without being relieved; and did remain absent until found by the sergeant of the guard. This at San Antonio, Texas, on the night of September 9 and 10, 1871."

To which charge and specification the accused, Private *Charles Herman*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Herman*, Company C, 10th Infantry, "To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; and be dishonorably discharged from the service of the United States."

5. Private *Oscar F. Stondinger*, Company C, 10th Infantry.

CHARGE—"Disobedience of orders."

Specification—"In this, that Private *Oscar F. Stondinger*, company C, 10th Infantry, did, when ordered by his company commander (First Lieutenant D. H. Kelton, 10th Infantry) to pack his knapsack and drill, as ordered by his first sergeant, reply 'I will not drill with a knapsack,' or words to that effect; and did not obey the order. This at San Antonio, Texas, on or about November 4, 1871."

To which charge and specification the accused, Private *Oscar F. Stondinger*, Company C, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Oscar F. Stondinger*, Company C, 10th Infantry, "To forfeit ten dollars of his monthly pay for three months."

6. Private *George Fay*, Company C, 19th Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *George Fay*, company C, 19th Infantry, on daily duty at department headquarters, did fail to re-

pair there at 8 o'clock A. M., on the morning of November 1, 1871, the time appointed by his commanding officer. This at San Antonio, Texas."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *George Fay*, company C, 19th Infantry, on daily duty at department headquarters, when asked by First Lieutenant Dwight H. Kelton, 10th Infantry, what hour he was required to report at department headquarters, did reply 9 o'clock, he knowing such reply to be false. This at San Antonio, Texas, on or about the 1st day of November, 1871."

To which charges and specifications the accused, Private *George Fay*, Company C, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, but under the circumstances attach no criminality thereto."

Of the first charge, "Not Guilty."

Of the specification, second charge, "The court finds the facts as stated, with the exception of the words 'he knowing such reply to be false,' and under the circumstances attach no criminality thereto."

Of the second charge, "Not Guilty."

And the court does therefore acquit him, Private *George Fay*, Company C, 19th Infantry.

II. The proceedings, findings and acquittals in the cases of Privates *Cornelius Lanahan*, Company M, 4th Cavalry, and *George Fay*, Company C, 19th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Edward Brown*, Company C, 10th Infantry, are approved. So much of the sentence as provides "that he make good the time lost by confinement before being discharged," is remitted. As thus mitigated the sentence is approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Oscar F. Stondinger*, Company C, 10th Infantry, *Thomas Regan*, Company M, 4th Cavalry, and *Charles Herman*, Company C, 10th Infantry, are approved. The sentences will be duly executed.

III. The General Court Martial instituted by paragraph II, of Special Order No. 212, series of 1871, from this Headquarters, and of which Lieutenant Colonel JAMES H. CARLETON, 4th Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

At Fort McKavett, Texas.

1. Sergeant Thomas Brown.....Company A, 24th Infantry.
2. Private Archibald Flemming.....Company C, 24th Infantry.
3. Private William Henderson.....Company C, 24th Infantry.
4. Sergeant Evan M. Mack.....Company D, 24th Infantry.
5. Sergeant James Roney.....Company E, 24th Infantry.
6. Sergeant Edward Berry.....Company H, 24th Infantry.
7. Musician James Edwards.....Company H, 24th Infantry.
8. Private Calvin Rivers.....Unassigned, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *December* 8, 1871.

General Court Martial Orders, No. 79.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Tuesday, September 12, 1871, pursuant to paragraph I, Special Order No. 179, Headquarters Department of Texas, dated San Antonio, Texas, September 1, 1871, and paragraph II, Special Order No. 183, Headquarters Department of Texas, dated San Antonio, Texas, September 9, 1871, and of which Captain John W. Clous, 24th Infantry, is President, were arraigned and tried:

1. Sergeant *Thomas Brown*, Company A, 24th Infantry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Sergeant *Thomas Brown*, company A, 24th Infantry, having been told by Quartermaster Sergeant William Flunnole, company A, 24th Infantry, in charge of detachment, that he, Sergeant *Brown*, had in his possession one pair of shoes, the property of Corporal Frederick Wormley, company A, 24th Infantry, did, in an excited and mutinous manner reply, 'Any man that says these shoes belong to Corporal Wormley is a God damned liar and a son-of-a-bitch;' and did, in a loud and excited manner, repeat these or other words to the same effect. All this in the presence and hearing of enlisted men of A company, at Fort McKavett, Texas, on or about the 9th day of October, 1871."

Specification 2d—"In this, that Sergeant *Thomas Brown*, company A, 24th Infantry, did take and appropriate to his own use one pair of shoes, the property of Corporal Frederick Wormley, company A, 24th Infantry. All this at Fort McKavett, Texas, on or about the 9th day of October, 1871."

To which charge and specifications the accused, Sergeant *Thomas Brown*, Company A, 24th Infantry, pleaded:

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

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, but attach no criminality thereto."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Thomas Brown*, Company A, 24th Infantry, "To forfeit to the United States five (5) dollars of his monthly pay for one (1) month."

2. Private *Archibald Flemming*, Company C, 24th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"That Private *Archibald Flemming*, company C, 24th Infantry, being a member of the post guard and on post No. 9, did leave his post without authority. This at Fort McKavett, Texas, on or about 11 o'clock P. M., October 7, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Archibald Flemming*, company C, 24th Infantry, being a member of the post guard, and on post No. 9, did leave his post, and quit his arms and enter the tent of one Mary Moore, servant, and did endeavor to induce her in criminal connection with him. This at Fort McKavett, Texas, on or about 11 o'clock P. M., October 7, 1871."

To which charges and specifications the accused, Private *Archibald Flemming*, Company C, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Archibald Flemming*, Company C, 24th Infantry, "To be confined at hard labor for one year; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

3. Private *William Henderson*, Company C, 24th Infantry.

CHARGE—"Disobedience of orders."

Specification—"In this, that Private *William Henderson*, company C, 24th Infantry, while regularly detailed on duty in the quartermaster's department of the post of Fort McKavett, Texas, as teamster, did refuse to harness up his team; and when ordered so to do by the acting assistant quartermaster through Sergeant Brady Jewell, company C, 24th Infantry, who was regularly detailed in charge of the teamsters in the quartermaster's department at the post of Fort McKavett, Texas, did positively refuse to obey said order; and when informed by the said Sergeant Jewell that if he, the said *Henderson*, did not hitch up his team and obey the order, he would have him confined in the guard house, did reply 'Guard house be damned, I am tired of the corrall, and don't care what is done with me,' or words to that effect. This at Fort McKavett, Texas, on or about October 1, 1871."

To which charge and specification the accused, Private *William Henderson*, Company C, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Henderson*, Company C, 24th Infantry, "To be confined at hard labor in the post guard house, for three months; and to forfeit to the United States five (5) dollars of his pay, per month, for the same period."

4. Sergeant *Evan M. Mack*, Company D, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Sergeant *Evan M. Mack*, company D, 24th Infantry, having by order of the first sergeant of his company, collected for the company tailor, from the members of his company, about forty dollars, more or less, did keep and apply to his own use the said forty dollars, more or less; and did, when called upon to account for the money, make various contradictory and improbable statements concerning it, and has not at this date, October 9, 1871, accounted for the same. This at Fort McKavett, Texas, on or about September 24, 1871."

To which charge and specification the accused, Sergeant *Evan M. Mack*, Company D, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Evan M. Mack*, Company D, 24th Infantry, "To be reduced to the ranks; to forfeit to the United States ten (10) dollars of his monthly pay for eight (8) months; and to be confined in charge of the guard for three months."

5. Sergeant *James Roney*, Company E, 24th Infantry.

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

Specification 1st—"In this, that he, Sergeant *James Roney*, company E, 24th Infantry, having been duly detailed and mounted as sergeant of the post guard at Fort McKavett, Texas, and being in the execution of his office in charge of said guard, did disobey, neglect and fail to carry out standing orders of said guard, that 'Number one sentinel of each relief, before going on post, from retreat until reveille, should go into the prison room and count the prisoners, to see that the prison room door was locked at retreat, and not to permit any prisoners to leave the prison room from retreat until reveille,' did permit the prison room door to remain unlocked and open for about one hour, more or less; and did permit or suffer prisoner Private Solomon Woods, company M, 9th Cavalry, (at the time under his, Roney's, charge,) to leave the prison room and guard house without a guard and go to the sutler's or post traders' store. All this at Fort McKavett, Texas, between retreat and tatoo, on or about September 21, 1871."

Specification 2d—"In this, that he, Sergeant *James Roney*, company E, 24th Infantry, being in the execution of his office as sergeant of the post guard at Fort McKavett, Texas, did, through his neglect to carry out the standing orders of the guard, permit or suffer prisoner Thomas Henderson, a discharged soldier, (at the time under his, Roney's, charge) to escape from the prison room and guard house. All this at Fort McKavett, Texas, between retreat and tattoo, on or about September 21, 1871."

To which charge and specifications the accused, Sergeant *James Roney*, Company E, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *James Roney*, Company E, 24th Infantry, "To be reduced to the ranks; and to be confined at hard labor, in charge of the guard, six months; and to forfeit to the United States ten (10) dollars, per month, of his monthly pay for the same period."

6. Sergeant *Edward Berry*, Company H, 24th Infantry.

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

Specification 1st—"In this, that Sergeant *Edward Berry*, company H, 24th Infantry, was drunk and disorderly. This in the limits of the garrison at Fort McKavett, Texas, on or about the 24th of September, 1871."

Specification 2d—"In this, that Sergeant *Edward Berry*, company H, 24th Infantry, did interfere with Principal Musician George Williams, a non-commissioned staff officer of the 24th Infantry, while said Williams was in the discharge of his duty in taking to the guard house for confinement one Robert Young, a private of the regimental band of the 24th Infantry; and the said Sergeant *Berry* did attempt to rescue the said Private Young from the custody of the said Williams, and he, the said Sergeant *Berry*, did use profane and insulting language to, and did strike the said George Williams, while the said Williams was in the execution of his duty. This at Fort McKavett, Texas, on or about the 24th day of September, 1871."

To which charge and specifications the accused, Sergeant *Edward Berry*, Company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Edward Berry*, Company H, 24th Infantry, "To be reduced to the ranks; and to be confined under guard, at hard labor, for four (4) months; and to forfeit to the United States ten (10) dollars, per month, of his monthly pay for the same period."

7. Musician *James Edwards*, Company H, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Musician *James Edwards*, Company H, 24th Infantry, did go to the store of the post traders, and engage in a quarrel and fight with other enlisted men of the garrison. All this at Fort McKavett, Texas, on or about the 10th day of October, 1871."

Specification 2d—"In this, that Musician *James Edwards*, company H, 24th Infantry, having been arrested and confined in the post guard house, did assault and stab with a butcher knife, or other sharp weapon, one prisoner by the name of J. H. Thomas, company F, 9th Cavalry. All this at or near Fort McKavett, Texas, on or about the 10th day of October, 1871."

To which charge and specifications the accused, Musician *James Edwards*, Company H, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Musician *James Edwards*, Company H, 24th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months; and to be confined at hard labor, for the same period, at the station of his company." The court is thus lenient on account of extenuating circumstances.

8. Private *Calvin Rivers*, unassigned, 24th Infantry.

CHARGE I—"General worthlessness, to the prejudice of good order and military discipline."

Specification—"That Private *Calvin Rivers*, unassigned, 24th Infantry, has, while in the service of the United States, conducted himself in such a manner as to cause his conviction by garrison court martial and field officer's courts three times, as follows: General Orders Nos. 29, 49 and 71, current series, from headquarters Fort McKavett, Texas; and that said *Rivers* by reason of his bad conduct, has been in confinement under charge of the guard from March 30, to April 11, 1871, fourteen days; from May 11, to May 12, 1871, one day; from May 26, to June 24, 1871, twenty-eight days; from July 1, to July 11, 1871, ten days; from August 16, to September 7, 1871, twenty-two days; and from September 9, to the present time, September 14, 1871. This at Fort McKavett, Texas, from March 30, 1871, to September 14, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Calvin Rivers*, unassigned, 24th Infantry, did without cause insult and curse a citizen, and when told by his first sergeant to hush up, did reply 'Hush up, hell,' or words to that effect. This at Fort McKavett, Texas, on or about the 9th of September, 1871."

To which charges and specifications the accused, Private *Calvin Rivers*, unassigned, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'conducted himself in such a manner as to cause his conviction by garrison court martial and field officer's court three times, as follows: By G. O. numbers 29, 49, and 71, c. s., Hd. Qrs. Fort McKavett, Texas, and that the said *Rivers*.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Calvin Rivers*, unassigned, 24th Infantry, "To be dishonorably discharged the service, with loss of all pay and allowances due or to become due him; to have one half of his head shaved; and to be drummed out of camp, in the presence of the command, where he may be serving."

II. The proceedings, findings and sentences in the foregoing cases of Ser-

geant *Thomas Brown*, Company A; Privates *Archibald Flemming* and *William Henderson*, Company C, Sergeants *Evan M. Mack*, Company D, and *James Roney*, Company E, and *Edward Berry*, Company H, Musician *James Edwards*, Company H, and Private *Calvin Rivers*, unassigned, 24th Infantry, are approved, and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Baton Rouge, Louisiana.

1. Private Charles M Henderson ..... Company A, 19th Infantry.
2. Private John O'Donnell ..... Company A, 19th Infantry.
3. Private Daniel Foley ..... Company G, 19th Infantry.
4. Private Charles E Rowe ..... Company G, 10th Infantry.
5. Private Adolph R. Berger ..... Company H, 19th Infantry.
6. Private James R. Stevenson ..... Company K, 19th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *December* 11, 1871.

General Court Martial Orders, No. 80.

I. Before a General Court Martial which convened at Baton Rouge, Louisiana, on Monday, August 28, 1871, pursuant to paragraph II, of Special Order No. 160, Headquarters Department of Texas, dated San Antonio, Texas, August 7, 1871, and of which Captain Howard E. Stansbury, 19th Infantry, is President, were arraigned and tried:

1. Private *Charles M. Henderson*, Company A, 19th Infantry.

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

Specification 1st—"In this, that *Charles M. Henderson*, private, company A, 19th Infantry, did steal one uniform great coat, the property of John B. Comber, private of company A, 19th Infantry. This at Baton Rouge, La., on or about the 24th of September, 1871."

Specification 2d—"In this, that *Charles M. Henderson*, private of company A, 19th Infantry, did offer to sell to a negro citizen, one uniform great coat, the property of John B. Comber, private of company A, 19th Infantry. This at Baton Rouge, La., on or about the 24th of September, 1871."

To which charge and specifications the accused, Private *Charles M. Henderson*, Company A, 19th Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Charles M. Henderson*, Company A, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due him; and be confined at hard labor, at such place as the proper authority may direct, for the period of four (4) months."

2. Private *John O'Donnell*, Company A, 19th Infantry.

CHARGE—"Habitual Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that *John O'Donnell*, private, company A, 19th Infantry, was drunk on or about the following dates, viz.: March 11th, March 28th, May 8th, May 22d, June 2d, and as many as six times other than those specifically named above, between March 11th and June 2d, whereof the dates cannot be definitely stated. All this in the year 1871, at Fort St. Philip, La."

To which charge and specification the accused, Private *John O'Donnell*, Company A, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words and figures 'March 11,' substituting therefor the words 'March 19th,' and except the words and figures 'June 2d,' and the words and figures 'as many as six (6) or seven (7) times, whereof the dates cannot be specifically stated.'"

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John O'Donnell*, Company A, 19th Infantry.

3. Private *Daniel Foley*, Company G, 19th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That he, Private *Daniel Foley*, company G, 19th U. S. Infantry, having been properly detailed and mounted as a member of the post guard, was found drunk on his post. This at Baton Rouge Barracks, La., on or about the 23d day of September, 1871."

To which charge and specification the accused, Private *Daniel Foley*, Company G, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Foley*, Company G, 19th Infantry, "To be confined at hard labor, in charge of the guard, for the period of three (3) months."

4. Private *Charles E. Rowe*, Company G, 19th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That Private *Charles E. Rowe*, company G, 19th Infantry, being on duty as a member of the post guard, was found drunk. This at post of Baton Rouge, La., on or about October 31, 1871."

To which charge and specification the accused, Private *Charles E. Rowe*, Company G, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles E. Rowe*, Company G, 19th Infantry, "To be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the period of one (1) month."

5. Private *Adolph R. Berger*, Company H, 19th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Adolph R. Berger*, company H, 19th Infantry, did enter the quarters of company I, 19th Infantry, and take from the bunk of Private John Murphy an armful of clothing, consisting of, viz., One woolen blanket, one military great coat and three (3) trousers, pairs; and did carry away and dispose of said clothing without proper authority. All this at the post of Baton Rouge, La., on or about the evening of the ninth day of October, 1871."

To which charge and specification the accused, Private *Adolph R. Berger*, Company H, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Adolph R. Berger*, Company H, 19th Infantry.

6. Private *James R. Stevenson*, Company K, 19th Infantry.

CHARGE I—"Theft, to the prejudicie of good order and military discipline."

Specification—"That he, Private *James R. Stevenson*, K company, 19th Infantry, did steal from the room of 1st Sergeant William Emmons, K company, 19th Infantry, the following articles of clothing, to-wit.: Two pairs of cotton flannel drawers, one and one-half pair woolen socks, the same being the property of the United States, for which Captain H. E. Stansbury, is accountable. This at Baton Rouge, La., on the 17th day of September, 1871."

CHARGE II—"Desertion."

Specification—"That he, Private *James R. Stevenson*, K company, 19th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same, and remain absent until captured by Sergeant George Gates, company G, 19th Infantry. This at Baton Rouge, La., on the 17th day of September, 1871."

To which charges and specifications the accused, Private *James R. Stevenson*, Company K, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James R. Stevenson*, Company K, 19th Infantry, "To be dishonorably discharged the service of the United States; and confined at such place as the reviewing authority may direct, for the period of six (6) years."

II. The proceedings, findings and acquittals of Privates *John O'Donnell*, Company A, and *Adolph R. Berger*, Company H, 19th Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *Charles M. Henderson*, Company A, and *Daniel Foley* and *Charles E. Rowe*, Company G, 19th Infantry, are approved, and the sentences will be duly executed. The post of their company is designated as the place of confinement.

The proceedings and findings in the case of Private *James R. Stevenson*, Company K, 19th Infantry, are approved. The period of confinement is reduced to four (4) years at the State Penitentiary at Baton Rouge, La. As thus mitigated the sentence is approved, and will be duly executed.

III. The General Court Martial instituted by paragraph II, of Special Order No. 160, current series, from this Headquarters, and of which Captain HOWARD E. STANSBURY, 19th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

AT FORT QUITMAN, TEXAS.

1. Private JOSEPH FORD.....Troop K, 9th Cavalry.
2. Private ELLIC RUSSELL.....Troop K 9th Cavalry.
3. Private GEORGE BROOKS.....Company B, 24th Infantry.
4. Private LAFAYETTE HAMPTON.....Company B, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December* 13, 1871.

GENERAL COURT MARTIAL ORDERS, No. 81.

I. Before a General Court Martial which convened at Fort Quitman, Texas, Tuesday, November 7, 1871, pursuant to paragraph III, Special Order No. 202, Headquarters Department of Texas, dated San Antonio, Texas, October 10, 1871, and paragraph II, Special Order No. 203, Headquarters Department of Texas, dated San Antonio, Texas, October 12, 1871, and of which Major ALBERT P. MORROW, 9th Cavalry, is President, was arraigned and tried:

1. Private *Joseph Ford*, Troop K, 9th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Joseph Ford*, Troop K, 9th Cavalry, a duly enlisted soldier in the service of the United States, did, without leave, cross the Rio Grande into the Republic of Mexico. This at Fort Quitman, Texas, on or about the night of October 20, 1871."

CHARGE II—"Conduct, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Joseph Ford*, Troop K, 9th Cavalry, a duly enlisted soldier in the service of the United States, did receive, and have in his possession, a large quantity of the clothing stolen from the quarters of Sallie Plant, laundress of K Troop, 9th Cavalry; and did afterwards take a portion of it and dispose of it over in Mexico, knowing that said clothing had been stolen. This at and near Fort Quitman, Texas, on or about the 18th, 19th and 20th of October, 1871."

To which charges and specifications the accused, Private *Joseph Ford*, Troop K, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Joseph Ford*, Troop K, 9th Cavalry, "To be dishonorably discharged the service of the United States; and to forfeit to the United States all pay and allowances due or to become due; and then to be confined at hard labor, in such military prison as the proper authority may direct, for the period of two (2) years."

2. Private *Ellic Russell*, Troop K, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Ellic Russell*, Troop K, 9th Cavalry, a duly enlisted soldier in the service of the United States, did break down the door and enter the quarters of Sallie Plant *alias* Sallie Dorsey, laundress, Troop K, 9th Cavalry, and did take therefrom a large quantity of clothing, the property of Sallie Plant and Pat. Scott, commissary clerk; and did dispose of a large portion of said clothing. This at Fort Quitman, Texas, on or about the night of the 18th October, 1871."

To which charge and specification the accused, Private *Ellic Russell*, Troop K, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Ellic Russell*, Troop K, 9th Cavalry, "To be dishonorably discharged the service of the United States; and to forfeit to the United States all pay and allowances due or to become due; and to be confined at hard labor, in such military prison as the proper authority may direct, for the period of two (2) years."

3. Private *George Brooks*, Company B, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That *George Brooks*, a duly enlisted soldier in the army of the United States, and a private of company B, 24th Infantry, did go to the store of G. W. Wahl, a trader in the vicinity of the post of Fort Quitman, Texas, and did there represent himself to be Private James L. Fowler, B company, 24th Infantry; and did attempt to obtain checks in the said store in the name of James L. Fowler, B company, 24th Infantry; this without the knowledge or consent of said Private James L. Fowler, B company, 24th Infantry. This at Fort Quitman, Texas, on or about the 10th of November, 1871."

CHARGE II—"Absence without leave."

Specification—"That *George Brooks*, a duly enlisted soldier in the army of the United States, and a private of B company, 24th Infantry, was absent from his company quarters without proper permission. This at Fort Quitman, Texas, on or about the night of the 10th of November, 1871."

To which charges and specifications the accused, Private *George Brooks*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George Brooks*, Company B, 24th Infantry, "To be confined at hard labor in charge of the post guard, at the station of his company, for six (6) months; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

4. Private *Lafayette Hampton*, Company B, 24th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *Lafayette Hampton*, B company, 24th In-

fantry, after having been regularly detailed on company fatigue, and ordered by the 1st sergeant of his company to accompany a government wagon, and assist in loading the same with sand, did twice wilfully fail to render said assistance. All this at Fort Quitman, Texas, on or about the 15th day of November, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Lafayette Hampton*, B company, 24th Infantry, when spoken to by the teamster of the government wagon, did use abusive language to said teamster, and did offer to fight him if he, the said teamster, would dismount from his mule; and did then and there load his musket, and did point the same at the said teamster. All this at Fort Quitman, Texas, on or about the 15th day of November, 1871."

To which charges and specifications the accused, Private *Lafayette Hampton*, Company B, 24th Infantry, pleaded:

To the specification, first charge, "Guilty."

To the first charge, "Guilty."

To the specification, second charge, "Guilty, except the words 'and did point the same at the said teamster.'"

To the second charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Lafayette Hampton*, Company B, 24th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of two (2) years."

II. The proceedings, findings and sentence in the case of Private *George Brooks*, Company B, 24th Infantry, are approved. The sentence will be duly executed.

The proceedings, findings and sentences in the cases of Private *Joseph Ford* and *Ellic Russell*, of Troop K, 9th Cavalry, and *Lafayette Hampton*, Company B, 24th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph III, Special Order No. 202, and paragraph II, Special Order No. 203, current series, from this Headquarters, and of which Major ALBERT P. MORROW, 9th Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

AT FORT BLISS, TEXAS.

1. Private CALVIN TIPTON .... Company H, 9th Cavalry.
2. Private JAMES A. HARASHAW..... Company B, 25th Infantry.
3. Private WALTER LEWIS SCOTT.....Company B, 25th Infantry.
4. Private CHARLES E. WILLIAMS..... .....Company B, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December* 14, 1871.

GENERAL COURT MARTIAL ORDERS, No. 82.

I. Before a General Court Martial which convened at Fort Bliss, Texas, on Monday, October 23, 1871, pursuant to paragraph II, of Special Order No. 202, Headquarters Department of Texas, dated San Antonio, Texas, October 10, 1871, and of which Captain CHARLES BENTZONI, 25th Infantry, is President, were arraigned and tried:

1. Private *Calvin Tipton*, Company H, 9th Cavalry.

CHARGE—"Sleeping on post."

Specification—"That Private *Calvin Tipton*, company H, 9th U. S. Cavalry, a member of the guard at Fort Bliss, Texas, having been posted as a sentinel on post No. 4, between the hours of 12, midnight, and 1 A. M., on the morning of the 27th of September 1871, did sleep on his post so soundly as to be unconscious of the approach of the grand rounds. This at Fort Bliss, Texas, on the date above specified."

To which charge and specification the accused, Private *Calvin Tipton*, Company H, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Calvin Tipton*, Company H, 9th Cavalry.

2. Private *James A. Harashaw*, Company B, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *James A. Harashaw*, company B, 25th Infantry, (enlisted June 24, 1870,) did desert the service of the United States on the 23d of September 1871, and did go into the Republic of Mexico, where he was arrested about 9 miles from El Paso, Mexico, on the road to Chihuahua, Mexico, and returned to his company under guard, on the 25th of September 1871; thirty dollars having been paid for his apprehension. This at Fort Bliss, Texas."

The accused, Private *James A. Harashaw*, Company B, 25th Infantry, pleaded as follows:

To the specification, "Guilty, except the words 'did desert the service of the United States.'"

To the excepted words, "Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James A. Harashaw*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States, with a forfeiture of all pay and allowances due or to become due him; and to be confined at hard labor for a period of one year."

3. Private *Walter Lewis Scott*, Company B, 25th Infantry.

CHARGE I—"Desertion."

Specification—"That Private *Walter Lewis Scott*, company B, 25th U. S. Infantry, (enlisted December 14, 1869,) did desert the service of the United States on the 22d of September, 1871, and did go into the Republic of Mexico, town of El Paso, where he was apprehended and returned to his company on the 29th of September, 1871; thirty dollars having been paid for his apprehension. This at Fort Bliss, Texas."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Walter Lewis Scott*, company B, 25th U. S. Infantry, did steal one pair of pantaloons, or trowsers, from Private William Rock, Company B, 25th U. S. Infantry. This at Fort Bliss, Texas, on the 21st of September, 1871."

To which charges and specifications the accused, Private *Walter Lewis Scott*, Company B, 25th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Walter Lewis Scott*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are now due or may become due him; and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of eighteen (18) calendar months."

4. Private *Charles E. Williams*, Company B, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Charles E. Williams*, company B, 25th U. S. Infantry, (enlisted February 28, 1870,) did desert the service of the United States on the 21st of September, 1871, and did go to El Paso, in the Republic of Mexico, where he was arrested and returned to his company by the sheriff of Fl Paso county, on the 27th of September, 1871; thirty dollars having been paid for his apprehension. This at Fort Bliss, Texas."

To which charge and specification the accused, Private *Charles E. Williams*, Company B, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles E. Williams*, Company B, 25th U. S. Infantry, "To be dishonorably discharged the service of the United States, with a forfeiture of all pay and allowances due or to become due him; and to be confined at hard labor for a period of one year."

II. The proceedings, finding and acquittal in the case of Private *Calvin Tipton*, Company H, 9th Cavalry, are approved. He will be released from confinement and returned to duty.

The proceedings, findings and sentences in the cases of Privates *James A. Harashaw*, and *Charles E. Williams*, Company B, 25th Infantry, are approved, and the sentences will be duly executed. The station of their company is designated as the place of confinement.

The proceedings, finding and sentence in the case of Private *Walter Lewis Scott*, Company B, 25th Infantry, is approved, and the sentence will be duly executed.

The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, Special Order No. 202, current series, from this Headquarters, and of which Captain CHARLES BENTZONI, 25th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de Camp.

AT JACKSON BARRACKS, LOUISIANA.

1. Private JAMES CORCORAN ..... Battery D, 4th Artillery.
2. Private FRANK BURHENNE ..... Company C, 11th Infantry.
3. Private LEWIS RANCH ..... Company C, 19th Infantry.
4. Private EDWARD LEIBEN ..... Company D, 19th Infantry.
5. Private WILLIAM ALLEN ..... Company E, 19th Infantry.
6. Pvt. FRED. GOETTSCHE, *alias* FREDERICK SCHMIDT. Co. H, 16th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *December* 22, 1871.

GENERAL COURT MARTIAL ORDERS, No. 83.

I. Before a General Court Martial which convened at Jackson Barracks, Louisiana, on Monday, August 28, 1871, pursuant to paragraph I, Special Orders Nos. 160, 188 and 189, Headquarters Department of Texas, dated San Antonio, Texas, August 7, September 16 and 18, 1871, respectively, and of which Colonel CHARLES H. SMITH, 10th Infantry, is President, were arraigned and tried:

1. Private *James Corcoran*, Battery D, 4th Artillery.

CHARGE—"Desertion."

Specification—"In this, that Private *James Corcoran*, Battery D, 4th Artillery, having been duly enlisted in the service of the United States, on or about the eighteenth day of August, 1870, did desert the service at Fort McHenry, Md., on or about the twentieth day of February, 1871."

To which charge and specification the accused, Private *James Corcoran*, Battery D, 9th Artillery, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Corcoran*, Battery D, 4th Artillery, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances that are or may become due him; and to be confined in such military prison as the Department Commander may designate, for the period of one year." The court is thus lenient on account of the prisoners apparent mental and physical unfitness for the service.

2. Private *Frank Burhenne*, Company C, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Frank Burhenne*, company C, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same at Calvert, Texas, on or about the 13th day of April, 1870; and did remain absent until apprehended at or near Jackson Barracks, New Orleans, La., on or about the 1st day of August, 1871; thirty (30) dollars paid for his apprehension."

To which charge and specification the accused, Private *Frank Burhenne*, Company C, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Burhenne*, Company C, 11th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the Department Commander may designate, for the period of two (2) years."

3. Private *Lewis Ranch*, Company C, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Lewis Ranch*, company C, 19th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Jackson Barracks, New Orleans, La., on or about the 21st day of April, 1871, and remain absent until apprehended by civil authority at New Orleans, La., on or about the 4th day of October, 1871; thirty dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Lewis Ranch*, Company C, 19th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Lewis Ranch*, Company C, 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the Department Commander may designate, for the period of two (2) years."

4. Private *Edward Leiben*, Company D, 19th Infantry.

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

Specification—"In this, that he, Private *Edward Leiben*, company D, 19th Infantry, while in confinement under charge of the post guard, and serving sentence of general court martial, did escape from the guard on the 7th day of October, 1871; and did remain absent until arrested on the 7th day of October, 1871. This at Jackson Barracks, La., on or about the dates above specified."

To which charge and specification the accused, Private *Edward Leiben*, Company D, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Leiben*, Company D, 19th Infantry, "To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of three (3) months; and to forfeit six (6) dollars per month of his pay, for the same period."

5. Private *William Allen*, Company E, 19th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Allen*, company E, 19th Infantry, while in confinement, awaiting promulgation of sentence of general court martial, did escape from the guard on the 7th day of October, 1871; and did remain absent until apprehended on the 8th day of October, 1871; thirty (30) dollars reward paid for his apprehension. This at Jackson Barracks, La., on or about the dates above specified."

To which charge and specification the accused, Private *William Allen*, Company E, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Allen*, Company E, 19th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the Department Commander may designate, for the period of two (2) years."

6. Private *Frederick Goettsche, alias Frederick Schmidt*, Company H, 16th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Frederick Goettsche*, company H, 16th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Jackson, Miss., on the 22d day of March, 1871. This at Jackson, Miss., on or about the time above specified."

CHARGE II—"Violation of the 22d Article of War."

Specification—"In this, that Private *Frederick Goettsche*, company H, 16th Infantry, did, without receiving a regular discharge from company H, 16th Infantry, (he having deserted) again enlist in the service of the United States at New Orleans, La., under the assumed name of *Frederick Schmidt*, in the 19th U. S. Infantry; and did remain in said 19th Infantry until he was identified as Private *Frederick Goettsche*, of company H, 16th Infantry, on the 24th day of September, 1871. All this at New Orleans, La., on or about the time above specified."

To which charges and specifications the accused, Private *Frederick Goettsche, alias Frederick Schmidt*, Company H, 16th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Frederick Goettsche, alias Frederick Schmidt*, of Company H, 16th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are or may become due him; and to be confined in such military prison as the Department Commander may designate, for the period of two (2) years."

II. The proceedings, findings and sentences in the cases of Privates *James Corcoran*, Battery B 4th Artillery, *Frank Burhenne*, Company C, 11th Infantry, *Lewis Ranch*, Company C, and *William Allen*, Company E, 19th Infantry,

and *Frederick Goettsche, alias Frederick Schmidt*, Company H, 16th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Edward Leiben*, Company D, 19th Infantry, are approved, and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph I, Special Orders Nos. 169, 188 and 189, current series, from this Headquarters, and of which Colonel CHARLES H. SMITH, 19th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. C. Allen
Aide-de-Camp.

GENERAL COURT MARTIAL ORDERS

FROM THE

HEADQUARTERS,

Department of Texas.

1872.

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NAMES.

POSTS.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *January* 4, 1872.

GENERAL COURT MARTIAL ORDERS, No. 1.

I. Before a General Court Martial which convened at Fort Griffin, Texas, Monday, November 27, 1871, pursuant to paragraph II, Special Order No. 221, Headquarters Department of Texas, dated San Antonio, Texas, November 14, 1871, and of which Major HENRY DOUGLASS, 11th Infantry, is President, were arraigned and tried:

First Lieutenant *Francis S. Davidson*, 9th Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, First Lieutenant *Francis S. Davidson*, 9th U. S. Cavalry, commanding company G, of the same regiment, having refused to send a detail of mounted men from his company to report at once at the adjutant's office, which detail he had been ordered to furnish immediately by his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, through the post adjutant; and having been sent for by the said Colonel Wood, to report in person at the adjutant's office, and there informed by the said Colonel Wood, that although the order sent to him, the said Lieutenant *Davidson*, to furnish the detail, was not a written order, it was, nevertheless, a proper order; and, being of a minor matter, was transmitted to him in the manner authorized by Army Regulations and the custom of service; that the order must be obeyed, and that, in future, if he had any doubt as to whether the order emanated from proper authority, to come or send to the adjutant's office and ascertain, did, a few hours afterwards, at the store of the post trader, begin a conversation with First Lieutenant Ogden B. Read, Adjutant, 11th U. S. Infantry, Post Adjutant, on the subject of details; and did, in the course of this conversation, say to the said Lieutenant Read, publicly, in the presence and hearing of other officers and citizens, 'I will be God-damned if I will furnish any more horses without a written order,' or words to that effect, meaning thereby, that he would not, in future, obey the lawful command of his commanding officer, unless such command were furnished to him in writing. This at Fort Griffin, Texas, on or about the 22d day of October, 1871."

Specification 2d—"In this, that he, First Lieutenant *Francis S. Davidson*, 9th U. S. Cavalry, commanding company G, of same regiment, did say in the office of the post trader, in the presence and hearing of other officers and a citizen, 'I will not obey any such orders. They may take away my sword and my commission and I will not obey them,' or words to that effect, referring thereby to orders which had been given to him by his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, in regard to details from his company. This at Fort Griffin, Texas, on or about the 22d day of October, 1871."

CHARGE II—"Disobedience of orders."

Specification 1st—"In this, that he, First Lieutenant *Francis S. Davidson*, 9th U. S. Cavalry, commanding company G, of the same regiment, having been ordered by his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, being in the execution of his office, through the post adjutant, to send a detail of one non-commissioned officer and two privates from his company, to report at once at the adjutant's office, mounted, did wilfully fail, neglect and refuse to obey said order. This at Fort Griffin, Texas, on or about the 25th day of October, 1871."

Specification 2d—"In this that he, First Lieutenant *Francis S. Davidson*, 9th U. S. Cavalry, commanding company G, of the same regiment, having failed, neglected and refused to obey the order of his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, being in the execution of his office, to send a detail of one non-commissioned officer and two privates from his company, to report at once at the adjutant's office, mounted, did further wilfully fail, neglect and refuse to obey the same order sent to him the second time by his commanding officer, Colonel W. H. Wood, as aforesaid, given through the post adjutant. This at Fort Griffin, Texas, on or about the 25th day of October, 1871."

CHARGE III—"Violation of the 6th Article of War."

Specification—"In this, that he, First Lieutenant *Francis S. Davidson*, 9th U. S. Cavalry, commanding company G, of the same regiment, having made application in writing October 26, 1871, to his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, to be furnished with a copy of the order by which a corporal and two privates of company G, 9th U. S. Cavalry, was detailed to report mounted at the adjutant's office, on the evening of October 25, 1871, and having been informed officially, by the post adjutant, in writing, by direction of the said Colonel Wood, that the order asked for was a verbal order, and, like other details for temporary duty, was sent from the adjutant's office to the first sergeant of his company, as is the usual custom, did write and send to his commanding officer, the aforesaid Colonel Wood, the following contemptuous and disrespectful letter, to-wit:

'FORT GRIFFIN, TEXAS,
October 27, 1871.

To the Post Adjutant,
Fort Griffin, Texas.

SIR:

I have the honor to inform the commanding officer in reference to endorsement on my application for the order whereby Corporal Harrison and 2 privates were detailed from company G, 9th Cavalry, on the evening of October 25, 1871, that the order sent to the act. 1st sergt. of company G, 9th Cavalry, *was a written order* and *not* a verbal one as stated in said endorsement, as I can prove. It is a copy of that paper that I have now the honor to respectfully request.

I am, sir, very respectfully,
Your obedient servant,
(Signed) F. S. DAVIDSON,
1st Lieut. 9th Cavalry. (In arrest.)'

This at Fort Griffin, Texas, on or about the dates specified."

To which charges and specifications the accused, First Lieutenant *Francis S. Davidson*, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge "Guilty, except so much thereof as charges the accused with having refused to send the detail in question, and except the words 'meaning thereby, that he would not, in future, obey the lawful commands of his commanding officer, unless such commands were furnished to him in writing,' and of the exceptions Not Guilty."

Of the second specification, first charge, "Guilty, except the words 'referring thereby to orders which had been given to him by his commanding officer, Colonel W. H. Wood, 11th Infantry, in regard to details from his company,' and of the excepted words Not Guilty."

Of the first charge, "Not Guilty."

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

Of the second specification, second charge, "The court strikes out all the words following the word 'regiment,' except the averment as to place and date, and substitutes therefor the following, 'did wilfully fail, neglect and refuse to obey an order to send a detail of one non-commissioned officer and two privates from his company, to report at once at the adjutant's office, mounted, which order had been given him by his commanding officer, Colonel W. H. Wood, 11th U. S. Infantry, being in the execution of his office, through the post adjutant,' and of the specification as modified Guilty."

Of the second charge, "Guilty."

Of the specification, third charge, "Guilty except the words 'contemptuous and,' and of the excepted words Not Guilty."

Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, First Lieutenant *Francis S. Davidson*, 9th Cavalry, "To be suspended from rank and pay for the period of one (1) month; and to be reprimanded in General Orders by the Department Commander."

II. The proceedings, findings and sentence in the foregoing case of First Lieutenant *Francis S. Davidson*, 9th Cavalry, are approved, and the sentence will be carried into effect.

The finding of the court is deemed a sufficient reprimand.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Allen

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Stockton, Texas.

1. Private Harrison Fields.....Company A, 9th Cavalry.
2. Private Silas Howard.....Company A, 9th Cavalry.
3. Private Lewis Smith.....Company A, 9th Cavalry.
4. Private James Buber.....Company D, 9th Cavalry.
5. Trumpeter Alexander Sivels.....Company D, 9th Cavalry.
6. Private Henry Taylor.....Company D, 9th Cavalry.
7. Private Charles Jackson.....Company B, 24th Infantry.
8. Private Robert D. Chase.....Company K, 25th Infantry.
9. Private William Washington.....Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 8, 1872.

General Court Martial Orders, No. 2.

I. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, September 18, 1871, pursuant to paragraph IV, of Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, September 8, 1871, and of which Captain Lewis Johnson, 24th Infantry, is President, were arraigned and tried:

1. Private *Harrison Fields*, Company A, 9th Cavalry.

Charge—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"That Private *Harrison Fields*, company A, 9th Cavalry, did, wilfully and maliciously, and with intention to kill, make an assault upon Private Joseph Collins, company B, 24th Infantry, using a knife or other sharp-cutting instrument or weapon, in said assault, and inflicting therewith a very dangerous and severe wound upon the aforementioned Private Collins. This at Fort Stockton, Texas, on or about the 14th of May, 1871."

To which charge and specification the accused, Private *Harrison Fields*, Company A, 9th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Harrison Fields*, Company A, 9th Cavalry, "To forfeit all pay and allowances now due, or to become due; to be confined at hard labor, at such military prison as the Commanding Officer of the Department may direct, for the period of two (2) years; and be dishonorably discharged the service of the United States."

2. Private *Silas Howard*, Company A, 9th Cavalry.

Charge I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, *Silas Howard*, a private of company A, 9th Cavalry (being one of a detachment of company A, 9th Cavalry, on scout), did, after being dismounted, mount his horse without author-

ity, and attempt to ride said horse into Leon Hole, a deep water-hole, he being intoxicated. This on the march at Leon Holes, Texas, June 19, 1871."

Specification 2d—"In this, that he, *Silas Howard*, a private of company A, 9th Cavalry, did, during a halt, and after orders had been given by his commanding officer for every man to hold his horse, lay down and go to sleep, and did allow his horse and a mule he was leading to unloose, with danger of loss to the United States of both animals. This on the march between Varilla Springs and Fort Stockton, Texas, on the 20th day of June, 1871."

CHARGE II—"General worthlessness."

Specification—"In this, that he, *Silas Howard*, a private of company A, 9th Cavalry, has been habitually drunk during the period from April 30, 1870, to June 20th, 1871, being quarrelsome with his fellow soldiers, and utterly unreliable as a soldier; having had to be replaced repeatedly on the guard detail from his company by other men in consequence of his drunken condition. All this at Fort Stockton, Texas, during the period above mentioned."

To which charges and specifications the accused, Private *Silas Howard*, Company A, 9th Cavalry, pleaded:

To the first charge and its specifications,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second 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, Private *Silas Howard*, Company A, 9th Cavalry, "To be confined at hard labor in charge of a guard for the period of one (1) month."

3. Private *Lewis Smith*, Company A, 9th Cavalry.

CHARGE—"Murder, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Lewis Smith*, company A, 9th Cavalry, did, with malice intent and aforethought, discharge a loaded Spencer carbine at Private Charles Huston, company A, 9th Cavalry, thereby causing the death of the said Charles Huston. This at Escondido Springs, Texas, while on the march from Camp Lancaster, Texas, to Fort Stockton, Texas, on the 19th day of July, 1871."

To which charge and specification the accused, Private *Lewis Smith*, Company A, 9th Cavalry, pleaded to the specification "Guilty, except the words 'with malice intent and aforethought'; to the charge Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'malice' and 'aforethought,' and of the excepted words Not Guilty."

Of the charge, "Not Guilty of murder to the prejudice of good order and military discipline, but guilty of manslaughter to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Private *Lewis Smith*, Company A, 9th Cavalry, "To forfeit all pay due or to become due; and to be confined at hard labor at such place as the Department Commander may direct, for three (3) years; and to be dishonorably discharged the service of the United States at the expiration of the sentence."

4. Private *James Buber*, Company D, 9th Cavalry.

CHARGE—"Murder, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Buber*, company D, 9th Cavalry, did, without provocation, and with malice prepense, discharge a loaded Remington revolver at Corporal Thomas Maho, Company D, 9th Cavalry, inflicting a wound which caused the death of said Thomas Maho. This at Fort Stockton, Texas, on Saturday, October 28, 1871."

To which charge and specification the accused, Private *James Buber*, Company D, 9th Cavalry, pleaded:

To the specification, "Guilty, except the words 'and with malice prepense,' and of the excepted words Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and with malice prepense,' and of the excepted words Not Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *James Buber*, Company D, 9th Cavalry, "To be confined at hard labor, at such military prison as the Department Commander may direct, for the period of five (5) years; to forfeit all pay and allowances due, or to become due; and then to be dishonorably discharged the service of the United States."

5. Trumpeter *Alexander Sivels*, Company D, 9th Cavalry.

CHARGE I—Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Trumpeter *Alexander Sivels*, Company D, 9th Cavalry, did steal one Remington revolver, the property of the United States, which had been issued to Sergeant James Dion, Company D, 9th Cavalry, and for which 1st Lieutenant William B. Branton, 9th Cavalry, was responsible. This at Fort Stockton, Texas, on or about the 5th day of July, 1871."

CHARGE II—Lying, to the prejudice of good order and military discipline."

Specification—"In this, that he, Trumpeter *Alexander Sivels*, Company D, 9th Cavalry, did, when questioned by Lieutenant William B. Branton, 9th Cavalry, commanding company D, in regard to his having a revolver in his possession on the night of July 5, 1871, reply 'that the revolver he had that night belonged to a Mexican over the creek; that he had borrowed it and returned it to the Mexican that night,' he knowing at the time that he was making a false statement. This at Fort Stockton, Texas, on or about the 6th day of July, 1871."

Specification 2d—"That Trumpeter *Alexander Sivels*, company D, 9th Cavalry, did steal from Private George Nicholas, company D, 9th Cavalry, one sabre belt, the property of the U. S., for which Lieutenant William B. Branton, 9th Cavalry, was responsible. This at Fort Stockton, Texas, on or about July 6, 1871."

ADDITIONAL CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That Trumpeter *Alexander Sivels*, company D, 9th Cavalry, did steal from Private David Booker, company D, 9th Cavalry, one pair of pants, two single blankets, the property of the said David Booker, and one sabre, the property of the United States, and for which 1st Lieutenant William B. Branton, 9th Cavalry, was responsible. This at Fort Stockton, Texas, on or about July 6, 1871."

To which charges and specifications the accused, Trumpeter *Alexander Sivels*, Company D, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Trumpeter *Alexander Sivels*, Company D, 9th Cavalry, "To forfeit all pay and allowances now due or to become due; and to be dishonorably discharged the service of the United States, upon the expiration of his term of service."

6. Private *Henry Taylor*, Company D, 9th Cavalry.

CHARGE—"Violation of the 20th Article of War."

Specification—"In this, that he, Private *Henry Taylor*, company D, 9th United States Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Stockton, Texas, on or about October 12, 1871."

To which charge and specification the accused, Private *Henry Taylor*, Company D, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Taylor*, Company D, 9th Cavalry, "To be confined at hard labor, with forfeiture of pay and allowances for twenty (20) years, and to be dishonorably discharged the service of the United States."

7. Private *Charles Jackson*, Company B, 24th Infantry.

CHARGE—"Forgery, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles Jackson*, company B, 24th Infantry, did forge the name of Private Major Rice, Company G, 24th Infantry, in and on an order of the following tenor, viz:

'MR. GIDDY:—i am on detached service and need my money take out what i owe you and send me the balance by bob Taylor.

(Signed) MAJOR his ⋈ mark RICE,
at Lancaster,'

and did fraudulently utter the same, and did, by reason of said forged

signature obtain the sum of ($54) fifty-four dollars, more or less, giving a receipt for the same in the following tenor, viz:

'FORT STOCKTON, TEXAS, August 14th.

'Received of D. Getty, for Major Rice, ($54) fifty four dollars, full amount of his deposit.

(Signed) BOB his mark TAILOR,

This at Fort Stockton, Texas, on or about the 14th day of August, 1871."

To which charge and specification the accused, Private *Charles Jackson*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Jackson*, Company B, 24th Infantry, "To forfeit all pay and allowances now due and to become due; to be confined at hard labor, at such military prison as the Commanding Officer of the Department of Texas may direct, for the period of three (3) years; and to be dishonorably discharged the service of the United States."

8. Private *Robert D. Chase*, Company K, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Robert D. Chase*, company K, 25th Infantry, did threaten personal violence and use threatening language to one Mrs. Chase, a laundress of company K, 25th Infantry, saying to her, when she told him she would report him, 'You had better get your garments, as I will not hit you with fist,' he having then in his possession a pistol, meaning by the above threat that he would otherwise injure the said Mrs. Chase above-mentioned. This at Fort Stockton, Texas, on or about the 20th day of September, 1871."

ADDITIONAL CHARGE—"Disobedience of orders."

Specification—"In this, that he, Private *Robert D. Chase*, company K, 25th Infantry, did disobey the legal order of the post surgeon, Assistant Surgeon Peter J. A. Cleary, who ordered said *Chase* to remain in the post hospital and not to leave the hospital at all, he, the said *Chase*, being at the time under charges, and being deemed unfit on account of wounds to be confined in the post guard house. This at Fort Stockton, Texas, on or about the 22d day of September, 1871."

To which charges and specifications the accused, Private *Robert D. Chase*, Company K, 25th Infantry, pleaded:

To the specification, "Guilty, except the words 'he having then in his possession a pistol.'"

To the charge, "Guilty."
To the additional charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'he having then in his possession a pistol.'"

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

Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert D. Chase*, Company K, 25th Infantry, "To forfeit all pay and allowances now due or to become due; and to be confined in the post guard house for the period of six (6) months, at such place as his company may be serving."

9. Private *William Washington*, Company K, 25th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *William Washington*, company K, 25th Infantry, having been ordered to keep away from the quarters of Laundress Martha Washington, company K, 25th Infantry, and not attempt to go there except by permission of his company commander, did, in defiance of said order, visit the house of the said Martha Washington. This at Fort Stockton, Texas, on or about the 16th day of December, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *William Washington*, company K, 25th Infantry, when ordered out of the house by Martha Washington, who told him he had no business there unless by his captain's order, did say 'Damn the captain and damn his orders too; I'll come here when I damn please,' or words to that effect. This at Fort Stockton, Texas, on or about the 16th day of December, 1871."

Specification 2d—"In this, that Private *William Washington*, company K, 25th Infantry, did attempt to strike Laundress Martha Washington, with a small iron kettle, and failing so to do, did threaten to shoot the said Laundress Martha Washington. This at Fort Stockton, Texas, on or about the 16th day of December, 1871."

Specification 3d—"In this, that Private *William Washington*, company K, 25th Infantry, when told by Corporal Mew, company K, 25th Infantry, that he would report his conduct to Captain Tomkins, did reply, 'Report and be damned; damn you and the captain,' or words to that effect. This at Fort Stockton, Texas, on or about the 16th day of December, 1871."

To which charges and specifications the accused, Private *William Washington*, Company K, 25th Infantry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specifications, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Washington*, Company K, 25th Infantry, "To be confined at hard labor, at the place where his company may be serving for six (6) months, with loss of all pay for the same period."

II. The proceedings, findings and sentences in the cases of Privates *Harrison Fields* and *Lewis Smith*, Company A, and *James Buber*, Company D, 9th

Cavalry, and *Charles Jackson*, Company B, 24th Infantry, are approved, and their sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Henry Taylor*, Company D, 9th Cavalry, are approved. The period of confinement is reduced to two (2) years at the State Penitentiary at Baton Rouge, Louisiana, with stoppage of pay and allowances for same period. As thus mitigated the sentence is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *Silas Howard*, Company A, 9th Cavalry, are approved, and will be duly executed. The station of his company is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Trumpeter *Alexander Sivels*, Company D, 9th Cavalry, and Privates *Robert D. Chase* and *William Washington*, Company K, 25th Infantry, are approved, and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

AT FORT DUNCAN, TEXAS.

1. Private THOMAS GOWANS..... Company K, 24th Infantry.
2. Private WILLIAM H. HOWARD..... Company K, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January* 11, 1872.

GENERAL COURT MARTIAL ORDERS, No. 3.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, September 18, 1871, pursuant to paragaphs I, II and III, Special Order No. 180, paragraphs I, II, III, Special Order No. 192, and paragraphs I, II, III, Special Order No. 195, Headquarters Department of Texas, dated San Antonio, Texas, September 4, 22 and 27, 1871, respectively, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, were arraigned and tried:

1. Private *Thomas Gowans*, Company K, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Thomas Gowans*, company K, 24th Infantry, having been duly enlisted into the military service of the United States, did desert the same, on or about the 15th day of September, 1871; and did remain absent until arrested and brought back, on or about the 20th day of September, 1871; thirty dollars ($30) reward was paid for his apprehension. This at Fort Duncan, Texas, on or about the dates above written."

To which charge and specification the accused, Private *Thomas Gowans*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did desert the same' substituting therefor 'did absent himself without permission.'"

Of the charge, "Not Guilty of desertion but guilty of absence without permision."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas Gowans*, of Company K, 24th Infantry, "To be confined at hard labor in charge of the guard for three months; and to forfeit ($10) ten dollars of his pay for the same period."

2. Private *William H. Howard*, Company K, 24th Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that Private *William H. Howard*, company K, 24th U. S. Infantry, having been duly enlisted into the military service of the United States, did absent himself without proper

authority from his post and company, on or about the 15th day of September, 1871, and did remain absent, until on or about the 20th of September, 1871, when he was arrested and brought back; thirty dollars ($30) reward was paid for his apprehension. This at Fort Duncan, Texas, on or about the dates above written."

To which charge and specification the accused, Private *William H. Howard*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William H. Howard*, Company K, 24th Infantry, "To be confined at hard labor in charge of the guard for three (3) months; and to forfeit ($10) ten dollars per month of his pay for the same period."

II. The proceedings, findings, and sentences in the foregoing cases of Privates *Thomas Gowans* and *William H. Howard*, Company K, 24th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

At Fort Sill, Indian Territory.

1. Private Lafayette Anderson.....Company B, 10th Cavalry.
2. Trumpeter Joseph Cook.....Company D, 10th Cavalry.
3. Sergeant William Cross .....Company D, 10th Cavalry.
4. Private Ephraim Smith .....Company H, 10th Cavalry.
5. Private Charles E. Payton.....Company I, 10th Cavalry.
6. Private John Scott.....Company I, 10th Cavalry.
7. Private Thomas Rodgers .....Company L, 10th Cavalry.
8. Private Littleton Thomas..... .....Company L, 10th Cavalry.
9. Private Edward Mills..... ....Company L, 10th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 18, 1872.

General Court Martial Orders, No. 4.

I. Before a General Court Martial which convened at Fort Sill, Indian Territory, on Wednesday, November 15, 1871, pursuant to paragraph I, Special Order No. 187, Headquarters Department of Missouri, dated Fort Leavenworth, Kansas, October 17, 1871, and of which Major George W. Schofield, 10th Cavalry, is President, were arraigned and tried:

1. Private *Lafayette Anderson*, Company B, 10th Cavalry.

Charge I—"Desertion, in violation of the 20th Article of War."

Specification—"In this, that he, Private *Lafayette Anderson*, company B, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain so absent until apprehended on or about April 18, 1871. This on or about the 14th day of April, 1871, at Fort Sill, I. T."

Charge II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Lafayette Anderson*, company B, 10th Cavalry, did feloniously steal and take one horse, the property of the United States, of the value of one hundred and twenty-five dollars ($125.00), more or less, and for which Captain John B. Vande Wiele, 10th Cavalry, is responsible. This at Fort Sill, I. T., on or about April 14, 1871."

To which charges and specifications the accused, Private *Lafayette Anderson*, Company B, 10th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Lafayette Anderson*, Company B, 10th Cavalry, "To forfeit all pay and allowances now due or which may become due, except the just dues of the laundress; to be dishonorably discharged from the service of the United States; and to be confined in such penitentiary as the Commanding General shall direct, for the period of two years."

2. Trumpeter *Joseph Cook*, Company D, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Trumpeter *Joseph Cook*, company D, 10th Cavalry, did feloniously, and with intent to appropriate to his own use, take, steal and carry away, the sum of fifteen dollars ($15), lawful money, the property of Private Seymour Simkin, D company, 10th Cavalry. This at Fort Sill, I. T., on or about April 7, 1871."

To which charge and specification the accused, Trumpeter *Joseph Cook*, Company D, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Trumpeter *Joseph Cook*, Company D, 10th Cavalry.

3. Sergeant *William Cross*, Company D, 10th Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Sergeant *William Cross*, company D, 10th U. S. Cavalry, being placed under arrest and confined to his company quarters by proper authority, did, without permission, leave said quarters and go to a tent about six hundred yards away and near the hospital, and did there remain until sent for. This at Fort Sill, I. T., on or about the night of September 28, 1871."

CHARGE II—"Lying out of his quarters, in violation of the 42d Article of War."

Specification—"In this, that Sergeant *William Cross*, D company, 10th U. S. Cavalry, did without leave from his superior officer, lie out of his company quarters; he being at the same time in arrest and under orders to remain in his company quarters. This at Fort Sill, I. T., on or about the night of September 28, 1871."

To which charges and specifications the accused, Sergeant *William Cross*, Company D, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Sergeant *William Cross*, Company D, 10th Cavalry, "To be reduced to the ranks; and to forfeit to the United States five dollars ($5) per month for three (3) months."

4. Private *Ephraim Smith*, Company H, 10th Cavalry.

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

Specification—"In this, that the said Private *Ephraim Smith*, of troop H, 10th U. S. Cavalry, did assault and strike with his fist 1st Sergeant John Stevens, of troop H, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about July 10, 1871."

To which charge and specification the accused, Private *Ephraim Smith*, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Ephraim Smith*, Company H, 10th Cavalry, "To be confined at hard labor in charge of the guard, for the period of one month."

5. Private *Charles E. Payton*, Company I, 10th Cavalry.

CHARGE I—"Disobedience of orders—9th Article of War."

Specification—"In that he, Private *Charles E. Payton*, I troop, 10th U. S. Cavalry, having been ordered by his troop commander, Captain T. A. Baldwin, 10th U. S. Cavalry, to approach him, did fail to obey such order. This at Fort Sill, I. T., on or about the 30th October, 1871."

CHARGE II—"Contempt and disrespect towards his commanding officer—6th Article of War."

Specification—"In that he, Private *Charles E. Payton*, I troop, 10th U. S. Cavalry, did, when asked by his commanding officer why he did not approach when called, reply, in a contemptuous and disrespectful manner, that he did not come because he was on the sick report, he at the same time smoking, and not standing at attention. This in his company quarters at Fort Sill, I. T., on or about the 30th October, 1871."

To which charges and specifications the accused, Private *Charles E. Payton*, Company I, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Charles E. Payton*, Company I, 10th Cavalry.

6. Private *John Scott*, Company I, 10th Cavalry.

CHARGE I—"Absence without leave, in violation of the 44th Article of War."

Specification—"In this, that he, Private *John Scott*, I troop, 10th U. S. Cavalry, having been assembled by the 1st sergeant of his troop, for stable duty, did absent himself from his troop, without permission from proper authority. This at Fort Sill, I. T., on or about the 30th of October, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In that he, Private *John Scott*, I troop, 10th Cavalry, did kick, beat and otherwise maltreat one public horse belonging to said troop, and when ordered by 1st Sergeant John H. Johnson, of his troop, to desist from kicking the horse, did reply 'That he would kick him,' meaning the horse, and did continue kicking said horse. This at Fort Sill, I. T., on or about the 30th of October, 1871."

CHARGE III—"Mutinous conduct, in violation of the 7th Article of War."

Specification—"In that he, Private *John Scott*, I troop, 10th Cavalry, when ordered to stand at attention by his commanding officer, Captain T. A. Baldwin, 10th Cavalry, did refuse to do so, and kept walking backward and forward, and said that he would go to the guard-house and remain the balance of his time there; and that he would stand this no longer, but would do something worse, or words to that effect, in case he was punished, thereby attempting to incite a mutinous spirit in said troop. This at Fort Sill, I. T., on or about the 30th of October, 1871."

CHARGE IV—"Violation 9th Article of War."

Specification—"In that Private *John Scott*, I troop, 10th Cavalry, did use threatening language to his commanding officer, Captain T. A. Baldwin, 10th Cavalry, saying that he would do something if he was treated so; and that the commanding officer had abused him and he would not stand it, but would do something else, at the same time gesticulating and placing himself in a threatening attidude, as if he wished to strike his commanding officer, Captain T. A. Baldwin, 10th Cavalry, he being at the same time in the proper execution of his office. This at Fort Sill, I. T., on or about the 30th October, 1871."

To which charges and specifications the accused, Private *John Scott*, Company I, 10th Cavalry, pleaded:

To the first charge and its specification, "Guilty."

To the second charge and its specification, by the direction of the court, the plea was entered "Not Guilty."

To the third charge and its specification, "Not Guilty."

To the fourth charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Not Guilty."
Of the second charge, "Not Guilty."
Of the specification, third charge, "Guilty, excepting the words 'refuse,' substituting therefor the word 'fail;' and excepting the words 'hereby attempting to incite a mutinous spirit in said troop;' and of the excepted words Not Guilty."
Of third charge, "Not Guilty, but guilty of conduct to the prejudice of good order and military discipline."
Of the specification, fourth charge, "Guilty."
Of the fourth charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Scott*, Company I, 10th Cavalry, "To forfeit to the United States all pay and allowance now due, or which may become due; to be dishonorably discharged the service; and confined in such military prison as the Department Commander may direct, for the period of nine (9) calendar months."

7. Private *Thomas Rodgers*, Company I, 10th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In that Private *Thomas Rodgers*, I troop, 10th U. S. Cavalry, did feloniously take, steal, and carry away with intent to appropriate to his own use one (1) pair of boots valued at six dollars ($6), the property of Private Horace Munns, H troop, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about the 5th day of September, 1871."

CHARGE II—"Desertion."

Specification—"In that Private *Thomas Rodgers*, I troop, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Sill, I. T., on or about the 17th day of September, 1871; and did remain away until apprehended and brought back on or about the 18th day of September, 1871. This at Fort Sill, I. T., on or about the 17th day of September, 1871."

To which charges and specifications the accused, Private *Thomas Rodgers*, Company I, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:
Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, excepting the words 'apprehended and brought back;' and of the excepted words Not Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Rodgers*, Company I, 10th Cavalry, "To forfeit to the U. S. all pay and allowances now due, or which may become due; to be dishonorably discharged from the service of the U. S.; and to be confined in such penitentiary as may be designated by the Department Commander, for the period of two (2) years."

8. Private *Littleton Thomas*, Company L, 10th Cavalry.

CHARGE—"Disobedience of orders."

Specification—"In that Private *Littleton Thomas*, company L, 10th Cavalry, on being ordered by his captain, Captain Thomas Little, 10th U. S. Cavalry, to cease talking, did continue to talk, and did say 'Well I don't like to see such goings on in the company,' and 'I defy any God damn man out in this country,' or words to that effect. This at the camp of company L, 10th U. S. Cavalry, in the field, at the mouth of Deep River, I. T., on or about 14th October, 1871."

To which charge and specification the accused, Private *Littleton Thomas*, Company L, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Littleton Thomas*, Company L, 10th Cavalry, "To be confined at hard labor, in charge of the guard, for the period of nine (9) calendar months, wearing a ball weighing 24 pounds attached to his left leg by a chain three feet long; and to forfeit to the United States his monthly pay for the same period."

9. Private *Edward Mills*, Company L, 10th Cavalry.

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

Specification—"In this, that he, Private *Edward Mills*, company L, 10th U. S. Cavalry, did sell or otherwise dispose of one pistol, of the value of twenty-five dollars ($25), more or less, the property of Sergeant Lafayette Mundy, company L, 10th U. S. Cavalry, and appropriate the proceeds to his own personal use. This at Fort Sill, I. T., on or about the 26th day of August, 1871."

To which charge and specification the accused, Private *Edward Mills*, Company L, 10th Cavalry, pleaded:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Edward Mills*, Company L, 10th Cavalry.

II. The proceedings, findings and acquittals in the cases of Trumpeter *Joseph Cook*, Company D, and Privates *Charles E. Payton*, Company I, and *Edward Mills*, Company L, 10th Cavalry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Sergeant *William Cross*, Company D, and Privates *Ephraim Smith*, Company H, and

Littleton Thomas, Company L, 10th Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *John Scott*, Company I, 10th Cavalry, are approved, and the sentence will be duly executed. The station of his company is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *Lafayette Anderson*, Company B, and *Thomas Rodgers*, Company I, 10th Cavalry, are approved, and the sentences will be duly executed. The Kansas State Penitentiary, near Leavenworth City, is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Private Robert Inkster .....Company G, 4th Cavalry.
2. Private John Burns .....Company I, 4th Cavalry.
3. Corporal Thomas Spriggs .....Company C, 9th Cavalry.
4. Private John Gardnear .....Company E, 11th Infantry.
5. Private Charles Jackson .....Company E, 11th Infantry.
6. Private Willis S. Moses .....Company H, 11th Infantry.
7. { Private John Burns .....Company I, 4th Cavalry.
   Private George W. Coy .....Company G, 4th Cavalry.
   Private Alfred Spear .....Company C, 9th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 19, 1872.

General Court Martial Orders, No. 5.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, October 31, 1871, pursuant to paragraph I, of Special Order No. 206, and paragraph II, of Special Order 247, Headquarters Department of Texas, dated San Antonio, Texas, October 23, 1871, and December 23, 1871, respectively, and of which Major John P. Hatch, 4th Cavalry, is President, were arraigned and tried:

1. Private *Robert Inkster*, Company G, 4th Cavalry.

Charge—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Robert Inkster*, company G, 4th Cavalry, having been regularly mounted as a member of the post guard, at Fort Concho, Texas, did become so much under the influence of intoxicating liquors as to be unable to walk, or in any way perform his duties as a sentinel. All this at or near Fort Concho, Texas, on or about the 28th day of November, 1871."

To which charge and specification the accused, Private *Robert Inkster*, Company G, 4th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Robert Inkster*, Company G, 4th Cavalry, "To be confined at hard labor in charge of the guard, at the place where his company may be serving, for a period of six months." The court is thus lenient in consideration of the prisoner's former good character.

2. Private *John Burns*, Company I, 4th Cavalry.

Charge I—"Desertion."

Specification—"In this, that he, Private *John Burns*, company I, 4th Cavalry, having been duly enlisted in the service of the United States, did desert said service at or near Fort Concho, Texas, on the 13th day of March, 1871, and did remain absent until apprehended at or near San

Antonio, Texas, on the 7th day of June, 1871, thirty dollars ($30) reward having been paid for his apprehension. All this at or near Fort Concho, Texas, on or about the 13th day of March, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Burns*, company I, 4th U. S. Cavalry, did take from the quarters of his company, one (1) carbine, value $100; (1) one cartridge-box, value $1 43; (1) one sling, value $1 36; (1) one swivel, 50c.; one sabre-belt and plate, $1 90, (40) forty rounds of ammunition, $2 40; (1) one pair of spurs and straps, 55c.; (1) one currycomb and brush, $1 30; (1) one saddle-blanket, $4 25; and (1) one wiper, 20c, the property of the United States, and for which Captain H. B. McLaughlin is responsible. All this at or near Fort Concho, Texas, on or about the 13th day of March, 1871."

To which charges and specifications the accused, Private *John Burns*, Company I, 4th U. S. Cavalry, pleaded:

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, after having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'one cartridge-box; value $1 43; one sling, $1 36; one swivel, 50c.; one sabre-belt and plate, $1 90;' and of those words Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Burns*, Company I, 4th Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due and that may become due; and be confined at hard labor, at such place as the Department Commander shall direct, for a period of five years."

3. Corporal *Thomas Spriggs*, Company C, 9th Cavalry.

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

Specification 1st—"In this, that he, Corporal *Thomas Spriggs*, company C, 9th Cavalry, being in charge of an escort to a train from Fort Concho to Fort Stockton, Texas, did, in violation of the instructions of his company commander, leave the train and run his horse after an antelope, thereby causing the horse to throw him; and did lose said horse, saddle, and bridle. This at or near Central Station, Texas, on or about the 12th day of December, 1871."

Specification 2d—"In this, that he, Corporal *Thomas Spriggs*, company C, 9th Cavalry, did steal one saddle (patent 1859) and one curb bridle, from the barracks of company D, 9th Cavalry; said saddle and bridle were United States property, for which 1st Lieutenant W. B. Branton, 9th Cavalry, is responsible, and which had been issued to Trumpeter Lick Guddy, company D, 9th Cavalry. This at Fort Stockton, Texas, on or about the 20th day of December, 1871."

To which charge and specifications the accused, Corporal *Thomas Spriggs*, Company C, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *Thomas Spriggs*, Company C, 9th Cavalry, "To be reduced to the rank of private; and to be dishonorably discharged the military service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such place as the proper authority may designate, for a period of three years."

4. Private *John Gardnear*, Company E, 11th Infantry.

CHARGE I—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private John Gardnear, E company, 11th Infantry, has, by continually absenting himself from his company, and his intemperate habits, rendered himself worthless to the United States as a soldier."

Specification 2d—"In this, that he, Private *John Gardnear*, E company, 11th Infantry, owing to his continually absenting himself from his company, and intemperate habits, has been confined since October 1, 1869, on the following named dates: Confined October 3, 1869, for 3 days; December 13, 1869, for 5 days; February 10, 1870, for 88 days; August 9, 1870, for 2 days; October 6, 1870, for 10 days; December 28, 1870, for 2 days; January 3, 1871, for 4 days; January 8, 1871, for 3 days; January 25, 1871, for 4 days; May 2, 1871, for 4 days; May 22, 1871, for 5 days. Total, 130 days; being in all one hundred and thirty days. All this at or near Columbus, Texas, and Fort Concho, Texas, on the dates above specified."

CHARGE II—"Absence without leave."

Specification—"In this, that he, Private *John Gardnear*, E company, 11th Infantry, did absent himself from his company and quarters, without permission from proper authority, from the 13th day of July, 1871, until the 17th day of July, 1871. All this at or near Fort Concho, Texas, on the above dates specified."

To which charges and specifications the accused, Private *John Gardnear*, Company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *John Gardnear*, Company E, 11th Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay or allowances due, or that may become due, except the just dues of the laundress; and to be confined at such place as the Department Commander shall direct, for a period of two years."

5. Private *Charles Jackson*, Company E, 11th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Charles Jackson*, company E, 11th Infantry, having been duly posted as a sentinel over the cavalry stables,

did leave his post without being regularly relieved. This at Fort Concho, Texas, on or about the 25th day of December, 1871."

To which charge and specification the accused, Private *Charles Jackson*, Company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Jackson*, Company E, 11th Infantry, "To forfeit to the United States ten dollars ($10) of his monthly pay for the period of one year; and to be confined at hard labor, at the post where his company may be serving, for the same period."

6. Private *Willis S. Moses*, Company H, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Willis S. Moses*, company H, 11th Infantry, a duly enlisted soldier in the United States army, did desert the service of the United States at Fort Concho, Texas, on or about the 27th day of September, 1871, and did remain absent until apprehended at or near San Antonio, Texas, on or about the 27th day of October, 1871. All this at or near the above specified places, on or about the above specified dates."

To which charge and specification the accused, Private *Willis S. Moses*, Company H, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Willis S. Moses*, Company H, 11th Infantry, "To be dishonorably discharged the military service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such place as the proper authority may designate, for a period of three years."

7. Privates *John Burns*, Company I, and *George W. Coy*, Company G, 4th Cavalry, and *Alfred Spear*, Company C, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that they, Privates *John Burns*, company I, 4th Cavalry, *George W. Coy*, company G, 4th Cavalry, and *Alfred Spear*, company C, 9th Cavalry, duly enlisted soldiers in the service of the United States, being prisoners confined in the post guard house, awaiting sentence, did make their escape from the same, through a hole feloniously broken through the wall for that purpose, and did desert the service of the United States. This at or near Fort Concho, Texas, on or about the night of 14th of November, 1871."

To which charge and specification the accused, Privates *John Burns*, Company I, and *George W. Coy*, Company G, 4th Cavalry, and *Alfred Spear*, Company C, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence them, Privates *John Burns*, Company I, 4th Cavalry, *George W. Coy*, Company G, 6th Cavalry, and *Alfred Spear*, Company C, 9th Cavalry, "To be dishonorably discharged the military service of the United States, with forfeiture of all pay and allowances now due or that may become due them; and to be confined at hard labor, at such place as the proper authority may designate, for a period of five years."

II. The proceedings, findings and sentences in the cases of Privates *Robert Inkster*, Company G, 4th Cavalry, and *Charles Jackson*, Company E, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *John Burns* and *John Burns*, Company I, *George W. Coy*, Company G, 4th Cavalry; Corporal *Thomas Spriggs*, and Private *Alfred Spear*, Company C, 9th Cavalry; and Privates *John Gardnear*, Company E, and *Willis S. Moses*, Company H, 11th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Stockton, Texas.

1. Recruit Robert Gregory ....Company A, 9th Cavalry.
2. Farrier Kaine Burton .....Company D, 9th Cavalry.
3. Private William Murray ....Company G, 24th Infantry.
4. Private George Washington.....Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 20, 1872.

General Court Martial Orders, No. 6.

I. Before a General Court Martial which convened at Fort Stockton, Texas, on Monday, September 18, 1871, pursuant to paragraph IV, of Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, September 8, 1871, and of which Captain Lewis Johnson, 24th Infantry, is President, were arraigned and tried:

1. Recruit *Robert Gregory*, Company A, 9th Cavalry.

Charge I—"Conduct prejudicial to good order and military discipline."

Specification 1st—,, In this, that Recruit *Robert Gregory*, company A, 9th Cavalry, a duly enlisted soldier in the service of the United States, did unlawfully enter a house occupied by two Mexican women, and did forcibly drive the inmates thereof from their rooms, compelling them to take refuge in the open air. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

Specification 2d—"In this, that Recruit *Robert Gregory*, company A, 9th Cavalry, a duly enlisted soldier in the service of the United States, did present a loaded carbine at the breast of Henry Dickerson, a citizen, and say 'God damn you if you don't stop your interfering, I'll blow your damned brains out,' or words to that effect. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

Charge II—"Burglary, to the prejudice of good order and military discipline."

Specification—"In this, that Recruit *Robert Gregory*, company A, 9th Cavalry, a duly enlisted soldier in the service of the United States, did unlawfully force, or assist to force open a trunk, the property of Galistia Matril, a Mexican woman. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

Charge III—"Theft, to the prejudice of good order and military discipline.'

Specification—"In this, that Recruit *Robert Gregory*, company A, 9th Cavalry a duly enlisted soldier in the service of the United States, did steal, or was an accomplice thereto, and appropriate to his own use, the following articles, the property of Galista Matril, a Mexican woman, viz: One pistol valued at twenty-five dollars ($25); one pair of pants valued at three dollars ($3); one flask powder valued at seventy-five cents (.25); one five dollar greenback ($5). This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

To which charges and specifications the accused, Recruit *Robert Gregory*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Recruit *Robert Gregory*, Company A, 9th Cavalry, "To forfeit all pay and allowances now due and to become due; to be confined at hard labor for the period of four (4) years, at such place as the Commanding Officer of the Department may direct; and then be dishonorably discharged the service of the United States."

2. Farrier *Kaine Burton*, Company D, 9th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Farrier *Kaine Burton*, company D, 9th Cavalry, did absent himself from his quarters on or about the night of November 27, 1871, and did remain absent until stable call on the morning following, without permission from proper authority. This at Fort Stockton, Texas, on or about the 27th and 28th of November, 1871."

Specification 2d—"In this, that he, Farrier *Kaine Burton*, company D, 9th Cavalry, did absent himself from reveille roll call on the morning of November 28, 1871, without permission from proper authority. This at Fort Stockton, Texas."

CHARGE II—"Lying, to the prejudice of good order and military discipline."

Specification—"In this, that he, Farrier *Kaine Burton*, Company D, 9th Cavalry, did, when asked by his company commander, First Lieutenant W. B. Brunton, 9th Cavalry, as to the cause of his absence, reply 'that he had been fishing the night before, and had lost his pocket-book, and had gone out to hunt for it, and expected to get back before roll-call,' or words to that effect, he at the time knowing that he was making a false statement, to deceive his company commander. This at Fort Stockton, Texas, on or about November 28, 1871."

CHARGE III—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Farrier *Kaine Burton*, company D, 9th Cavalry, did steal and secrete by burying in the ground one Spencer carbine, the property of the United States, and for which 1st Lieutenant W. B. Brunton, 9th Cavalry, is responsible, and which had been issued to Private George Nichols, company D, 9th Cavalry. This at Fort Stockton, Texas, on or about the 25th day of November, 1871."

To which charges and specifications the accused, Farrier *Kaine Burton*, Company D, 9th Cavalry, pleaded:

To the first specification, first charge,	"Guilty."
To the second specification, first charge,	"Not Guilty."
To the first charge,	"Guilty."
To the second charge and its specification,	"Not Guilty."
To the third charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Farrier *Kaine Burton*, Company D, 9th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due; to be confined at hard labor, at such place as the Department Commander may designate, until the expiration of his term of service. (August 12, 1872); and then to be dishonorably discharged the service of the United States."

3. Private *William Murray*, Company G, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *William Murray*, company G, 24th Infantry, did take, steal and carry away one infantry great coat and one pair of shoes from the quarters of company G, 24th Infantry, said clothing belonging to Private Felix Mathews, company G, 24th Infantry. This at Fort Stockton, Texas, on or about the 29th day of October, 1871."

Specification 2d—"In this, that he, Private *William Murray*, company G, 24th Infantry, did steal and carry away from the quarters of company G, 24th Infantry, some articles of clothing not his own, and did sell the same to a citizen. This at Fort Stockton, Texas, on or about the 29th day of October, 1871."

To which charge and specifications the accused, Private *William Murray*, Company G, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Murray*, company G, 24th Infantry, "To forfeit all pay and allowances now due or to become due; to be confined at hard labor for one (1) year, at such place as the Department Commander may direct; and at the expiration of the sentence to be dishonorably discharged the service of the United States."

4 Private *George Washington*, Company K, 25th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *George Washington*, company K, 25th Infantry, a duly enlisted soldier in the service of the United States, did unlawfully enter a house, occupied by two Mexican women, and did forcibly drive the inmates thereof from their rooms, compelling them to take refuge in the open air. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

CHARGE II—"Burglary, to the prejudice of good order and military discipline."

Specification—"In this, that Private *George Washington*, company K, 25th Infantry, a duly enlisted soldier in the service of the United States, did unlawfully force, or assist to force open a trunk, the property of Galista Matrial, a Mexican woman. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

CHARGE III—"Theft to the prejudice of good order and millitary discipline."

Specification—"In this, that he, Private *George Washington*, company K, 25th Infantry, a duly enlisted soldier in the service of the United States, did steal, (or was an accomplice thereto) and appropriate to his own use, the following articles, the property of Galista Matril, a Mexican woman, viz: One pistol valued at twenty-five dollars; one pair of pants valued at three dollars; one flask powder valued at seventy-five cents; one five dollar greenback. This at Fort Stockton, Texas, on or about the night of the 23d day of November, 1871."

To which charges and specifications the accused Private *George Washington*, Company K, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George Washington*, Company K, 25th Infantry, "To be confined at hard labor for the period of three (3) years, at such military prison as the Department Commander may direct; to forfeit all pay and allowances due or to become due; and then be dishonorably discharged the service of the United States."

II. The proceedings, findings and sentence in the case of Farrier *Kaine Burton*, Company D, 9th Cavalry, are approved, and the sentence will be duly executed. The station of his company is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Recruit *Robert Gregory*, Company A, 9th Cavalry, Private *William Murray*, Company G, 24th Infantry, and Private *George Washington*, Company K, 25th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph IV, Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, September 8, 1871, and of which Captain LEWIS JOHNSON, 24th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January* 22, 1872.

GENERAL COURT MARTIAL ORDERS, No. 7.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Tuesday, September 12, 1871, pursuant to paragraph I, of Special Order No. 179, Headquarters Department of Texas, dated San Antonio, Texas, September 1, 1871, and of which Captain JOHN W. CLOUS, 24th Infantry, is President, was arraigned and tried:

Private *Randall Isell*, Company I, 24th Infantry.

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

Specification 1st—"In this, that Private *Randall Isell*, company I, 24th Infantry, having returned from escort duty, did, contrary to existing orders, fail to extract the cartridge from his gun, before placing it in his company quarters. This at Fort McKavett, Texas, on the 21st day of September, 1871."

Specification 2d—"In this, that Private *Randall Isell*, company I, 24th Infantry, while cleaning his gun, did, by his culpable negligence, discharge the same at Sergeant Washington Sharp, company I, 24th Infantry, thereby inflicting much bodily harm and injury upon the body of said Sharp. This at Fort McKavett, Texas, on the 21st day of September, 1871."

To which charge and specifications the accused, Private *Randall Isell*, Company I, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Randall Isell*, Company I, 24th Infantry, "To be confined at hard labor, in charge of a guard, for the period of one year; 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 case of Private *Randall Isell*, Company I, 24th Infantry, are approved. Upon the recommendation of the court, the sentence is commuted to six (6) months' confinement, and forfeiture of ten (10) dollars per month of his monthly pay for the same period. As thus mitigated, the sentence will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 179, Headquarters Department of Texas, dated San Antonio, Texas, September 1, 1871, and of which Captain JOHN W. CLOUS, 24th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

AT BATON ROUGE, LOUISIANA.

1. Private JAMES A. GORDON.....Company A, 19th Infantry.
2. Private JOHN F. BUTLER.....Company B, 19th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January* 23, 1872.

GENERAL COURT MARTIAL ORDERS, No. 8.

I. Before a General Court Martial which convened at Baton Rouge, Louisiana, on Monday, August 28, 1871, pursuant to paragraph II, of Special Order No. 160, Headquarters Department of Texas, dated San Antonio, Texas, August 7, 1871, and of which Captain HOWARD E. STANSBURY, 19th Infantry, is President, were arraigned and tried:

1. Private *James A. Gordon*, Company A, 19th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That Private *James A. Gordon*, company A, 19th Infantry, being a member of the post guard, and posted as a sentinel, was found sleeping on post. This at Baton Rouge, La., on or about the 11th day of November, 1871."

To which charge and specification the accused, Private *James A. Gordon*, Company A, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James A. Gordon*, Company A, 19th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of three (3) months; and to forfeit five dollars ($5) of his pay for the same period."

2. Private *John F. Butler*, Company B, 19th Infantry.

CHARGE—"Desertion."

Specification—"That Private *John F. Butler*, Company B, 19th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Baton Rouge Barracks, La., at or about 5 o'clock P. M., on the 8th day of November, 1871, and did remain absent until about 11 o'clock on the night of November 8, 1871, when found concealed on a barge about to leave the city and arrested as a deserter. This at Baton Rouge, La., on or about November 8, 1871."

To which charge and specification the accused, Private *John F. Butler*, Company B, 19th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John F. Butler*, Company B, 19th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due, or to become due; and to be confined, in such military prison as the reviewing authority may direct, for the period of five (5) years."

II. The proceedings, findings and sentence in the case of Private *James A. Gordon*, Company A, 19th Infantry, are approved, and the sentence will be duly executed.

The proceedings and findings in the case of Private *John F. Butler*, Company B, 19th Infantry, are approved. The period of confinement is reduced to two years, at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private John W. Comfort .....Company A, 4th Cavalry.
2. Private Henry W. Fox .....Company A, 4th Cavalry.
3. Private Arthur Watkinson.....Company A, 4th Cavalry.
4. Private William E. Jones.....Company B, 4th Cavalry.
5. Private Joseph Logan.....Company B, 4th Cavalry.
6. Private William Reid .....Company B 4th Cavalry.
7. Private Martin Birmingham.....Company C, 4th Cavalry.
8. Private Francis M. Bramhall .....Company C. 4th Cavalry.
9. Private John Madden .....Company F, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 24, 1872.

General Court Martial Orders, No. 9.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, September 11, 1871, pursuant to paragraph I, of Special Order No. 177, Headquarters Department of Texas, dated San Antonio, Texas, August 29, 1871, and of which Major John K. Mizner, 4th Cavalry, is President, were arraigned and tried:

1. Private *John W. Comfort*, Company A, 4th Cavalry.

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

Specification—"In this, that he, Private *John W. Comfort*, of company A, 4th Cavalry, having been confined in the post guard house, by order of 1st Lieutenant George A. Thurston, 4th Cavalry, did, in the presence of the officer of the day, Captain William W. Webb, 4th Cavalry, and a large portion of the post guard, make use of language of the most insulting and obscene description, and did say to the officer of the day, Captain William W. Webb, 4th Cavalry, 'You God damned black-eyed son of a bitch, I'll be even with you some day,' or words to that effect. All this at the post guard house, at Fort Richardson, Texas, on or about 12 o'clock M., November 9, 1871."

To which charge and specification the accused, Private *John W. Comfort*, Company A, 4th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *John W. Comfort*, Company A, 4th Cavalry, "To be confined at hard labor, under charge of the post guard, for the period of six months, being kept on bread and water diet for ten days in each month; and to forfeit to the United States five dollars of monthly pay per month for the same period."

2. Private *Henry W. Fox*, Company A, 4th Cavalry.

Charge I—"Desertion."

Specification—"In this, that he, Private *Henry W. Fox*, of company A, 4th Cavalry, having been duly enlisted in the service of the United States, did desert at Fort Richardson, Texas, on the 8th day of July, 1871, and did remain absent until apprehended near Bean Creek, between Fort Richard-

son and Decatur, Texas, on the 9th day of July, 1871. This at or near Fort Richardson, Texas, on or about the date specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Henry W. Fox*, of company A, 4th Cavalry, did steal or otherwise dispose of the following ordnance and ordnance stores, and camp and garrison equipage, for which 1st Lieutenant William A. Thompson, 4th Cavalry, is responsible, viz: One Spencer carbine, cal. 50; one carbine sling; one carbine swivel; one carbine cartridge box; one sabre belt and plate; one curry comb; one horse brush; one lariat; one saddle blanket; one pair spurs and straps; one carbine screw-driver; one thong and brush wiper; twenty carbine cartridges; one canteen and strap. This at Fort Richardson, Texas, on or about the 8th day of July, 1871."

To which charges and specifications the accused, Private *Henry W. Fox*, Company A, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, finds the accused:

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, Private *Henry W. Fox*, Company A, 4th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged from the service; and confined at hard labor, in such military prison as the Department Commander may designate, for the period of three years."

3. Private *Arthur Watkinson*, Company A, 4th Cavalry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Private *Arthur Watkinson*, company A, 4th U. S. Cavalry, being a member of the post guard, mounted at the post of Fort Richardson, Texas, on the 3d day of October, 1871, and having in his charge as a sentinel (3) three prisoners (shackled), between the hours of 11 o'clock A. M. and 1 o'clock P. M., of said date, did allow one of said prisoners, viz: Private William Murrell, company A, 4th Cavalry, to escape. This at Fort Richardson, Texas, on or about the time and date above specified."

To which charge and specification the accused, Private *Arthur Watkinson*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, after having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Arthur Watkinson*, Company A, 4th Cavalry.

4. Private *William E. Jones*, Company B, 4th Cavalry.

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

Specification—"In this, that he, Private *William E. Jones*, company B, 4th Cavalry, while undergoing sentence of a General Court Martial, as promulgated in General Court Martial Orders No. 43, May 13, 1871, Headquarters Department of Texas, did attack a sentinel, who had him in charge, bringing water from the spring, seizing the sentinel by the throat, and at the same time kicking him in the stomach, and throwing him down on the ground, and while the sentinel was in this position, did break away and make his

escape, and did remain absent until the next morning, when he was re captured, with citizen's clothes on, by a detachment of the post guard, sent in pursuit of him. All this at the post of Fort Richardson, Texas, on or about the 15th and 16th days of August, 1871."

To which charge and specification the accused, Private *William E. Jones*, Company B, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William E. Jones*, Company B, 4th Cavalry, "To wear a ball weighing twenty-four pounds attached to his left leg by a chain four feet long, for a period of three years; and to be confined at hard labor under charge of the post guard, for one year beyond the term of the sentence he is now serving, as promulgated in G. C. M. O. No. 43, dated Hd'qrs Dept. of Texas, May 13, 1871."

5. Private *Joseph Logan*, Company B, 4th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that Private *Joseph Logan*, of company B, 4th U. S. Cavalry, having obtained a pass to be absent from camp from 9 A. M. until 3.30 P. M., on the 23d day of November, 1871, did remain absent from evening stable call, and dress parade of his company on that day (November 23, 1871). All this at or near Fort Richardson, Texas, on or about the 23d day of November, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Joseph Logan*, of Company B, 4th U. S. Cavalry, having been arrested by Sergeant Cornelius Owens, company B, 4th Cavalry, did abuse, insult and otherwise illtreat the said Sergeant Owens, using the following language, 'You are a mean non-commissioned officer—a kiss-my-arse—and I will not go to the guard house with you, nor you cannot take me there,' at the same time taking hold of the sergeant's blouse, and attempting to strike him, and did talk and act in a boisterous and defiant manner, using language highly detrimental to good order and military discipline. Atl this at or near Fort Richardson, Texas, on or about the 23d day of November, 1871."

To which charges and specifications the accused, Private *Joseph Logan*, Company B, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, finds the accused:

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, Private *Joseph Logan*, Company B, 4th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for six months; and to be confined at hard labor, in charge of the post guard, for the same period."

6. Private *William Reid*, Company B, 4th Cavalry.

CHARGE—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *William Reid*, company B, 4th Cavalry, did, when the ranks were broken after retreat roll call, go into his company quarters and there shout and halloo in a boisterous manner,

intending thereby to cast derision on the order which had just been published reducing him from the rank of corporal to that of private. All this at Fort Richardson, Texas, on or about the 1st of December, 1871."

Specification 2d—"In this, that he, Private *William Reid*, company B, 4th Cavalry, did, when refused permission to speak to Captain Clarence Mauck, 4th Cavalry, and Colonel R. S. Mackenzie, 4th Cavalry, persist in attempting to speak to those officers, even after having been ordered to the guard house by Colonel R. S. Mackenzie, 4th Cavalry (his commanding officer). All this at the post of Fort Richardson, Texas, on or about the 1st day of December, 1871."

Specification 3d—"In this, that he, Private *William Reid*, company B, 4th Cavalry, when ordered to the guard house by Colonel R. S. Mackenzie, 4th Cavalry, commanding post, did call out to the men of his company: 'men, don't go back on me,' and other words to the same effect, trying thereby to incite a mutiny in his company. All this at the post of Fort Richardson, Texas, on or about the 1st day of December, 1871."

To which charge and specifications the accused, Private *William Reid*, Company B, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Reid*, Company B, 4th Cavalry, "To be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances due or that may become due; and to be confined at hard labor for two years, at such military prison as the Department Commander may designate."

7. Private *Martin Birmingham*, Company C, 4th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, *Martin Birmingham*, private of company C, 4th Cavalry, having been duly mounted as a member of the post guard at Fort Richardson, Texas, and having been duly posted as a sentinel on post No. 2, in rear of the guard house, to prevent the escape of prisoners confined therein, did sit down and go to sleep, in which situation he was found by the officer of the day. All this at or near Fort Richardson, Texas, between the hours of one and two o'clock, A. M., October 27, 1871."

To which charge and specification the accused, Private *Martin Birmingham*, Company C, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Martin Birmingham*, Company C, 4th Cavalry, "To be confined at hard labor for six months; and to forfeit ten dollars per month of his monthly pay for the same period." The Court is thus lenient on account of the mitigating circumstances, as shown by the evidence.

8. Private *Francis M. Bramhall*, Company C, 4th Cavalry.

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

Specification—"In this, that he, Private *Francis M. Bramhall*, of company C, 4th Cavalry, being at the time a member of the post guard, and having been regularly posted as a sentinel, in rear of the cavalry stables, with orders to protect all 'government property in view,' did allow two sacks of grain, more or less, the property of the United States, to be feloniously taken from the stables of company B, 4th Cavalry—said stables being now used temporarily by a detachment of the 4th Cavalry—by some person or persons as yet unknown, the said Private *Francis M. Bramhall*, of company C, 4th Cavalry, failing to create any alarm or to report the theft to the sergeant of the guard. All this at Fort Richardson, Texas, on or about seven (7) o'clock and thirty (30) minutes P. M., the 2d day of November, 1871."

To which charge and specification the accused, Private *Francis M. Bramhall*, Company C, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Francis M. Bramhall*, Company C, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for the period of six months; and to forfeit to the United States eight dollars per month of his monthly pay for the same period."

9. Private *John Madden*, Company F, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *John Madden*, company F, 4th Cavalry, being duly mounted as a member of the post guard at Fort Richardson, Texas, on the 29th day of November, 1871, did become so much under the influence of intoxicating liquor as to unfit him to perform the duties of a sentinel. All this on or about the 29th day of November, 1871, at or near Fort Richardson, Texas."

To which charge and specification the accused, Private *John Madden*, Company F, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Madden*, Company F, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for six months, wearing a twenty-four pound ball, attached to his left leg by a chain three feet long, for the first three months of that period."

II. The proceedings, findings and acquittal in the case of Private *Arthur Watkinson*, Company A, 4th Cavalry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *John W. Comfort*, Company A, *William E. Jones* and *Joseph Logan*, Company B, *Francis M. Bramhall*, Company C, and *John Madden*, Company F, 4th Cavalry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Martin Birmingham*, Company C, 4th Cavalry, are approved, but in view of the recommendation of members of the court so much of the sentence as relates to imprisonment is remitted. The remainder of the sentence is approved and will be duly executed. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Henry W. Fox*, Company A, 4th Cavalry, are approved. The period of confinement is reduced to two years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *William Reid*, Company B, 4th Cavalry, are approved and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

AT FORT MCKAVETT, TEXAS.

1. Private ROBERT H. BALDWIN.....Company A, 24th Infantry.
2. Private MILTON HAYES.....Company C, 24th Infantry.
3. Private JOSHUA VASSAR.....Company D, 24th Infantry.
4. Private WILLIAM MOORE.....Company H, 24th Infantry.
5. Recruit JAMES CAMPBELL.....Unassigned, 24th Infantry.
6. Private HENRY MOSELY.....Unassigned, 24th Infantry.
7. Private JAMES TAYLOR.....Unassigned, 24th Infantry.
8. Private WILLIAM SUTION.....Unassigned, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January* 25, 1872.

GENERAL COURT MARTIAL ORDERS, No. 10.

I. Before a General Court Martial which convened at Fort McKavett, Texas, pursuant to paragraph I, of Special Order No. 241, Headquarters Department of Texas, dated San Antonio, Texas, December 12, 1871, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, were arraigned and tried:

1. Private *Robert H. Baldwin*, Company A, 24th Infantry.

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

Specification—"In this, that Private *Robert H. Baldwin*, company A, 24th Infantry, entered a house on the laundress line occupied by Private George Forniss, company A, 24th Infantry, and his wife Ida Forniss, and after muffling the head of the said Ida Forniss with a shawl, to prevent her cries to be heard, dragged her by force out of doors with the intention to commit rape. This at Fort McKavett, Texas, on the 16th day of December, 1871, at 8 o'clock P. M."

To which charge and specification the accused, Private *Robert H. Baldwin*, Company A, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Robert H. Baldwin*, Company A, 24th Infantry.

2. Private *Milton Hayes*, Company C, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Milton Hayes*, company C, 24th Infantry, did feloneously take, steal and carry away from the store of Samuel Wallick & Co., two smoking pipes and stems, to the value of $2.00 each, and did appropriate said pipes and stems to his own use and benefit. This at Fort McKavett, Texas, on the 19th day of December, 1871."

To which charge and specification the accused, Private *Milton Hayes*, Company C, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration of the case, finds the accused, Private *Milton Hayes*, Company C, 24th Infantry:

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

SENTENCE.

And the court does therefore sentence him, Private *Milton Hayes*, Company C, 24th Infantry, "To be dishonorably discharged and drummed out of the service of the United States, with forfeiture of all pay and allowances that are or may become due; and to be confined at such military prison as the Department Commander may direct, for the period of six months."

3. Private *Joshua Vassar*, Company D, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Joshua Vassar*, Company D, 24th Infantry, did steal and appropriate to his own use, one pair of trowsers, of the value of about two dollars ($2.00), the property of Private Harvey Jackson, 24th Infantry, attached to company D. This at Fort McKavett, Texas, on or about the 27th day of December, 1871."

To which charge and specification the accused, Private *Joshua Vassar*, Company D, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *Joshua Vassar*, Company D, 24th Infantry:

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

SENTENCE.

And the court does therefore sentence him, Private *Joshua Vassar*, Company D, 24th Infantry, "To be confined in the post guard house for six months; and to forfeit to the United States six dollars of his monthly pay, per month, for the same period." The court is thus lenient owing to the previous good character of the accused.

4. Private *William Moore*, Company H, 24th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *William Moore*, company H, 24th Infantry, having been duly mounted as a member of the garrison guard at Fort McKavett, Texas, and having been posted as a sentinel on post No. 7, did go to sleep, and was found in that condition by the corporal of the guard. This at or near Fort McKavett, Texas, on or about the night of October 23, 1871, at or about the hour of 12 o'clock, M."

To which charge and specification the accused, Private *William Moore*, Company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Private *William Moore*, Company H, 24th Infantry:

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

SENTENCE.

And the court does therefore sentence him, Private *William Moore*, Company H, 24th Infantry, "To forfeit to the United States ($5.00) five dollars per month of his monthly pay for one year; and to be confined at hard labor for the same period."

5. Recruit *James Campbell*, unassigned, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that the said unassigned recruit *James Campbell*, 24th Infantry, having been duly enlisted in the service of the United States, did absent himself from his company and station

without proper authority, on the 19th day of November, 1871; and did remain so absent till the 20th of November, 1871, when arrested at Splitgarber's ranche, Texas, by a guard, and returned to his proper station. This on or about the dates above stated, at or near Fort McKavett, Texas."

To which charge and specification the accused, Recruit *James Campbell*, unassigned, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, unassigned recruit, *James Campbell*, 24th Infantry:

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

SENTENCE.

And the court does therefore sentence him, unassigned recruit *James Campbell*, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances; and to be confined at such place as the proper authority may direct, for four years."

6. Private *Henry Mosely*, unassigned, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry Mosely*, unassigned, attached to company I, 24th Infantry, did steal and take from the quarters of Lieut. J. M. Thompson, U. S. A., and appropriate to his own use, one pocket pistol, the property of Messrs. Walleck & Co., civilians of Menard county, Texas, and for which Lieut. J. Milton Thompson, was responsible. All this at Fort McKavett, Texas, on or about the 13th day of November, 1871."

To which charge and specification the accused, Private *Henry Mosely*, unassigned, 24th Infantry, pleaded: "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Mosely*, unassigned, attached to Company I, 24th Infantry, "To be confined at hard labor for the period of four months."

7. Private *James Taylor*, unassigned, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *James Taylor*, unassigned, 24th Infantry, did take one (1) uniform hat and trimmings, the property of Private Agustas Dorcy, company H, 24th Infantry, and did appropriate the same to his own use and benefit. This at Fort McKavett, Texas, on or about the 17th day of October, 1871."

To which charge and specification the accused, Private *James Taylor*, unassigned, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *James Taylor*, unassigned, 24th Infantry.

8. Private *William Sutton*, unassigned, 24th Infantry.

CHARGE—"General Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William Sutton*, unassigned, 24th Infantry, has been so careless, dirty, insubordinate, and generally worthless as to cause him to be confined in the guard house of his post as follows: About July 23, 1871, about nine days; about August 3, 1871, about thirteen days; about September 18, 1871, about twelve days; about October 19, 1871, about twenty-two days; about November 29, 1871, about six days; about December 7, 1871, still in confinement; and also to cause his trial and conviction by garrison courts martial, the sentence of which was published in the following General Orders, dated Headquarters Fort McKavett, Texas:—1st. No. 60, July 27, 1871. 2d. No. 64. August 10, 1871. 3d. No. 82, September 27, 1871. 4th. No. 91, November 1, 1871. All this at Fort McKavett, Texas, on or about the dates above named."

To which charge and specification the accused, Private *William Sutton*, unassigned, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Sutton*, unassigned, 24th Infantry, "To have his head shaved; to be drummed out and dishonorably discharged the service of the United States, with loss of all pay due or to become due; then to be confined at such penitentiary as the proper authority may direct for one year."

II. The proceedings, findings and acquittals in the cases of Privates *Robert H. Baldwin*, Company A, and *James Taylor*, unassigned, 24th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *Henry Mosely*, unassigned, *Joshua Vassar*, Company D, and *William Moore*, Company H, 24th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Recruit *James Campbell*, 24th Infantry, are approved. The period of confinement is reduced to two years in the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *William Sutton*, unassigned, 24th Infantry, are approved and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Milton Hayes*, Company C, 24th Infantry, are approved. So much of the sentence as relates to imprisonment is remitted. As thus mitigated, the sentence is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private David Cameron ..... Company A, 4th Cavalry.
2. Private Samuel E. King ..... Company A, 4th Cavalry.
3. Private Frank M. Moore ..... Company A, 4th Cavalry.
4. Private Henry Bender ..... Company B, 4th Cavalry.
   Private James Flinn ..... Company B, 4th Cavalry.
   Private Eli Johnpeters ..... Company B, 4th Cavalry.
   Private Reinhard Kraft ..... Company B, 4th Cavalry.
   Private Lemuel Marlatt ..... Company B, 4th Cavalry.
   Private Austin O'Toole ..... Company B, 4th Cavalry.
   Private Charles Porter ..... Company B, 4th Cavalry.
5. Private Frank Gill ..... Company C, 4th Cavalry.
6. Private Michael Crean ..... Company E, 4th Cavalry.
7. Private Frank Hood ..... Company E, 4th Cavalry.
8. Recruit Michael O'Conner ..... Company E, 4th Cavalry.
9. Private Terrance Burke ..... Company K, 4th Cavalry.
10. Private James Casey ..... Company K, 4th Cavalry.
11. Private James Gerrity ..... Company K, 4th Cavalry.
    Private Thomas Hannaghan ..... Company K, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 26, 1872.

General Court Martial Orders, No. 11.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, September 11, 1871, pursuant to paragraph I, of Special Order No. 177, Headquarters Department of Texas, dated San Antonio, Texas, August 29, 1871, and of which Major John K. Mizner, 4th Cavalry, is President, were arraigned and tried:

1. Private *David Cameron*, Company A, 4th Cavalry.

Charge—"Desertion."

Specification—"In this, that Private *David Cameron*, of company A, 4th Cavalry, having been duly enlisted in the army of the United States, did desert the same on the 20th day of November, 1871, and did remain absent until apprehended at Cleborne, Texas, on or about the 7th of December, 1871. This at Fort Richardson, Texas, on or about the 20th day of November, 1871."

To which charge and specification the accused, Private *David Cameron*, Company A, 4th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *David Cameron*, Company A, 4th Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances now due or that may become due him; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three years."

2. Private *Samuel E. King*, Company A, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Samuel E. King*, company A, 4th Cavalry, having duly enlisted as a soldier in the army of the United States, did desert the same, on or about the 29th day of November, 1871, and did remain absent until apprehended at Cleborne, Texas, on or about the 7th day of December, 1871. This at Fort Richardson, Texas, on or about the 29th day of November, 1871."

To which charge and specification the accused, Private *Samuel E. King*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Samuel E. King*, Company A, 4th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due him; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three (3) years."

3. Private *Frank M. Moore*, Company A, 4th Cavalry.

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

Specification—"In this, that he, Private *Frank M. Moore*, company A, 4th U. S. Cavalry, did wilfully, maliciously, and without just cause or provocation, kill and murder Corporal William Hall, company A, 4th U. S. Cavalry, by stabbing him with a knife. This at Fort Concho, Texas, on the 24th day of March, 1871."

To which charge and specification the accused, Private *Frank M. Moore*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank M. Moore*, Company A, 4th Cavalry, "To be dishonorably discharged from the service of the United States, forfeiting all pay and allowances now due or that may become due him; and then to be confined at hard labor, in such penitentiary as the reviewing authority may designate, for a period of twenty (20) years."

4. Privates *Henry Bender*, *Lemuel Marlatt*, *Austin O'Toole*, *Reinhard Kraft*, *Charles Porter*, *James Flinn* and *Eli Johnpeters*, Company B, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that they, and each of them, *Henry Bender*, *Lemuel Marlatt*, *Austin O'Toole*, *Reinhard Kraft*, *Charles Porter*, *James Flinn* and *Eli Johnpeters*, privates of Company B, 4th U. S. Cavalry, and duly enlisted into the service of the United States, did desert said service at or near Fort Richardson, Texas, and did remain absent until apprehended by 2d Lieutenant R. G. Carter, 4th Cavalry, near Hillsborough, Texas, December 4, 1871. All this at or near Fort Richardson, Texas, on or about the 29th day of November, 1871."

To which charge and specification the accused, Privates *Henry Bender*, *Lemuel Marlatt*, *Austin O'Toole*, *Reinhard Kraft*, *Charles Porter*, *James Flinn*,

and *Eli Johnpeters*, privates of Company B, 4th U. S. Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence them, each and all of them, Privates *Henry Bender, Lemuel Marlatt, Austin O'Toole, Reinhard Kraft, Charles Porter, James Flinn* and *Eli Johnpeters*, Company B, 4th 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 for the period of three years, at such military prison as the Department Commander may designate."

5. Private *Frank Gill*, Company C, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Frank Gill*, company C, 4th U. S. Cavalry, did absent himself from his company quarters after tattoo, without proper authority. This at Fort Richardson, Texas, on the night of November 3, 1871."

Specification 2d—"In this, that he, Private *Frank Gill*, company C, 4th U. S. Cavalry, having been duly detailed for guard, did become so much under the influence of liquor as to make him sick and unfit to perform said duty. This at Fort Richardson, Texas, on or about the 3d and 4th days of November, 1871."

Specification 3d—"In this, that he, Private *Frank Gill*, company C, 4th U. S. Cavalry, did act in a dishonorable manner by endeavoring to enter the house and quarters of Mrs. Margaret Collins, laundress of company A, 4th U. S. Cavalry, and did use the following vulgar and abusive language towards Mrs. Margaret Collins: 'Shove your pistol up your arse, and shoot it off,' or words to this effect. This at Fort Richardson, Texas, on the night of November, 3, 1871."

To which charge and specifications the accused, Private *Frank Gill*, Company C, 4th Cavalry, pleaded:

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

FINDING.

The court, after having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Frank Gill*, Company C, 4th Cavalry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for the period of four (4) months."

6. Private *Michael Crean*, Company E, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Michael Crean*, Company E, 4th Cavalry, having been duly enlisted as a soldier in the service of the United

States, did desert the same, from the post hospital, at Fort Richardson, Texas, on or about the 30th day of November, 1871, and did remain absent until apprehended at Jackson, Texas, on or about the 3d day of December, 1871. This at Fort Richardson, Texas, and on or about the dates above specified."

To which charge and specification the accused, Private *Michael Crean*, Company E, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence in the case, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Crean*, Company E, 4th Cavalry, "To be confined at hard labor for the period of three (3) years, at such place as the Department Commander may direct, and to forfeit all pay and allowances now due or to become due; and to be dishonorably discharged from the service of the United States."

7. Private *Frank Hood*, Company E, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Frank Hood*, company E, 4th Cavalry, having been duly enlisted in the service of the United States, did desert the same from the post of Fort Richardson, Texas, on or about the 28th day of November, 1871, and did remain absent until apprehended at or near Decatur, Texas, on or about the 1st day of December 1871. This at Fort Richardson, Texas, on or about the 28th day of November, 1871."

CHARGE II—"Theft."

Specification—"In this, that Private *Frank Hood*, company E, 4th Cavalry, did steal and appropriate to his own use one Spencer carbine, the property of the United States, taking the same with him while deserting from the post of Fort Richardson, Texas. This at Fort Richardson, Texas, on or about the 28th day of November, 1871."

To which charges and specifications the accused, Private *Frank Hood*, Company E, 4th Cavalry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Frank Hood*, Company E, 4th Cavalry, "To be dishonorably discharged from the service of the United States; to forfeit all pay now due or to become due him, and allowances; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three years."

8. Recruit *Michael O'Conner*, Company E, 4th Cavalry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Recruit *Michael O'Conner*, of company E, 4th Cavalry, was so much under the influence of intoxicating liquor as

to be incapable of performing properly his duty as a soldier. This at afternoon water and stable-call of his company, at Fort Richardson, Texas, on or about the 17th day of November, 1871."

CHARGE II—"Violation of the 6th Article of War."

Specification—"In this, that he, Recruit *Michael O'Conner*, of company E, 4th Cavalry, having been sent to the post guard house by order of his company commander, Captain William W. Webb, 4th Cavalry, and Brevet Major U. S. A., did, while under charge of the guard, and in presence of the officer of the guard, Second Lieutenant T. A. Olmstead, 4th Cavalry, make use of the following indecent and insulting language towards his company commander: 'Major Webb is a God damned bloody son of a bitch. God damn his soul, the son of a whore;' and did make use of language of the same description to the members of the guard about him. All this at the guard house at Fort Richardson, Texas, on or about the 17th day of November, 1871, and at about 3:30 o'clock P. M."

To which charges and specifications the accused, Recruit *Michael O'Conner*, Company E, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Recruit *Michael O'Conner*, Company E, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for the period of eighteen months, and to wear, during that time, a ball weighing not less than twenty-five pounds, attached to his left leg by a chain three feet long; and to forfeit to the United States ten dollars of his monthly pay, per month, for the same period."

9. Private *Terrance Burke*, Company K, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Terrance Burke*, company K, 4th Cavalry, being duly mounted as a member of the post guard at Fort Richardson, Texas, on the 29th day of December, 1871, did become so much under the influence of intoxicating liquor as to unfit him to perform the duties of a sentinel. All this on or about the 29th day of November, 1871, at or near Fort Richardson, Texas."

ADDITIONAL CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Terrance Burke*, company K, 4th Cavalry, has, by the almost continuous use of intoxicating liquors, rendered himself utterly worthless as a soldier, and from such use of intoxicating liquor, he has been confined in the company and post guard house as follows, viz: confined November 1, 1869, released November 13, 1869; confined December 7, 1869, released December 9, 1869; confined April 12, 1870, released April 30, 1870; confined July 26, 1870, released July 27, 1870; confined October 30, 1870, released October 31, 1870; confined February 11, 1871, released February 15, 1871; confined July 15, 1871, released July 28, 1871; confined August 5, 1871, released September 11, 1871; confined September 18, 1871, released September 19, 1871; confined December 3, 1871, still in confinement; total of one hundred and thirty-six (136) days. This on the above specified dates, at the posts of Fort Brown and Fort Richardson, Texas."

To which charges and specifications the accused, Private *Terrance Burke*, Company K, 4th Cavalry, pleaded:

To the charge and its specification, "Guilty."
To the additional charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Terrance Burke*, Company E, 4th Cavalry, "To be confined at hard labor for the period of one month, the first ten days on bread and water diet; and at the expiration of his term of confinement, to be dishonorably discharged and have his head shaved, and trumpeted out of the United States service."

10. Private *James Casey*, Company K, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James Casey*, company K, 4th Cavalry, having been duly enlisted in the service of the United States, did desert said service on or about December 16, 1871; and did remain absent until on or about the 22d day of December, 1871, when he returned, in citizen's clothing, and gave himself up. All this at Fort Richardson, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *James Casey*, Company K, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Casey*, Company K, 4th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of eighteen months."

11. Privates *James Gerrity* and *Thomas Hannaghan*, Company K, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that they, and each of them, the said *James Gerrity* and *Thomas Hannaghan*, duly enlisted soldiers in the service of the United States, and privates of company K, 4th U. S. Cavalry, did desert the said service on or about the 28th day of November, 1871; and did remain so absent until apprehended by a guard on or about the 4th day of December, 1871, at or near Hillsboro', Texas. This at Fort Richardson, Texas, on or about the above specified dates."

To which charge and specification the accused, Privates *James Gerrity* and *Thomas Hannaghan*, Company K, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence them, and each of them, Privates *James Gerrity* and *Thomas Hannaghan*, Company K, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due, or that may become due; and to be confined at hard labor for the period of three years, at such military prison as the Department Commander may designate."

II. The proceedings, findings and sentences in the cases of Privates *Frank Gill*, Company C, *Michael O'Conner*, Company E, and *Terrance Burke*, Company K, 4th Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Samuel E. King*, and *Frank M. Moore*, Company A, *Frank Hood*, Company E, and *James Casey*, Company K, 4th Cavalry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of Privates *David Cameron*, Company A, *Henry Bender*, *Lemuel Marlatt*, *Austin O'Toole*, *Reinhard Kraft*, *Charles Porter*, *James Flinn*, and *Eli Johnpeters*, Company E, and *James Gerrity* and *Thomas Hannaghan*, Company K, 4th Cavalry, are approved. The period of confinement in each case is reduced to two years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentences are approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Private Rudolph Gallow.....Company A, 11th Infantry.
2. Private Cornelius McCarthy.....Company A, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 26, 1872.

General Court Martial Orders, No. 12.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, October 17, 1871, pursuant to paragraph III, of Special Order No. 201, dated Headquarters Department of Texas, San Antonio, Texas, October 7, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Private *Rudolph Gallow*, Company A, 11th Infantry.

Charge—"Violation of the 45th Article of War."

Specification 1*st*—"In this, that Private *Rudolph Gallow*, company A, 11th Infantry, having been duly mounted as a member of the post guard, and having been posted as a sentinel on post No. 5 (hay stacks), was found asleep on his post by the officer of the day. This at Fort Griffin, Texas, between the hours of 4 o'clock and 5 o'clock A. M., on the 28th day of October, 1871."

Specification 2*d*—"In this, that Private *Rudolph Gallow*, company A, 11th Infantry, having been posted as a sentinel on post No. 5 (hay stacks), did quit the same before he was regularly relieved and without urgent necessity. This at Fort Griffin, Texas, between the hours of 4 o'clock and 5 o'clock A. M., on the 28th day of October, 1871."

To which charge and specifications the accused, Private *Rudolph Gallow*, Company A, 11th Infantry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Rudolph Gallow*, Company A, 11th Infantry, "To be confined at hard labor under charge of the guard, for the period of six months; and to forfeit to the United States ten (10) dollars per month, of his monthly pay, for the same period."

2. Private *Cornelius McCarthy*, Company A, 11th Infantry.

Charge I—"Violation of the 44th Article of War."

Specification—"In this, that he, *Cornelius McCarthy*, a private of company A, 11th Infantry, did, without cause or necessity, fail to repair, at the time fixed, to the place of drill of his company. This at Fort Griffin, Texas, on the afternoon of October 27, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, *Cornelius McCarthy*, a private of company A, 11th Infantry, was drunk. This at Fort Griffin, Texas, on or about October 27, 1871."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *Cornelius McCarthy*, a private of company A, 11th Infantry, has become so much addicted to the use of intoxicating liquor as to render him worthless as a soldier. This at Fort Griffin, Texas, October 27, 1871."

Specification 2d—"In this, that he, *Cornelius McCarthy*, a private of company A, 11th Infantry, has been more or less under the influence of intoxicating liquor from September 17, 1871, to the 27th of October, 1871. This at Fort Griffin, Texas."

Specification 3d—"In this, that he, *Cornelius McCarthy*, a private of company A, 11th Infantry, was tried and found guilty by two field officer's courts martial during the month of September, 1871, and by one field officer's court martial during the month of October, 1871, for crimes which originated from the use of intoxicating liquor. This at Fort Griffin, Texas."

Specification 4th—"In this, that he, *Cornelius McCarthy*, a private in company A, 11th Infantry, has forfeited to the United States between September 18th and October 27, 1871, the sum of twenty-five ($25) dollars, per sentence of three field officer's courts martial, for crimes which originated from the use of intoxicating liquor. This at Fort Griffin, Texas."

To which charges and specifications the accused, Private *Cornelius McCarthy*, Company A, 11th Infantry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."
To the first specification, third charge,	"Not Guilty."
To the second specification, third charge,	"Not Guilty."
To the third specification, third charge,	"Guilty."
To the fourth specification, third charge,	"Guilty."
To the third charge,	"Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused:

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

Of the third specification, third charge, "Guilty."
Of the fourth specification, third charge, "Guilty."
Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Cornelius McCarthy*, Company A, 11th Infantry, "To forfeit to the United States all pay and allowances due him; and to be dishonorably discharged the service of the United States."

II. The proceedings and findings in the case of Private *Rudolph Gallow*, Company A, 11th Infantry, are approved. The period of confinement is reduced to three (3) months at the station of his company. As thus mitigated the sentence is approved, and will be duly executed.

The proceedings, findings and sentence in the case of Private *Cornelius McCarthy*, Company A, 11th Infantry, are approved and the sentence will be duly executed.

III. The General Court Martial instituted by paragraph III, of Special Order No. 201, from this Headquarters, and of which Major HENRY DOUGLASS, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private Peter Coffee .....Company B, 10th Infantry.
2. Private George Sauer.....Company B, 10th Infantry.
3. Private Isadore Stein .....Company E, 10th Infantry.
4. Sergeant Jeremiah Duane ..... Company E, 10th Infantry.
5. Private John Hayes .....Company E, 10th Infantry.
6. Corporal William Conway .....Company I, 10th Infantry.
7. Private Bernard Lyons .....Company E, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 26, 1872.

General Court Martial Orders, No. 13.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Tuesday, September 26, 1871, pursuant to paragraph II, Special Order No. 186, Headquarters Department of Texas, dated San Antonio, Texas, September 14, 1871, and of which Major Thomas M. Anderson, 10th Infantry, is President, were arraigned and tried:

1. Private *Peter Coffee*, Company B, 10th Infantry.

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

Specification—"In this, that he, Private *Peter Coffee*, company B, 10th Infantry, a duly posted sentinel on No. 1 post, at the guard house of Ringgold Barracks, Texas, did fail to comply with his orders, and did allow a prisoner to leave the guard house without a proper guard, thereby allowing said prisoner to make his escape. This at Ringgold Barracks, Texas, between the hours of 6 and 7 o'clock, P. M., on the 20th day of November, 1871."

To which charge and specification the accused, Private *Peter Coffee*, Company B, 10th Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused;

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

Sentence.

And the court does therefore sentence him, Private *Peter Coffee*, Company B, 10th Infantry, "To be confined at hard labor under charge of the post guard for the period of four (4) months; and to forfeit to the United States, ten dollars ($10) of his monthly pay for four months."

2. Private *George Sauer*, Company B, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that he, *George Sauer*, a duly enlisted soldier in the service of the United States, and private of company B,

10th Infantry, did desert from the said service at Ringgold Barracks, Texas, on or about the 17th day of August, 1871, and remained absent until the 15th day of September, 1871, when he surrendered himself to Captain E. G. Bush, 10th Infantry, at Ringgold Barracks, Texas."

To which charge and specification the accused, Private *George Sauer*, Company B, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the case, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Sauer*, Company B, 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due, except the just dues of the laundress, and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three (3) years."

3. Private *Isadore Stein*, Company E, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Isadore Stein*, late artificer of company E, 10th Infantry, and now private in said company, did desert the service of the United States, from Ringgold Barracks, Texas, on the 3rd day of June, 1871, and did remain absent until he surrendered himself on the 6th day of October, 1871. All this at or near Ringgold Barracks, Texas, and on or about the dates above specified."

To which charge and specification the accused, Private *Isadore Stein*, Company E, 10th Infantry, pleaded "Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Isadore Stein*, Company E, 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due, except the just dues of the laundress; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three (3) years."

4. Sergeant *Jeremiah Duane*, Company E, 10th Infantry.

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

Specification 1st—"In this, that he, Sergeant *Jeremiah Duane*, company E, 10th Infantry, being on duty in charge of the post guard of Ringgold Barracks, Texas, did leave the guard house with the doors of the main prison room and one cell unlocked, whereby a prisoner made his escape. This at Ringgold Barracks, Texas, between the hours of 6 and 7 o'clock, on the night of November 20, 1871."

Specification 2d—"In this, that he, *Jeremiah Duane*, sergeant, company E, 10th Infantry, being on duty as sergeant in charge of

the post guard at Ringgold Barracks, Texas, did leave the doors of the main prison room and one cell unlocked after retreat, whereby a prisoner did escape."

To which charge and specifications the accused, Sergeant *Jeremiah Duane*, Company E, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration of the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Jeremiah Duane*, company E, 10th Infantry, "To be reduced to the ranks; to forfeit to the United States ten (10) dollars of his monthly pay from last payment until the expiration of his term of enlistment; and to be confined at hard labor in charge of the guard for six (6) months."

5. Private *John Hayes*, Company E, 10th Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that *John Hayes*, a private of company E, 10th Infantry, has been, during the last 9 months, from July 12th, 1870, to the present date, April 26th, 1871, one hundred and four (104) days, or upwards, in confinement, said arrest and confinement being solely due to his intemperate habits. This at Ringgold Barracks, Texas, during the time above specified."

Specification 2d—"In this, that *John Hayes*, a private of company E, 10th Infantry, since joining the company, July 5th, 1870, has been tried by general and garrison courts martial for, and found to be guilty of, 'Conduct prejudicial to good order and military discipline;' that is by general court martial approved on November 14th, 1870, and by garrison courts martial on January 1st, March 4th, March 11th, March 24th, and April 15th, 1871. This at Ringgold Barracks, Texas, on or about the time above specified."

To which charge and specifications the accused, Private *John Hayes*, company E, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Hayes*, company E, 10th Infantry; "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due him, except the just dues of the laundress; and to be confined at hard labor for one (1) year, at such military prison as the Department Commander may direct."

6. Corporal *William Conway*, Company I, 10th Infantry.

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

Specification 1st—"In this, that he, Corporal *William Conway*, company I, 10th Infantry, being on duty as corporal of the post guard, of the post of Ringgold Barracks, Texas, did leave the doors of the main prison room and one cell unlocked, whereby one prisoner made his escape. This at Ringgold Barracks, Texas, between the hours of 6 and 7 o'clock, P. M., on the 20th day of November, 1871."

Specification 2d—"In this, that he, Corporal *William Conway*, company I, 10th Infantry, being on duty as corporal of the post guard at Ringgold Barracks, Texas, did leave the guard house and guard between the hours of 6 and 7 o'clock, P. M., on the 20th day of November, 1871, and when the sergeant of the guard was not present, thereby leaving the guard without any non-commissioned officer. This at Ringgold Barracks, Texas, at the time above specified."

To which charge and specifications the accused, Corporal *William Conway*, Company I, 10th Infantry, pleaded:

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 accused:

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

SENTENCE.

And the court does therefore sentence him, Corporal *William Conway*, Company I, 10th Infantry, "To be reduced to the ranks as a private soldier; to be confined at hard labor under charge of the post guard, for the period of five (5) months; and to forfeit to the United States ten (10) dollars per month for five months."

7. Private *Bernard Lyons*, Company E, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Bernard Lyons*, private of company E, 10th Infantry, did desert the service of the United States at Ringgold Barracks, Texas, on or about the 14th day of July, 1871, and did remain absent until he surrendered himself at Brownsville, Texas, on or about the 5th day of August, 1871."

To which charge and specification the accused, Private *Bernard Lyons*, company E, 10th Infantry, pleaded:

To the specification, "Guilty, except the words 'did desert the service of the United States,' and of the excepted words, Not Guilty; and substituting the words, 'did absent himself without leave,' and of the substituted words Guilty."

To the charge "Not Guilty, but Guilty of 'Absence without leave.'"

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did desert the service of the United States;' and of this Not Guilty; and substituting the words, 'did absent himself without leave;' and of the substituted words Guilty."

Of the charge, "Not Guilty, but guilty of 'Absence without leave.'"

SENTENCE.

And the court does therefore sentence him, Private *Bernard Lyons*, company E, 10th Infantry, "To be kept in solitary confinement until the expiration of his term of enlistment on the 6th day of December, 1871; and to forfeit to the United States the sum of ten (10) dollars per month of his monthly pay, for the period of five (5) months; and to make good the period lost by his absence without leave."

II. The proceedings, findings and sentences in the cases of Privates *John Hayes* and *Isadore Stein*, Company E, and *George Sauer*, Company B, 10th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Corporal *William Conway*, Company I, and Private *Peter Coffee*, Company B, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Bernard Lyons*, Company E, 10th Infantry, are approved. The sentence is set aside for the reason that the term of solitary confinement imposed by the court exceeds the limit prescribed by law, and also provides that confinement shall be only until date of expiration of enlistment, which expired December 6, 1871.

The proceedings and findings in the case of Sergeant *Jeremiah Duane*, Company E, 10th Infantry, are approved. In view of the recommendation of the court, so much of the sentence as relates to confinement is remitted. As thus mitigated, the sentence is approved and will be duly executed.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Quitman, Texas.

1. Private Philip Birch.....Company K, 9th Cavalry.
2. Private Peter Singleton.....Company K, 9th Cavalry.
3. Saddler George Washington.....Company K, 9th Cavalry.
4. Private Robert Chisley.....Company B, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 26, 1872.

General Court Martial Orders, No. 14.

I. Before a General Court Martial which convened at Fort Quitman, Texas, on Tuesday, November 7, 1871, pursuant to paragraph III, of Special Order No. 202, and paragraph II, of Special Order No. 203, Headquarters Department of Texas, dated San Antonio, Texas, October 10th and 12, 1871, respectively, and of which Major A. P. Morrow, 9th Cavalry, is President, were arraigned and tried:

1. Private *Philip Birch*, Company K, 9th Cavalry.

Charge—"Violation of the 50th Article of War."

Specification—"That *Philip Birch*, a duly enlisted soldier in the army of the United States, and a private of K company, 9th Cavalry, having been mounted as a member of the post guard of Fort Quitman, Texas, did leave his guard without proper authority, and did cross the Rio Grande into the Republic of Mexico. This at Fort Quitman, Texas, on or about the 6th day of August, 1871."

To which charge and specification the accused, Private *Philip Birch*, Company K, 9th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Philip Birch*, Company K, 9th Cavalry, "To be confined at hard labor in charge of the guard, for one month; and to forfeit to the U. S. his monthly pay for two months."

2. Private *Peter Singleton*, Company K, 9th Cavalry.

Charge I—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Peter Singleton*, company K, 9th U. S. Cavalry, having been duly mounted as a member of the post guard, did leave the same without permission, and did remain absent from his guard party, until found by the officer of the day in the quarters of one 'Emeline,' a laundress of company B, 9th Cav-

alry, being so absent three (3) hours, more or less. This at Fort Quitman, Texas, on the morning of the 30th of June, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Peter Singleton*, Company K, 9th U. S. Cavalry, did, with malice aforethought, cut with a razor, or other sharp instrument, his horse, the property of the United States, causing an incised wound seven inches long by two inches deep in the fleshy part of the right fore-shoulder, thereby rendering said horse unserviceable. This at Fort Quitman, Texas, on on the 7th day of July, 1871."

Specification 2d—"In this, that he, Private *Peter Singleton*, company K, 9th U. S. Cavalry, did, in order to avoid being sent on a scout, after having been detailed for said duty, cut with a razor, or other sharp instrument, his horse, the property of the United States, causing an incised wound seven inches long by two inches deep in the fleshy part of the right fore-shoulder, thereby rendering said horse unserviceable. This at Fort Quitman, Texas, on the 7th day of July, 1871."

To which charges and specifications the accused, Private *Peter Singleton*, Company K, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Peter Singleton*, Company K, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay due or to become due; and to be confined at hard labor, in such prison as the reviewing authority may direct, for the period of three years."

3. Saddler *George Washington*, troop K, 9th U. S. Cavalry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Saddler *George Washington*, troop K, 9th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did leave his company quarters and remain absent therefrom until arrested by the guard. This at Fort Quitman, Texas, on or about the night of the 6th day of November, 1871."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Saddler *George Washington*, troop K, 9th cavalry, did, after tattoo, on the night of November 6th, 1871, go to the house of a citizen residing over a mile below the post, and did there repeatedly try to force his way into said house. This at Fort Quitman, Texas, on or about the night of November 6th, 1871."

To which charges and specifications the accused, Saddler *George Washington*, troop K, 9th U. S. Cavalry, pleaded :

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused :

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, Saddler *George Washington*, troop K, 9th U. S. Cavalry, "To forfeit to the United States ten ($10) dollars of his monthly pay, for three (3) months; and to be confined at hard labor in charge of the guard where his company may be serving, for the same period."

4. Private *Robert Chisley*, Company B, 24th Infantry.

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

Specification—"That Private *Robert Chisley*, B company, 24th Infantry, did become drunk and disorderly, and in that condition did attempt to create a disturbance in the company quarters of B company, 24th Infantry, and did assault Corporal Benjamin C. Howard, B company, 24th Infantry. This at Fort Quitman, Texas, on the eve of the 18th of October, 1871."

To which charge and specification the accused, Private *Robert Chisley*, B company, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and did assault Corporal Benjamin C. Howard, B company, 24th Infantry.' "

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Chisley*, Company B, 24th Infantry, "To forfeit to the U. S. ten (10) dollars of his monthly pay for two (2) months; and be confined at hard labor for same period, at the post of his company, in charge of the guard."

II. The proceedings and findings in the case of Private *Philip Birch*, Company K, 9th Cavalry, are approved. Upon the recommendation of the court, so much of the sentence as relates to confinement, is remitted. As thus mitigated, the sentence is approved, and will be carried into effect.

The proceedings and findings in the case of Private *Robert Chisley*, Company B, 24th Infantry, are approved. So much of the sentence as relates to forfeiture of pay is disapproved; the remainder is approved, and will be carried into effect.

The proceedings, findings and sentences in the cases of Private *Peter Singleton*, and Saddler *George Washington*, Company K, 9th Cavalry, are approved, and the sentences will be duly executed.

By Command of Colonel J. J. Reynolds:

H. CLAY WOOD,
Assistant Adjutant General.

Official:

Geo. E. Albee
Aide-de-Camp.

At Fort Richardson, Texas.

1. Private John Leeno ..... Company K, 4th Cavalry.
2. Private John Bowen ..... Company L, 4th Cavalry.
3. Saddler Patrick Murray ..... Company L, 4th Cavalry.
4. Private Charles Peters ..... Company L, 4th Cavalry.
5. Private Henry Young ..... Company L, 4th Cavalry.
6. Private Peter Haney ..... Company C, 14th Infantry.
7. Private Thomas Reilly ..... Company K, 14th Infantry.
8. Private Jeremiah Sullivan ..... Company K, 14th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *January* 26, 1872.

General Court Martial Orders, No. 15.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, September 11, 1871, pursuant to paragraph 1, Special Order No. 173, Headquarters Department of Texas, dated San Antonio, Texas, August 29, 1871, and of which Major John K. Mizner, 4th Cavalry, is President, were arraigned and tried:

1. Private *John Leeno*, Company K, 4th Cavalry.

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

Specification—"In this, that he, Private *John Leeno*, company K, 4th U. S. Cavalry, having been duly posted on post No. 8, did quit his post without proper authority. All this at Fort Richardson, Texas, on or about the 9th November, 1871."

To which charge and specification the accused, Private *John Leeno*, Company K, 4th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *John Leeno*, Company K, 4th Cavalry, "To be confined at hard labor in charge of the post guard, for the period of one year; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

2. Private *John Bowen*, Company L, 4th Cavalry.

Charge I—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *John Bowen*, company L, 4th U. S. Cavalry, having been detailed on extra duty in the post quartermaster's department, did absent himself from the corral and from tattoo roll-call of his company on the night of November 28, 1871, and did remain absent until between the hours of seven and eight o'clock on the morn-

ing of November 29, 1871, without permission from proper authority. This at Fort Richardson, Texas, on or about the date above specified."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *John Bowen*, company L, 4th Cavalry, did sell, pawn, or otherwise dispose of, one (1) Remington revolver, the property of the United States, and for which Captain C. J. Powers, 4th U. S Cavalry, is responsible, to a citizen of Jacksboro, Jack County, Texas, for the sum of seven (7) dollars. This at Fort Richardson, Texas, on or about the 22d day of November, 1871."

To which charges and specifications the accused pleaded:

To the specification, first charge, "Guilty, except the words, 'from the corral,' and of the excepted words Not Guilty."

To the first charge, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'from the corral.'"

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Bowen*, Company L, 4th Cavalry, "To be confined at hard labor for the period of two months; and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

3. Saddler *Patrick Murray*, Company L, 4th Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Saddler *Patrick Murray*, company L, 4th U. S. Cavalry, having joined his company on the 3d day of May, 1869, has been tried and convicted by four courts martial since October 24, 1869, to the present date, said court martial orders date as follows, viz: General Order No. 23, Hd'qrs Ringgold Barracks, Texas, May 28, '70; General Order No. 29, Hd'qrs Ringgold Barracks, Texas, June 25, '70; General Order No. 14, Hd'qrs Ringgold Barracks, Texas, March 6, 1871; General Orders No. 34, Hd'qrs post of Corpus Christi, Texas, Oct. 24, 1869. All this at the posts, on or about the dates above specified."

Specification 2d—"In this, that he, Saddler *Patrick Murray*, company L, 4th U. S. Cavalry, has, by his own worthlessness, habitual drunkenness, and misconduct, been confined under charge of the guard for 166 days, more or less, at the posts of Corpus Christi, Ringgold Barracks, and *en route* to Fort Richardson, and at Fort Richardson, Texas, at the following dates, viz: From Oct. 20, '69, to Oct. 28, '69 (3 days); from Nov. 2, '69, to Nov. 8, '69 (6 days); from Dec. 2, '69, to Dec. 3, '69 (1 day); from March 6, '70, to March 17, '70 (11 days); from March 18, '70, to March 19, '70 (1 day); from March 25, '70, to March 26, '70 (1 day); from April 6, '70, to April 7, '70 (1 day); from May 4, '70, to May 5, '70 (1 day); from May 6, '70, to May 7, '70 (1 day); from May 10 to May 11, '70 (1 day); from May 26, '70, to June 8, '70 (13 days); from June 21, '70, to July 11, '70 (22 days); from Aug. 3, '70, to Aug. 4, '70 (1 day); from Jan. 8, '71, to Jan. 10, '71 (3 days); from Feb. 1, '71, to Feb. 3, '71 (3 days); from Feb. 16, '71, to March 12, '71 (22 days); from March 18, '71, to

March 22, '71 (9 days); from March 27, '71, to March 30, '71 (4 days); from May 29, '71, to July 20, '71 (53 days); from July 26, '71, to July 31, '71 (6 days): Total, 166. All this at the posts, on or about the dates above specified."

To which charge and specifications the accused, Saddler *Patrick Murray*, Company L, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Saddler *Patrick Murray*, Company L, 4th Cavalry.

4. Private *Charles Peters*, Company L, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Charles Peters*, company L, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Gainesville, Cook county, Texas, on or about the 18th day of December, 1871; and did remain absent until arrested and brought back to his command, on or about Dec. 18, 1871. (Thirty dollars being paid for his apprehension and delivery.) All this at or near Gainesville, Cook county, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Charles Peters*, company L, 4th U. S. Cavalry, did unlawfully and feloniously steal and take away, from his company or command, at Gainesville, Cook county, Texas, one horse, the property of the United States, and for which Clinton J. Powers, Captain, 4th U. S. Cavalry, is responsible, which was found on his (*Peters'*) possession when arrested. All this at or near Gainesville, Cook county, Texas, on or about December 18, 1871."

To which charges and specifications the accused, Private *Charles Peters*, Company L, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Charles Peters*, Company L, 4th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due him; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of three years."

5. Private *Henry Young*, Company L, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Henry Young*, Company L, 4th Cavalry, having been duly detailed and mounted as a member of the post guard, at Fort Richardson, Texas, did become so much under the influence of intoxicating liquors as to be unable to perform properly the duties of a sentinel. All this at Fort Richardson, Texas, on or about the 2d day of December, 1871."

To which charge and specification the accused, Private *Henry Young*, Company L, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Young*, Company L, 4th Cavalry, "To be confined, in charge of the guard, for the period of three months, the first five days of each month solitary confinement on bread and water diet."

6. Private *Peter Haney*, Company C, 11th Infantry.

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

Specification—"In this, that Private *Peter Haney*, company C, 11th Infantry, on extra duty in the post quartermaster's department, having been detailed in charge of a six-mule team to go from Fort Richardson, to Austin, Texas, and return, did, while on said duty, maltreat, abuse, neglect and render unserviceable four of said mules for the period of three months, or more. This between Fort Richardson and Austin, Texas, and between the 5th day of November and 4th day of December, 1871."

To which charge and specification the accused, Private *Peter Haney*, Company C, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Peter Haney*, Company C, 11th Infantry.

7. Private *Thomas Reilly*, Company K, 11th Infantry.

CHARGE—"Violation of the 99th Article of War."

Specification 1st—"In this, that Private *Thomas Reilly*, company K, 11th U. S. Infantry, being on daily duty in the post bakery at Fort Richardson, Texas, did become too drunk to properly perform his duty in said bakery. This at Fort Richardson, Texas, on the 7th day of October, 1871."

Specification 2d—"In this, that he, the said Private *Thomas Reilly*, company K, 11th U. S. Infantry, being on a daily duty in post bakery, at Fort Richardson, Texas, did absent himself from said duty without authority, and did remain so absent for the [illegible] hours [illegible] so said. All this at Fort Richardson, Texas, on the 7th day of October, 1871."

Specification 3d—"In this, that he, the said Private *Thomas Reilly*, company K, 11th Infantry, having been detailed as stipendiary [illegible] 11th U. S. Infantry, in the execution of his duties [illegible] in the post bakery, and [illegible] orders, and did [illegible] and [illegible] the rations. All this at Fort Richardson, Texas, on the 7th day of October, 1871."

To which charge and specifications the accused, Private *Thomas Reilly*, Company K, 11th Infantry, pleaded:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Reilly*, Company K, 11th Infantry, "To forfeit ten ($10) dollars of his monthly pay for one month; and to be confined at hard labor twenty days."

8. Private *Jeremiah Sullivan*, Company K, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Jeremiah Sullivan*, company K, 11th Infantry, a duly mounted sentinel of the post guard, was found drunk on his post. This at Fort Richardson, Texas, on December 25, 1871."

To which charge and specification the accused, Private *Jeremiah Sullivan*, Company K, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Jeremiah Sullivan*, Company K, 11th Infantry.

II. The proceedings, findings and acquittals in the case of Saddler *Patrick Murray*, Company L, 4th Cavalry, and Privates *Peter Haney*, Company C, and *Jeremiah Sullivan*, Company K, 11th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *John Leeno*, Company K, and *Henry Young*, Company L, 4th Cavalry, and *Thomas Reilly*, Company K, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *John Bowen*, Company L, 4th Cavalry, are approved, and the sentence will be duly executed. The place of confinement to be at the station of his company.

The proceedings, findings and sentence in the case of Private *Charles Peters*, Company L, 4th Cavalry, are approved, and the sentence will be duly executed. The State Penitentiary at Baton Rouge, La., is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I, Special Order No. 177, Headquarters Department of Texas, dated San Antonio, Texas, 29th August, 1871, and of which Major JOHN K. MIZNER, 4th Cavalry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Allen
Aide-de-Camp.

AT FORT QUITMAN, TEXAS.

1. Private WESLEY MASSERSON.....Company K, 9th Cavalry.
2. Private JOHN PAGE. .....Company B, 24th Infantry.
3. Private RAY GRAY.....Company B, 24th Infantry.
4. Private HENRY HOOKER .....Company B, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *January* 27, 1872.

GENERAL COURT MARTIAL ORDERS, No. 16.

I. Before a General Court Martial which convened at Fort Quitman, Texas, on Thursday, December 31, 1871, pursuant to Special Order No. 237, Headquarters Department of Texas, dated San Antonio, Texas, December 6, 1871, and of which Captain ANDREW SHERIDAN, 24th Infantry, is President, were arraigned and tried:

1. Private *Wesley Masserson*, Company K, 9th Cavalry.

CHARGE—"Sleeping on post."

Specification—"That Private *Wesley Masserson*, company K, 9th U. S. Cavalry, having been duly mounted as a member of the main guard at Fort Quitman, Texas, and duly posted as a sentinel on No. 1, second relief of said guard, was found by the officer of the day asleep upon his post. This at Fort Quitman, Texas, at or about midnight, on or about the 12th day of September, 1871."

To which charge and specification the accused, Private *Wesley Masserson*, Company K, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Wesley Masserson*, Company K, 9th Cavalry.

2. Private *John Cage*, Company B, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline.'

Specification 1st—"In this, that he, Private *John Cage*, company B, 24th Infantry, did make a noise and disturbance at or near the company quarters of B company, 24th Infantry. This at Fort Quitman, Texas, on or about the 25th day of December, 1871."

Specification 2d—"In this, that he, Private *John Cage*, company B, 24th Infantry, did strike and cut with a knife, Corporal Albert Dorsey, B company, 24th Infantry. This at Fort Quitman, Texas, on or about the 25th day of December, 1871."

To which charge and specifications the accused, Private *John Cage*, Company B, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation upon the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Cage*, Company B, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or that may become due; and to be confined at hard labor, at such military prison as the reviewing authority may direct, for the period of three years."

3. Private *Ray Gray*, Company B, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Ray Gray*, B company, 24th Infantry, being on duty as a member of the post guard, and on duty in charge of prisoners, did use abusive language towards Private John Cage, company B, 24th Infantry, and did attempt to wound him with his bayonet, by jumping at him with a charge bayonet; this while he, John Cage, was after one of the prisoners as a member of the guard. This at Fort Quitman, Texas, on the 15th day of December, 1871."

To which charge and specification the accused, Private *Ray Gray*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Ray Gray*, Company B, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay now due or that may become due; and to be confined at hard labor, at such prison as the reviewing authority may direct, for the period of one (1) year."

4. Private *Henry Hooker*, Company B, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That he, Private *Henry Hooker*, company B, 24th Infantry, did steal one blanket, the property of Private Joseph Ford, K troop, 9th Cavalry. This at Fort Quitman, Texas, on or about the 7th day of December, 1871."

Specification 2d—"That Private *Henry Hooker*, company B, 24th Infantry, did steal one blanket, the property of Private Alexander Russell, K troop, 9th Cavalry. This at Fort Quitman, Texas, on or about the 7th day of December, 1871."

Specification 3d—"That Private *Henry Hooker*, company B, 24th Infan-

try, did steal two blankets, the property of Private Peter Singleton, K troop, 9th Cavalry. This at Fort Quitman, Texas, on or about the 7th day of December, 1871."

To which charge and specifications the accused, Private *Henry Hooker*, Company B, 24th Infantry, pleaded " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'the property of Private Alex. Russell, B company, 24th Infantry.'"

Of the third specification, "Guilty, except the words 'the property of Private Peter Singleton, K company, 9th Cavalry.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Hooker*, Company B, 24th Infantry, "To be dishonorably discharged the service of the United States, with the forfeiture of all pay due or to become due; and to be confined at hard labor, in such prison as the reviewing authority may direct, for three (3) years."

II. The proceedings, findings and sentences in the cases of Privates *Henry Hooker*, *Ray Gray*, and *John Cage*, of Company B, 24th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *Wesley Masserson*, Company K, 9th Cavalry, are approved. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by Special Order No. 237, series of 1871, from this Headquarters, and of which Captain ANDREW SHERIDAN, 24th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

At Fort Concho, Texas.

1. Private Alexander J. Golden.....Company G, 4th Cavalry.
2. Private George W. Coy .....Company G, 4th Cavalry.
3. Private Joseph Conway .....Company I, 4th Cavalry.
4. Private Alfred Spear .....Company C, 9th Cavalry.
5. Private Richard Williams .....Company B, 11th Infantry.
6. Private John Donovan .....Company E, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 27, 1872.

General Court Martial Orders, No. 17.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, October 31, 1871, pursuant to paragraph I, Special Order No. 206, Headquarters Department of Texas, dated San Antonio, Texas, October 23, 1871, and of which Major John P. Hatch, 4th Cavalry, is President, were arraigned and tried:

1. Private *Alexander J. Golden*, Company G, 4th Cavalry.

Charge I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Alexander J. Golden*, company G, 4th U. S. Cavalry, did absent himself from tattoo roll call, without permission from proper authority on the night of October 29th, 1871. This to the prejudice of good order and military discipline. All this at Fort Concho, Texas, on or about the date above specified."

Specification 2d—"In this, that he, Private *Alexander J. Golden*, Company G, 4th U. S. Cavalry, did become so much intoxicated as to be unable to perform properly the duties of a soldier, and did behave in a boisterous and disorderly manner in his company quarters, between the hours of 10 and 12 o'clock, on the night of October 29th, 1871; thereby disturbing the quiet of the night. This to the prejudice of good order and military discipline. All this at Fort Concho, Texas, on or about the date above specified."

Charge II—"Disobedience of orders."

Specification—"In this, that he, Private *Alexander J. Golden*, company G, 4th U. S. Cavalry, when ordered by a non-commissioned officer of his company, Corporal William E. Robinson, to get up and go with the guard to the guard house did positively refuse to obey such order, and upon seeing the guard, did say, 'I will go with the guard but not with you;' and did take up a wooden box and throw at Corporal William E. Robinson, company G, 4th U. S. Cavalry, saying, 'I will kill you, you English son of a bitch.' All this while the said Corporal William E. Robinson was in the execution of his duty. All this at Fort Concho Texas, on or about October 29th, 1871."

To which charges and specifications the accused, Private *Alexander J Golden*, Company G, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Alexander J. Golden*, Company G, 4th Cavalry, "To forfeit twelve (12) dollars of his monthly pay for two (2) months; and to be confined at hard labor at the post of his company for the same period."

2. Private *George W. Coy*, Company G, 4th U. S. Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *George W. Coy*, company G, 4th U. S. Cavalry, having been regularly enlisted as a soldier in the army of the United States, did desert the same on or about the 17th day of April, 1871, while *en route* from San Antonio, Texas, to Fort Concho, Texas, and did remain absent until apprehended at or near San Antonio, Texas, on or about the 7th day of August, 1871. Thirty ($30) dollars having been paid for his apprehension. All this between San Antonio, Texas, and Fort Concho, Texas, on or about the dates above specified."

CHARGE II—"Theft."

Specification—"In this, that he, Private *George W. Coy*, company G, 4th U. S. Cavalry, did steal and take away the following property belonging to the United States, for which First Lieutenant William C. Hemphill, 4th U. S. Cavalry, is responsible: 1 Spencer carbine valued at $100; 1 Remington revolver valued at $50; 1 saddle (complete) valued at $18,15. All this between San Antonio, Texas, and Fort Concho, Texas, on or about April 17th, 1871."

To which charges and specifications the accused, Private *George W. Coy*, Company G, 4th Cavalry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *George W. Coy*, Company G, 4th Cavalry, "To be discharged the military service of the United States, with forfeiture of all pay and allowances now due or that may become due him; and to be confined at hard labor, at such place as the proper authority may direct, for a period of three (3) years."

3. Private *Joseph Conway*, Company I, 4th Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Joseph Conway*, company I, 4th U. S. Cavalry, having been regularly detailed on fatigue duty, did leave his party without authority, and did become so much under the influence of

intoxicating liquor as to be unable properly to perform his duties. This at Fort Concho, Texas, on or about the 17th day of October, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said Private *Joseph Conway*, company I, 4th U. S. Cavalry, having been ordered by his 1st sergeant (John Herberich, company I, 4th U. S. Cavalry) to return to his fatigue party, did refuse to do so, and did go to his quarters and take a Spencer carbine from the arm rack and commence loading the same; and upon being asked by the sergeant above named what he wanted with the carbine, did spring the lever to throw a cartridge into the chamber, and upon the carbine being taken from him, did say to the above named sergeant; 'I will be God damned if I will be imposed upon by you or any one else,' the said 1st Sergeant John Herberich, company I, U. S. 4th Cavalry, being at the time in the execution of his office. This at Fort Concho, Texas, on or about the 17th day of October, 1871."

Specification 2d—"In this, that he, the said Private *Joseph Conway*, company I, U. S. 4th Cavalry, having been ordered by 1st Sergeant John Herberich, company I, U. S. 4th Cavalry, to the guard house, did refuse to go; and did threaten to knock Cor. Conrad Bock, company I, U. S. 4th Cavalry, down if he attempted to approach; and, upon being ordered the second time by the sergeant above named to go with Cor. Bock to the guard house, did strike 1st Sergeant John Herberich, company I, U. S. 4th Cavalry, and threaten to knock him down, beat him, if he, the said *Conway*, were not let alone, saying that he would not go to the guard house nor allow any one to take him there. This at Fort Concho, Texas, on or about the 17th day of October, 1871."

To which charges and specifications the accused, Private *Joseph Conway*, Company I, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'and did become so much under the influence of intoxicating liquor as to be unable properly to perform his duties,' and of those words not guilty."

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

Of the first specification, second charge, "Guilty, except the words 'and commence loading the same,' and 'to throw a cartridge into the chamber,' and 'or any one else,' and of those words not guilty."

Of the second specification, second charge, "Guilty, except all after the word 'approach,' and of all after the word 'approach' not guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Conway*, Company I, 4th Cavalry, "To forfeit ten dollars of his monthly pay for six months; and to be confined at hard labor, at the post where his company may be serving, for the same period."

4. Private *Alfred Spear*, Company C, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Alfred Spear*, company C, 9th U. S. Cavalry, having been regularly detailed and mounted as a member of the post guard, did feloniously steal, take and carry away from the guard room of the post guard house one (1) Spencer carbine, cal. 58,

model 1865, the property of the United States, and for which Captain Charles D. Beyer, 9th U. S. Cavalry, was responsible, and which at time of the theft was in the possession of Private *Taylor Jones*, company C, 9th U. S. Cavalry, also a member of the post guard. This at Fort Concho, Texas, on or about the 12th day of August, 1871."

To which charge and specification the accused, Private *Alfred Spear*, Company C, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Alfred Spear*, company C, 9th Cavalry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the Department Commander shall direct, for the period of three (3) years."

5. Private *Richard Williams*, Company B, 11th Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification 1st—"In this, that he, Private *Richard Williams*, company B, 11th U. S. Infantry, having been regularly detailed and mounted as a member of the police guard, did become so much under the influence of liquor as to be unable to perform his duties properly. All this at Fort Concho, Texas, on or about 21st day of October, 1871."

Specification 2d—"In this, that he, Private *Richard Williams*, company B, 11th U. S. Infantry, a member of the police guard and a duly posted sentinel over prisoners at work, did become so much under the influence of liquor as to be unable to perform his duties as a soldier properly. All this at Fort Concho, Texas, on or about 21st day of October, 1871."

CHARGE II—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Richard Williams*, company B, 11th U. S. Infantry, a member of the police guard, did, when ordered by the sergeant of the guard (Sergeant Gilspy, company I, 4th U. S. Cavalry) to take prisoners out to work, refuse to do so, and did make use of the following words and language, to wit: 'I will be God damned if I will take prisoners out to work; I will go in the guard house first.' All this at Fort Concho, Texas, on or about the 21st day of October, 1871."

Specification 2d—"In this, that he, Private *Richard Williams*, company B, 11th U. S. Infantry, after being regularly detailed and mounted as a member of the police guard, did, when ordered by Sergeant Gilspy, company I, 4th Cavalry (sergeant of the police guard), to take out prisoners to work, refuse positively to obey said order, he, Sergeant Gilspy, being in the execution of his office. All this at Fort Concho, Texas, on or about the 21st day of October, 1871."

To which charges and specifications the accused, Private *Richard Williams*, Company B, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Richard Williams*, Company B, 11th U. S. Infantry, "To be confined at hard labor in charge of the guard at the post where his company may be serving, for three (3) months; and to forfeit ten (10) dollars per month of his monthly pay for the same period." The court is thus lenient, in consideration of the previous good character of the accused, as shown in evidence.

6. Private *John Donovan*, Company E, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John Donovan*, company E, 11th Infantry, a duly enlisted soldier in the army of the United States, did desert the same on the 4th day of August, 1871, at Fort Concho, Texas, and did remain absent until arrested and brought to Fort Concho, Texas, on the 7th day of August, 1871. All this at or near Fort Concho, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *John Donovan*, company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Donovan*, com- E, 11th Infantry, "To reimburse to the United States the thirty dollars paid for his apprehension; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for a period of one year, forfeiting ten dollars per month of his monthly pay for the same period." The court is thus lenient in consideration of the previous good character of the accused.

II. The proceedings, findings and sentences in the cases of Privates *Alexander J. Golden*, company G, and *Joseph Conway*, company I, 4th Cavalry, and *Richard Williams*, company B, and *John Donovan*, company E, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *George W. Coy*, company G, 4th U. S. Cavalry, and *Alfred Spear*, company C, 9th Cavalry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Geo. E. Albee
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Trumpeter Ellwood Kay ....Company D, 4th Cavalry.
2. Private George H. Cameron.....Company H, 4th Cavalry.
3. Private George H. Clawson.....Company H, 4th Cavalry.
4. Private David Haley.....Company H, 4th Cavalry.
5. Private William Mason ....Company H, 4th Cavalry.
6. Artificer Charles Copley.....Company A, 11th Infantry.
7. Private Richard Mackey.....Company A, 11th Infantry.
8. Private Robert Gray.....Company G, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 27, 1872.

General Court Martial Orders, No. 18.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Monday, November 27, 1871, pursuant to paragraph II, Special Order No. 221, Headquarters Department of Texas, dated San Antonio, Texas, November 14, 1871, and of which Major Henry Douglass, 11th Infantry, is President, were arraigned and tried:

1. Trumpeter *Ellwood Kay*, Company D, 4th Cavalry.

Charge I—"Desertion."

Specification—"In this, that Trumpeter *Ellwood Kay*, company D, 4th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert said service from the post of Fort Griffin, Texas, on or about the 5th day of August, 1871, and did remain absent until he surrendered himself at the post of Fort Richardson, Texas, on or about the 30th day of October, 1871."

Charge II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Trumpeter *Ellwood Kay*, company D, 4th Cavalry, did, under fraudulent pretences, obtain from Sergeant William E. Long, company H, 4th Cavalry, one (1) horse, the property of the United States, and for which Captain Sebastian Gunther, 4th Cavalry, commanding company H, was responsible, and did afterwards desert with, and sell, or otherwise wrongfully dispose of, said horse. This at Fort Griffin, Texas, on or about the 28th day of July, 1871."

To which charges and specifications the accused, Trumpeter *Ellwood Kay*, Company D, 4th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Trumpeter *Ellwood Kay*, Company D, 4th Cavalry, "To be dishonorably discharged the service of the

United States; to forfeit all pay and allowances now due or that may become due him; and to be confined, at such military prison as the Department Commander may designate, for the period of three (3) years."

2. Private *George H. Cameron*, Company H, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *George H. Cameron*, company H, 4th Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Griffin, Texas, on the 1st day of December, 1871, and did remain absent until apprehended by an armed party near the Big Sandy Creek, Texas, on the 2d day of December, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George H. Cameron*, company H, 4th Cavalry, did feloniously steal, carry away, or otherwise dispose of the following Government property, for which Captain S. Gunther, 4th Cavalry, is responsible, viz: Nineteen (19) rounds of Spencer carbine ammunition, value one dollar and fourteen cents ($1.14); one (1) cross-sabre, value one (1) cent; one No. 4, value one (1) cent; one letter H, value one (1) cent; one haversack, value forty-three (43) cents. This at or near Fort Griffin, Texas, on or about the 1st of December, 1871."

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the specification, second charge, "Guilty, except the words 'feloniously steal.'"

Of the second charge, "Guilty, except the word 'theft,' and substituting therefor the word 'conduct.'"

SENTENCE.

And the court does therefore sentence him, Private *John H. Cameron*, Company H, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him; and to be confined, in such military prison as the Department Commander may designate, for the period of three (3) years."

3. Private *George H. Clawson*, Company H, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *George H. Clawson*, company H, 4th Cavalry, having been ordered by 1st Sergeant James W. Foley, company H, 4th Cavalry, to hold a horse and prevent his getting in the way of a man, did fail to obey said order; and did strike the horse with a lariat, and turn him loose; and did allow him to run into a ravine and throw two other horses down; and when asked by the said First Sergeant Foley, why he did not hold the horse, did reply, 'You know God damned well I could not hold him;' and when reprimanded by the First Sergeant Foley for his (*Clawson's*) conduct, did reply in a very disrespectful and insulting manner, 'Oh, you damned thing! I intend to get you into trouble anyhow, and I will.' This at or near Beaver Creek, Texas, on or about the 9th day of September, 1871."

Specification 2d—"In this, that he, Private *George H. Clawson*, company H, 4th Cavalry, having been ordered by First Sergeant James W. Foley, company H, 4th Cavalry, to go to his (the first sergeant's) tent and get his *(Clawson's)* carbine, saddle-kit and arms, did fail to obey said order. This at or near Beaver Creek, Texas, on or about the 9th day of September, 1871."

Specification 3d—"In this, that he, Private *George H. Clawson*, company H, 4th Cavalry, having been ordered by his company commander, First Lieutenant H. W. Lawton, 4th Cavalry, to walk during the march on the 10th day of September, 1871, did say to First Sergeant James W. Foley, company H, 4th Cavalry, when he (Sergeant Foley) told Corporal Butler, company H, 4th Cavalry, that he *(Clawson)* would have to keep up with the pack-train 'Oh! God damn you, you damned thing, I have got enough of you,' and when told by the said First Sergeant Foley to keep quiet, did reply, 'Oh! you be damned,' or in words to that effect; and did, in a threatening manner, load and cock his carbine with the evident intention of shooting the said First Sergeant James W. Foley, company H, 4th Cavalry. This at or near Beaver Creek, Texas, on or about the dates above mentioned."

To which charge and specifications the accused, Private *George W. Clawson*, Company H, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the third specification, "Guilty, except the words 'with the evident intention of shooting the said First Sergeant John W. Foley, company H, 4th Cavalry,' and of the excepted words Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George H. Clawson*, Company H, 4th Cavalry, "To be confined at hard labor, under charge of the guard, for six months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

4. Private *David Haley*, Company H, 4th Cavalry.

CHARGE—"Burglary, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *David Haley*, company H, 4th Cavalry, did, burglariously, and with felonious intent, enter the cook house of company A, 11th Infantry, between the hours of one and two A. M., on or about November 26, 1871, at Fort Griffin, Texas."

To which charge and specification the accused, Private *David Haley*, Company H, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'burglariously and with felonious intent,' and of the excepted words Not Guilty."

Of the charge, "Guilty, except the word 'burglary,' and substituting therefor the word 'conduct.'"

SENTENCE.

And the court does therefore sentence him, Private *David Haley*, Company H, 4th Cavalry, "To forfeit to the United States ten dollars per month of his monthly pay for the period of two months."

5. Private *William Mason*, Company H, 4th Cavalry.

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

Specification—"In this, that he, Private *William Mason*, company H, 4th Cavalry, being regularly detailed and duly mounted as a member of the post guard, did, through his neglect, allow a prisoner, Private Richard, company F, 11th Infantry, to escape from the guard house while he, the said *William Mason*, was posted as a sentinel in front of the guard house. This at Fort Griffin, Texas, on the 29th of November, 1871, between the hours of two and four o'clock A. M."

To which charge and specification the accused, Private *William Mason*, Company H, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Mason*, Company H, 4th Cavalry, "To be confined at hard labor, under charge of the guard, for eight months; and to forfeit to the United States ten dollars per month of his monthly pay for the same period."

6. Artificer *Charles Copley*, Company A, 11th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Charles Copley*, artificer, company A, 11th Infantry, did feloniously steal, take and carry away one silver watch, the property of Private James Derry, of company A, 11th Infantry. This at Fort Griffin, Texas, on or about November 25, 1871."

To which charge and specification the accused, Artificer *Charles Copley*, Company A, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Artificer *Charles Copley*, Company A, 11th Infantry.

7. Private *Richard Mackey*, Company A, 11th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Richard Mackey*, a private of company A, 11th Infantry, did feloniously take and carry away one silver watch, the property of Private James Derry, company A, 11th Infantry. This at Fort Griffin, Texas, on or about November 25th, 1871."

To which charge and specification the accused, Private *Richard Mackey*, Company A, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Richard Mackey*, Company A, 11th Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due him; and to be con-

fined, in such military prison as the reviewing authority may direct, for the period of two (2) years."

8. Private *Robert Gray*, Company G, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Robert Gray*, of company G, 11th Infantry, having been regularly mounted as a member of the guard at Fort Griffin, Texas, did become so much under the influence of intoxicating drink, as to be unable to perform the duties of a sentinel. All this at or near Fort Griffin, Texas, on or about the 26th day of November, 1871."

To which charge and specification the accused, Private *Robert Gray*, Company G, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Gray*, Company G, 11th Infantry, "To be confined at hard labor under charge of the guard, for the period of six months."

II. The proceedings, findings and acquittal in the case of Artificer *Charles Copley*, Company A, 11th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *David Haley*, Company H, 4th Cavalry, are disapproved. It does not appear in evidence that he entered the cook house in violation of any orders, or that his conduct was prejudicial, except by his own statement that he was drunk. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *George H. Clawson*, and *William Mason*, Company H, 4th Cavalry, and *Robert Gray*, Company G, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Trumpeter *Ellwood Kay*, Company D, and Privates *George H. Cameron*, company H, 4th Cavalry, and *Richard Mackey*, Company A, 11th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, of Special Order No. 221, series of 1871, from this Headquarters, and of which Major HENRY DOUGLASS, 11th Infantry, is President, is dissolved.

BY COMMAND OF COLONEL J. J. REYNOLDS:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

J. U. Mengel
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private Benjamin F. Fuller ..... Company A, 10th Infantry.
2. Corporal Jerry McCarthy .....Company A, 10th Infantry.
3. Private John O'Gallagher ....Company A, 10th Infantry.
4. Sergeant Michael Walsh .....Company A, 10th Infantry.
5. First Sergeant George K. Daly..... Company G, 10th Infantry.
6. Private Michael Gilmore .....Company G, 10th Infantry.
7. Private J. H. Coleman ..... Company H, 10th Infantry.
8. Private William H. Connor..... Company H, 10th Infantry.
9. Corporal William S. Earnest..... .....Company H, 10th Infantry.
10. Private Anthony Mannetti.....Company H, 10th Infantry.
11. Sergeant Daniel McEvoy.....Company H, 10th Infantry.
12. Musician John S. Ortago .....Company H, 10th Infantry.
13. Private Nicholas Stoll .....Company H, 10th Infantry.
14. Private Robert Wyatt .....Company H, 10th Infantry.
15. Private Thomas Brown .....Company K, 10th Infantry.
16. Private George B. Collis..... .Company K, 10th Infantry.
17. Private James L. A. Douglas..... .....Company K, 10th Infantry.
18. Corporal John Hampson.....Company K, 10th Infantry.
19. Private John Wade..... .....Company K, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 30, 1872.

General Court Martial Orders, No. 19.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, December 18, 1871, pursuant to paragraph II, Special Order No. 235, Headquarters Department of Texas, dated San Antonio, Texas, December 2, 1871, and of which Captain Jesse A. P. Hampson, 10th Infantry, is President, were arraigned and tried:

1. Private *Benjamin F. Fuller*, Company A, 10th Infantry.

Charge—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Benjamin F. Fuller*, company A, 10th Infantry, being on duty as a member of the post guard, was found at about 11.45 o'clock P. M. so drunk as to be unable to properly perform his duty. This at the post of Fort Brown, Texas, on the 13th day of November, 1871."

To which charge and specification the accused, Private *Benjamin F. Fuller*, Company A, 10th Infantry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Benjamin F. Fuller*, Company A, 10th Infantry, "To be confined at hard labor under charge of the guard, for six months."

2. Corporal *Jerry McCarthy*, Company A, 10th Infantry.

Charge I—"Drunkenness on duty."

Specification—"In this, that he, Corporal *Jerry McCarthy*, company A, 10th Infantry, while on duty as a member of the post guard, did become so much intoxicated from the use of liquor as to be unable to perform any military duty in a proper manner. This at Fort Brown, Texas, about November 14, 1871."

CHARGE II—"Breach of arrest."

Specification—"In this, that he, Corporal *Jerry McCarthy*, company A, 10th Infantry, having been placed in arrest in his quarters, did leave them and go to the quarters of his company commander, and when ordered back to his (*McCarthy's*) quarters, did, instead of obeying said order, go to the quarters of Lieutenant Duggan, 10th Infantry, where he was re-arrested. This at Fort Brown, Texas, about November 14, 1871."

To which charges and specifications the accused, Corporal *Jerry McCarthy*, Company A, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *Jerry McCarthy*, Company A, 10th Infantry, "To be reduced to the ranks; and to be confined at hard labor under charge of the guard for six (6) months."

3. Private *John O'Gallagher*, Company A, 10th Infantry.

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

Specification—"In this, that he, Private *John O'Gallagher*, company A, 10th Infantry, having been regularly detailed and mounted as a member of the post guard, did, while on duty as a guard over two prisoners, permit one of them, Private William Walker, to escape. All this at Fort Brown, Texas, on or about the 5th day of September, 1871."

To which charge and specification the accused, Private *John O'Gallagher*, Company A, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, but attach no criminality thereto."

Of the charge, "Guilty."

And the court does therefore acquit him, Private *John O'Gallagher*, Company A, 10th Infantry.

4. Sergeant *Michael Walsh*, Company A, 10th Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Sergeant *Michael Walsh*, company A, 10th U. S. Infantry, a member of the post guard, was found so drunk as to be unable to perform his duty properly. This at Fort Brown, Texas, on or about the 20th day of December, 1871."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *Michael Walsh*, company A, 10th U. S. Infantry, when repeatedly ordered by Lieutenant J. T. Kirkman, 10th Infantry, officer of the day, to go to his quarters in arrest, did fail to obey said order, until he was taken away by Corporal Przykalla, G

company, 10th Infantry, by order of the officer of the day. This at Fort Brown, Texas, on or about the 20th day of December, 1871."

To which charges and specifications the accused, Sergeant *Michael Walsh*, Company A, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Sergeant *Michael Walsh*, A Company, 10th Infantry, "To be reduced to the rank of private; to forfeit to the United States ten (10) dollars per month of his monthly pay for eight months; and to be confined at hard labor under charge of the guard for eight (8) months."

5. First Sergeant *George K. Daly*, Company G, 10th Infantry.

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

Specification—"In this, that he, First Sergeant *George K. Daly*, company G, 10th Infantry, did assault Private Robert Schmidt, company G, 10th Infantry, in the quarters of said company, striking and beating him with his fist. This at Fort Brown, Texas, December 5, 1871."

To which charge and specification the accused, First Sergeant *George K. Daly*, Company G, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, First Sergeant *George K. Daly*, Company G, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for one (1) month."

6. Private *Michael Gilmore*, Company G, 10th Infantry.

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

Specification—"In this, that he, Private *Michael Gilmore*, company G, 10th Infantry, being on duty as a member of the post guard, did absent himself without permission from proper authority, from said guard, from about 6 o'clock P. M., December 11, 1871, until arrested in the city of Brownsville, Texas, on December 12, 1871, at about 9 o'clock A. M. This at or near Fort Brown, Texas."

To which charge and specification the accused, Private *Michael Gilmore*, Company G, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Michael Gilmore*, Company G, 10th Infantry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for six (6) months; and to be confined at hard labor under charge of the guard for six (6) months; the first and last seven (7) days of each month in solitary confinement, on bread and water diet only."

7. Private *John H. Coleman*, Company H, 10th Infantry.

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

Specification—"In this, that he, Private *John H. Coleman*, company H, 10th Infantry, having been regularly detailed and mounted as a member of the post guard, did, while on duty as a guard over Private Thomas Scully, a general prisoner, permit said prisoner to escape. All this at Fort Brown, Texas, on or about the 5th day of September, 1871."

To which charge and specification the accused, Private *John H. Coleman*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

Of the specification, "Guilty, but attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John H. Coleman*, Company H, 10th Infantry.

8. Private *William H. Connor*, Company H, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William H. Connor*, company H, 10th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Brown, Texas, on the 13th day of July, 1871, and did remain so absent until the 10th day of September, 1871, when he voluntarily surrendered himself to the military authorities at Fort Brown, Texas. This at or near Fort Brown, Texas, on or about the dates specified."

To which charge and specification the accused, Private *William H. Connor*, Company H, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him Private *William H. Connor*, Company H, 10th Infantry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be confined at hard labor for the period of two (2) years; and to be dishonorably discharged the service of the United States."

9. Corporal *William S. Earnest*, Company H, 10th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Corporal *William S. Earnest*, company H, 10th Infantry, being on duty as a member of the post guard, did receive orders not to permit intoxicating liquor to be be given to the prisoners under charge of said guard, and did repeat and give instructions to the sentries on posts 'Nos. one and two,' at the guard house in charge of said prisoners, not to permit liquor to be given said prisoners, but did, himself, afterwards, give a bottle of whiskey to the prisoners under charge of the sentry on post No. 'two,' the said sentry, however, immediately compelling him to retake the whiskey from the prisoner. This at Fort Brown, Texas, on or about the 20th or 21st of October, 1871."

CHARGE II—"Breach of arrest."

Specification—"In this, that he, Corporal *William S. Earnest*, company H, 10th Infantry, being placed in arrest in his quarters, did leave his company and quarters, without permission from proper authority. This at Fort Brown, Texas, on or about the 21st day of October, 1871."

To which charges and specifications the accused, Corporal *William S. Earnest*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *William S. Earnest*, Company H, 10th Infantry, "To be reduced to the ranks; and to forfeit to the United States his monthly pay for three months."

10. Private *Anthony Mannetti*, Company H, 10th Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Anthony Mannetti*, company H, 10th Infantry, has, by the frequent use of intoxicating liquors and neglect of duty, rendered himself worthless as a soldier. This at Fort Brown, Texas, since about the 15th day of June, 1871."

Specification 2d—"In this, that Private *Anthony Mannetti*, company H, 10th Infantry, has been, since he joined the company, April 3, 1871, to December 13, 1871, in confinement one hundred and forty-nine (149) days; said confinement being due to his intemperate habits. This at Fort Brown, Texas, between the dates specified."

Specification 3d—"In this, that he, Private *Anthony Mannetti*, company H, 10th Infantry, has been tried by a general court martial once and by a garrison court martial three times. This due to his intemperate habits. This at Fort Brown, Texas, between the 3d day of April, 1871, and the 13th day of December, 1871."

To which charge and specifications the accused, Private *Anthony Mannetti*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Anthony Mannetti*, Company H, 10th Infantry, "To be dishonorably discharged from the service of the United States."

11. Sergeant *Daniel McEvoy*, Company H, 10th Infantry.

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

Specification 1st—"In this, that he, Sergeant *Daniel McEvoy*, company H 10th Infantry, did, without permission, absent himself from his company and quarters, at the hour for guard mounting on the 26th day of December, 1871, and did thus fail to perform his duty as acting 1st sergeant. This at Fort Brown, Texas."

Specification 2d—"In this, that he, Sergeant *Daniel McEvoy*, company H, 10th Infantry, did fail to appear at retreat roll-coll on the 26th day of December, 1871, thus failing to perform his duty as acting 1st sergeant. This at Fort Brown, Texas."

Specification 3d—"In this, that he, Sergeant *Daniel McEvoy*, company H 10th Infantry, having been placed in arrest, and ordered by his company

commander to remain in his quarters and garrison, did leave his quarters and garrison, December 29, 1871, without permission, and did go to the city of Brownsville, where he remained until after 9 o'clock P. M., December 29th, 1871; when he returned to the garrison in a state of beastly intoxication. All this at Fort Brown, Texas, on or about the dates above specified."

To which charge and specifications the accused, Sergeant *Daniel McEvoy*, Company H, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Sergeant *Daniel McEvoy*, Company H, 10th Infantry, "To be reduced to the rank of private; to forfeit to the United States ten (10) dollars per month of his monthly pay, for three months; and to be confined at hard labor under charge of the guard for three (3) months."

12. Musician *John L. Ortago*, Company H, 10th Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Musician *John L. Ortago*, company H, 10th Infantry, while on duty as musician of the guard, did become so drunk as to be unfit to perform any duty properly. This at Fort Brown, Texas, on the 13th day of January, 1872."

To which charge and specification the accused, Musician *John L. Ortago*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Musician *John L. Ortago*, Company H, 10th Infantry, "To be confined at hard labor under charge of the guard for six (6) months."

13. Private *Nicholas Stoll*, Company H, 10th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Nicholas Stoll*, H company, 10th Infantry, being on duty as a member of the post guard, was found, between the hours of 8 and 9 o'clock P. M., so drunk as to be unable to properly perform his duty. This at the post of Fort Brown, Texas, on the 13th day of November, 1871."

To which charge and specification the accused, Private *Nicholas Stoll*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Nicholas Stoll*, company H, 10th Infantry, "To be confined at hard labor in charge of the guard for six (6) months."

14. Private *Robert Wyatt*, Company H, 10th Infantry.

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

Specification 1st—"In this, that he, Private *Robert Wyatt*, company H, 10th Infantry, did enter the cook house of company H, 10th Infantry, and did without provocation commit an assault with a butcher knife upon the person of Private John Egger, company H, 10th Infantry, wounding him (Private Egger) in the hand; and did attempt further to use said knife upon the person of the said Private John Egger, he Private Egger, being at the time on duty as company cook. This at Fort Brown, Texas, on the 10th day of October, 1871."

Specification 2d—"In this, that he, Private *Robert Wyatt*, company H, 10th Infantry, did behave himself in a noisy and disorderly manner near the quarters of company H, 10th Infantry, and when approached by a detachment of the post guard, consisting of Corporal C. M. Platt, company A, 10th Infantry, and three privates, who went to arrest him, did resist the same, and did use a butcher knife as a weapon, attempting therewith to prevent his arrest. This at Fort Brown, Texas, on the 10th day of October, 1871."

To which charge and specifications the accused, Private *Robert Wyatt*, Company H, 10th Infantry, pleaded, "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Wyatt*, Company H, 10th Infantry, "To forfeit to the United States all pay for thirteen (13) months; and to be confined at hard labor under charge of the guard for thirteen (13) months."

15. Private *Thomas Brown*, Company K, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Thomas Brown*, company K, 10th Infantry, a member of the post guard, and regularly posted as a sentinel on post No. 4, did, while on duty as such sentinel, between the hours of 11 and 12 o'clock P. M., sleep on his post. This at Fort Brown, Texas, on or about the 22d of October, 1871."

To which charge and specification the accused, Private *Thomas Brown*, Company K, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Thomas Brown*, Company K, 10th Infantry, "To be confined at hard labor under charge of the guard for six (6) months."

16. Private *George B. Collis*, Company K, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *George B. Collis*, a duly enlisted soldier in the army of the United States, private of company K, 10th regiment of infantry, did absent himself from and desert the said service at Fort Brown, Texas, July 15th, 1871, and did remain so absent until he surrendered himself at Fort Brown, Texas, August 31st, 1871. This at Fort Brown, Texas."

To which charge and specification the accused, Private *George B. Collis*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George B. Collis*, Company K, 10th Infantry, "To forfeit to the United States all pay and allowances now due, or that may become due him; to be confined at hard labor for two (2) years, at such military prison as the Department Commander may designate; and to be dishonorably discharged the service."

17. Private *James L. A. Douglas*, Company K, 10th Infantry.

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

Specification—"In this, that he, Private *James L. A. Douglas*, company K, 10th Infantry, did, after receiving permission to enter the cell of one of the prisoners (Private Thomas Brown, company K, 10th Infantry) in the post guard house, for the purpose of getting his blanket, take into said cell a canteen of whiskey for the use of said prisoners confined there. This at Fort Brown, Texas, on or about the 20th day of December, 1871."

To which charge and specification the accused, Private *James L. A. Douglas*, Company K, 10th Infantry, pleaded, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James L. A. Douglas*, Company K, 10th Infantry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for six months; and to be confined at hard labor under charge of the guard for six (6) months."

18. Corporal *John Hampson*, Company K, 10th Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Corporal *John Hampson*, company K, 10th Infantry, while on duty as a member of the post guard, was found so drunk as to be incapable of properly performing his duty. This at the post of Fort Brown, Texas, on or about the 21st day of October, 1871."

CHARGE II—"Breach of arrest."

Specification—"In this, that he, Corporal *John Hampson*, company K, 10th Infantry, did, after having been placed in arrest, and ordered to remain in his quarters, leave his quarters and the camp of his command and go into the town of Brownsville, Texas, without permission from proper authority. This at or near Fort Brown, Texas, on or about the 21st day of October, 1871."

To which charges and specifications the accused, Corporal *John Hampson*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *John Hampson*, Company K, 10th Infantry, "To be reduced to the rank of private; and to be confined at hard labor under charge of the guard for four (4) months."

19. Private *John Wade*, Company K, 10th Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Private *John Wade*, company K, 10th Infantry, a member of the post guard, did, while in charge of a prisoner, Private William Rourke (company G, 10th Infantry), become so much under the influence of intoxicating liquor as to be unable to perform his duty properly. This at Fort Brown, Texas, on the 15th day of November, 1871."

To which charge and specification the accused, Private *John Wade*, Company K, 10th Infantry, pleaded, "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Wade*, Company K, 10th Infantry, "To be confined at hard labor under charge of the guard for six (6) months."

II. The proceedings, findings and acquittals in the cases of Privates *John O. Gallagher*, Company A, and *John H. Coleman*, Company H, 10th Infantry, are approved; they will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *Thomas Brown*, Company K, 10th Infantry, are approved. In view of the recommendation of the court, the sentence is remitted. Private *Brown* will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Sergeant *Michael Walsh*, Corporal *Jerry McCarthy*, and Private *Benjamin F. Fuller*, Company A; First Sergeant *George K. Daly*, and Private *Michael Gilmore*, Company G; Sergeant *Daniel McEvoy*, Corporal *William S. Earnest*, Musician *John L. Ortigo*, and Privates *Anthony Mannetti*, *Nicholas Stoll* and *Robert Wyatt*, Company H; and Corporal *John Hampson*, and Privates *James L. A. Douglas* and *John Wade*, Company K, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *William H. Conner*, Company H, and *George B. Collis*, Company K, 10th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, of Special Order No. 235, series of 1871, from this Headquarters, and of which Captain JESSE A. P. HAMPSON, 10th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Colm Augur

Aide-de-Camp.

At Fort Clark, Texas.

1. Private James H. Carpenter ..... Company A, 25th Infantry.
2. Private Edward Collins..... Company A, 25th Infantry.
3. Private Josiah Fisher..... Company A, 25th Infantry.
4. Private Simon Jackson..... Company A, 25th Infantry.
5. Private George Wright..... Company A, 25th Infantry,
6. Private (late Sergeant) James W. Wright. Company A, 25th Infantry.
7. Private Martin Hill..... Company C, 25th Infantry.
8. Private Isaac Williams..... Company E, 25th Infantry.
9. Private Alfred Smith..... Company H, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *January* 31, 1872.

General Court Martial Orders, No. 20.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, January 8, 1872, pursuant to paragraph I, Special Order No. 249, Headquarters Department of Texas, dated San Antonio, Texas, December 28, 1871, and of which Captain David Schooley, 25th Infantry, is President, were arraigned and tried :

1. Private *James H. Carpenter*, Company A, 25th Infantry.

Charge—"Desertion."

Specification—"In that Private *James H. Carpenter*, company A, 25th Infantry, having been duly enlisted into the military service of the United States, did desert the same; and did remain absent until arrested at San Antonio, Texas, on or about October 4, 1871. (Thirty dollars ($30) paid for his apprehension.) This at Fort Clark, Texas, on or about the 22d day of September, 1871."

To which charge and specification the accused, Private *James H. Carpenter*, Company A, 25th Infantry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused :

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

Sentence.

And the court does therefore sentence him, Private *James H. Carpenter*, Company A, 25th Infantry, "To be dishonorably discharged the service of the U. S.; and to forfeit all pay and allowances now due or that may become due him; and to be confined at hard labor, at such place as the proper authority may direct, for the period of three years."

2. Private *Edward Collins*, Company A, 25th Infantry.

Charge—"Assault with a dangerous weapon, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Collins*, company A, 25th U. S. Infantry, did assault Private William S. Cooper, company A, 25th Infantry, with an open knife, or other dangerous weapon, cutting and inflicting three different wounds on said Cooper, necessitating his being placed off duty and in post hospital for about eight days. This at Fort Clark, Texas, without provocation, on or about the 22d day of September, 1871."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Edward Collins*, Company A, 25th Infantry, "To forfeit all pay and allowances; and to be confined at hard labor, under charge of the post guard, for one year."

3. Private *Josiah Fisher*, Company A, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Josiah Fisher*, company A, 25th Infantry, having been duly detailed and mounted as a member of the post guard at the post of Fort Clark, October 13, 1871, and when having been ordered by the corporal of the post guard, Corporal James E. Thomas, company C, 25th Infantry, at the time in command of the guard, to take charge of two prisoners ordered out to work, did, in the presence of members of the post guard and of the two prisoners, refuse to obey and execute the command, saying: 'I am not going to do it;' and when asked why he would not obey, did say 'I am not going to do it, the sergeant told me I need not go out any more,' or words to that effect; and, furthermore, after having been told by the corporal of the guard that the sergeant had left no orders excusing him from duty, and that he, the accused, should have to go with the prisoners as ordered, did persistently and repeatedly refuse to obey. All this at or near Fort Clark, Texas, on or about October 15, 1871."

To which charge and specification the accused, Private *Josiah Fisher*, Company A, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Josiah Fisher*, Company A, 25th Infantry, "To be confined at hard labor, under charge of the post guard, for the period of three months; and to forfeit five dollars per month of his monthly pay for the same period."

4. Private *Simon Jackson*, Company A, 25th Infantry.

CHARGE I—"Desertion."

Specification—"That he, Private *Simon Jackson*, company A, 25th Infantry, U. S. Army, having been duly enlisted into the military service of the United States, and while a member of the post guard,

did desert the same; and did remain absent until arrested by a civil officer at Uvalde, Texas, on or about October 19, 1871. (Thirty dollars paid for his apprehension.) This at Fort Clark, Texas, on or about October 17, 1871."

CHARGE II—"Wilful neglect of duty, to the prejudice of good order and military discipline."

Specification—"That he, Private *Simon Jackson*, company A, 25th Infantry, U. S. Army, having been regularly mounted as a member of the post guard, and properly posted as a sentinel over prisoners at work, did, under pretence of guarding him to the rear, wilfully permit (and aid) one James Wilson, a prisoner, undergoing sentence of a General Court Martial, to escape; and did desert the guard and the service with the said prisoner and remain absent until they were arrested at or near Uvalde, Texas, on or about October 19, 1871. This at Fort Clark, Texas, on or about October 17, 1871."

To which charges and specifications the accused, Private *Simon Jackson*, Company A, 25th Infantry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Simon Jackson*, Company A, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances due or to become due him; and to be confined at hard labor, at such place as shall be designated by the Department Commander, for the period of five years."

5. Private *George Wright*, Company A, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"That Private *George Wright*, company A, 25th Infantry, did steal from the quarters of company F, 25th Infantry, viz: one (1) bayonet and one (1) bayonet scabbard; one (1) waist belt and plate and (private's), and one (1) pair metallic shoulder scales (privates), the property of the United States, in charge of Private Henry Leaumont, company F, 25th Infantry, and for which 1st Lieutenant M. L. Courtney, 25th Infantry, is responsible. All this at Fort Clark, Texas, during the evening, on or about the 29th day of September, 1871."

Specification 2d—"That Private *George Wright*, company A, 25th Infantry, did steal from the quarters of company F, 25th Infantry, viz: one (1) uniform coat, the property of Private Henry Leaumont, company F, 25th Infantry. All this at Fort Clark, Texas, during the evening, on or about the 29th day of September, 1871."

To which charge and specifications the accused, Private *George Wright*, Company A, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Wright*, Company A, 25th Infantry, "To be dishonorably discharged the service of the U. S.; to forfeit all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the proper authority may direct, for the period of three years."

6. Private (late Sergeant) *James W. Wright*, Company A, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In that Sergeant *James W. Wright*, company A, 25th Infantry, being ordered by 1st Lieutenant Jacob Paulus, 25th Infantry, to behave himself and go to his quarters, did disobey said order. All this at Fort Clark, Texas, between the hours 5 and 5:30 o'clock P. M., on the 12th day of December, 1871."

CHARGE II—"Mutinous conduct, prejudicial to good order and military discipline."

Specification—"In that *James W. Wright*, a sergeant in company A, 25th Infantry, when ordered by 1st Lieutenant Jacob Paulus, 25th Infantry, to let Private Washington, company A, 25th Infantry, alone, did say in a mutinous and seditious manner 'Lieutenant Paulus—tie me—God damn it—if I go to Ship Island,' or words to that effect. This at Fort Clark, Texas, on or about December 12, 1871."

ADDITIONAL CHARGE—"Violation of the 9th Article of War."

Specification—"In this, that he, Sergeant *James W. Wright*, company A, 25th Infantry, having been engaged and a participant in a quarrel in the company street of his company, and having been ordered to desist from making a noise and the use of violent and abusive language, and to proceed under guard to the post guard house, by 2d Lt. D. B. Wilson, 25th Infantry, officer of the day, being in the execution of his office, did disobey said order; and did, by gesture and threats, and by personal violence towards him, resist the authority of said officer of the day. This at Fort Clark, Texas, on or about the 12th of December, 1871."

To which charges and specifications the accused, Private (late Sergeant) *James W. Wright*, company A, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private (late Sergeant) *James W. Wright*, Company A, 25th Infantry, "To be dishonorably discharged the service, with the loss of all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of two years."

7. Private *Martin Hill*, Company C, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That he, Private *Martin Hill*, company C, 25th Infantry, did steal, take and carry away, and attempt to appropriate to his own use, the following articles of Government property, for which 1st Lieut. H. B. Quimby, 25th Infantry, is accountable, to wit: Two (2) saddle blankets, one (1) horse brush and one (1) lariat. This at Fort Clark, Texas, November 21, 1871, or thereabouts."

To which charge and specification the accused, Private *Martin Hill*, Company C, 25th Infantry, pleaded:

To the specification, "Guilty, except the words 'steal' and 'attempt to appropriate to his own use.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'steal' and 'attempt to appropriate to his own use.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Martin Hill*, Company C, 25th Infantry, "To forfeit to the United States ten (10) dollars of his pay."

8. Private *Isaac Williams*, Company E, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Isaac Williams*, company E, 25th Infantry, did take, steal and carry away from the barracks of company E, 25th Infantry, 'one soldier's overcoat,' the property of Private William H. Smith, company E, 25th Infantry, and appropriate the same to his own use. This at Fort Clark, Texas, on or about the 11th day of December, 1871."

To which charge and specification the accused, Private *Isaac Williams*, Company E, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Isaac Williams*, Company E, 25th Infantry, "To be dishonorably discharged the service of the U. S., with the loss of all pay and allowances; and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of three (3) years."

9. Private *Alfred Smith*, Company H, 25th Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *Alfred Smith*, company H, 25th Infantry, did absent himself from his company quarters and garrison, and without any permission whatever from proper authority, and did remain so absent from 3 o'clock P. M. to 8 P. M., on the 11th day of December, 1871. This at Fort Clark, Texas, on or about the time above specified."

CHARGE II—"Shooting, with intent to do injury, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Alfred Smith*, company H, 25th U. S. Infantry, did, on or about the 11th day of December, 1871, with a musket loaded with ball-cartridge, fire at one Walker Jones, citizen, with intent to do bodily and serious injury to said Walker Jones. This at or near Fort Clark, Texas, on or about the 11th day of December, 1871."

To which charges and specifications the accused, Private *Alfred Smith*, Company H, 25th Infantry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Alfred Smith*, Company H, 25th Infantry, "To forfeit to the U. S. ten (10) dollars per month of his monthly pay for one year; and to be confined at hard labor, at the post where his company may be serving, for the same period."

II. The proceedings, findings and sentences in the cases of Privates *Josiah Fisher*, Company A, and *Alfred Smith*, Company H, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Martin Hill*, Company C, 25th Infantry, are approved. In view of the recommendation of the court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Edward Collins*, Company A, 25th Infantry, are approved. The sentence is modified to forfeiture of all pay and allowances now due, and confinement at hard labor at the post of his company for one year; and is so approved, and will be duly carried into execution.

The proceedings and findings in the case of Private *James W. Wright*, Company A, 25th Infantry, are approved. Upon the recommendation of the court, the period of confinement is reduced to one year in the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be carried into effect.

The proceedings, findings and sentences in the cases of Privates *James H. Carpenter*, *Simon Jackson* and *George Wright*, Company A, and *Isaac Williams*, Company E, 25th Infantry, are approved, and the sentences will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I, Special Order No. 249, series of 1871, from these Headquarters, and of which Captain DAVID SCHOOLEY, 25th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

H. CLAY WOOD,
Assistant Adjutant General.

OFFICIAL:

Colm Augur

Aide-de-Camp.

At Fort Davis, Texas.

1. Hospital Steward F. W. Wearick.....U. S. Army.
2. Private James Fisher.....Company I, 9th Cavalry.
3. Private Richard Thompson.....Company I, 9th Cavalry.
4. Private Samuel McKinney.....Company F, 24th Infantry.
5. Musician George Griffin.....Company G, 25th Infantry.
6. Private William Harris.....Company G, 25th Infantry.
7. Private Levi Scott.....Company G, 25th Infantry.
8. Private John Allen 2d.....Company F, 24th Infantry.
   Private Calvin Dudley.....Company F, 24th Infantry.
   Private William C. H. Foster.....Company F, 24th Infantry.
   Private Lemuel Johnson.....Company F, 24th Infantry.
   Private William Jones.....Company F, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *February* 8, 1872.

General Court Martial Orders, No. 21.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Tuesday, December 12, 1871, pursuant to paragraph III, of Special Order No. 233, Headquarters Department of Texas, dated San Antonio, Texas, November 29, 1871, and of which Lieutenant Colonel William R. Shafter, 24th Infantry, is President, were arraigned and tried:

1. Hospital Steward *Frederick W. Wearick*, U. S. Army.

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

Specification—"In this, that he, *Frederick W. Wearick*, hospital steward, U. S. A., having been found by the commanding officer of the post in the officers' billiard room at this post after taps, and ordered by his commanding officer, Lieutenant Colonel W. R. Shafter, 24th Infantry, to go to his quarters, did fail to obey said order, he, Hospital Steward *Frederick W. Wearick*, going only outside the door of the room, and there stopping, and when found standing outside the sutler store by his commanding officer, Lieutenant Colonel W. R. Shafter, 24th Infantry, a short time after receiving his order to go to his quarters, and being again ordered to go to his quarters, did fail to promptly obey said order, but persisted in attempting to speak to his commanding officer, Lieutenant Colonel W. R. Shafter, until forcibly removed by a guard. This at Fort Davis, Texas, on or about the 1st day of January, 1872."

To which charge and specification the accused, Hospital Steward *Frederick W. Wearick*, U. S. A., pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

And does therefore acquit him, Hospital Steward *Frederick W. Wearick*, U. S. A.

2. Private *James Fisher*, Company I, 9th Cavalry.

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

Specification 1st—"In this, that he, Private *James Fisher*, company I, 9th Cavalry, did, upon being ordered by Quartermaster Sergeant James W. Bush, company I. 9th Cavalry, to leave the company kitchen of I company, 9th U. S. Cavalry, refuse to obey said order; the Quartermaster Sergeant James W. Bush, 9th U. S. Cavalry, being at the time in the proper exercise of his duty. This at or near Fort Quitman, Texas, on or about May 21, 1871."

Specification 2d—"In this, that he, Private *James Fisher*, company I, 9th U. S. Cavalry, did, in the company kitchen of I company, 9th U. S. Cavalry, seize and strike with an axe Quartermaster Sergeant James W. Bush, company I. 9th U. S. Cavalry. All this at Fort Quitman, Texas, on or about May 21, 1871."

Specification 3d—"In this, that he, Private *James Fisher*, company I, 9th U. S. Cavalry, did, upon a second attempt to strike Quartermaster Sergeant James W. Bush, of said company, strike First Sergeant Andrew Carter, company I, 9th U. S. Cavalry, when he, First Sergeant Andrew Carter, of said company, did attempt to take from him, the said *Fisher*, the axe. This at Fort Quitman, Texas, on or about May 21, 1871."

To which charge and specifications the accused, Private *James Fisher*, Company I, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Fisher*, Company I, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for one month; and to be confined, in the guard house of the post where his company may be serving, for fifteen (15) days." The court is thus lenient on account of the long confinement of the prisoner without trial.

3. Private *Richard Thompson*, Company I, 9th Cavalry.

CHARGE—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Richard Thompson*, company I, 9th Cavalry, did, after having been duly mounted as a member of the guard, quit the same, and go outside the limits of the garrison without proper authority. All this at Fort Davis, Texas, on or about the 10th day of September, 1871."

ADDITIONAL CHARGE—"Violation of the 50th Article of War."

Specification—"That *Richard Thompson*, a duly enlisted soldier in the army of the United States, and private of troop I, 9th Cavalry, having been properly detailed and mounted as a member of the post guard, and placed on duty at the cavalry corral, did leave his guard and the limits of the post, and go to Chihuahua, about one-half mile from the military reservation, without any authority or permission whatever. This at Fort Davis, Texas, December 9, 1871, about 11 o'clock A. M."

To which charges and specifications the accused, Private *Richard Thompson*, Company I, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification of the charge,	"Guilty."

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

SENTENCE.

And the court does therefore sentence him, Private *Richard Thompson*, Company I, 9th Cavalry, "To forfeit to the United States eight (8) dollars of his monthly pay for six months; and to be confined in the guard house of post, at hard labor, where his company may be serving, for the same period."

4. Private *Samuel McKinney*, Company F, 24th Infantry.

CHARGE—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Samuel McKinney*, company F, 24th Infantry, after being duly detailed and mounted as a member of the post guard, did absent himself from said guard without proper authority, and did visit a locality known as the 'Creek,' distant from his guard about one-half mile. All this at Fort Davis, Texas, on or about the night of the 21st day of December, 1871."

To which charge and specification the accused, Private *Samuel McKinney*, Company F, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Samuel McKinney*, Company F, 24th Infantry, "To forfeit to the United States ten dollars of his monthly pay for four (4) months; and be confined at hard labor for the same period."

5. Musician *George Griffin*, Company G, 25th Infantry.

CHARGE—"Violation of the 50th Article of War."

Specification—"That *George Griffin*, a duly enlisted soldier in the army of the United States, and musician in company G, 25th Infantry, being properly on duty as drummer of the post guard, did leave the said guard without any authority or permission, and did remain absent about eight (8) hours. This at Fort Davis, Texas, on or about the 21st day of December, 1871."

To which charge and specification the accused, Musician *George Griffin*, Company G, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *George Griffin*, Company G, 25th Infantry, "To forfeit to the United States ten dollars of his monthly pay for four (4) months; and to be confined at hard labor for the same period."

6. Private *William Harris*, Company G, 25th Infantry.

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

Specification—"In this, that he, Private *William Harris*, company G, 25th U. S. Infantry, did enter the storehouse of one Daniel Murphy, a trader doing business near Fort Davis, Texas, and did feloniously take and steal therefrom, with intention to appropriate to his own use, the sum of fifty dollars ($50) in the currency of the United States, and the property of the said Daniel Murphy, trader. All this at or near Fort Davis, Texas, on or about the seventh day of August, 1871."

To which charge and specification the accused, Private *William Harris*, Company G, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'fifty dollars, and substituting therefor the words 'forty-seven dollars.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Harris*, Company G, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay now due or to become due; and to be confined at hard labor in the post guard house, where his company may be serving, for the period of six months."

7. Private *Levi Scott*, Company G, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Levi Scott*, company G, 25th Infantry, having been properly mounted as a member of the post guard, and duly placed as a sentinel on post No. 2, did sit down and go to sleep—the officer of the day taking his musket from him without he, the said private *Levi Scott*, knowing it. All this at Fort Davis, Texas, on the night of December 26, 1871."

To which charge and specification the accused, Private *Levi Scott*, Company G, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Levi Scott*, Company G, 25th Infantry, "To be confined at hard labor for four (4) months at the post where his company may be serving; and to forfeit to the United States ten dollars per month for the same period."

8. Privates *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, *Lemuel Johnson* and *William Jones*, Company F, 24th Infantry.

CHARGE I—"Desertion."

Specification—"That *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, *Lemuel Johnson*, and *William Jones*, all duly enlisted soldiers in the army of the United States, and privates of company F, 24th Infantry, did desert the service of the United States. This at Fort Davis, Texas, on or about the 16th day of September, 1871."

CHARGE II—"Violation of the 9th Article of War."

Specification—"That *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, *Lemuel Johnson* and *William Jones*, all duly enlisted soldiers in the army of the United States, and privates of company F, 24th Infantry, having deserted the service of the United States, on or about the 16th day of September, 1871, and having taken with them their muskets, the property of the United States together with a large quantity of ammunition, did, when apprehended by 2d Lieutenant J. H. McDonald, 9th U. S. Cavalry, who, in the execution of his office in charge of a party searching for the said deserters, ordered the aforementioned soldiers, and all of them, to lay down their arms and give themselves up, discharge their muskets loaded with powder and ball at the said Lieutenant McDonald and party, and did continue to forcibly and violently resist

the said Lieutenant McDonald and party, until overpowered and arrested. This at or near the road from Fort Stockton, Texas, to Presidio Del Norte, Mexico, and on or about the 18th day of September, 1871."

To which charges and specifications the accused, Privates *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, *Lemuel Johnson* and *William Jones*, Company F, 25th Infantry, pleaded "Guilty," except Private *Lemuel Johnson*, Company F, 24th Infantry, who pleaded to the second charge and its specification "Not Guilty."

FINDING.

The court, after mature consideration, finds the accused, *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, and *William Jones*, privates Company F, 24th Infantry:

Of the specification, first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the specification, second charge,	"Guilty."
Of the second charge,	"Guilty."
And *Lemuel Johnson*, private of Company F, 24th Infantry:	
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 them, *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, and *William Jones*, privates of Company F, 24th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay now due or to become due; and to be confined at hard labor, wearing a ball weighing twelve (12) pounds attached to the left leg by a chain six (6) feet in length, for the period of ten years, at such place as the Commanding General may direct."

And the court does therefore sentence *Lemuel Johnson*, private of Company F, 24th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay now due or to become due; and to be confined at hard labor for the period of five years, at such place as the Commanding General may direct."

II. The proceedings, findings and acquittal in the case of Hospital Steward *Frederick W. Wearick*, U. S. A., are approved. He will be released from arrest and restored to duty.

The proceedings and findings in the case of Private *Levi Scott*, Company G, 25th Infantry, are approved. In consequence of the accused being a recruit, and upon the unanimous recommendation of the court, the sentence is commuted to forfeiture of ten (10) dollars per month of his monthly pay for two (2) months, and confinement at hard labor at the station of his company for same period; and is so approved, and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *James Fisher* and *Richard Thompson*, Company I, 9th Cavalry; *Samuel McKinney*, Company F, 24th Infantry; Musician *George Griffin* and Private *William Harris*, Company G, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *John Allen 2d*, *Calvin Dudley*, *William C. H. Foster*, *William Jones*, and *Lemuel Johnson*, Company F, 25th Infantry, are approved, and the sentences will be duly executed.

The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur,
Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *February* 17, 1872.

GENERAL COURT MARTIAL ORDERS, No. 22.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, December 18, 1871, pursuant to paragraph II, of Special Order No. 235, Headquarters Department of Texas, dated San Antonio, Texas, December 2, 1871, and of which Captain JESSE A. P. HAMPSON, 10th Infantry, is President, was arraigned and tried:

Private *John Passmore*, Company G, 10th Infantry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *John Passmore*, company G, 10th Infantry, did sell or pawn one pair of trowsers and one blouse, Government clothing, regularly issued to him. This at Fort Brown, Texas, on or about the 16th day of January, 1872."

To which charge and specification the accused pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Passmore*, Company G, 10th Infantry, "To forfeit to the United States one (1) dollar and fifty (50) cents per week of his pay for ten (10) weeks; and to be confined at hard labor under charge of the guard for one (1) year."

II. The proceedings and findings in the case of Private *John Passmore*, Company G, 10th Infantry, are approved. The period of imprisonment is reduced to two (2) months. As thus mitigated, the sentence is approved and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Private David P. Johnston.....Company D, 4th Cavalry
2. Private William Kelly.....Company D, 4th Cavalry.
3. Private Henry J. Merrall.....Company D, 4th Cavalry.
4. Private Harrison Miller .....Company G, 9th Cavalry.
5. Private Allen Fairfield.....Company A, 11th Infantry.
6. Private John Hanratty.....Company G, 11th Infantry.
7. Private James Murphy.....Company G, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *February* 21, 1872.

General Court Martial Orders, No. 23.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, January 9, 1872, pursuant to paragraph II, of Special Order No. 248, Headquarters Department of Texas, dated San Antonio, Texas, December 27, 1871, and of which Colonel William H. Wood, 11th Infantry, is President, were arraigned and tried:

1. Private *David P. Johnston*, Company D, 4th Cavalry.

Charge I—"Violation of the 44th Article of War."

Specification—"In this, that Private *David P. Johnston*, company D, 4th Cavalry, did, without cause or necessity, absent himself from dress-parade on the evening of January 2, 1872. This at Fort Griffin, Texas."

Charge II—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *David P. Johnston*, company D, 4th Cavalry, did, without permission from proper authority, absent himself from his company from about 10 o'clock P. M., January 2, 1872, until January 3, 1872. This at Fort Griffin, Texas."

Charge III—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *David P. Johnston*, company D, 4th Cavalry, has become so much addicted to the use of intoxicating liquor, as to render him worthless as a soldier. This at Fort Griffin, Texas, January 3, 1872."

Specification 2d—"In this, that he, Private *David P. Johnston*, company D, 4th Cavalry, was tried and found guilty by four Garrison Courts Martial, from March 17, 1871, until December 5, 1871, the crimes for which he was tried, and of which he was convicted, having originated in the use of intoxicating liquor. This at Fort Griffin, Texas."

To which charges and specifications the accused, Private *David P. Johnston*, Company D, 4th Cavalry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Guilty."
To the third charge and its specifications, "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *David P. Johnston*, Company D, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due him; and to be drummed out of the service."

2 Private *William Kelly*, Company D, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *William Kelly*, of company D, 4th Cavalry, having been duly mounted as a member of the post guard, and posted as a sentry on post No. 1, in front of the guard house, did become so much intoxicated as to be unable to perform in a proper manner the duties of a sentinel. This at Fort Griffin, Texas, on or about the 19th day of December, 1871."

To which charge and specification the accused, Private *William Kelly*, Company D, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Kelly*, Company D, 4th Cavalry, "To be confined at hard labor under charge of the guard for the period of six (6) months."

3. Private *Henry J. Merrall*, Company D, 4th Cavalry.

CHARGE I—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Henry J. Merrall*, company D, 4th Cavalry, did, without leave from his commanding officer, absent himself from his company from 12 M., the 12th of January, 1872, until about 8 A. M., January 13, 1872. This at Fort Griffin, Texas."

CHARGE II—"Violation of the 42d Article of War."

Specification—"In this, that Private *Henry J. Merrall*, company D, 4th Cavalry, did, without leave from his superior officer, lie out of his company quarters on the night of the 12th of January, 1872. This at Fort Griffin, Texas."

CHARGE III—"Violation of the 44th Article of War."

Specification—"In this, that Private *Henry J. Merrall*, company D, 4th Cavalry, did fail to appear with his company at dress-parade on the evening of January 12, 1872. This at Fort Griffin, Texas."

CHARGE IV—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Henry J. Merrall*, company D, 4th Cavalry, has become so much addicted to the use of intoxicating liquor as to render him perfectly unreliable as a soldier. This at Fort Griffin, Texas, on the 12th day of January, 1872."

Specification 2d—"In this, that Private *Henry J. Merrall*, company D, 4th Cavalry, was tried and found guilty by three garrison courts martial, from June 8, 1871, until December 5, 1871, the crimes for which he was

tried, and of which he was convicted, having originated in the use of intoxicating liquor. This at Fort Griffin, Texas."

Specification 3d—"In this, that Private *Henry J. Merrall*, company D, 4th Cavalry, has served thirty days at hard labor in post guard house, by reason of sentences of garrison courts martial, and has been confined upon four different occasions and released without trial, for crimes having their origin in the use of intoxicating liquor. This at Fort Griffin, Texas, from June 4, 1871, until November 21, 1871."

To which charges and specifications the accused, Private *Henry J. Merrall*, Company D, 4th Cavalry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."
To the third charge and its specification,	"Guilty."
To the fourth charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry J. Merrall*, Company D, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are now due or may become due him; and to be drummed out of the service."

4. Private *Harrison Miller*, Company G, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Harrison Miller*, company G, 9th Cavalry, did feloniously take, steal, and carry away from a mail coach, two woolen blankets, the property of the driver of said coach, and did appropriate them to his own use, he, the said *Miller*, being at the time a member of a detachment guarding the mail station at Mountain Pass, Texas, and posted as a sentinel for the protection of the coach from which the blankets were stolen, and other property belonging to the mail line. This at Mountain Pass, Texas, on or about the 5th day of December, 1871."

To which charge and specification the accused, Private *Harrison Miller*, Company G, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Harrison Miller*, Company G, 9th Cavalry, "To be dishonorably discharged the service of the

United States; to forfeit all pay and allowances that are now due or that may become due him, the just dues of the laundress excepted; and to be confined, in such military prison as the reviewing authority may direct, for the period of one (1) year."

5. Private *Allen Fairfield*, Company A, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Allen Fairfield*, company A, 11th Infantry, having been regularly detailed and mounted as a member of the post guard, did get so drunk that he could not properly perform the duties of a sentinel. This at Fort Griffin, Texas, on or about the 16th day of December, 1871."

To which charge and specification the accused, Private *Allen Fairfield*, Company A, 11th Infantry, pleaded:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Allen Fairfield*, Company A, 11th Infantry, "To be confined at hard labor under charge of the guard, for the period of six (6) months."

6. Private *John Hanratty*, Company G, 11th Infantry.

CHARGE—"Murder, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Hanratty*, company G, 11th Infantry, did, feloniously, wilfully, and with malice aforethought, shoot at, with a certain deadly weapon, viz: with a Springfield rifle musket, loaded and charged with powder and ball, Sergeant Gottfreid Schuler, who, being acting first sergeant of the company aforesaid, was at the time in the lawful execution of his duty; and did inflict on him, the said Gottfried Schuler, a mortal wound by said shooting, of which wound he, the said Gottfreid Schuler, acting first sergeant as above stated, did then and there die. All this at or near Fort Griffin, Texas, on or about the 7th day of December, 1870."

To which charge and specification the accused, Private *John Hanratty*, Company G, 11th Infantry, pleaded:

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "'Guilty,' except the words 'and with malice aforethought,' and of the excepted words "Not Guilty.'"

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

SENTENCE.

And the court does therefore sentence him, Private *John Hanratty*, Comdany G, 11th 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 him or that may become due him; and to be confined, in such prison as the reviewing authority may direct, for the period of twelve (12) years."

7. Private *James Murphy*, Company G, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that *James Murphy*, private company G, 11th Infantry, having been regularly detailed and mounted as a member of the post guard, did become so drunk as to be unable to perform properly the duties of a sentinel. This at Fort Griffin, Texas, on the 30th day of December, 1871, or about that date, at or near midnight."

To which charge and specification the accused, Private *James Murphy*, Company G, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *James Murphy*, Company G, 11th Infantry, "To be confined at hard labor, under charge of the guard, for the period of six (6) months."

II. The proceedings, findings and sentences in the cases of Privates *David P. Johnston* and *William Kelly*, Company D, 4th Cavalry, and *James Murphy*, Company G, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Allen Fairfield*, Company A, 11th Infantry, are approved. In view of the recommendation of the court, and the previous good character of the prisoner, as shown in the evidence, the period of confinement is reduced to three (3) months. As thus mitigated the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Henry J. Merrall*, Company D, 4th Cavalry, are approved. So much of the sentence as directs that he be drummed out of the service is remitted. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *Harrison Miller*, Company G, 9th Cavalry, are approved and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *John Hanratty*, Company G, 11th Infantry, are approved. It does not appear in evidence that Sergeant Schuler was in the performance of his duty when shot, inasmuch as his last act, before being shot, was to violently strike *Hanratty* over the head with the butt of his gun, inflicting a severe wound. Without evidence to justify the act, it cannot be regarded as in the line of his duty. The provocation to *Hanratty's* crime was not therefore an act of military duty, but an illegal act, and to that extent extenuates *Hanratty's* crime as a military offence. The period of confinement is reduced to four (4) years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated the sentence is approved and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Duncan, Texas.

1. Private Alfred Bowman ..... Company L, 9th Cavalry.
2. Private Charles Booker..... Company L. 9th Cavalry.
3. Private Felix Allums..... .....Company K, 24th Infantry.
4. Private Lewis Lynn .... Company K, 24th Infantry.
5. Private Nicholas Hawker.....Company F, 25th Infantry.
6. Private John H Burney.....,.....Company I, 25th Infantry.
7. Private Charles Clayton.....Company I, 25th Infantry.
8. Private Moses Hale..... Company I, 25th Infantry.
9. Private Sonny Jacobs.....Company I, 25th Infantry.
10. Private William Rideout.....Company I, 25th Infantry.
11. Private Elijah Smiley.....Company I, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *March* 1, 1872.

General Court Martial Orders, No. 24.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, January 25, 1872, pursuant to paragraph I, of Special Order No. 12, Headquarters Department of Texas, dated San Antonio, Texas, January 29, 1872, and of which Captain Edward S. Meyer, 9th Cavalry, is President, were arraigned and tried:

1. Private *Alfred Bowman*, Company L, 9th Cavalry.

Charge—"Desertion."

Specification—"That Private *Alfred Bowman*, Company L, 9th Cavalry, U. S. Army, having been duly enlisted into the military service of the United States, did desert the said service; and did remain absent therefrom until arrested at San Antonio, Texas, on or about the 13th day of October, 1871. This at Fort Duncan, Texas, on or about the 27th day of February, 1871."

To which charge and specification the accused, Private *Alfred Bowman*, Company L, 9th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Alfred Bowman*, Company L, 9th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances that are now due or that may become due him; and to be confined, in such military prison as the

Commanding General of the Department may designate, for a period of five years."

2. Private *Charles Booker*, Company L, 9th Cavalry.

CHARGE—"Desertion."

Specification—"That Private *Charles Booker*, Company L, 9th Cavalry, U. S. Army, having been duly enlisted into the military service of the United States, did desert the said service; and did remain absent therefrom until he voluntarily surrendered himself near the Carrizoe, Texas, on or about the 20th day of December, 1871. This at Fort Duncan, Texas, on about the 6th day of August, 1871."

To which charge and specification the accused, Private *Charles Booker*, Company L, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Booker*, Company L, 9th Cavalry, "To be dishonorably discharged the military service of the United States, with loss of all pay and allowances now due or that may hereafter become due him; and to be confined, in such military prison as the proper authority may designate, for a period of five years."

3. Private *Felix Allums*, Company K, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Felix Allums*, Company K, 24th Infantry, did procure for one Private Sonny Jacobs, Company I, 25th Infantry, a prisoner confined in the post guard house, and Private William Rideout, Company I, 25th Infantry, a sentinel in charge of prisoner Jacobs, whisky, to be drank by said prisoner Jacobs and Private Rideout. This at Fort Duncan, Texas, on or about the 19th of January, 1872."

To which charge and specification the accused, Private *Felix Allums*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Felix Allums*, Company K, 24th Infantry, "To forfeit to the United States ten dollars ($10.00) per month of his monthly pay for three months."

4. Private *Lewis Lynn*, Company K, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Lewis Lynn*, Company K, 24th Infantry, did procure for one Private Sonny Jacobs, Company I, 25th Infantry, a prisoner confined in the post guard house, and Private William Rideout, Company I, 25th Infantry, a sentinel in charge of prisoner Jacobs, whisky, to be drank by Privates Jocobs and Rideout. This at Fort Duncan, Texas, on or about the 19th of January, 1872."

To which charge and specification the accused, Private *Lewis Lynn*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Lewis Lynn*, Company K, 24th Infantry, "To forfeit to the United States ten dollars ($10.00) per month of his monthly pay for the period of three (3) months."

5. Private *Nicholas Hawker*, Company F, 25th Infantry.

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

Specification—"In this, that he, Private *Nicholas Hawker*, Company F, 25th Infantry, did steal from the bunk of Private James Marshall, Company F, 25th Infantry, (1) one woolen blanket, and sell or otherwise dispose of the same. This at Fort Duncan, Texas, on or about the 24th of December, 1871."

To which charge and specification the accused, Private *Nicholas Hawker*, Company F, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "'Guilty,' except the words 'James Marshall,' and substituting therefor the words 'Thomas Homer.'"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nicholas Hawker*, Company F, 25th Infantry, "To be dishonorably discharged from the military service of the United States, with loss of all pay and allowances now due or that may hereafter become due him; and to be confined at hard labor, in such penitentiary as the proper authority may designate, for a period of two years."

6. Private *John H. Burney*, Company I, 25th Infantry.

CHARGE—"Desertion."

Specification—"That he, Private *John H. Burney*, company I, 25th Infantry, having been duly enlisted into the service of the United States on the 15th day of August, 1871, did desert the said service on the 30th day of November, 1871; and remain absent therefrom until apprehended near Los Moras creek, Texas, on the 14th day of December, 1871. (Thirty dollars ($30) has been paid for his apprehension.) This at Fort Duncan, Texas."

To which charge and specification the accused, Private *John H. Burney*, Company I, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:
Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John H. Burney*, Company I, 25th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances that are now due or that may become due him; and be confined, in such military prison as the Commanding General of the Department may designate, for a period of five (5) years."

7. Private *Charles Clayton*, Company I, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Charles Clayton*, company I, 25th Infantry, did, with intent to appropriate to his own use, take, steal and carry away

from a locked box, from the barracks of company I, 25th Infantry, one pair of trowsers, of the value of two dollars and ten cents ($2.10), more or less, the property of Private William Jackson, company I, 25th Infantry, and deliver the said trowsers to a tailor named Alfred Lyman, a citizen residing at Fort Duncan, Texas, for the purpose of having them altered for his *(Clayton's)* personal wear. This at Fort Duncan, Texas, on or about the 23d day of January, 1872."

To which charge and specification the accused, Private *Charles Clayton*, Company I, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Charles Clayton*, Company I, 25th Infantry, "To be dishonorably discharged the military service of the United States, with loss of all pay and allowances now due or that may become due; and be confined, at such military prison as the proper authority may designate, for a period of two (2) years."

8. Private *Moses Hale*, Company I, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Moses Hale*, company I, 25th Infantry, having been duly enlisted into the service of the United States on the 4th day of August, 1871, did desert the same on the 15th day of October, 1871, and remain absent until the 19th day of October, 1871, when he was apprehended. This at Fort Duncan, Texas, on or about the 15th day of October, 1871."

To which charge and specification the accused, Private *Moses Hale*, Company I, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Moses Hale*, Company I, 25th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are now due, or that may hereafter become due him; and then to be confined, in such military prison as the reviewing authority may designate, for the period of five (5) years."

9. Private *Sonny Jacobs*, Company I, 25th Infantry.

CHARGE—"Desertion"

Specification—"That Private *Sonny Jacobs*, company I, 25th Infantry, having been duly enlisted into the service of the United States on the 15th day of December, 1869, did desert the same on the 12th day of September, 1871; and remain absent until apprehended on the 18th day of October, 1871, (Thirty dollars ($60) having been paid for his apprehension.) This at Fort Duncan, Texas."

ADDITIONAL CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Sonny Jacobs*, company I, 25th Infantry, a prisoner confined in the post guard house, and at work, in charge of the guard,

at the quarters of Captain William R. Steinmetz, Assistant Surgeon, U. S. A., did take, steal and carry away from the quarters of Captain Steinmetz, one flat or smoothing iron. This at Fort Duncan, Texas, on or about the 19th day of January, 1872."

To which charges and specifications the accused, Private *Sonny Jacobs*, Company I, 25th Infantry, pleaded:

To the charge and its specification, "Guilty."
To the additional charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification to charge, "Guilty."
Of the charge, "Guilty."
Of the specification, additional charge, "Not Guilty."
Of the additional charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Sonny Jacobs*, Company I, 25th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances that are now due or that may become due him; and to be confined, in such military prison as the Commanding General may direct, for the period of five (5) years."

10. Private *William Rideout*, Company I, 25th Infantry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification—"That Private *William Rideout*, company I, 25th Infantry, having been duly mounted as a member of the post guard, and posted over a number of prisoners at work, did permit one Private Sonny Jacobs, company I, 25th Infantry, a prisoner, to become drunk; and did drink whisky with and in company with said prisoner. This at Fort Duncan, Texas, on or about the 19th day of January, 1872."

To which charge and specification the accused, Private *William Rideout*, Company I, 25th Infantry, pleaded "Guilty."

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Rideout*, Company I, 25th Infantry, "To forfeit to the United States ten dollars ($10.00) per month of his monthly pay for the period of six (6) months."

11. Private *Elijah Smiley*, Company I, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That *Elijah Smiley*, a private of company I, 25th Infantry, did go to the house of Mrs. Jessie Cox (citizen), whose husband being absent at the time, and endeavor to obtain admission into said house by falsely representing to Mrs. Cox that her husband had sent word to her and wanted to tell her what it was; upon Mrs. Cox denying said *Smiley* admittance and telling him to go away, did refuse to do so; and did insist in trying to get inside of the house by attempting to force open the door; and did use threats to Mrs. Cox, in words, to wit: 'If you do not let me in I will break open the door;' and being assured by Mrs. Cox that if he attempted to break open the door, she would shoot him, *Smiley*, answered, 'if you attempt to shoot me, I will shoot you;' and the said *Smiley* did continue to try and force an entrance into the house of Mrs. Cox against her will, in representing to Mrs. Cox that Mr. Cox had sent

in for his horse, and wanted her to see the commanding officer and have his (Mr. Cox's) horse sent out to him, which statement he, the said *Smiley*, knew to be false; and, upon being told again by Mrs. Cox to go away, that she did not want to see him, did refuse to do so; and did again try to force an entrance inside of the house; and it was only by the loud cries of Mrs. Cox that caused said *Smiley* to become alarmed and run away. This at Fort Duncan, Texas, between sunset and dark, on or about the evening of December 19, 1871."

To which charge and specification the accused, Private *Elijah Smiley*, Company I, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Elijah Smiley*, Company I, 25th Infantry, "To be dishonorably discharged the military service of the United States, with loss of all pay and allowances now due or that may become due; and to be confined at hard labor, in such penitentiary as the proper authority may designate, for a period of five years."

II. The proceedings, findings and sentences in the cases of Privates *Felix Allums* and *Lewis Lynn*, Company K, 24th Infantry, and *William Rideout*, Company I, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the cases of Private *Alfred Bowman*, Company L, 9th Cavalry: and Privates *Moses Hale*, *John H. Burney*, and *Sonny Jacobs*, Company I, 25th Infantry, are approved. The period of confinement, in each case, is reduced to two years in the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentences are approved and will be duly executed.

The proceedings and findings in the case of Private *Charles Booker*, Company L, 9th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard, at the station of his company, for the period of six months, with forfeiture of all pay and allowances now due, or that may become due him during the same period; and is so approved and will be duly executed.

The proceedings and findings in the case of Private *Nicholas Hawker*, Company F, 25th Infantry, are approved. The sentence is commuted to confinement at hard labor, in charge of the guard, at the station of his company, for the period of six months. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Elijah Smiley*, Company I, 25th Infantry, are approved. The period of confinement is reduced to six months in charge of the guard at the station of his company; the remainder of the sentence is remitted. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the foregoing case of Private *Charles Clayton*, Company I, 25th Infantry, are approved. The period of imprisonment is reduced to two months, at hard labor in charge of the guard, at the station of his company, and a forfeiture of pay during the same period. As thus mitigated, the sentence is approved and will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 12, current series, from these Headquarters, and of which Captain EDWARD S. MEYER, 9th Cavalry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur.
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private Francis Carroll.....Company G, 10th Infantry.
2. Private John Gleason..... Company G, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *March* 6, 1872.

General Court Martial Orders, No. 25.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, December 18, 1871, pursuant to paragraph II, Special Order No. 235, Headquarters Department of Texas, dated San Antonio, Texas, December 2, 1871, and of which Captain Jesse A. P. Hampson, 10th Infantry, is President, were arraigned and tried:

1. Private *Francis Carroll*, Company G, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *Francis Carroll*, company G, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service. This at Brazos de Santiago, Texas, on or about the 23d day of August, 1871."

To which charge and specification the accused, Private *Francis Carroll*, Company G, 10th Infantry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Francis Carroll*, Company G, 10th Infantry, "To forfeit to the United States all pay and allowances now due or that may become due him; to be confined at hard labor, at such place as the Department Commander may direct, for four (4) years; and then to be dishonorably discharged from the service."

2. Private *John Gleason*, Company G, 10th Infantry.

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

Specification—"In this, that he, Private *John Gleason*, company G, 10th Infantry, while on duty as a member of the post guard, did, with a bayonet, assault and strike Corporal Patrick O'Brien, company H, 10th Infantry, said corporal being at the time in the discharge of his duty as corporal of the guard. This at Fort Brown, Texas, on or about February 6th, 1872."

To which charge and specification the accused, Private *John Gleason*, Company G, 10th Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Gleason*, Company G, 10th Infantry, "To forfeit to the United States ten dollars ($10.00) per month of his monthly pay for two (2) years; and to be confined at hard labor, under charge of the guard, for two (2) years."

II. The proceedings and findings in the case of Private *Francis Carroll*, Company G, 10th Infantry, are approved. So much of the sentence as directs dishonorable discharge from the service is remitted. The period of confinement is reduced to six months, with loss of pay during the same period. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *John Gleason*, Company G, 10th Infantry, are approved. The sentence is reduced to confinement at hard labor for the period of two months, with loss of all pay during the same period; and is so approved and will be duly executed. The quarrel in the case was purely personal, and had no connection with military duty.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Arcque,
Aide-de-Camp.

AT FORT STOCKTON, TEXAS.

1. Private WILLIAM MILLER, 1st..... Company G, 24th Infantry.
2. Private BENJAMIN STEWARD..... Company G, 24th Infantry.
3. Private JOHN LEE..... Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *March* 7, 1872.

GENERAL COURT MARTIAL ORDERS, No. 26.

I. Before A General Court Martial which convened at Fort Stockton, Texas, on Monday, September 18, 1871, pursuant to paragraph IV, of Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, September 8, 1871, and of which Captain LEWIS JOHNSON, 24th Infantry, is President, were arraigned and tried:

1. Private *William Miller, 1st*, Company G, 24th Infantry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification—"That Private *William Miller, 1st*, company G, 24th Infantry, did forcibly, and with felonious intention, enter the store of W. E. Friedlander & Co., and did steal therefrom goods and money valued at about eight or ten dollars. This at Fort Lancaster, Texas, on or about the 24th of December, 1871."

To which charge and specification the accused, Private *William Miller, 1st*, Company G, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *William Miller, 1st*, Company G, 24th Infantry.

2. Private *Benjamin Steward*, Company G, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Benjamin Steward*, company G, 24th Infantry, did steal a U. S. uniform coat (value $5.50) the property of Private David Mason, company G, 24th Infantry. This at Fort Stockton, Texas, between the 21st of November, 1871, and the 10th of January, 1872."

To which charge and specification the accused, Private *Benjamin Steward*, Company G, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Steward*, Company G, 24th Infantry, "To be confined, in such prison as the Commanding

Officer of the Department may direct, for a period of two (2) years, with loss of all pay and allowances due or to become due for the same period; and then to be dishonorably discharged the service "

3. Private *John Lee*, Company K, 25th Infantry.

CHARGE—" Violation of the 46th Article of War."

Specification—" In this, that he, Private *John Lee*, company K, 25th Infantry, having been duly mounted as a member of the post guard and posted as sentinel over the hay and wood in the Q. M. Dept., did, before being regularly relieved, lie down upon, or near to, his post and fall asleep. This at Fort Stockton, Texas, on the 29th day of December, 1871."

To which charge and specification the accused, Private *John Lee*, Company K, 25th Infantry, pleaded " Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Lee*, Company K, 25th Infantry, " To be confined at hard labor, in charge of a guard, for a period of nine (9) months, with loss of ten (10) dollars per month of his monthly pay for the same period." The court is thus lenient on account of the previous good character of the accused.

II. The proceedings, findings and acquittal in the case of Private *William Miller*, 1st, Company G, 24th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Benjamin Steward*, Company G, 24th Infantry, are approved. The sentence is reduced to confinement at hard labor, in charge of the guard, for the period of three months, and the forfeiture of his monthly pay during the same period. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *John Lee*, Company K, 25th Infantry, are approved. In consideration of the previous good character of the accused, and upon the recommendation of four members of the court, the period of confinement is reduced to three months at the station of his company, with forfeiture of ten dollars per month of his monthly pay for the same period. As thus commuted, the sentence is approved and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur.

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private Patrick O'Brian..... Company F, 10th Infantry.
2. Private Henry Stahr..... Company F, 10th Infantry.
3. Private Thomas Clonan..... Company I, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *March* 12, 1872.

General Court Martial Orders, No. 27.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Tuesday, September 26, 1871, pursuant to paragraph II, of Special Order No. 186, Headquarters Department of Texas, dated San Antonio, Texas, September 14, 1871, and of which Major Thomas M. Anderson, 10th Infantry, is President, were arraigned and tried:

1. Private *Patrick O'Brian*, Company F, 10th Infantry.

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

Specification—"In this, that he, Private *Patrick O'Brian*, a private of company F, of the tenth regiment of Infantry, detailed as chief cook of his company, with special instructions to remain at, and in charge of, the company kitchen during the absence of the company from its quarters, with the exception of a detail for the squad room, did leave the kitchen without proper cause or authority when the company was so absent; and did remain absent until arrested by order of the commanding officer. This at Fort McIntosh, Texas, between the hours of seven and nine o'clock, P. M., of the sixteenth day of December, 1871."

To which charge and specification the accused, Private *Patrick O'Brian*, Company F, 10th Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Patrick O'Brian*, Company F, 10th Infantry, "To forfeit to the United States five (5) dollars of his monthly pay for one month." The court is thus lenient in consideration of the fact that the case, as shown by the evidence, is one which should have been brought before a Garrison Court Martial, or have been a subject of company discipline.

2. Private *Henry Stahr*, Company F, 10th Infantry.

Charge—"Violation of the 46th Article of War."

Specification—"In this, that *Henry Stahr*, a private of company F, of the tenth regiment of Infantry, did leave his post as a sentinel before he was regularly relieved, and after he had himself relieved a duly posted sen-

tinel. This at Fort McIntosh, Texas, between the hours of seven and nine o'clock P. M., of the sixteenth day of December, 1871."

To which charge and specification the accused, Private *Henry Stahr*, Company F, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the facts as alleged in the specification but attach no criminality thereto.

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Henry Stahr*, Company F, 10th Infantry. The court are of the opinion that the prisoner was following the unmilitary custom of the post of Fort McIntosh, as shown by the evidence, in going to the guard house to ascertain the time for being relieved.

3. Private *Thomas Clonan*, Company I, 10th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Thomas Clonan*, company I, 10th Infantry, was drunk and disorderly within the limits of the garrison. This at Ringgold Barracks, Texas, on the 7th day of January, 1872."

Specification 2d—"In this, that he, Private *Thomas Clonan*, company I, 10th Infantry, when ordered by Sergeant Thomas Cusick, company I, 10th Infantry, said Sergeant Cusick being in the execution of his office, to go to his quarters, wash his face, and go to his bunk, did disobey said order by passing through the quarters and following a Mexican driving an ox cart; and behaving in such a boisterous and disorderly manner as to necessitate his arrest by the post guard. This at Ringgold Barracks, Texas, on the 7th day of January, 1872."

CHARGE II—"Violation of the 48th Article of War."

Specification—"In this, that he, Private *Thomas Clonan*, company I, 10th Infantry, having had issued to him by the United States since October 1, 1871, the following articles of clothing, viz: two blouses; two pairs of trousers; one pair of drawers; six shirts; one pair of bootees, and one woolen blanket, has in his possession at the present date, January 8, 1872, only the following articles of clothing fit to wear, viz: one blouse, one pair of trousers, and one pair of bootees—he having bartered, sold, or otherwise unlawfully disposed of the remainder. Also, that he has in like manner made away with one woolen blanket since October 1, 1871. This at Ringgold Barracks, Texas, between the dates specified."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Clonan*, company I, 10th Infantry, has, since the date on which he joined his company, May 18, 1871, to the present date, January 8, 1872, been tried by Garrison Courts Martial three times, as follows: as promulgated in General Orders No. 49, 52 and 59, from Headquarters Ringgold Barracks, Texas, series of 1871, and has been in confinement forty-two (42) days, as follows: from June 2 to June 5, June 30 to July 1, July 3 to 4, July 27 to 28, August 10 to 11, August 20 to 22, October 3 to 5, October 8 to 11, October 12 to 19, October 26 to 27, November 2 to 12, December 2 to 12, 1871; all of which has been owing to his intemperate and disorderly habits. This at Ringgold Barracks, Texas, on or about the dates specified."

To which charges and specifications the accused, Private *Thomas Clonan*, Company I, 10th Infantry, pleaded:

To the first charge and its specifications, "Guilty."

To the second charge and its specification, "Not Guilty."

To the specification, third charge, "Guilty."

To the third charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Guilty."
Of the second specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Not Guilty."
Of the second charge, "Not Guilty."
Of the specification, third charge, "Guilty."
Of the third charge, "'Guilty,' except the word 'worthless,' and of this excepted word 'Not Guilty,' and substituting the word 'conduct,' and of the substituted word 'Guilty.'"

SENTENCE.

And the court does therefore sentence him, Private *Thomas Clonan*, Company I, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for one month; and to be confined at hard labor, in charge of the guard, for the period of thirty (30) days, the first seven (7) and the last seven (7) days in solitary confinement, on bread and water diet." This sentence to commence on the receipt of the order, promulgating the sentence, at the post where he may be serving.

II. The proceedings, findings and acquittal in the case of Private *Henry Stahr*, Company F, 10th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *Patrick O'Brian*, Company F, and *Thomas Clonan*, Company I, 10th Infantry, are approved and the sentences will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Bliss, Texas.

1. Blacksmith Richard Bunch ..... Company H, 9th Cavalry.
2. Private Amos Anderson ..... Company B, 25th Infantry.
3. Private Nathaniel Collins ..... Company B, 25th Infantry.
4. Private William Reed ..... Company B, 25th Infantry.
5. Private John Stanley ..... Company B, 25th Infantry.
6. Private Thomas Whittacker ..... Company B, 25th Infantry.
7. Private William J. Wilson ..... Company B, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *March* 16, 1872.

General Court Martial Orders, No. 28.

I. Before a General Court Martial which convened at Fort Bliss, Texas, on Monday, January 22, 1872, pursuant to paragraph I, of Special Order No. 7, Headquarters Department of Texas, dated San Antonio, Texas, January 11, 1872, and of which Captain Charles Bentzoni, 25th Infantry, is President, were arraigned and tried:

1. Blacksmith *Richard Bunch*, Company H, 9th Cavalry.

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

Specification—"That Blacksmith *Richard Bunch*, company H, 9th Cavalry, having absented himself from his proper quarters, without proper authority, did go to the store-room of company B, 25th U. S. Infantry; and did there assist in hiding and burying, with felonious intent, 3 pieces of dry goods, the property of Ochoa and Cuniffe. This at Fort Bliss, Texas, on the 16th day of December, 1871, between the hours of 9 and 10 o'clock P. M."

To which charge and specification the accused, Blacksmith *Richard Bunch*, Company H, 9th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

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

Sentence.

And the court does therefore sentence him, Blacksmith *Richard Bunch*, Company H, 9th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances due or to become due; and to be confined at hard labor, in such military prison as the reviewing authority may direct, for the period of eighteen (18) calendar months."

2. Private *Amos Anderson*, Company B, 25th Infantry.

Charge I—"Violation of the 38th Article of War."

Specification—"That Private *Amos Anderson*, company B, 25th Infantry, did sell, lose or otherwise unlawfully dispose of, his infantry great coat, value $5.33. This at or near Fort Bliss, Texas, on or about January 12, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *Amos Anderson*, company B, 25th Infantry, did take, or otherwise unlawfully possess himself of, one infantry great coat, value $5.33, the property of Recruit Adolphus Williams, company B, 25th Infantry. This at or near Fort Bliss, Texas, on or about January 31, 1872."

To which charges and specifications the accused, Private *Amos Anderson*, Company B, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Amos Anderson*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay due or that may become due him, except the just dues of the laundress; and to be confined at hard labor under charge of the guard, at the post where his company may be serving, for a period of six months."

3. Private *Nathaniel Collins*, Company B, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *Nathaniel Collins*, company B, 25th Infantry, having been ordered in confinement by proper authority, did resist Corporal Anderson Harris, Company B, 25th Infantry, by using profane language towards him, and by striking at him, he, Corporal Harris, being at the time in the lawful execution of his duty. This at Fort Bliss, Texas, on or about the 16th of July, 1871."

CHARGE II—"Absence without leave."

Specification 1st—"That Private *Nathaniel Collins*, company B, 25th Infantry, was absent, without authority, from his company from the morning until after tattoo on the 1st of December, 1871. This at Fort Bliss, Texas."

Specification 2d—"That Private *Nathaniel Collins*, company B, 25th Infantry, was absent, without authority, from his company from nine A. M., on the 30th of January, 1872, until reveille on the 31st of January, 1872. This at Fort Bliss, Texas."

To which charges and specifications the accused, Private *Nathaniel Collins*, Company B, 25th Infantry, pleaded:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specifications,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nathaniel Collins*, Company B, 25th Infantry, "To forfeit to the United States ten dollars ($10.00) of

his pay for six (6) months; and to confined at hard labor under charge of the guard, at the post where his company may be serving, for the same period."

4. Private *William Reed*, Company B, 25th Infantry.

CHARGE I—"Absence without leave."

Specification—"That Private *William Reed*, company B, 25th Infantry, was absent from his company and garrison, without permission from proper authority, from 10 A. M. until about 5 P. M., 11th January, 1872. This at Fort Bliss, Texas."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"That Private *William Reed*, company B, 25th Infantry, was so much intoxicated as to be unable to properly perform his duty as a soldier. This at Fort Bliss, Texas, January 11, 1872."

Specification 2d—"That Private *William Reed*, company B, 25th Infantry, did, while in confinement iu the post guard house at Fort Bliss, Texas, wilfully and maliciously break from its hinges a door of one of the cells in said guard house; and did make a loud and boisterous noise, to the disquieting of the garrison in the vicinity of the guard house; and when ordered to stop his noise and to desist, by the sergeant of the guard, did call the guards 'God damned sons of bitches,' and other profane and obscene language, and did fail to obey said order; and did, in an insubordinate manner, continue to attempt to break and destroy said door until overpowered by the sergeant and members of the guard, they being in the lawful execution of their duties. This at Fort Bliss, Texas, January 11, 1872."

CHARGE III—"Worthlessness and intemperance, to the prejudice of good order and military discipline."

Specification—"That Private *William Reed*, company B, 25th Infantry, is, from intemperance and bad conduct, worthless and untrustworthy as a soldier, and, in consequence of his repeated bad deportment, has been confined as a prisoner, in charge of the guard, from June 11 to June 13, 1871, 2 days; from June 16 to June 17, 1 day; from September 26 to October 14, (19) days, and from December 10, 1871, to January 6, 1872, (27) twenty-seven days. This within a period of (7) seven months, to the disgrace of his company and regiment, and to the manifest injury of the United States service; and all this at Fort Bliss, Texas, from June 11, 1871, to January 11, 1872."

To which charges and specifications the accused, Private *William Reed*, Company B, 25th Infantry, pleaded:

To the first charge and its specification,	"Guilty."
To the first specification, second charge,	"Guilty."
To the second specification, second charge,	"Not Guilty."
To the second charge,	"Not Guilty."
To the third charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Reed*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances that are or may become due him: and then to be confined at hard labor for twelve calendar months."

5. Private *John Stanley*, Company B, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *John Stanley*, (late first sergeant) company B, 25th U. S. Infantry, did, in an unlawful manner, possess himself of the hereafter described property of the firm of Ochoa & Cuniffe, post traders at Fort Bliss, Texas, to wit.: two pieces of blue satinet, $87 50, one piece of blue cottonade, $25 00, three pieces of ticking, $39 62; the total value being about ($152 12) one hundred and fifty-two dollars and twelve cents, more or less. This at Fort Bliss, Texas, on the evening of the 16th day of December, 1871."

To which charge and specification the accused, Private *John Stanley*, Company B, 25th Infantry, pleaded "Guilty."

FINDING.

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

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

SENTENCE.

And the Court does therefore sentence him, Private *John Stanley*, Company B, 25th Infantry, "To forfeit to the United States all pay and allowances due or to become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined, in such military prison as the Commanding General may direct, for the period of three years."

6. Private *Thomas Whittacker*, Company B, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *Thomas Whittacker*, company B, 25th Infantry, did wilfully and unlawfully possess himself of one infantry great coat, value $5.33, the property of Private John Hill, company B, 25th Infantry, and did sell, barter, or otherwise dispose of the same. This at or near Fort Bliss, Texas, on or about January 18, 1872."

CHARGE II—"Violation of the 38th Article of War."

Specification—"That Private *Thomas Whittacker*, company B, 25th Infantry, having had issued him (1) one pair of drawers as a part of his clothing, did sell or otherwise unlawfully dispose of said drawers for one canteen aguardiente. This at or near Fort Bliss, Texas, on or about January 18, 1872."

To which charges and specifications the accused, Private *Thomas Whittacker*, Company B, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Thomas Whittacker*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay due or that may become due him, except the

just dues of the laundress; and to be confined at hard labor under charge of the guard, at the post where his company may be serving, for a period of six (6) months."

7. Private *William J. Wilson*, Company B, 25th Infantry.

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

Specification—"That *William J. Wilson*, a private of company B, 25th Infantry, did, in a felonious and unlawful manner, remove or otherwise possess himself of two pieces satinet, cottonade or ticking from the stores of Ochoa & Cuniffe, post traders at Fort Bliss, Texas, and did take them to the 1st sergeant's room of company B, 25th Infantry. This at Fort Bliss, Texas, on the evening of the 16th day of December, 1871."

To which charge and specification the accused, Private *William J. Wilson*, Company B, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William J. Wilson*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due him, except the just dues of the laundress; and to be confined at hard labor, at such place as the reviewing authority may direct, for a period of eighteen (18) months."

II. The proceedings and findings in the case of Blacksmith *Richard Bunch*, Company H, 9th Cavalry, are approved. The sentence is mitigated to confinement at hard labor in charge of the guard at the station of his company for the period of three months, with the forfeiture of all pay and allowances during the same period; and is so approved and will be duly executed.

The proceedings and findings in the case of Private *Nathaniel Collins*, Company B, 25th Infantry, are approved. The sentence is reduced to confinement at hard labor for the period of one month, with loss of pay for the same period, and is so approved and will be duly executed. The trial of a soldier for an offence like the one embodied in the first charge, six months after its commission, does not meet the approval of the Department Commander; it should have been tried at once or not at all.

The proceedings and findings in the case of Private *William Reed*, Company B, 25th Infantry, are approved. So much of the sentence as relates to confinement is remitted; the remainder is approved and will be duly executed.

The proceedings and findings in the case of Private *John Stanley*, Company B, 25th Infantry, are approved. The period of confinement is reduced to two years at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *William J. Wilson*, Company B, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard at the station of his company, for the period of six months, with the forfeiture of all pay and allowances during the same period; and is so approved and will be duly executed.

The proceedings and findings in the cases of Privates *Amos Anderson* and *Thomas Whittacker*, Company B, 25th Infantry, are approved. So much of the sentences as directs dishonorable discharge from the service is remitted. The

period of confinement, in each case, is reduced to four months, with loss of pay during the same period. As thus mitigated, the sentences are approved and will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 7, current series, from these Headquarters, and of which Captain CHARLES BENTZONI, 25th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Adm Augur.
Aide-de-Camp.

AT FORT DUNCAN, TEXAS.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *March* 19, 1872.

GENERAL COURT MARTIAL ORDERS, No. 29.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, January 25, 1872, pursuant to paragraph I, Special Order No. 12, Headquarters Department of Texas, dated San Antonio, Texas, January 20, 1872, and of which Captain EDWARD S. MEYER, 9th Cavalry, is President, was arraigned and tried:

Private *John Watson*, Company K, 24th Infantry.

CHARGE—"Assault with intent to commit a rape, to the prejudice of good order and military discipline."

Specification—"That Private *John Watson*, company K, 24th Infantry, did, with force and arms, assault one Emma Taylor, and confine her, the said Emma Taylor, in a room; and did close and bolt, and lock the doors and windows of the said room, to prevent the egress and escape of the said Emma Taylor; and then and there inform and declare to the said Emma Taylor his desire and intention, to then and there, and in that place, lie and cohabit with and have forcible carnal intercourse with and upon the body of her, the said Emma Taylor, by force and arms, and contrary to her will, and to the great prejudice of good order and military discipline. This at Fort Duncan, Texas, on or about the 10th day of January, 1872."

ADDITIONAL CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *John Watson*, company K, 24th Infantry, did make use of loud, insulting (blasphemous), obscene and vulgar language, in the presence of Acting Assistant Surgeon George C. Douglas, U. S. A., and in the hearing of the wife and family of Acting Assistant Surgeon Douglas, and another lady, wife of an officer at the post; and when ordered to remain quiet, did utterly refuse and neglect to do so. This at Fort Duncan Texas, on or about the tenth day of January, 1872."

ADDITIONAL CHARGE II—"Violation of the 38th Article of War."

Specification—"That Private *John Watson*, company K, 24th Infantry, did sell or loose, or otherwise dispose of, two woolen blankets, the property of the Medical Department, U. S. A., for which Captain William R. Steinmetz, Assistant Surgeon, U. S. A., is responsible, and which were issued to said Private *Watson* while he was an employee in the post hospital. This at Fort Duncan, Texas, on or

about between the 31st day of December, 1871, and the 10th day of January, 1872."

To which charges and specifications the accused, Private *John Watson*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, to the charge, "Not Guilty."
Of the charge, "Not Guilty."
Of the specification, first additional charge, "Guilty, except the words 'blasphemous' and 'when repeatedly ordered to remain quiet, did utterly refuse and neglect to do so,' and of the excepted words 'Not Guilty.'"
Of the first additional charge, "Guilty."
Of the specification, second additional charge, "Not Guilty."
Of the second additional charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Watson*, Company K, 24th Infantry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for six (6) months; and be confined at hard labor for a period of six (6) months, at the post where his company may be serving."

II. The proceedings and findings in the case of Private *John Watson*, Company K, 24th Infantry, are approved. The sentence is considered disproportionate to the offence, but in consequence of the length of time the accused has been in confinement, it is reduced to forfeiture of all pay for the period of one month. He will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

AT SAN ANTONIO, TEXAS.

1. Private ISAAC CALKINS.....Company C, 10th Infantry.
2. Private ROBERT RIPPON.....Company C, 10th Infantry.
3. Private CHARLES WILLIAMS.....Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *March* 20, 1872.

GENERAL COURT MARTIAL ORDERS, No. 30.

I. Before a General Court Martial which convened at San Antonio, Texas, on Friday, March 15, 1872, pursuant to paragraph II, Special Order No. 50, Headquarters Department of Texas, dated San Antonio, Texas, March 15, 1872, and of which Major W. R. GIBSON, Paymaster U. S. Army, is President, were arraigned and tried :

1. Private *Isaac Calkins*, Company C, 10th Infantry.

CHARGE—" Violation of the 46th Article of War."

Specification—" In this, that *Isaac Calkins*, private of company C, 10th Infantry, a member of the post guard and posted as a sentinel over the cavalry stables, did sit down and sleep on his post. This between the hours of 9 and 11 o'clock P. M., December 7, 1871, at San Antonio, Texas."

ADDITIONAL CHARGE—" Desertion."

Specification—" In this, that Private *Isaac Calkins*, company C, 10th Infantry, did, while on parole, desert the service of the United States, at San Antonio, Texas, on or about January 12, 1872, and did remain absent until arrested at Austin, Texas, on or about February 24, 1872. This after having told his company commander, First Lieutenant Dwight H. Kelton, 10th Infantry, that he would remain and work with the company, if he was released from the guard house on parole, which favor was granted to the said *Calkins* on his giving this parole."

To which charges and specifications the accused, Private *Isaac Calkins*, Company C, 10th Infantry, pleaded :

To the charge and its specification, " Not Guilty."
To the additional charge and its specification, " Guilty."

FINDING.

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

Of the specification to the charge, " Guilty."
Of the charge, " Guilty."
Of the specification, additional charge, " Guilty."
Of the additional charge, " Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Isaac Calkins*, Company C, 10th Infantry, "To forfeit all pay and allowances that are now due, except the just dues of the laundress; to be confined at hard labor in charge of the post guard, at the station of his company, for six months, wearing a twenty-four pound ball attached to his left leg by a chain four feet in length; and to forfeit all pay and allowances during the time of his confinement."

2. Private *Robert Rippon*, Company C, 10th Infantry.

CHARGE—"Drunkenness on duty."

Specification—"In this, that Private *Robert Rippon*, company C, 10th Infantry, having been duly mounted as a member of the guard, did become so drunk as to be unable to perform the duties of a soldier and a sentinel properly. This at San Antonio, Texas, on the evening of March 5, 1872."

To which charge and specification the accused, Private *Robert Rippon*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Rippon*, Company C, 10th Infantry, "To be confined at hard labor, under charge of the guard for six months, at the post where his company may be serving."

3. Private *Charles Williams*, Company K, 25th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Charles Williams*, company K, 25th Infantry, having been duly posted as sentinel over four prisoners, did fall asleep between the hours of one and three o'clock A. M., and did allow two of said prisoners to escape. This at Selma, Texas, March 11, 1872, between the hours of one and three o'clock A. M."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Charles Williams*, company K, 25th Infantry, having been duly posted as sentinel over four prisoners, did allow two of said prisoners to escape. This at Selma, Texas, March 11, 1872, between the hours of one and three o'clock A. M."

To which charges and specifications the accused, Private *Charles Williams*, Company K, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Charles Williams*, Company K, 25th Infantry.

II. The proceedings, findings and sentences in the cases of Privates *Isaac Calkins* and *Robert Rippon*, Company C, 10th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Charles Williams*, Company K, 25th Infantry, are approved. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph II, Special Order No. 50, current series, from these Headquarters, and of which Major W. R. Gibson, Paymaster, is President, is dissolved.

By command of Brigadier General Augur:

J. A. AUGUR,
Acting Assistant Adjutant General.

Official:

Colm Ragan
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private Henry Snell. ..... Company B, 3d Cavalry.
2. Private Harrison Fisher..... Company A, 4th Cavalry.
3. Private William H. Hemmingway,..... Company A, 4th Cavalry.
4. Private John O'Brien. .....Company A, 4th Cavalry.
5. Private George M. Keeley.....Company K, 4th Cavalry.
6. Private William C. Moffett,.....Company K, 4th Cavalry.
7. Private John H. Highland,..... Company L, 4th Cavalry.
8. Sergeant Thomas King.....Company L, 4th Cavalry.
9. Private Patrick Murray,.....Company L, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *March* 29, 1872.

General Court Martial Orders, No. 31.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, February 12, 1872, pursuant to paragraph II, Special Order No. 18, Headquarters Department of Texas, dated San Antonio, Texas, January 27, 1872, and of which Major Alfred E. Latimer, 4th Cavalry, is President, were arraigned and tried:

1. Private *Henry Snell*, Company B, 3d Cavalry.

Charge I—"Desertion."

Specification—"In this, that he, Private *Henry Snell*, Company B, 3d Cavalry, being a duly enlisted soldier in the United States service, did desert the same on or about July 10, 1865, at Little Rock, Arkansas; and did remain absent until apprehended at Fort Richardson, Texas, on or about the 4th day of January, 1872."

Charge II—"Violation of the 22d Article of War."

Specification—"In this, that he, Private *Henry Snell*, Company B, 3d Cavalry, did enlist in the United States Army, under the name of *Charles Bonner*, this before he was regularly discharged from Company B, 3d Cavalry. This at Jackson Barracks, La., on or about January 14, 1870."

To which charges and specifications the accused, Private *Henry Snell*, Company B, 3d Cavalry, pleaded "Not Guilty."

Finding.

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

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, Private *Henry Snell*, Company B, 3d Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due; and to be confined at hard

labor, for three years, at such military prison as the Department Commander may designate."

2. Private *Harrison Fisher*, Company A, 4th Cavalry.

CHARGE I—"Desertion."

Specification—In this, that Private *Harrison Fisher*, of Company A, 4th Cavalry, having duly enlisted in the Army of the United States, did desert the same at Fort Richardson, Texas, on or about the 10th day of January, 1872; and did remain absent until apprehended in the Indian Nation, on or about the 21st of January 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Harrison Fisher*, of Company A, 4th Cavalry, having been intrusted by 1st Lieutenant William A. Thompson, 4th Cavalry, commanding Company A, 4th Cavalry, with the following ordnance and ordnance stores, to be used in the service of the United States, did steal or otherwise dispose of the same at the time of desertion, viz: One Spencer carbine cal. .50; one carbine sling; one carbine swivel; one carbine cartridge box; one saddle-blanket; twenty Spencer carbine cartridges. This at Fort Richardson, Texas, on or about the 10th day of January, 1872."

To which charges and specifications the accused, Private *Harrison Fisher*, Company A, 4th Cavalry, pleaded:

To the first charge and its specification, "Guilty."

To the second charge, and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification second charge "Guilty, except the words 'one saddle blanket, twenty rounds Spencer carbine cartridges,' and of the excepted words Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Harrison Fisher*, Company A, 4th Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due; and to be confined at hard labor, for the period of three years and six months, at such military prison as the Department Commander may designate."

3. Private *William H. Hemmingway*, Company A, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *William H. Hemmingway*, of Company A, 4th Cavalry, having been duly enlisted in the army of the United States, did desert the same at Fort Richardson, Texas, on or about the 10th day of January, 1872; and did remain absent until apprehended in the Indian Nation, on or about the 21st of January, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *William H. Hemmingway*, of Company A, 4th Cavalry, having been intrusted by 1st Lieutenant William A. Thompson, 4th Cavalry, commanding Company A, 4th Cavalry, with the following ordnance and ordnance stores, to be used in the service of the United States, did steal or otherwise dispose of the same at the time of desertion, viz: one Spencer carbine, cal. .50; one carbine sling; one

carbine swivel; one carbine cartridge box; one saddle blanket; twenty Spencer carbine cartridges. This at Fort Richardson, Texas, on or about the 10th day of January, 1872."

To which charges and specifications the accused, Private *William H. Hemmingway*, Company A, 4th Cavalry, pleaded:

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification second charge "Guilty, except the words 'one saddle blanket, twenty Spencer carbine cartridges,' and of the excepted words Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William H. Hemmingway*, Company A, 4th Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances now due or that may become due; and to be confined, at hard labor, for the period of three years and six months, at such military prison as the Department Commander may designate."

4. Private *John O'Brien*, Company A, 4th Cavalry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John O'Brien*, of Company A, 4th Cavalry, has been repeatedly tried by Field and Garrison Courts Martial for drunkenness, and he is an habitual drunkard, and utterly worthless as a soldier, having been tried by a Garrison Court Martial at the Post of Fort Concho, Texas, February 20, 1871, and confined in the post guard house until February 23, 1871; confined in the post guard house at the Post Fort Richardson, Texas, April 28, 1871; tried by a Garrison Court Martial April 28, 1871, and released May 1, 1871; tried by a Garrison Court Martial May 3, 1871, and confined in post guard house until May 11, 1871; confined in post guard house Fort Richardson, Texas, July 3, 1871, and released July 9, 1871, not tried; confined in post guard house September 20, 1871, released September 25, 1871, not tried; confined in post guard house Fort Richardson, Texas, November 12, 1871, and tried by Field Officers' Court Martial November 15, 1871, and released November 19, 1871; confined in post guard house at Fort Richardson, Texas, November 20, 1871, and tried by Field Officers' Court Martial November 23, 1871, and released December 1, 1871; confined in post guard house at Fort Richardson, Texas, December 14, 1871, and released December 15, 1871, not tried; confined in post guard house at Fort Richardson, Texas, January 2d, 1872, tried by Field Officers' Court Martial January 3, 1872, and released January 7, 1872, and confined January 23, 1872; still in confinement. Total number of days in confinement during the year, fifty-two. Said Private *John O'Brien* joined company A, 4th Cavalry, January 10, 1871. This at the posts of Fort Concho and Fort Richardson, Texas, on or about the dates above mentioned."

To which charge and specification the accused, Private *John O'Brien*, company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Of the facts as stated, except the words 'for drunkenness and he is an habitual drunkard and utterly worthless as a soldier,' and attach no criminality thereto."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John O'Brien*, Company A, 4th Cavalry.

5. Private *George M. Keeley*, company K, 4th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George M. Keeley*, company K, 4th U. S. Cavalry, did unlawfully take, steal, and carry away from the clothes-line of Mrs. Walsh, Hospital Matron, at Fort Richardson, Texas, one pair trowsers, the property of Private Lauth, company K, 11th Infantry, and did appropriate the same to his personal use. All this at Fort Richardson, Texas, on the 26th day of January, 1872."

To which charge and specification, the accused, Private *George M. Keeley*, Company K, 4th Cavalry, pleaded "Guilty."

FINDING.

The court after mature consideration finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George M. Keeley*, Company K, 4th Cavalry, "To forfeit all pay and allowances now due or that may become due; to be confined at hard labor, in charge of the guard, for two months, the first ten days of each month to be solitary and on bread and water diet; and on the expiration of his term of confinement to be dishonorably discharged; to have his head shaved and be trumpeted out of the service."

6. Private *William C. Moffett*, Company K, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *William C. Moffett*, company K, 4th Cavalry, having been duly posted as a sentinel on post number (3) three, in front of the company stables, did become so much under the influence of liquor as to be unable to perform his duty properly. This at Fort Richardson, Texas, on the 19th day of January, 1872."

To which charge and specification the accused, Private *William C. Moffett*, company K, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William C. Moffett*, Company K, 4th Cavalry, "To be confined at hard labor, in charge of the post guard, for the period of four months where his company may be serving."

7. Private *John H. Highland*, company L, 4th Cavalry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification—"That he, Private *John H. Highland*, company L, 4th Cavalry, did enter the house of Catharine Childress, (colored) laundress of Company K, 11th Infantry, and did assist to, or connive at, the surreptitious taking and carrying away therefrom, of two dresses, of the value of ten

($10) dollars, more or less, and one satchel containing among other things five ($5) dollars in money, the property of the said Catharine Childress (colored). This at Fort Richardson, Texas, on or about the night of the 18th of January, 1872."

To which charge and specification the accused, Private *John H. Highland*, company L, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *John H. Highland*, Company L, 4th Cavalry.

8. Sergeant *Thomas King*, company L, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That he, Sergeant *Thomas King*, Company L, 4th Cavalay, did enter the house or quarters of Catharine Childress, (colored) laundress of company K, 11th Infantry, at Fort Richardson, Texas, and did surreptitiously take and carry away therefrom, one dress, the property of said Catharine Childress, of the value of ten ($10) dollars, more or less, and one hand-satchel, also the property of said Catharine Childress, containing shirts, stockings, &c., belonging to the enlisted men of company K, 11th Infantry, and five ($5) dollars in money, belonging to the said Catharine Childress. This at Fort Richardson, Texas, on or about the evening of January 18, 1872."

To which charge and specification the accused, Sergeant *Thomas King*, company L, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Sergeant *Thomas King*, company L, 4th Cavalry.

9. Private *Patrick Murray*, Company L, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Patrick Murray*, Company L, 4th Cavalry, having been duly mounted as a member of the post guard at Fort Richardson, Texas, did become so much under the influence of intoxicating liquor as to be totally incapable of performing the duties of a sentinel. This at Fort Richardson, Texas, on the night of January 30, 1872."

To which charge and specification the accused, Private *Patrick Murray*, company L, 4th Cavalry, pleaded "Guilty."

FINDING.

The court after mature consideration finds the accused:

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

SENTENCE.

And the court does therefore sentence him Private *Patrick Murray* company L, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for five months."

II. The proceedings, findings and sentences in the cases of Privates *Harrison Fisher* and *William H. Hemmingway*, Company A; *William C. Moffett*, Company K, and *Patrick Murray*, Company L, 4th Cavalry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittals, in the cases of Privates *John O'Brien*, company A, and *John H. Highland*, and Sergeant *Thomas King*, company L, 4th Cavalry, are approved. They will be restored to duty.

The proceedings and findings in the case of Private *George M. Keeley*, company K, 4th Cavalry, are approved. The sentence is mitigated to confinement at hard labor for the period of two months, with loss of pay for the same period, and is so approved, and will be duly executed.

The proceedings and findings in the case of Private *Henry Snell*, company B, 3d Cavalry, are approved. The sentence is mitigated to dishonorable discharge from the service, with forfeiture of all pay and allowances now due or to become due; and to be confined at hard labor in the State Penitentiary at Baton Rouge, Louisiana, for two (2) years, and is so approved, and will be duly executed.

By command of Brigadier General Augur:

J. A. AUGUR,

Acting Assistant Adjutant General.

Official:

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT MCKAVETT, TEXAS.

1. Private HENRY ANDERSON.....Company F, 9th Cavalry.
2. Private ROBERT DOLESON,.....Company C, 24th Infantry.
3. Private WALTER SCOTT,..... Company D, 24th Infantry.
4. Private FRANK LUCKY,..... .....Unassigned, 24th Infantry.
5. Private HENRY CLARK,..... Company H, 24th Infantry.
6. Private JOHN SMITH,..... .....Company H, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *March* 30, 1872.

GENERAL COURT MARTIAL ORDERS, No. 32.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Monday, December 18, 1871, pursuant to paragraph I, Special Order No. 241, Headquarters Department of Texas, dated San Antonio, Texas, December 12, 1871, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, were arraigned and tried:

1. Private *Henry Anderson*, Company F, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Henry Anderson*, company F, 9th Cavalry, having been duly enlisted in the Army of the United States, did desert the same at Fort McKavett, Texas; and did remain absent until on or about October 9, 1871, when, in consequence of being severely wounded, he returned to Fort McKavett, Texas, for medical treatment. All this at Fort McKavett, Texas, on or about August 18, 1871."

To which charge and specification, the accused Private *Henry Anderson*, Company F, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Anderson*, Company F, 9th Cavalry, "To be dishonorably discharged the service, with the loss of all pay due or that may become due. The court is thus lenient in view of the prisoner's physical condition, as testified to before the court."

2. Private *Robert Doleson*, Company, C, 24th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that the said Private *Robert Doleson*, company C, 24th Infantry, having been duly posted as a sentinel over a herd of public animals, did lie down and go to sleep. All this at or near a camp on the mouth of Bear creek, Texas, on or about the 22d of January, 1872."

To which charge and specification the accused, Private *Robert Doleson*, Company C, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Robert Doleson*, company C, 24th Infantry, "To be confined at hard labor for four (4) months; and to forfeit five (5) dollars of his monthly pay for the same period. The court is thus lenient in view of the mitigating circumstances as testified before the court."

3. Private *Walter Scott*, Company D, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Walter Scott*, company D, 24th Infantry, did feloniously steal, take, or carry away and appropriate to his own use, from the quarters of Second Lieutenant J. L. Bullis, 24th Infantry, the following articles of property, belonging to said Second Lieutenant J. L. Bullis, viz: One flask of gunpowder, one ball of twine, and two boxes of collars. This at Fort McKavett, Texas, on or about the 25th day of January, 1872."

To which charge and specification the accused, Private *Walter Scott*, Company D, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Walter Scott*, Company D, 24th, Infantry, "To be confined at hard labor for six months."

4. Recruit *Frank Lucky*, unassigned, 24th Infantry.

CHARGE I—"Absence without leave."

Specification 1st—"In this, that he, Private *Frank Lucky*, unassigned, 24th Infantry, attached to company E, did absent himself from the company quarters without proper authority on or about the 19th day of January, 1872; and did remain so absent until he was arrested by a guard on or about the 20th day of January, 1872." This at or near Fort McKavett, Texas, on or about the 20th day of January, 1872."

Specification 2d—"In this, that he, Private *Frank Lucky*, unassigned, 24th Infantry, attached to company E, did absent himself from his quarters without proper authority, on or about the 29th day of January, 1872; and did remain absent until the 30th day of January, 1872. This at Fort McKavett, Texas."

CHARGE II—"General worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Frank Lucky*, unassigned, 24th Infantry, attached to company E, is wholly untrustworthy and worthless as a soldier, and has, through his bad conduct, been tried and convicted by Garrison Courts Martial as follows: G. O. No. 34, Hd'qrs Fort McKavett, Texas, Aug. 30, 1870; G. O. No. 37, Hd'qrs Fort McKavett, Texas, Sept, 19, 1870; G. O. No. 54, Hd'qrs Fort McKavett, Texas, Nov. 3, 1870; G. O. No. 82, Hd'qrs Fort McKavett, Texas, Sept. 27, 1871. This to the disgrace of his company and regiment, and to the great injury of the service of the United States. All this at or near Fort McKavett, Texas, from the 25th day of August, 1870, to the 31st day of January, 1872."

To which charges and specifications the accused, Private *Frank Lucky*, unassigned, 24th Infantry, pleaded :

To the first charge and its specifications, "Guilty."

To the specification second charge, "Guilty, except the words 'wholly untrustworthy, and worthless as a soldier.'"

To the second charge, "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused :

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, Private *Frank Lucky*, unassigned, 24th Infantry, "To be dishonorably discharged the service, with loss of all pay and allowances, that are or may become due him."

5. Private *Henry Clark*, Company H, 24th Infantry.

CHARGE—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry Clark*, company H, 24th Infantry, did assault, and attempt to kill, with a knife, Private James H. Davis, company H, 24th Infantry. This at Fort McKavett, Texas, on or about the 27th of February, 1872."

To which charge and specification the accused, Private *Henry Clark*, company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused :

Of the specification, "Guilty, except the words 'attempt to kill.'"

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Clark*, Company H, 24th Infantry, "To three months hard labor, under charge of guard."

6. Private *John Smith*, Company H, 24th Infantry.

CHARGE I—"Conduct prejudical to good order and military discipline."

Specification 1st—"That Private *John Smith*, company H, 24th Infantry, did create a disturbance in a village near Fort McKavett, Texas, by purchasing articles and refusing to pay for them, by flourishing a razor, and by calling persons 'sons of bitches.' This on or about February 14, 1872."

Specification 2d—"That Private *John Smith*, company H, 24th Infantry, having been arrested by the First Sergeant of his company, did refuse to go to the guard house, saying that he would be shot first, or words to that effect; and did create a disturbance and disorder; and did not go under guard until threatened with a musket by the First Sergeant of his company. This at or near Fort McKavett, Texas, on or about February 14, 1872."

CHARGE II—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Smith*, company H, 24th Infantry, being ordered by First Sergeant E. Davis, company E, 24th Infantry

to 'halt,' did make a cut with a razor at the said Sergeant Davis This at or near Fort McKavett, Texas, on or about February 14, 1872."

CHARGE III—"Disobedience of orders."

Specification—"In this, that Private *John Smith*, company H, 24th Infantry, did carry about his person a razor, in violation of a General Order in force at his post. This at Fort McKavett, Texas, on or about February 14, 1872."

To which charges and specifications the accused, Private *John Smith*, company H, 24th Infantry, pleaded:

To the first charge and its specifications, "Not Guilty."
To the second charge and its specification, "Not Guilty."
To the third charge and its specification, "Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

Of the first specification first charge, "Not Guilty."
Of the second specification first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification second charge, "Guilty."
Of the second charge, "Not Guilty, of assault with intent to kill, but guilty of an assault with a deadly weapon, to the prejudice of good order and military discipline."
Of the specification third charge, "Guilty."
Of the third charge, "Guilty"

SENTENCE.

And the court does therefore sentence him, Private *John Smith*, company H, 24th Infantry, "To be confined, at hard labor, for the period of eight months, wearing a ball and chain attached to the left leg, the ball weighing not less than twelve pounds."

II. The proceedings, findings and sentences, in the cases of Privates *Henry Anderson*, Company F, 9th Cavalry, *Robert Doleson*, Company C, *Frank Lucky*, unassigned, and *Henry Clark*, Company H, 24th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Walter Scott*, Company D, 24th Infantry, are approved. The sentence is mitigated to confinement at hard labor under charge of the guard, at the station of his company, for three months, and is so approved, and will be duly executed.

The proceedings and findings in the case of Private *John Smith*, Company H, 24th Infantry, are approved. The sentence is mitigated to six months, confinement at hard labor, under charge of the guard, at the station of his company, and is so approved, and will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 241, series of 1871, from these Headquarters, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Sill, Indian Territory.

1. Private Samuel Brown.. . .....Company K, 10th Cavalry.
2. Private Noah Conway..... Company L, 10th Cavalry.
3. Private William Griffin..... Company M, 10th Cavalry.
4. Private John Marlow..... Company M, 10th Cavalry.
5. Private George Smith..... Company M, 10th Cavalry.
6. Private Daniel Turner.....Company M, 10th Cavalry.
7. Private Morris A. Sorril.....Company M, 10th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *April* 1, 1872.

General Court Martial Orders, No. 33.

I. Before a General Court Martial which convened at Fort Sill, Indian Territory, on Wednesday, the 15th day of November, 1871, pursuant to paragraph I, Special Order No. 187, Headquarters Department of the Missouri, dated Fort Leavenworth, Kansas, October 17, 1871, and of which Major George W. Schofield, 10th Cavalry, is President, were arraigned and tried:

1. Private *Samuel Brown*, Company K, 10th Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Samuel Brown*, of company K, 10th U. S. Cavalry, being at the time an enlisted man on extra duty in the Quartermaster's Department at Fort Sill, I. T., did enter the mess-house of the enlisted teamsters on extra duty in the said Quartermaster's Department without permission, and did take, and steal therefrom, certain articles of subsistence stores, belonging to, and composing the rations of said mess, to-wit: five pounds of flour, more or less, and two rations of bread. All this at Fort Sill, I. T., on or about February 27, 1872."

To which charge and specification the accused, Private *Samuel Brown*, Company K, 10th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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

Sentence.

And the court does therefore sentence him, Private *Samuel Brown*, Company K, 10th Cavalry, "To be confined at hard labor, in charge of the guard, for five months; and to forfeit to the United States eight dollars ($8) per month of his pay for the same period."

2. Private *Noah Conway*, Company L, 10th Cavalry.

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

Specification 1st—"In, that Private *Noah Conway*, company L, 10th U. S. Cavalry, having been ordered by Corporal Joseph Blackburn, company L, 10th U. S. Cavalry, to stand away from the troop cook-fire, so that he

could the better prepare supper for the company, did reply: 'I have just as much right at this fire as any G—d d—n'd nigger,' or words to that effect."

Specification 2d—"In, that Private *Noah Conway*, company L, 10th Cavalry, being informed by Acting First Sergeant David Haskins, Q. M. Sergeant company L, 10th Cavalry, that he must not speak to a non-commissioned officer of the company in that tone and language, (alleged in the foregoing specification,) did reply, 'O! you go to hell, you are always trying to get something through you that won't pass,' or words to that effect."

Specification 3d—"In, that Private *Noah Conway*, company L, 10th Cavalry, when rebuked for improperly addressing Corporal Joseph Blackburn, company L, 10th Cavalry, by Acting First Sergeant David Haskins, Q. M. Sergeant company L, 10th Cavalry, did challenge said Acting First Sergeant David Haskins, to a personal encounter after having refused to obey his order to leave the cook-fire of the company; and did endeavor to get his carbine, with intent to shoot said Sergeant David Haskins, while said Sergeant Haskins was in the discharge of his duty.

All this at the camp of company L, 10th U. S. Cavalry, in the field, at the mouth of Deep river, Indian Territory, on or about October 14, 1871."

To which charge and specifications the accused, Private *Noah Conway*, Company L, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Not Guilty."

Of the third specification "Guilty, except the words 'after having refused to obey his order to leave the cook-fire of the company,' and of the excepted words Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Noah Conway*, Company L, 10th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for the period of nine (9) calendar months, wearing a ball weighing twenty-four pounds, attached to his left leg by a chain three feet long; and to forfeit to the United States his monthly pay for the same period."

3. Private *William Griffin*, Company M, 10th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William Griffin*, company M, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Sill, I. T., on or about the 21st day of September, 1871; and did remain absent until apprehended at or near Fort Arbuckle, C. N., on or about the 26th day of September, 1871."

To which charge and specification the accused, Private *William Griffin*, Company M, 10th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration of the case, confirms the plea of the accused and finds him:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Griffin*, Company M, 10th U. S. Cavalry, "To forfeit all pay and allowances now due or which may become due, except the just dues of the laundress; to be dishon-

orably discharged from the service of the United States; and then confined, in charge of the guard, at hard labor in such military prison as the Commanding General may direct, for the period of two years."

4. Private *John Marlow*, Company M, 10th Cavalry.

CHARGE—"Sleeping on post."

Specification—"In, that the said Private *John Marlow*, of troop M, 10th Cavalry, being a member of the post guard, duly mounted at Fort Sill, I. T., on the 29th of December, 1871, and having been duly posted as a sentinel, was found asleep at his post between the hours of 1 and 2 o'clock A. M., on the 30th of December, 1871, by a corporal of the guard in charge of the relief. This at or near Fort Sill, I. T., on or about the dates above specified."

To which charge and specification the accused, Private *John Marlow*, Company M, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John Marlow*, Company M, 10th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, for the period of eight (8) months; and to forfeit to the United States ten dollars per month of his pay for the same period."

5. Private *George Smith*, Company M, 10th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *George Smith*, of company M, 10th Cavalry, a duly enlisted soldier, in the service of the United States, did desert the said service on or about the morning of the 10th day of August, 1871; and did remain absent until the evening of the 12th day of August, 1871, when he surrendered himself to Captain S. T. Norvell, 10th Cavalry. All this at Fort Sill, Indian Territory."

To which charge and specification the accused, Private *George Smith*, Company M, 10th Cavalry, pleaded:

To the specification "Guilty, except the words 'did desert.'"
To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *George Smith*, Company M, 10th Cavalry, "To forfeit all pay and allowances which are now due or which may become due, except just dues of laundress; to be dishonorably discharged the service of the United States; and to be confined, in such military prison as the Commanding General shall direct, for the period of two years."

6. Private *Daniel Turner*, Company M, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Daniel Turner*, company M, 10th Cavalry, did enter the store-room of company M, 10th U. S. Cavalry, and while the attention of the First Sergeant, Benjamin F. Davis, of company M, 10th U. S. Cavalry, was engaged, did feloniously take, steal, and carry away one flannel sack coat, of the value of one dollar and

seventy-seven cents, ($1.77) the property of the United States, fo which Captain S. T. Norvell, 10th U S. Cavalry, is responsible. This at Fort Sill, I. T., on or about the 20th day of July, 1871."

To which charge and specification the accused, Private *Daniel Turner*, Company M, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Daniel Turner*, Company M, 10th U. S. Cavalry, "To forfeit all pay and allowances due or which may become due, except just dues of laundress; to be dishonorably discharged from the service of the United States; and confined, in such place as the Commanding General may direct, for the period of six (6) months."

7. Private *Morris A. Sorril*, Company M, 10th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Morris A. Sorril*, of company M, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Sill, I. T., on or about the 21st day of September, 1871; and did remain absent until about the 10th day of December, 1871, at which time he surrendered himself to Captain J. W. Walsh, 10th Cavalry, at or near Fort Gibson, C. N."

CHARGE II—"Theft, to the prejudice of good order and military discipline"

Specification—"In this, that he, Private *Morris A. Sorril*, of company M, 10th Cavalry, did feloniously steal, appropriate to his own use, and desert the service of the United States with, the following articles of property, belonging to the United States, for which Captain S. T. Norvell, 10th Cavalry, is responsible: one horse $124.50; one saddle, $18.15; one saddle blanket, $4.25; one curb bridle, $5.00; one curry-comb, 30 cents; one horse brush, $1.00; one lariat, $1.00; one picket pin, 15 cents; one nose bag, $2.00; one carbine, $50.00; one carbine sling, $1.36; one carbine swivel, 50 cents; one sabrebelt and plate, $1.90; one carbine cartridge box, $1.30; one thong and brushwiper, 37 cents; one screw driver, 35 cents; one haversack, 43 cents, and one canteen, 29 cents. Total value, two hundred and twelve dollars and eighty-five cents, ($212.85).

This while on patrol duty at Fort Sill, I. T., on or about the 21st day of September, 1871."

To which charges and specifications the accused, Private *Morris A. Sorril*, Company M, 10th Cavalry, pleaded:

To the first charge and its specification, "Guilty."

To the specification, second charge, "Guilty, except the words 'one canteen, 29 cents,' and to the excepted words Not Guilty."

To the second charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Morris A. Sorril*, Company M, 10th Cavalry, "To forfeit to the United States all pay and allowances

now due or to become due; and to be dishonorably discharged the United States service; and confined at hard labor, in such military prison as the Department Commander may direct, for the period of nine (9) months."

II. The proceedings, findings and sentences in the cases of Privates *William Griffin*, *George Smith* and *Morris A. Sorril*, Company M, 10th U. S. Cavalry, are approved, and their sentences will be duly executed. The Kansas State Penitentiary, near Leavenworth city, is designated as the place of confinement.

The proceedings and findings in the case of Private *Samuel Brown*, Company K, 10th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, at the station of his company, for two months, with forfeiture of all pay during that period; and is so approved and will be duly executed.

The proceedings and findings in the case of Private *Noah Conway*, Company L, 10th Cavalry, are approved. The term of imprisonment is reduced to four months, with forfeiture of pay during the same period. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *John Marlow*, Company M, 10th Cavalry, are approved. The sentence is mitigated to confinement at hard labor for four months, with forfeiture of ten ($10) dollars per month, of his monthly pay, for the same period, and is so approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *Daniel Turner*, Company M, 10th Cavalry, are approved and the sentence will be duly executed. The station of his company is designated as the place of confinement.

III. The General Court Martial instituted by paragraph I, of Special Order No. 187, Headquarters Department of the Missouri, series of 1871, and of which Major George W. Schofield, 10th Cavalry, is President, is dissolved.

By Command of Brigadier General Augur:

J. A. AUGUR,
Acting Assistant Adjutant General.

Official:

Colon Augur
Aide de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *April* 6, 1872.

GENERAL COURT MARTIAL ORDERS, No. 34.

I. Before a General Court Martial which convened at Fort Sill, Indian Territory, on Monday, March 4, 1872, pursuant to paragraph IV, Special Order No. 29, Headquarters Department of Texas, dated San Antonio, Texas, 12th February, 1872, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, was arraigned and tried:

First Lieutenant *R. H. Pratt*, 10th Cavalry.

CHARGE I—"Violation of the 6th Article of War."

Specification 1st—"In this, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, having been detailed as officer of the day in an order in words as follows, to-wit:

'HEADQUARTERS FORT SILL, I. T.,
October 6, 1871.

ORDERS.

DETAIL FOR TO-MORROW:
OFFICER OF THE DAY,
Lieutenant R. H. PRATT,
10th Cavalry.

BY ORDER OF COLONEL B. H. GRIERSON:
(Signed) WM. H. BECK,
First Lieutenant, 10th Cavalry,
Adjutant.'

did return the order above mentioned, with endorsement as follows, to-wit:

'OCTOBER 6, 1871.

Respectfully returned, with reference to the detail of Lieutenant J. T. Morrison, whose tour comes before mine.

(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which endorsement was disrespectful to his commanding officer, Colonel B. H. Grierson, 10th Cavalry, at that time commanding the Post of Fort Sill, I. T., on or about the 6th day of October, 1871."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, did write to the Assistant Adjutant General, Department of the Missouri, a letter of which the following is a copy:

'FORT SILL, I. T., *October* 6, 1871.

Adjutant General,
Department of the Missouri,

SIR:

I have the honor to complain of the manner of making details at this post, and to enclose a sample, being a detail of myself as officer of the day to-morrow. Lieutenant Morrison told me, only a few minutes ago, that he did not know why he was excused, and it is very evident I have not found out; so I am rendered dissatisfied with the detail. I have long been annoyed by the way details are made, both for routine garrison duty and detached service, and believe the facts can be satisfactorily proven, which will show that they are conducted in a manner calculated to breed discontent, and injurious to discipline.

I, therefore, respectfully request that the next inspecting officer sent here be instructed to examine rosters and question officers, with a view to the equable adjustment of duty under the regulations.

Very respectfully,
Your ob'dt s'rvt.,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which letter was disrespectful and contemptuous toward his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, in, that he, Lieutenant *Pratt*, had not first made a proper complaint to him, Colonel Grierson, of his, Lieutenant *Pratt's* dissatisfaction. This at Fort Sill, I. T., on or about October 6, 1871."

Specification 3d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, having been directed in a letter from Headquarters Post of Fort Sill, I. T., of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
October 7, 1871.

Lieutenant R. H. Pratt,
10th Cavalry.

SIR:

The commanding officer directs me to ask you for a report in explanation of your letter of yesterday, to the Assistant Adjutant General, Department of the Missouri, relative to details at this post. He desires to know by what authority you return to these Headquarters orders endorsed instead of writing a proper communication asking explanation. He also desires to know in what way details for detached service have not been regular, and in what way they have done injustice to you; he requires detailed instances. Your report to be sent to this office without delay.

Very respectfully,
Your obedient servant,
(Signed) WM. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry,
Adjutant.'

to make a report, did, in reply, address and forward a letter to Headquarters Post of Fort Sill, I. T., of which the following is a copy:

'FORT SILL, I. T., *October* 7, 1871.

To the Post Adjutant,

SIR:

In reply to your communication of this date, I have the honor to state that having addressed my complaint to the Department Commander, to whose representative, as the communication indicates, I am prepared to state my case, I respectfully decline to furnish the report asked for.

Very respectfully,
Your obedient servant,
(Signed) R. H PRATT,
First Lieutenant, 10th Cavalry.'

which letter was disrespectful and contemptuous towards his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, at that time in command of the Post of Fort Sill, I. T. This at Fort Sill, I. T., on or about October 7, 1871."

Specification 4th—"In, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, did write a letter to the Headquarters, Fort Sill, I. T., of which the following is a copy:

'FORT SILL, I. T., *October* 8, 1871.

Post Adjutant,

SIR:

In reply to your communication of yesterday, in which I am hereby ordered to furnish certain information previously asked for by letter from your office bearing same date, and relative to my complaint to Department Headquarters, in relation to details at this post, I have the honor to call the commanding officer's attention to the fact that I did not say, as your communication alleges, that 'details at this post are conducted in a manner calculated to breed discontent;' what I did say, is, that 'I have long been annoyed by the way details are made, both for routine garrison duty and detached service, and believe the facts can be satisfactorily proven which will show they are conducted in a manner calculated to breed discontent, and injurious to discipline.' I seriously object to this perversion.

The base of my complaint is, that having complained to my commanding officer that I am detailed out of turn, giving the officer's name whose turn it is, my complaint is 'respectfully returned to Lieutenant

Pratt, 10th Cavalry. By order, &c.' This to my mind is unjust, and says in effect, you will not question the details from this office, no matter what they are, or whose turn it is, and effectually closes the door in my face against the admission of further complaints.

The complaint says, 'I have long been annoyed,' &c., and the commanding officer requires me to report detailed instances. My recollection is that I have had occasional reason to be dissatisfied with details ever since coming under his command. Not having laid them up on record, or in my mind, I do not recollect instances farther back than the beginning of the present year, about which time the records of the Adjutant's office should show, that I complained of being detailed every third or fourth day for officer of the guard, when there were 8 or 9 subalterns serving at the post. Another instance in addition to the one in my complaint is, that I was detailed for officer of the day, September 7, last, being one of a party of four officers reporting at the post from detached service, under the same commanding officer and same Adjutant, giving the detail mentioned, and it being well known to that Adjutant, and should have been to the commanding officer, that I was the last of those four officers on duty as officer of the day, while on that detached service. I am neither at the top or bottom in rank, and yet, without apparent reason, I am the first detailed of those four after our arrival at the post.

The commanding officer directs that I report 'in what way details for detached service have done injustice to me,' implying that my complaint makes that allegation. I beg leave to call his attention to the fact that such is not the case. I only mention a general complaint of which I am cognizant, and which can be fathomed in the manner indicated.

I respectfully request that this letter be forwarded to Department Headquarters, in connection with my complaint to that authority of the 6th inst., or if that has gone forward, that this follow.

Very respectfully,
Your obd't serv't,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which communication was contemptuous and disrespectful toward his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, at that time commanding the Post of Fort Sill, I. T. This at Fort Sill, I. T., on or about the 8th of October, 1871."

Specification 5th—"In this, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did write an endorsement upon the general circular, of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
November 23, 1871.

CIRCULAR.

It is with regret that the commanding officer feels obliged to call the attention of officers to their neglect of duty, in their non-attendance of roll-calls. Each roll-call must be attended by one officer. Commanding officers of companies will be held responsible for the carrying out of this order.

BY ORDER OF COLONEL B. H. GRIERSON:

(Signed!) WM. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry,
Adjutant.'

which circular was not referred to him for remark, and which endorsement, viz. 'I do not remember an instance of neglect on my part.

(Signed) R. H PRATT,
Lieutenant, 10th Cavalry.'

was contemptuous and disrespectful toward his commanding officer, Colonel B. H. Grierson, commanding Fort Sill, I. T. This at Fort Sill, I. T., on or about November 23, 1871."

Specification 6th—"In this, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did, to the letter of the commanding officer of Post of Fort Sill, I. T., by the Post Adjutant, of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
November 25, 1871.

Lieutenant R. H. Pratt,
10th Cavalry,

SIR:

Your communication of to-day has been received. A copy of Lieutenant Morrison's endorsement upon the paper referred to, was furnished you November 5th, since which time you have had ample time to make any explanation or correction that you might deem proper. Your letter of October 6th was in your possession a sufficient length of time to enable you to retain a copy of it and of the endorsement thereon; hence the commanding officer fails to see the necessity of returning you the paper. The attention of the commanding officer being called to your letter of to-day—to your endorsement of October 27—he directs that I inform you that the remark therein, relative to Lieutenant Morrison, is not the only objectionable one; he also desires me to call your attention to his letter of the 9th instant, in which you are informed that your report is not satisfactory. No other report has since been received from you. In connection with this subject, the commanding officer directs me to say that in your letters to these Headquarters, in your several endorsements, and in your making a remark upon a general circular, not sent to you for remark, you appear to him to manifest an improper spirit. An opportunity is again given you, by him, to make an explanation.

Very respectfully,
Your ob'dt sr'vt
(Signed) WM. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry.
Adjutant.'

send the following reply:

'FORT SILL, I. T., *November* 25, 1871.

SIR:

Referring to your communication, of this date, in which I am informed that you are directed by the commanding officer to inform me that the remark in reference to Lieutenant Morrison, in my endorsement of October 27th, is not the only objectionable one, but do not state what the other objectionable remarks are; and in which he directs you to call my attention to his letter of October 9, in which I am informed that my report is not satisfactory, but do not state wherein it is not satisfactory; and your communication stating that 'an opportunity is again given you, (me) by him, to make an explanation,' I have the honor to inform the commanding officer that the generality and vagueness of his objections do not call upon me for explanation, consequently I have none to offer.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.

To the Post Adjutant.']

which communication is disrespectful and contemptuous toward his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, at the time commanding the Post of Fort Sill, I. T. This at Fort Sill, I. T., on or about November 25, 1871."

CHARGE II—"Neglect of duty."

Specification—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did fail and neglect to attend the tattoo roll-calls of company D, 10th U. S. Cavalry, of which company he was in command. This at Fort Sill, I. T., on or about the 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 23d and 25th days of November, 1871, it having been directed that one officer should be at each roll-call at the post."

CHARGE III—"Disobedience of orders."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, having been directed in a letter from Headquarters Post of Fort Sill, I. T., of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
October 7, 1871.

Lieutenant R. H. Pratt,
10th Cavalry.

SIR:

The commanding officer directs me to ask you for a report in explanation of your letter of yesterday to the Assistant Adjutant General, Department of the Missouri, relative to details at this post. He desires to know by what authority you return to these Headquarters orders endorsed instead of writing a proper communication asking explanation. He also desires to know in what way details for detached service have not been regular, and in what way they have done injustice to you. He requires detailed instances. Your report to be sent to this office without delay.

Very respectfully,
Your ob'dt sr'vt,
(Signed) WM. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry,
Adjutant.'

to make a report, did positively decline and refuse to make the report asked for, in a letter to Headquarters, Post of Fort Sill, I. T., of which the following is a copy:

'FORT SILL, I. T., *October* 7, 1871.

To the Post Adjutant,

SIR:

In reply to your communication of this date, I have the honor to state that having addressed my complaint to the Department Commander, to whose representative, as the communication indicates, I am prepared to state my case, I respectfully decline to furnish the report asked for.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

and, further, did fail to make the report asked for. Which refusal and failure was in direct disobedience of the lawful orders of his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about October 7, 1871."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S Cavalry, did fail and neglect to attend the tattoo roll-calls of company D, 10th U. S. Cavalry, of which company he was in command, in violation of Army Regulations, and in disobedience of general circular from Headquarters, Post of Fort Sill, I. T., dated November 23, 1871, of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
November 23, 1871.

CIRCULAR.

It is with regret that the commanding officer feels obliged to call the attention of officers to their neglect of duty, in their non-attendance of roll-calls. Each roll-call must be attended by one officer. Commanding officers of companies will be held responsible for the carrying out of this order.

BY ORDER OF COLONEL B. H. GRIERSON:
(Signed) WM. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry,
Adjutant.'

This at Fort Sill, I. T., on or about November 23, 1871."

CHARGE IV—"Conduct unbecoming an officer and a gentleman."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did, in a letter to the Assistant Adjutant General, Department of the Missouri, of which the following is a copy:

'FORT SILL, I. T., *October* 6, 1871.

Adjutant General,
Department of the Missouri,

SIR:

I have the honor to complain of the manner of making details at this post, and to enclose a sample, being a detail of myself as officer of the

day, to-morrow. Lieutenant Morrison told me only a few minutes ago that he did not know why he was excused, and it is very evident I have not found out, so I am rendered dissatisfied with the detail. I have long been annoyed by the way details are made, both for routine garrison duty and detached service, and believe the facts can be satisfactorily proven which will show that they are conducted in a manner calculated to breed discontent, and injurious to discipline.

I, therefore, respectfully request that the next inspecting officer sent here be instructed to examine rosters and question officers, with a view to the equable adjustment of duty under the regulations.

Very respectfully,

Your ob'dt sr'vt,

(Signed) R. H. PRATT,

First Lieutenant, 10th Cavalry.'

make statements relative to details for garrison duty and detached service at Fort Sill, I. T., calculated to unjustly reflect discredit upon his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about October 6, 1871."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, did, in a letter dated Fort Sill, I. T., October 8, 1871, addressed to the Post Adjutant at Fort Sill, I. T., state that he had complained to the commanding officer that he had been detailed out of turn, (referring to his tour of duty as officer of the day, October 7, 1871,) which statement was false. This at Fort Sill, I. T., on or about October 8, 1871."

Specification 3d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did, in a letter dated Fort Sill, I. T., Ootober 8, 1871, addressed to the Post Adjutant, Fort Sill, I. T., state that he was one of four officers reporting at the post of Fort Sill, I. T., from detached service, implying in the letter that he was one of four officers reporting at the post for duty from detached service, subject to detail for the same class of duty for which he was detailed, which statement was false. This at Fort Sill, I. T., on or about October 8, 1871."

Specification 4th—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did make the following statement, in an endorsement on a communication, addressed by him to Department Headquarters, dated Fort Sill, I. T., October 6, 1871, which communication had been referred to him for his information only:

'FORT SILL, INDIAN TERRITORY,

October 27, 1871.

Respectfully returned to Post Headquarters, through commanding officer company D, 10th Cavalry, as ordered.

The information derived from the foregoing action would have been entirely satisfactory had the commanding officer of Fort Sill explained to the department commander that Lieutenant Morrison's contemplated detail for detached service (which it was so unnecessary to explain to Lieutenant Pratt, in order that he might be kept ignorant of the injustice further being done to him.) was out of turn, he (Lieutenant Morrison) being at that time the very last officer in the garrison subject to such detail, if the regulations of the army govern. So sensibly did Lieutenant Morrison feel the injustice of it, that, to avoid its operation, he at once took refuge in the sick report.

(Signed) R. H. PRATT,

First Lieutenant, 10th Cavalry.'

which statement, so far as it relates to Lieutenant Morrison, 10th Cavalry, in this, that Lieutenant Morrison took refuge in the sick report to avoid a detail, is false. This at Fort Sill, I. T., on or about October 27, 1871."

Specification 5th—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did write a communication to the Post Adjutant, Fort Sill, I. T., of which the following is a copy:

'FORT SILL, INDIAN TERRITORY,
November 25, 1871.

SIR:

Referring to the endorsement of Lieutenant J. T. Morrison, 10th Cavalry, of November 3, 1871, on my complaint to department Headquarters, of October 6, and as the commanding officer has denied me the privilege asked to day, of making correction on the same paper, I desire to make the following statement, following Lieutenant Morrison's endorsement:

Lieutenant Morrison's endorsement seems to admit that he did go on the sick report for the purpose of avoiding a duty, but not for the purpose of avoiding a duty on the grounds of injustice I find I was in error in regard to my statement that he (Lieutenant Morrison) took refuge in the sick report. He attempted to go on the sick report but was not accepted. This correction will render my endorsement of October 27th, satisfactory to me.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.

To the Post Adjutant.'

in which letter his statement that Lieutenant Morrison, 10th U. S. Cavalry, attempted to go on the sick report but was not accepted, is false. This at Fort Sill, I. T., on or about November 25, 1871."

Specification 6th—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did, in an endorsement dated October 27, 1871, upon a communication written by him to the Assistant Adjutant General, Department of the Missouri, dated Fort Sill, I. T., October 6, 1871, write the sentence, of which the following is a copy: 'Which it was so unnecessary to explain to Lieutenant Pratt, in order that he might be kept ignorant of further injustice being done to him,' referring to a former action of the post commander of Fort Sill, I. T., in his (the post commander's) endorsement upon the letter of October 6, referred to herein, dated October 7, 1871; thereby implying that the commanding officer purposely kept him (Lieutenant *Pratt*) ignorant of his (the commanding officer's) action, and that injustice had been and was being done him, (Lieutenant *Pratt*) which was false. This at Fort Sill, I. T., on or about October 27, 1871."

Specification 7th—"In, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, did make the following statement on a general circular, issued from Headquarters, Post of Fort Sill, I. T., dated November 23, 1871, calling attention of officers to neglect in non attendance at roll-calls:

'I do not remember an instance of neglect on my part.

(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which statement was false, he having been absent from roll-calls on the 18th, 19th, 20th, 21st and 23d, of November, 1871. This at Fort Sill, I. T., on or about November 23, 1871."

CHARGE V—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, First Lieutenant *R. H. Pratt*, 10th Cavalry, having been detailed as officer of the day, in an order, in words as follows, to-wit:

'HEADQUARTERS FORT SILL, I. T.,
October 6, 1871.

ORDERS.

DETAIL FOR TO-MORROW:

OFFICER OF THE DAY,

Lieutenant R. H. PRATT,
10th Cavalry.

By Order of Colonel B. H. Grierson:

(Signed) Wm. H. BECK,
First Lieutenant, 10th Cavalry,
Adjutant.'

did return the order above mentioned with endorsement as follows, to-wit:

'*October* 6, 1871.

Respectfully returned, with reference to the detail of Lieutenant J. T. Morrison, whose tour comes before mine.

(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which endorsement was insubordinate and to the prejudice of good order and military discipline. All this at Fort Sill, I. T., on or about the 6th day of October, 1871."

Charge I— First additional series—"Breach of arrest, in violation of the 77th Article of War."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, after having been placed in arrest by his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, commanding Fort Sill, I. T., and having been ordered to confine himself to his quarters, did leave his quarters and enter those of Second Lieutenant Levi P. Hunt, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about December 16, 1871."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, after having been placed in arrest by his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, commanding Fort Sill, I. T., and having been ordered to confine himself to his quarters, did leave his quarters and enter those of Second Lieutenant Levi P. Hunt, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about December 17, 1871."

Charge II— First additional series—"Disobedience of orders."

Specification—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, in violation of orders from Headquarters Fort Sill, I. T., dated July 17, 1871, of which the following is a copy:

'HEADQUARTERS FORT SILL, I. T.,
July 17, 1871.

Circular.

Hereafter all communications and reports to superior headquarters, other than those required by regulations and orders to be sent direct, will, for the information of the commanding officer, be sent through these Headquarters.

* * * *

By order of Colonel B. H. Grierson:

(Signed) Wm. H. BECK,
First Lieut. & R. Q. M., 10th Cavalry,
Adjutant.'

did forward to the Headquarters, Department of Texas, an official communication and enclosure, without sending it through the proper channel—that is, the Headquarters Fort Sill, I. T., in violation of above orders. This at Fort Sill, I. T., on or about December 17, 1871."

Charge III— First additional series—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did, in a communication dated December 17, 1871, signed by himself and addressed to the Adjutant General, Department of Texas, make the following statement, to-wit:

'I feel it to be my duty to send this copy, and direct, for the following reasons: first, because I am fully satisfied my first copy is not yet forwarded from post headquarters, though sent in to that authority on the 11th inst., and two mails have since left the post.'

which statement was calculated to convey a false impression, in that he

had no sufficient reason to believe that which he stated, as the papers he referred to were forwarded from Headquarters Fort Sill, I. T., under date of December 13, 1871, and in the mail leaving said post the morning of the 14th day of December, 1871; and which letter was insubordinate and to the prejudice of good order and military discipline."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did write a communication, dated December 15, 1871, signed by himself and addressed to the Post Adjutant Fort Sill, I. T., of which the following is a copy:

'FORT SILL, I. T., *December* 15, 1871.

SIR:

I have the honor to request to be informed as to whether certain charges preferred by me against Colonel B. H. Grierson 10th U. S. Cavalry, and forwarded to Headquarters Department of Texas, through Headquarters Fort Sill, I. T., on the 11th inst., have yet been sent forward by the post commander to department headquarters.

Very respectfully,
Your obedient servant,
(Signed) R. H PRATT,
First Lieutenant, 10th Cavalry.

To the Post Adjutant.'

which communication was in tone and substance insubordinate, and prejudicial to good order and military discipline. This at Fort Sill, I. T., on or about December 15, 1871."

CHARGE I—Second additional series—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S Cavalry, did write and forward to Headquarters Post of Fort Sill, I. T., a communication of which the following is a copy:

'FORT SILL, INDIAN TERRITORY,
January 3, 1872.

SIR:

The commanding officer having preferred charges and thus remitted his exceptions to my conduct to the adjudication of a higher authority, justice, common law and military law, all indicate that he should *take such steps only* to secure my person as will enable him to present me to the proper court for trial, and that any confinement or restriction of liberty, beyond what will accomplish this result, amounts to cruelty and persecution. I am unable to discover by what authority or for what reason I am held in close arrest in my quarters since the 26th day of November, last, and am fully convinced that I have been the victim of an unwarranted, unlawful and cruel persecution. In other words, that in the pursuit of what I believe to be my rights under the regulations, I have had the misfortune to become falsely accepted by the commanding officer as one of that class denounced by him last fall as 'bucking,' and to carry out his threat that he is 'going for me.' So well does my mind confirm the fact that I am being cruelly and unlawfully persecuted by unnecessary close confinement to the injury of my health and to my unwarranted personal and official degradation, that I feel it to be a matter of duty that I should present an action before the proper tribunal in order to test its justification, and prevent, if possible, such dangerous action from becoming a ruling precedent, and I herewith respectfully inform the commanding officer of that determination. I do not claim a release from arrest until reasonable time for trial has passed, but I do claim and demand as a right until tried, to have no more restriction placed upon my movements about the post than is imposed upon the liberty of other officers of the garrison. I herewith respectfully and finally renew my several applications, of, respectively, December 4, December 6, two, December 15 and December 18, for an extension of limits, and further, demand that I be subjected to no greater restriction of liberty than other officers of the garrison.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.

To the Post Adjutant.'

which communication was an insulting and contemptuous demand to his superior and commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, and was, in tone and substance, prejudicial to the good order and military discipline of the U. S. Army. This at Fort Sill, I. T., on or about January 3, 1872."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did write and forward to Headquarters Post of Fort Sill, I. T., a communication of which the following is a copy:

'FORT SILL, I. T., *January* 3, 1872.

SIR:

Referring to your letter of this date in answer to my demand of this date for extended limits to my arrest, in which I am informed that the commanding officer is pleased to consider my communication as a continued manifestation of insubordination and disrespect toward him, I have the honor respectfully to disavow any such intention or object. I desire to be, and believe my letter was, both subordinate and respectful. Referring to his implied assertions, I have the honor to respectfully state that I believe my communication to have been in proper form, and to have contained nothing which the circumstances would fail to justify my introducing, or that was in any way foreign to the subject. I certainly have the right to do so, and to my mind propriety demands that I should refer to previous futile efforts in the same direction in order to justify my importunity. The calling my attention to paragraph 220 is not understood. In reply to calling my attention to paragraph 223, I have the honor to respectfully state that I could see the propriety of the commanding officer's action in confining me to my quarters if it was calculated as a punishment which was to end the matter, but he, having as I stated before, remitted his exceptions to my conduct to the adjudication of higher authority by charges, has indicated that he believed my conduct demanded a punishment greater than his province to inflict, consequently his authority to punish in the case must end, because of the matter having been left to that higher authority. It becomes his province then to only hold me for trial; if he apprehended my escape because of my offence being of such aggravated character as to justify an endeavor on my part to shun trial, then such close confinement as he is imposing by keeping me in my quarters, by an order, is of no avail, for in that case a sentry, and perhaps a more secure prison than my quarters would be required. But, I have courted investigation, and the commanding officer has no reason whatever to apprehend my not meeting the action of the authority to which the case has been referred; therefore, I can look upon his course in no other light than as expressed in my communication of to-day. In reference to paragraph 254, to which my attention is also called, I am led to believe the commanding officer refers to my passing him on a recent occasion without according him the usual salutation. I respectfully submit that the courtesy and respect there enjoined is exacted as a military duty, and that he can enforce it on no other grounds. The Judge Advocate General has ruled that an officer under arrest 'is disqualified from performing any military duty,' consequently the commanding officer, by putting me in arrest, has placed it out of my power to comply with the paragraph. If the commanding officer orders contrary to the ruling of this high authority, I shall entirely set aside any convictions as to propriety, and with alacrity and good faith perform not only this, but any other duty he may direct. I respectfully ask if I am to understand the commanding officer's letter of this date as a final and negative answer to my demand.

Very respectfully,
Your obedient servant,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.

To the Post Adjutant.'

which communication was, in tone and substance, prejudicial to the good order and military discipline of the U. S. Army. This at Fort Sill, I. T., on or about January 3, 1872."

Specification 3d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did write a communication to the Assistant Adjutant General, Department of Texas, dated January 6, 1872, in relation to his (Lieutenant *Pratt's*) arrest, which communication was, in tone and substance,

insubordinate and prejudicial to the good order and military discipline of the U. S. Army. This at Fort Sill, I. T., on or about January 6, 1872."

Specification 4th—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, in a communication addressed to the Adjutant Generral, Department of Texas, dated January 22, 1872, signed by him, Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did appeal to the department commander for redress for an alleged injury done to him by his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, without having first properly asked redress from the commanding officer of the Post of Fort Sill, I. T., (Colonel B. H. Grierson, 10th U. S. Cavalry) at which post he, First Lieutenant *R. H. Pratt*, 10th U S. Cavalry, was serving, in the following language, to-wit: 'and believing the department commander to be the only and proper authority for me to first appeal to, I have the honor to hereby make that appeal.' This at Fort Sill, I. T., on or about January 22, 1872."

CHARGE II—Second additional series—"Conduct unbecoming an officer and gentleman."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, in a communication addressed to the post adjutant, Fort Sill, I. T., dated January 3, 1872, signed by him, (Lieut. *Pratt*, 10th Cavalry,) did make the following statement, to-wit:

'I have been the victim of unwarranted and cruel persecution.' * *
'I am being cruelly and unlawfully persecuted by unnecessary close confinement, to the injury of my health.' * * * * *

which statements were false, within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry. This at Fort Sill, I. T., on or about January 3, 1872."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, in a communication addressed to the Adjutant General, Department of Texas, dated January 6, 1872, signed by him, (Lieut. *R. H. Pratt*, 10th Cavalry,) did make the following statement, to-wit: 'but his (referring to his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry,) conduct has * * assumed the character of malicious persecution and consequent criminality.' * * * * *

which statement was false, within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S Cavalry. This at Fort Sill, I. T., on or about January 6, 1872."

CHARGE III—Second additional series—"Disobedience of orders."

Specification 1st—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did forward direct to Headquarters Department of Texas, without sending it through the proper channels, a communication, dated January 14, 1872, (with enclosures) of which the following is a copy:

'FORT SILL, INDIAN TERRITORY,
January 14, 1872.

Adjutant General,
Department of Texas.

SIR:

I have the honor to transmit direct to you, herewith, copies of my communication of the 6th inst., and the enclosures, for the reason that my letter of inquiry of the 12th inst., (copy here enclosed, marked A) is, after two full days, unanswered, and I have good reason to apprehend that the original papers will fail to reach department headquarters. Copy of this letter furnished post headquarters to-day.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which action was in violation of orders from Headquarters, Post of Fort Sill, I. T., and of the revised army regulations, 1863, he, Lieutenant *Pratt*, having no sufficient reason to apprehend that the original paper referred to would fail to reach department headquarters, said paper having been forwarded from Headquarters, Post of Fort Sill, I. T., January 6, 1872, that being the date of its receipt thereat. This at Fort Sill, I. T., on or about January 14, 1872."

Specification 2d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did forward direct to Headquarters, Department of Texas, without sending it through the proper channels, a communication, dated January 21, 1872, (with enclosures,) of which the following is a copy:

'FORT SILL, INDIAN TERRITORY,
January 21, 1872.

Adjutant General,
Department of Texas,

SIR:

I have the honor to transmit direct to you, herewith, copies of my communication of the 13th inst., and enclosure, for the reason that my letter of inquiry of the 19th inst., (copy here enclosed, marked A) has, after two full days, failed to meet with a response, and I have good reasons to apprehend that the originals, sent through post headquarters, will fail to reach department headquarters. Copy of letter furnished post headquarters to-day.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which action was in violation of orders from Headquarters, Post of Fort Sill, I. T., and of the revised army regulations, of 1863, he, Lieutenant *Pratt*, having no sufficient reason, whatever, to apprehend that the original paper referred to would fail to reach department headquarters, said paper having been forwarded from Headquarters, Post of Fort Sill, I. T., January the 13th, 1872, that being the date of its receipt thereat. This at Fort Sill, I. T., on or about January 21, 1872."

Specification 3d—"In, that he, First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry, did forward direct to Headquarters, Department of Texas, without sending it through the proper channels, a communication, dated January 28, 1872, (with enclosures,) of which the following is a copy:

'FORT SILL, I. T., *January* 28, 1872.

Adjutant General,
Department of Texas,

SIR:

I have the honor to transmit to you a copy of my communication to you, forwarded through post headquarters on the 22d inst., for the reason that my letter of inquiry, dated the 26th inst., (copy here enclosed,) is, after two days, not replied to, and I have reason to be apprehensive that the original letter will fail to reach you. Copy of this letter furnished post headquarters to-day.

Very respectfully,
Your ob'dt sr'vt,
(Signed) R. H. PRATT,
First Lieutenant, 10th Cavalry.'

which action was in violation of orders from Headquarters, Post of Fort Sill, I. T., and of the revised army regulations, 1863, he, Lieutenant *Pratt*, having no sufficient reason to apprehend that the original paper referred to would fail to reach department headquarters, said paper having been forwarded from Headquarters, Post of Fort Sill, I. T., January 22, 1872, that being the date of its receipt thereat. This at Fort Sill, I. T., on or about January 28, 1872."

To which charges and specifications the accused, First Lieutenant *R. H. Pratt*, 10th Cavalry, pleaded:

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

To the second specification, first charge, "Guilty, except the words 'which letter was disrespectful and contemptuous toward his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, in, that he, Lieutenant *Pratt*, had not first made a proper complaint to him, Colonel Grierson, of his, Lieutenant *Pratt's*, dissatisfaction,' of which excepted words, Not Guilty."

To the third specification, first charge, "Guilty, except of the word, 'directed,' in the phrase 'having been directed,' and except of the words 'which letter was disrespectful and contemptuous toward his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, at that time in command of the Post of Fort Sill, I. T.,' and of the excepted words, Not Guilty."

To the fourth specification, first charge, "Guilty, except of the words 'which communication was contemptuous and disrespectful towards his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, at that time commanding the Post of Fort Sill, I. T.,' and of the excepted words, Not Guilty."

To the fifth specification, first charge, "Guilty, except of the words 'was contemptuous and disrespectful toward his commanding officer, and of the excepted words, Not Guilty."

To the sixth specification, first charge, "Guilty, except of the words 'which communication is disrespectful and contemptuous toward his commanding officer.' and of the excepted words, Not Guilty."

To the first charge, "Not Guilty."

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

To the second charge, "Not Guilty."

To the first specification, third charge, "Guilty, except of the word 'called,' in the communication alleged to have been written by the accused, and also except the word 'directed,' and except the words 'which refusal and failure was in direct disobedience of the lawful orders of his commanding officer,' and of the excepted words, Not Guilty."

To the second specification, third charge, "Not Guilty."

To the third charge, "Not Guilty."

To the first specification, fourth charge, "Guilty, except the words 'calculated to unjustly reflect discredit upon his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

To the second specification, fourth charge, "Guilty, except of the words 'which statement was false,' and of the excepted words, Not Guilty."

To the third specification, fourth charge, "Guilty, except of the words 'which statement was false,' and of the excepted words, Not Guilty."

To the fourth specification, fourth charge, "Guilty, except of the words 'is false,' and of the excepted words, Not Guilty."

To the fifth specification, fourth charge, "Guilty, except of the words 'was false,' and of the excepted words, Not Guilty."

To the sixth specification, fourth charge, "Guilty, except of the words 'which was false,' and of the excepted words, Not Guilty."

To the seventh specification, fourth charge, "Guilty, except of the words 'which statement was false, he having been absent from roll call on the 18th, 19th, 20th, 21st and 23d November, 1871,' and of the excepted words, Not Guilty."

To the fourth charge, "Not Guilty."

To the specification, fifth charge, "Not Guilty."

To the fifth charge, "Not Guilty."

To the first specification, first charge—first additional series, "Not Guilty."

To the second specification, first charge—first additional series—"Not Guilty."

To the first charge—first additional series, "Not Guilty."

To the specification, second charge—first additional series, "Not Guilty."

To the second charge—first additional series, "Not Guilty."

To the first specification, third charge—first additional series, "Not Guilty."

To the second specification, third charge—first additional series, "Guilty, except of the words 'which communication was, in tone and substance, insubordinate and prejudicial to good order and military discipline,' and of the excepted words, Not Guilty."

To the third charge—first additional series, "Not Guilty."

To the first specification, first charge—second additional series, "Guilty, except of the word 'finally,' in the communication quoted, and except the words "which communication was an insulting and contemptuous demand to his superior and commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry, and was in tone and substance prejudicial to the good order and military discipline of the U. S. Army,' and of the excepted words, Not Guilty."

To the second specification, first charge—second additional series, "Guilty, except of the words 'which communication was, in tone and substance, prejudicial to the good order and military discipline of the U. S. Army,' and of the excepted words, Not Guilty."

To the third specification, first charge—second additional series—the accused pleads in bar of trial, on the ground that neither the communication nor any part of it is given in the specification.

To the fourth specification, first charge—second additional series, "Not Guilty."

To the first charge—second additional series, "Not Guilty."

To the first specification, second charge—second additional series, "Guilty, except of the words 'which statements were false within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

To the second specification, second charge—second additional series, "Guilty, except of the words 'which statement was false within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

To the second charge—second additional series, "Not Guilty."

To the first specification, third charge—second additional series, "Not Guilty."

To the second specification, third charge—second additional series, "Not Guilty."

To the third specification, third charge—second additional series, "Not Guilty."

To the third charge—second additional series, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

Of the second specification, first charge, "Guilty, except of the words 'which letter was disrespectful and contemptuous towards his commanding officer, Colonel B. H. Grierson, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

Of the third specification, first charge, "Guilty, except of the words 'which letter was disrespectful and contemptuous,' and of the excepted words, Not Guilty."

Of the fourth specification, first charge, "Guilty, except of the words 'which communication was contemptuous and disrespectful towards his commanding officer,' and of the excepted words, Not Guilty."

Of the fifth specification, first charge, "Guilty, except of the words 'contemptuous and disrespectful towards his commanding officer,' and of the excepted words, Not Guilty."

Of the sixth specification, first charge, "Guilty, except of the words 'which communication is disrespectful and contemptuous towards his commanding officer,' and of the excepted words, Not Guilty."

Of the first charge, "Not Guilty."

Of the specification, second charge, "Guilty, except of the words and figures '12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 23d and,' but attached no criminality thereto, and of the excepted words; Not Guilty."

Of the second charge, "Not Guilty."

Of the first specification, third charge, "Guilty, except of the word 'called,' and of the excepted word, Not Guilty."

Of the second specification, third charge, "Not Guilty."

Of the third charge, "Guilty."

Of the first specification, fourth charge, "Guilty, except of the words 'calculated to unjustly reflect discredit upon his commanding officer,' and of the excepted words, Not Guilty."

Of the second specification, fourth charge, "Guilty, except the words 'which statement was false,' and of the excepted words, Not Guilty."

Of the third specification, fourth charge, "Guilty, except of the words 'which statement was false,' and of the excepted words, Not Guilty."

Of the fourth specification, fourth charge, "Guilty, except of the words 'is false,' and of the excepted words, Not Guilty."

Of the fifth specification, fourth charge, "Guilty, except of the words 'was false,' and of the excepted words, Not Guilty."

Of the sixth specification, fourth charge, "Guilty, except of the words 'which was false,' and of the excepted words, Not Guilty."

Of the seventh specification, fourth charge, "Guilty, except of the words 'which statement was false, he having been absent from roll-calls on the 18th, 19th, 20th, 21st and 23d of November, 1871,' and of the excepted words, Not Guilty."

Of the fourth charge, "Not Guilty."

Of the specification, fifth charge, "Guilty, except of the words 'insubordinate and,' and of the excepted words, Not Guilty."

Of the fifth charge, "Guilty."

Of the first specification, first charge—first additional series, "Not Guilty."

Of the second specification, first charge—first additional series, "Not Guilty."

Of the first charge—first additional series, "Not Guilty."

Of the specification, second charge—first additional series, "Not Guilty."

Of the second charge—first additional series, "Not Guilty."

Of the first specification, third charge—first additional series, "Not Guilty."

Of the second specification, third charge—first additional series, "Guilty, except the words 'which communication was, in tone and substance, insubordinate and prejudicial to good order and military discipline,' and of the excepted words, Not Guilty."

Of the third charge—first additional series, "Not Guilty."

Of the first specification, first charge—second additional series, "Guilty, except of the word 'finally,' and of the words 'insulting and contemptuous,' and of the excepted words, Not Guilty."

Of the second specification, first charge—second additional series, "Guilty."

Of the third specification, first charge—second additional series, no finding was made; the plea in bar of trial, by the accused, having been sustained by the court.

Of the fourth specification, first charge—second additional series, "Not Guilty."

Of the first charge—second additional series, "Guilty."

Of the first specification—second additional series, "Guilty, except the words 'which statements were false within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

Of the second specification, second charge—second additional series. "Guilty, except of the words 'which statement was false, within the knowledge of First Lieutenant *R. H. Pratt*, 10th U. S. Cavalry,' and of the excepted words, Not Guilty."

Of the second charge—second additional series, "Not Guilty."

Of the first specification, third charge—second additional series, "Not Guilty."

Of the second specification, third charge—second additional series, "Not Guilty."

Of the third specification, third charge—second additional series, "Not Guilty."

Of the third charge, second additional series, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, First Lieutenant *R. H Pratt*, 10th Cavalry, "To be suspended from rank for the period of one month, and to be confined to the limits of the military reservation, of Fort Sill, Indian Territory, for the same period."

II. The proceedings, findings and sentence in the case of First Lieutenant *R. H. Pratt*, 10th Cavalry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur

Aide de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Private William K. Davis..... .....Company D, 4th Cavalry.
2. Private William Thomas ..... Company D, 4th Cavalry.
3. Private Henry Harrison..... .....Company G, 9th Cavalry.
4. Musician Chas Gambia, *alias* Chas. Carroll.Company B, 3d Infantry.
5. Private James Murphy.....*.....Company F, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *April* 7, 1872.

General Court Martial Orders, No. 35.

I. Before a General Court Martial which convened at Fort Griffin, Texas, on Tuesday, January 9, 1872, pursuant to paragraph II, Special Order No. 218, series of 1871, Headquarters Department of Texas dated San Antonio, Texas, December 27, 1871, and of which Colonel William H. Wood, 11th Infantry, is President, were arraigned and tried:

1. Private *William K. Davis*, Company D, 4th Cavalry.

Charge I—"Desertion."

Specification—"In this, that Private *William K. Davis*, company D, 4th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert said service at Fort Richardson, Texas, on or about the thirtieth of July, 1871; and did remain absent until arrested at Cleborne, Texas, on or about the 5th of December, 1871. (Thirty dollars having been paid for his apprehension)."

Charge II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *William K. Davis*, company D, 4th Cavalry, did steal or otherwise make away with the following articles of ordnance and ordnance stores, for which First Lieutenant Henry Sweeney, 4th Cavalry, was responsible to the United States, viz: one Spencer carbine, cal. .50, value $50; one Remington revolver, cal. .44, value $50; one carbine sling, value $1.36; one carbine swivel, value 50 cents; one carbine cartridge box, value $1.43; one pistol cartridge pouch, value 60 cents; one pistol belt holster, value 90 cents; one sabre-belt and plate, value $1.90; three carbine screwdrivers, at 15 cents each, value 45 cents; one hundred Spencer carbine cartridges, at 6 cents each, value $6; thirty pistol cartridges, at 2 cents each, 60 cents; one curb bridle, value $5; one lariat, value $1; one picket pin, value 15 cents, one nose bag, value $2; one saddle, complete, value $18.15; one surcingle, value $1.50; two saddle blankets, at $4.25 each, value $8.50; two pairs of spurs and straps, at 55 cents per pair, value $1.10; and the following camp and garrison equipage, viz; two cap letters, at 1 cent each, value 2 cents; two cross sabres, at 1 cent each, value 2 cents; two numbers, at 1 cent each, value 2 cents; one pair of metallic scales, value 31 cents; one canteen and strap, value 29 cents; one shelter tent, value $4.35; one haversack, value 43 cents. Total money value of ordnance

and ordnance stores $151.14; total money value of camp and garrison equipage $5.44. This at Fort Richardson, Texas, on or about the thirtieth day of July, 1871."

To which charges and specifications the accused, Private *William K. Davis*, Company D, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration of the evidence adduced, finds the accused:

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, Private *William K. Davis*, Company D, 4th Cavalry, "To forfeit to the United States all pay and allowances that are now due or that may become due him; to be dishonorably discharged the service; and to be confined, at such military prison as the Department Commander may designate, for the period of three (3) years."

2. Private *William Thomas*, Company D, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *William Thomas*, company D, 4th Cavalry, a member of the post guard, did become so drunk as to be unable to properly perform his duties. All this at or near the post of Fort Griffin, Texas, on or about 8 o'clock P. M., the 3d day of February, 1872."

To which charge and specification the accused, Private *William Thomas*, Company D, 4th Cavalry, pleaded "Guilty."

FINDING.

The court after mature consideration finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *William Thomas*, Company D, 4th Cavalry, "To be confined at hard labor, under charge of the guard, for the period of six (6) months."

3. Private *Henry Harrison*, Company G, 9th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Henry Harrison*, company G, 9th Cavalry, having been regularly mounted as a member of the post guard, and duly posted as a sentinel of the third relief—on post No. 1, in front of the guard house—did become so much under the influence of intoxicating liquor as to be entirely unable to perform his duties as a sentinel. This at Fort Griffin, Texas, on or about 9:30 P. M., the 30th day of January, 1872."

To which charge and specification the accused, Private *Henry Harrison*, Company G, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused.

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

SENTENCE.

And the court does therefore sentence him, Private *Henry Harrison*, Company G, 9th Cavalry, "To be confined at hard labor, under charge of the guard, for the period of six (6) months."

4. Musician *Charles Gambia, alias Charles Carroll*, Company B, 3d Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Charles Gambia, alias Charles Carroll*, an enlisted soldier, in the service of the United States, musician company B, 3d United States Infantry, did desert the said service on or about the 16th day of May, 1871. This at Fort Larned, Kansas."

To which charge and specification the accused, Musician *Charles Gambia, alias Charles Carroll*, Company B, 3d Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *Charles Gambia, alias Charles Carroll*, Company B, 3d Infantry, "To forfeit all pay and allowances that are now due or that may become due him; to be dishonorably discharged the service of the United States; and to be confined, at such military prison as the Department Commander may designate, for the period of three (3) years."

5. Private *James Murphy*, Company F, 11th Infantry.

CHARGE—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *James Murphy*, company F, 11th Infantry, having been duly detailed and mounted as a member of the post guard, did, on the night of the ninth of Februray, 1872, quit his guard without urgent necessity or leave from his superior officer; and did remain absent until on or about the morning of the 12th of February, 1872. This at Fort Griffin, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *James Murphy*, Company F, 11th Infantay, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Murphy*, Company F, 11th Infantry, "To be confined at hard labor, under charge of the guard, for six (6) months; and to forfeit to the United States ten dollars ($10) per month of his monthly pay during the same period."

II. The proceedings and findings in the case of Private *William K. Davis*, Company D, 4th Cavalry, are approved. In consideration of the recommendation of members of the court, the sentence is mitigated to forfeiture of all pay and allowances to date of this order; to be confined at hard labor, under charge of the guard at the place where his company is serving, for six months; and to forfeit all pay and allowances during that time, except one dollar per month. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *William Thomas*, Company D, 4th Cavalry, *Henry Harrison*, Company G, 9th Cavalry, and *James Murphy*, Company F, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Musician *Charles Gambia, alias Charles Carroll*, Company B, 3d Infantry, are approved. The sentence is mitigated to confinement at hard labor for one year, under charge of the guard at the station of his company, with forfeiture of all pay and allowances now due,

and of all pay that may become due him during the term of his confinement, in excess of one dollar per month, and is so approved and will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 35, current series, from these Headquarters, and of which Colonel WILLIAM H. WOOD, 11th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur.

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Private John H. Whittaker..... Band, 25th Infantry.
2. Private Zachariah Cummings..... Company C, 25th Infantry.
3. Private Charlie Williams..... Company C, 25th Infantry.
4. Sergeant Armstead Fry..... Company D, 25th Infantry.
5. Private Richard Senter..... Company D, 25th Infantry.
6. Private Charles Smith..... Company D, 25th Infantry.
7. Private Alexander Burgess..... Company E, 25th Infantry.
8. Private Alexander Fisher..... Company H, 25th Infantry.
9. Private Albert Shannon..... Company H, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *April* 10, 1872.

General Court Martial Orders, No. 36.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, March 18, 1872, pursuant to paragraph I, Special Order No. 48, Headquarters Department of Texas, dated San Antonio, Texas, March 11, 1872, and of which Captain D. D. Van Valzah, 25th Infantry, is President, were arraigned and tried:

1. Private *John H. Whittaker*, Band, 25th Infantry.

Charge I—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that Private *John H. Whittaker*, Band, 25th Infantry, having been ordered by his commanding officer, First Lieutenant and Adjutant Cyrus N. Gray, 25th Infantry, in the execution of his office, to get his drum and 'fall in' with the band, did fail to obey said order. This at Fort Clark, Texas, on the 8th day of March, 1872."

Charge II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *John H. Whittaker*, Band, 25th Infantry, having been ordered by Principal Musician Peter Hicks, 25th Infantry, to 'fall in' with the band, did fail to obey said order, the said Principal Musician Hicks being in the execution of his office. This at Fort Clark, Texas, on the 8th day of March, 1872."

Specification 2d—"In this, that Private *John H. Whittaker*, Band, 25th Infantry, having been ordered by his commanding officer, First Lieutenant and Adjutant Cyrus N. Gray, 25th Infantry, in the execution of his office, to get his drum and 'fall in' with the band, did fail so to do; and did run off and quit the garrison, and go to Brackettsville, Texas, and remain until arrested and brought back by a guard. This at Fort Clark, Texas, on the 8th day of March, 1872."

Specification 3d—"In this, that Private *John H. Whittaker*, Band, 25th Infantry, while in the practice room, did conduct himself in a disorderly and

disrespectful manner toward Chief Musician Michael A. Truber, 25th Infantry. This at Fort Clark, Texas, on the 8th day of March, 1872."

CHARGE III—"Absence without leave."

Specification—"In this, that Private *John H. Whittaker*, Band, 25th Infantry, did absent himself from the garrison without permission, and go to Brackettsville, Texas, where he remained until apprehended and brought back by a guard. This at Fort Clark, Texas, on the 8th day of March, 1872."

To which charges and specifications the accused, Private *John H. Whittaker*, Band, 25th Infantry, pleaded:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specifications,	"Not Guilty."
To the third charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *John H. Whittaker*, Band, 25th Infantry, "To be confined at hard labor, in charge of the guard, for a period of six (6) months; and to forfeit to the United States ten dollars ($10) per month, of his monthly pay, for the same period.

2. Private *Zachariah Cummings*, Company C, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *Zachariah Cummings*, company C, 25th Infantry, being a member of the post guard, and having been duly posted as a sentinel, on post No. 5, of said guard, did sit down and sleep on said post before being properly relieved as a sentinel. This at Fort Clark, Texas, on the 28th day of March, 1872, between the hours of 3 and 5 o'clock, A. M."

To which charge and specification the accused, Private *Zachariah Cummings*, Company C, 25th Infantry, pleaded "Guilty."

The court, having maturely considered the evidence adduced, finds the accused:

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

SENTENCE.

And the court does therefore sentence him, Private *Zachariah Cummings*, Company C, 25th Infantry, "To be confined at hard labor, in charge of the guard, for the period of one (1) year; and to forfeit to the United States seven ($7.00) dollars per month, of his pay, for the same period."

3. Private *Charlie Williams*, Company C, 25th Infantry.

CHARGE—"Theft, prejudicial to good order and military discipline."

Specification 1st—"That he, Private *Charlie Williams*, company C, 25th Infantry, did steal and carry away from the store tent of company C, 25th Infantry, one (1) pair of trowsers, Infantry; three (3) pairs of flannel drawers; two (2) pairs of bootees, Infantry; also one collar box con-

taining two (2) letters C, two (2) hat eagles, three (3) numbers and two (2) hat bugles, the property of the United States, and for which First Lieutenant Jacob Paulus, 25th Infantry, is accountable, and appropriate the same for his own use. All this at Fort Clark, Texas, during the night, on or about the 26th and 27th days of February, 1872."

Specification 2d—"That he, Private *Charlie Williams*, company C, 25th Infantry, did steal and carry away from the clothing chest of company C, 25th Infantry, one (1) bottle of whiskey, value $1.50, and one (1) padlock, the property of company C, 25th Infantry, and appropriate the same for his own use. All this at Fort Clark, Texas, during the night of the 26th and 27th days of February, 1872."

To which charge and specifications the accused, Private *Charlie Williams*, Company C, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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

And the court does therefore acquit him, Private *Charlie Williams*, Company C, 25th Infantry.

4. Sergeant *Armstead Fry*, Company D, 25th Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Sergeant *Armstead Fry*, company D, 25th Infantry, did absent himself from his company and post; and did go to the town of Brackettsville Texas, without proper authority or permission. This at Fort Clark, Texas, on the 17th day of March, 1872."

CHARGE II—"Conduct prejudical to good order and military discipline."

Specification 1st—"In this, that he, Sergeant *Armstead Fry*, company D, 25th Infantry, did, in an intoxicated condition, or when under the influence of liquor, enter the mess room of his company, and wilfully and designedly broke four bowls of the company mess furniture, valued at twenty-five cents each; and did create a disturbance in the quarters of his company by threatening to shoot Private Horace Parsons, of company D, 25th Infantry, and when remonstrated with did curse and abuse Private Charles W. Carter, company D, 25th Infantry, as follows, 'you can kiss my arse, go to hell,' or words to that effect. This at Fort Clark, Texas, March 17, 1872."

Specification 2d—"In this, that Sergeant *Armstead Fry*, company D, 25th Infantry, did, without cause or provocation, attack, strike and kick and otherwise maltreat Private Thomas Chambers, company D, 25th Infantry. This in the town of Brackettsville, Texas, on the 17th day of March, 1872."

To which charges and specifications the accused, Sergeant *Armstead Fry*, Company D, 25th Infantry, pleaded:

To the first charge and its specification, "Guilty."

To the first specification, second charge, "Guilty of the words 'enter the mess room of his company, and wilfully, designedly, broke one bowl of the company mess furniture, valued at twenty-five cents,' and of the rest Not Guilty."

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

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Armstead Fry*, Company D, 25th Infantry, "To forfeit to the United States ten ($10) dollars per month, of his monthly pay, for three (3) months."

5. Private *Richard Senter*, Company D, 25th Infantry.

CHARGE—"Sleeping on post."

Specification—In this, that Private *Richard Senter*, company D, 25th Infantry, having been posted as a sentinel, and carefully instructed as to his duties by the officer in command of his detachment, and also warned of the great danger to which the detachment and the public property would be exposed unless he remained awake and vigilant, and also of the severe penalty prescribed by the Articles of War for sleeping on post, was found sitting down and asleep on his post, with his musket lying on the ground. All this at Painted Caves, near Devil's river, Texas, about 3 o'clock A. M., on the 19th day of January, 1872."

To which charge and specification the accused, Private *Richard Senter*, Company D, 25th Infantry, pleaded:

Of the specification, "Guilty, except the words 'and carefully instructed as to his duties by the officer in command of his detachment, and also warned of the great danger to which the detachment and the public property would be exposed unless he remained awake and vigilant, and also of the severe penalty prescribed by the Articles of War for sleeping on post,' and of these words Not Guilty."

Of the charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Senter*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or that may become due, except the just dues of the laundress."

6. Private *Charles Smith*, Company D, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That he, Private *Charles Smith*, company D, 25th Infantry, a member of the post guard, having been regularly posted as a sentinel on post No. 3, in the Q. M. corral, was found sitting down and asleep on his post when visited by the officer of the day. This at Fort Clark, Texas, between the hours of 12 M. and 1 A. M., on or about the 26th day of March, 1872."

To which charge and specification the accused, Private *Charles Smith*, Company D, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Smith*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States, and drummed out in the presence of the troops; to forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of one (1) year."

7. Private *Alexander Burgess*, Company E, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *Alexander Burgess*, company E, 25th Infantry, did feloniously steal, take and carry away from the quartermaster's storehouse one (1) pair infantry bootees, one (1) pair cavalry boots and one (1) 'C' fife, the property of the United States, and for which First Lieutenant H. B. Quimby, 25th Infantry, A. A. Q. M., is accountable, with intent to appropriate the said property to his own use. This at Fort Clark, Texas, on or about the 26th of March, 1872."

To which charge and specification the accused, Private *Alexander Burgess*, Company E, 25th Infantry, pleaded, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification "Guilty, except the words 'one pair of Cavalry boots.'"
Of the charge, "Guilty"

SENTENCE.

And the court does therefore sentence him, Private *Alexander Burgess*, Company E, 25th Infantry, "To be dishonorably discharged the service, and to be drummed out in the presence of the troops; and to forfeit to the United States all pay and allowances now due or that may become due, the just dues of the laundress excepted; and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of one year."

8. Private *Alexander Fisher*, Company H, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline"

Specification—"In this, that he, Private *Alexander Fisher*, of company H, 25th Infantry, did take, steal and carry away from out of the possession of Sergeant Tobias Johnson, company H, 25th Infantry, twelve pounds of tobacco, or thereabouts, of the value of sixty cents per pound; said tobacco being the property of the United States, and said Sergeant Johnson responsible for the safety thereof. This at or near Camp Wood, Texas, on or about December 20, 1871."

To which charge and specification the accused, Private *Alexander Fisher*, Company H, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'steal.'"

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 Private *Alexander Fisher*, Company H, 25th Infantry, "To be confined at hard labor, under charge of the post guard, for fifteen (15) days; and to forfeit to the United States ten ($10) dollars of his monthly pay."

9. Private *Albert Shannon*, Company H, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Albert Shannon*, of company H, 25th Infantry, having been duly posted as a member of the guard, did leave his post, and remain absent therefrom for about one half hour, he not having been regularly relieved. This at the North Crossing, Nueces river, Texas, on or about the 15th of March, 1872."

To which charge and specification the accused, Private *Albert Shannon*, Company H, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE

And the court does therefore sentence him Private *Albert Shannon*, Company H, 25th Infantry, "To be dishonorably discharged the service of the United States, and to be drummed out in the presence of the troops; to forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress; and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of one year."

II. The proceedings and findings in the case of Private *John H. Whittaker*, Band, 25th Infantry, are approved. The sentence is mitigated to confinement at the station of his company for four months, with forfeiture of ten dollars, per month, for same period, and is so approved, and will be duly executed.

The proceedings and findings in the cases of Privates *Zachariah Cummings*, Company C, and *Charles Smith*, Company D, 25th Infantry, are approved. The sentence, in each case, is mitigated to confinement for four months, at hard labor, at the station of their respective companies; with forfeiture of twelve dollars per month for same period, and is so approved and will be duly executed.

The proceedings, findings and acquittal in the case of Private *Charlie Williams*, Company C, 25th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Sergeant *Armstead Fry* and Private *Richard Senter*, Company D, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Private *Alexander Burgess* Company E, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor for two months at the station of his company, with forfeiture of all pay during that period, and is so approved, and will be duly executed.

The proceedings in the case of Private *Alexander Fisher*, Company H, 25th Infantry, are approved. The findings and sentence are disapproved, and the prisoner will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Albert Shannon*, Company H, 25th Infantry, are approved. The period of confinement is reduced to six months, at Fort Clark, Texas. As thus mitigated, the sentence is approved and will be duly executed.

By Command of Brigadier General Augur:

J. A. AUGUR,

Acting Assistant Adjutant General.

Official:

Colm Augur,

Aide de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL

At Fort Davis, Texas.

1. Private Sampson Murray ..... Company I, 9th Cavalry.
2. Private Lewis Graham ..... Company F, 24th Infantry.
3. Corporal Zack Taylor ..... Company F, 24th Infantry.
4. Private Sandy Miles ..... Company G, 25th Infantry.
5. Private Andrew Smith ..... Company G, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *April* 12, 1872.

General Court Martial Orders, No. 37.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Tuesday, December 12, 1871, pursuant to paragraph III, Special Order No. 233, Headquarters Department of Texas, dated San Antonio, Texas, November 29, 1871, and of which Lieutenant Colonel W. R. Shafter, 24th Infantry, is President, were arraigned and tried:

1. Private *Sampson Murray*, Company I, 9th Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Sampson Murray*, company I, 9th Cavalry, did take from the yard in rear of Colonel W. R. Shafter's quarters, a bed spread belonging to George Hill, and valued at about ten dollars, and hide the same in the kitchen in rear of Captain Herman Schreiner's quarters, with the intent to appropriate the same to his own use."

Specification 2d—"In this, that he, Private *Sampson Murray*, company I, 9th Cavalry, did steal a new saddle blanket, the property of the United States, and for which Saddler Robert Burley, company I, 9th Cavalry, was responsible to his company commander; and which was found in Private *Sampson Murray's* box by Acting First Sergeant John Hewey, company I, 9th Cavalry, at the time he was ordered by Colonel W. R. Shafter, commanding officer, and his company commander to search his (*Murray's*) box All this at Fort Davis, Texas, March 22, 1872."

To which charge and specifications the accused, Private *Sampson Murray*, Company I, 9th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Not Guilty."
Of the charge,	"Guilty."

Sentence.

And the court does therefore sentence him, Private *Sampson Murray*, Company I, 9th Cavalry, "To be dishonorably discharged the service; and to be

confined at hard labor, at the post where his company may be serving, for six months, from March 25, 1872."

2. Private *Lewis Graham*, Company F, 24th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That *Lewis Graham*, a duly enlisted soldier in the army of the United States, and private of company F, 24th Infantry, having been properly detailed and mounted as a member of the post guard and duly placed in charge of post No. 2, on the Q. M. storehouse, commissary and bakery, with instruction to walk around the first named several times while on post, to visit the commissary building, but not to go elsewhere while on post, except in case of an emergency, when the corporal of the guard would be called, did leave his post without being properly relieved; and, after long search by the officer of the day in making the grand rounds, was finally found off his post, in rear of the bakery. This at Fort Davis, Texas, between the hours of 12 o'clock M. and 1 o clock A. M., August 14, 1871."

To which charge and specification the accused, Private *Lewis Graham*, Company F, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Lewis Graham*, Company F, 24th Infantry, "To forfeit to the United States eight (8) dollars of his monthly pay for four months."

3. Corporal *Zack Taylor*, Company F, 24th Infantry.

CHARGE I—"Absence without leave."

Specification—"That *Zack Taylor*, a duly enlisted soldier in the army of the United States, and corporal of company F, 24th Infantry, did absent himself from his company quarters and the military reservation without any authority whatever, and remain absent between two (2) and four (4) hours. This at Fort Davis, Texas, after taps, on the night of March 15, 1872."

CHARGE II—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"That *Zack Taylor*, a duly enlisted soldier in the army of the United States, and corporal of company F, 24th Infantry, having left his company quarters and the military reservation without authority, did go to a house partially occupied by one Mrs. Murphy, where a dance or party was in progress, and while there, without just cause or provocation, did draw a pistol loaded with powder and ball, and did deliberately, with manifest intent to kill, discharge the same at the person of Madison Shoemaker, a discharged soldier. This at Fort Davis, Texas, about 1 o'clock A. M., March 16, 1872."

To which charges and specifications the accused, Corporal *Zack Taylor*, Company F, 24th Infantry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *Zack Taylor*, Company F, 24th Infantry, "To be reduced to the ranks; and confined at hard labor, at the post where his company may be serving, for one (1) year; and to forfeit eight (8) dollars per month of his pay for same period."

4. Private *Sandy Miles*, Company G, 25th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Sandy Miles*, company G, 25th Infantry, did, whilst a sentinel in charge of prisoners, allow a prisoner to leave the place where he was working and enter the house of a laundress, and out of sight of the sentinel. All this at Fort Davis, Texas, on or about January 16, 1872."

To which charge and specification the accused, Private *Sandy Miles*, Company G, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and enter the house of a laundress.'"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Sandy Miles*, Company G, 25th Infantry, "To be confined to the guard house for one (1) month."

5. Private *Andrew Smith*, Company G, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Andrew Smith*, company G, 25th Infantry, did enter the kitchen of his company after the time prescribed for dinner; and did there demand of First Sergeant Samuel Fonteroy, company G, 25th Infantry, that he be given his dinner; and, upon the refusal of said First Sergeant Samuel Fonteroy to comply with said demand, he (*Smith*) did push violently and did strike with his closed hand said Samuel Fonteroy, he (Fonteroy) being in the execution of his office and carrying out the orders of his company commander. All this at Fort Davis, Texas, on or about the 22d day of December, 1871."

To which charge and specification the accused, Private *Andrew Smith*, Company G, 25th Infantry, pleaded:

To the specification, in so far as pushing Sergeant Fonteroy, "Guilty," to the rest of the specification, "Not Guilty."
To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Andrew Smith*, Company G, 25th Infantry, "To forfeit to the United States eight (8) dollars of his monthly pay for three (3) months."

II. The proceedings and findings in the case of Private *Sampson Murray*, Company I, 9th Cavalry, are approved. The sentence is reduced to confine-

ment at hard labor for two months, forfeiting all pay during that period; and is so approved and will be duly executed.

The proceedings, findings and sentences in the cases of Private *Lewis Graham*, Company F, 24th Infantry, and Privates *Sandy Miles* and *Andrew Smith*, Company G, 25th Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the case of Corporal *Zack Taylor*, Company F, 24th Infantry, are approved, except the finding of the second charge—which is disapproved. The period of confinement is reduced to two months, with forfeiture of eight dollars per month for the same period. As thus mitigated, the sentence is approved and will be duly executed.

III. The General Court Martial instituied by paragraph III, of Special Order No. 233, series of 1871, from these Headquarters, and of which Lieutenant Colonel W. R. SHAFTER, 24th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *April* 16, 1872.

GENERAL COURT MARTIAL ORDERS, No. 38.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Tuesday, October 31, 1871, pursuant to paragraph I, of Special Order No. 206, Headquarters Department of Texas, dated San Antonio, Texas, October 23, 1871, and of which Captain R. McCLERMONT, 11th Infantry, was President, was arraigned and tried:

Sergeant *Charles Oxe*, Company I, 4th Cavalry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Sergeant *Charles Oxe*, company I, 4th U. S. Cavalry, after having been duly mounted as sergeant of the guard on the morning of the 14th of November, 1871, did allow three prisoners to escape from the guard house on the night of the 14th of November, 1871; and did neglect to report the same to the officer of the day until reveille on the morning of the 15th. All this at or near Fort Concho, Texas, on or about the 14th day of November, 1871."

To which charge and specification the accused, Sergeant *Charles Oxe*, Company I, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Sergeant *Charles Oxe*, Company I, 4th U. S. Cavalry.

II. The proceedings, findings and acquittal in the case of Sergeant *Charles Oxe*, Company I, 4th Cavalry, are approved. He will be released from arrest and restored to duty.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Trumpeter Charles W. Crosier..... Company G, 4th Cavalry.
2. Private Richard H. Herring..... ....Company G, 4th Cavalry.
3. Private William Karf ....Company G, 4th Cavalry.
4. Private James Parks.....Company G, 4th Cavalry.
5. Saddler James Morgan..... .....Company I, 4th Cavalry.
6. Private Donat T. Sampson... .....Company I, 4th Cavalry.
7. Private James Smith.....Company I, 4th Cavalry.
8. Private John A. Stein..... Company I, 4th Cavalry.
9. Private Patrick Cronin..... Company B, 11th Infantry.
10. Private Charles Dagert..... .....Company E, 11th Infantry.
11. Sergeant John Farrell.....Company E, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *April* 20, 1872.

General Court Martial Orders, No. 30.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Monday, March 18, 1872, pursuant to paragraph II, Special Order No. 48, and paragraph III, Special Order No. 55, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, March 11 and 21, 1872, and of which Captain Napoleon B. McLaughlin, 4th Cavalry, is President, were arraigned and tried:

1. Trumpeter *Charles W. Crosier*, Company G, 4th Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That he, Trumpeter *Charles W. Crosier*, company G, 4th U. S. Cavalry, being the senior musician present, did, at reveille roll-call, report the field music present, well knowing that Trumpeter James Parks, of company G, 4th Cavalry, who had deserted during the night previous, was not present at the roll-call. This at Fort Concho, Texas, on or about the 24th day of March, 1872."

Specification 2d—"That he, Trumpeter *Charles W. Crosier*, company G, 4th Cavalry, on being questioned by Major John P. Hatch, 4th Cavalry, as to his reasons for reporting the field music present at reveille roll-call, when he knew that Trumpeter James Parks, company G, 4th Cavalry, who had deserted the previous night, was absent, did say that about half an hour before reveille roll-call he had seen the said Trumpeter James Parks, who said to him that he, the said Parks, was going to the rear; which statement was false, and was intended to convey the impression that he, the said *Charles W. Crosier*, believed that the said Trumpeter James Parks, was present at the post, but necessarily absent from the roll-call. This at Fort Concho, Texas, on or about March 24, 1872."

To which charge and specifications the accused, Trumpeter *Charles W. Crosier*, Company G, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Not Guilty."
Of the second specification,	"Not Guilty."
Of the charge,	"Not Guilty."

And the court does therefore acquit him, Trumpeter *Charles W. Crosier*, Company G, 4th Cavalry.

2. Private *Richard H. Herring*, Company G, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Richard H. Herring*, company G, 4th U. S. Cavalry, having been duly detailed for guard, did fail to appear at guard mount. This at Fort Concho, Texas, on the 29th day of February, 1872."

Specification 2d—"In this, that Private *Richard H. Herring*, company G, 4th U. S. Cavalry, did fail to appear with his company at muster and inspection on the morning of February 29, 1872."

Specification 3d—"In this, that Private *Richard H. Herring*, company G, 4th U. S. Cavalry, did, in violation of existing post orders, leave the limits of the post on the morning of February 29, 1872; and did remain absent until arrested, in citizens' clothing, outside the limits of the post; he having the carbine issued to him with him. All this at Fort Concho, Texas, on the 29th day of February, 1872."

To which charge and specifications the accused, Private *Richard H. Herring*, Company G, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the third specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard H. Herring*, Company G, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for six (6) months; to forfeit to the United States twelve ($12) dollars of his monthly pay for the same period."

3. Private *William Karf*, Company G, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *William Karf*, company G, 4th Cavalry, having been duly enlisted in the army of the United States, did desert the said service on or about the night of the 23d day of March, 1872; and did remain absent until apprehended on or about the 24th day of March, 1872. All this at or near Fort Concho, Texas."

CHARGE II—"Theft."

Specification—"In this, that he, Private *William Karf*, company G, 4th Cavalry, did feloniously steal and carry away from the post of Fort Concho, Texas, the following ordnance and ordnance stores, for which Captain Joseph Rendlebrook, 4th Cavalry, is responsible to the United States: one (1) Spencer carbine; ten (10) rounds carbine ammunition. This at Fort Concho, Texas, on or about the night of the 23d of March, 1872."

To which charges and specifications the accused, Private *William Karf*, Company G, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *William Karf*, Company G, 4th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service, and to be confined at hard labor, at such military prison as the Department Commander may direct, for three (3) years."

4. Private *James Parks*, Company G, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *James Parks*, company G, 4th Cavalry, acting as trumpeter, having been duly enlisted in the army of the United States, did desert said service on or about the night of March 23, 1872; and did remain absent until apprehended on or about the 24th day of March, 1872. This at Fort Concho, Texas, on or about March 23 and 24, 1872."

CHARGE II—"Theft."

Specification—"In this, that he, Private *James Parks*, company G, 4th Cavalry, acting as trumpeter, did feloniously steal and carry away from the post of Fort Concho, Texas, the following ordnance and ordnance stores, for which Captain Joseph Rendlebrook, 4th Cavalry, is responsible to the United States: one Spencer carbine. This at Fort Concho, Texas, on or about the night of the 23d of March, 1872."

To which charges and specifications the accused, Private *James Parks*, Company G, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused.

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, Private *James Parks*, Company G, 4th Cavalry, "To forfeit to the United States all pay and allowances now due, or that may become become due, except the just dues of the laundress; to be dishonorably discharged the service; and to be confined at hard labor, at such military prison as the Department Commander may direct, for three (3) years."

5. Saddler *James Morgan*, Company I, 4th Cavalry.

CHARGE I—"Conduct prejudical to good order and military discipline."

Specification—"In this, that he, Saddler *James Morgan*, company I, 4th U. S. Cavalry, did absent himself from evening stable-call without permission from proper authority. All this at Fort Concho, Texas, on or about the 29th day of January, 1872."

CHARGE II—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Saddler *James Morgan*, company I, 4th U. S. Cavalry, being a duly enlisted soldier in the service of the United States,

did, by the frequent use of intoxicating liquors, and by almost constant neglect of duty, render himself so worthless as to cause his confinement in the guard house for the portion of the year ending January 29, to-wit: from the 9th of March to the 10th of March, 1871; from May the 5th to July the 17th, 1871; from October the 4th to October the 6th, 1871; from January the 25th to January the 26th, 1872. Total, ninety-three (93) days. All this at Fort Concho, Texas, on or about the dates above specified."

To which charges and specifications the accused, Saddler *James Morgan*, Company I, 4th U. S. Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Saddler *James Morgan*, Company I, 4th Cavalry, "To forfeit to the United States all pay and allowances now due or that may become due for one year; and to be confined, at the post where his company may be serving, at hard labor, for the same period; and then to be dishonorably discharged the service of the United States."

6 Private *Donat T. Sampson*, Company I, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Donat T. Sampson*, company I, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, did become so much under the influence of intoxicating liquors as to be unable to perform his duty. All this at Fort Concho, Texas, on or about the 25th day of February, 1872."

To which charge and specification the accused, Private *Donat T. Sampson*, Company I 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE

And the court does therefore sentence him, Private *Donat T. Sampson*, Company I, 4th Cavalry, "To be confined in charge of the guard, at hard labor, for the period of six months, first five days in each month to be solitary confinement on bread and water."

7. Private *James Smith*, Company I, 4th Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James Smith*, company I, 4th Cavalry, did become so much under the influence of intoxicating liquor as to be unable to perform the duty of a soldier. All this at Fort Concho, Texas, on or about the 29th day of March, 1872."

Specification 2d—"In this, that he, Private *James Smith*, company I, 4th Cavalry, did become so much under the influence of intoxicating liquors as to be unable to perform the duties of a soldier. All this at Fort Concho, Texas, on or about the 31st day of March, 1872."

Specification 3d—"In this, that he, Private *James Smith*, company I, 4th Cavalry, while being brought to the guard house by Corporal Conrad Bock,

did resist said corporal, trying to knock him down, and striking him with his fists; and did persist in his endeavors to do him (Corporal Conrad Bock) bodily harm until assistance was rendered by Sergeant Charles Oxe, company I, 4th Cavalry, to take him (Private *Smith*) to the guard house, which they succeeded in doing by force, he, the said Private *James Smith*, using very abusive and disrespectful language until confined. All this at Fort Concho, Texas, on or about the 31st day of March, 1872."

Specification 4th—"In this, that he, Private *James Smith*, company I, 4th Cavalry, did, on arriving in the guard house, attempt to strike Sergeant Charles Oxe while he was in the lawful execution of his office, and was only prevented by the timely interference of the sergeant of the guard. All this at Fort Concho, Texas, on or about the 31st day of March, 1872."

CHARGE II—"Disobedience of orders."

Specification—"In this, that he, Private *James Smith*, company I, 4th Cavalry, being under the influence of intoxicating liquor, did create a disturbance in the quarters of company I, 4th Cavalry, and being repeatedly ordered to behave himself in a proper manner did fail to do so, saying to Corporal Conrad Bock, who was in the lawful execution of his office, 'you are a damned son of a bitch,' or words to that effect. All this at Fort Concho, Texas, on or about the 31st day of March, 1872."

To which charges and specifications the accused, Private *James Smith*, Company I, 4th Cavalry, pleaded:

To the first specification, first charge,	"Guilty."
To the second specification, first charge,	"Guilty."
To the third specification, first charge,	"Not Guilty."
To the fourth specification, first charge,	"Not Guilty."
To the first charge,	"Guilty."
To the specification, second charge,	"Guilty."
To the second charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the third specification, first charge,	"Guilty."
Of the fourth 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, Private *James Smith*, Company I, 4th U. S. Cavalry, "To be confined at hard labor, in charge of the guard, at the post where his company may be serving for the period of nine (9) months; and to forfeit to the United States twelve ($12) dollars per month of his monthly pay for the same period."

8. Private *John A. Stein*, Company I, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *John A. Stein*, company I, 4th U. S. Cavalry, being regularly detailed and mounted for company herding, did become so drunk as to fall from his horse, and to be unable to perform the duties of a soldier. All this at or near Fort Concho, Texas, on or about the 21st day of February, 1872."

To which charge and specification the accused, Private *John A. Stein*, Company I, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John A. Stein*, Company I, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for the period of three (3) months, the first three (3) days solitary confinement and on bread and water."

9. Private *Patrick Cronin*, Company B, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Patrick Cronin*, company B, 11th Infantry, having been duly enlisted in the service of the United States, did desert the same; and did remain absent for the period of five days, more or less, and until he was arrested and brought back a prisoner; thirty ($30) dollars reward being paid for his apprehension and delivery. All this *en route* from San Antonio, Texas, to Fort McKavett, Texas, between the 3d day of January, 1872, and the 9th day of January, 1872."

To which charge and specification the accused, Private *Patrick Cronin*, Company B, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Patrick Cronin*, Company B, 11th Infantry.

10. Private *Charles Dagert*, Company E, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Charles Dagert*, company E, 11th Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 24th day of March, 1872, quit his company and post; and did desert the said service, remaining absent until arrested and brought back as a deserter on or about the 30th day of March, 1872. This at or near Fort Concho, Texas, on the dates above specified."

To which charge and specification the accused, Private *Charles Dagert*, Company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Dagert*, Company E, 11th Infantry, "To forfeit to the United States all pay and allowances now due or that may become due, the just dues of the laundress excepted; to be dishonorably discharged the service; and then to be confined, in such military prison as the Department Commander shall designate, for the period of three (3) years."

11. Sergeant *John Farrell*, Company E, 11th Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, Sergeant *John Farrell*, company E, 11th Infantry, having been regularly mounted as sergeant of the post guard at Fort Concho, Texas, and being in command of said guard, and having had certain persons turned over to him for safe keeping, did, through his neglect of duty, allow one of said prisoners, Private William Karf, of company G, 4th Cavalry, to make his escape from the guard-house. All this at Fort Concho, Texas, on or about the night of the 31st of March, or morning of the 1st of April, 1872."

To which charge and specification the accused, Sergeant *John Farrell*, Company E, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty"
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *John Farrell*, Company E, 11th Infantry, "To be reduced to the ranks; and to be confined at hard labor, in charge of the guard, for two months."

II. The proceedings, findings and acquittals in the cases of Trumpeter *Charles W. Crosier*, Company G, 4th Cavalry, and Private *Patrick Cronin*, Company B, 11th Infantry, are approved. They will be released from confinement and restored to duty..

The proceedings and findings in the cases of Privates *Richard H. Herring*, Company G, and *Donat T. Sampson*, Company I, 4th Cavalry, are approved. The period of confinement is reduced to four (4) months. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the cases of Privates *William Karf* and *James Parks*, Company G, 4th Cavalry, are approved. The period of confinement is reduced to two (2) years. As thus mitigated, the sentences are approved and will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Saddler *James Morgan*, Company I, 4th Cavalry, are approved. The period of confinement is reduced to six (6) months As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *James Smith*, Company I, 4th Cavalry, are approved. The sentence is mitigated to confinement for four (4) months, at hard labor, at the post where his company may be serving, and forfeiture of twelve ($12) dollars per month of his pay for the s ame period and is so approved and will be duly executed.

The proceedings, findings and sentence in the case of Private *John A. Stein*, Company I, 4th U. S. Cavalry, are approved and the sentence will be duly executed.

The proceedings and findings in the case of Private *Charles Dagert*, Company E, 11th Infantry, are approved. The sentence is mitigated to forfeiture of all pay and allowances to date of this order, and confinement at hard labor for six (6) months at the station of his company, with loss of all pay and allowances during that period, except one dollar per month; and is so approved and will be duly executed.

The proceedings, findings and sentence in the case of Sergeant *John Farrell*, Company E, 11th Infantry, are approved; but as the evidence shows that the prisoner escaped through the operations of a negligent custom in use at the

post, rather than from any direct neglect on the part of the sergeant, and as two of the members of the court have recommended him to clemency, the sentence is remitted, and he will be restored to duty.

III. The General Court Martial instituted by paragraph II. Special Order No. 48, and paragraph III, Special Order No. 55, current series, from these Headquarters, and of which Captain NAPOLEON B. MCLAUGHLIN, 4th Cavalry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *May* 2, 1872.

GENERAL COURT MARTIAL ORDERS, No. 40.

I. Before a General Court Martial which convened at Fort Sill, I. T., on Monday, March 4, 1872, pursuant to paragraph IV, Special Order No. 29, Headquarters Department of Texas, dated San Antonio, Texas, February 12, 1872, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, was arraigned and tried:

Private *Daniel White*, Company B, 10th Cavalry.

CHARGE—"Quitting his post, in violation of the 46th Article of War."

Specification—"In this, that he, *Daniel White*, private of company B, 10th Cavalry, being a member of the stable guard of company B, 10th Cavalry, and having been duly posted as a sentinel, did, without permission from proper authority, abandon his post before being regularly relieved. This at the company stables of company B, 10th Cavalry, on or about February 1, 1872."

To which charge and specification the accused, Private *Daniel White*, Company B, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Daniel White*, Company B, 10th Cavalry.

II. The proceedings, findings and acquittal in the case of Private *Daniel White*, Company B, 10th Cavalry, are approved. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph IV, of Special Order No. 29, current series, from these Headquarters, and of which Colonel RANALD S. MACKENZIE, 4th Cavalry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur
Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *May* 3, 1872.

GENERAL COURT MARTIAL ORDERS, No. 41.

I. Before a General Court Martial which convened at Fort Sill, I. T., on Wednesday, November 15, 1871, pursuant to paragraph I, Special Order No. 187, Headquarters Department of the Missouri, dated Fort Leavenworth, Kansas. October 17, 1871, and of which Major GEORGE W. SCHOFIELD, 10th Cavalry, is President, was arraigned and tried:

Private *George Hubbard*, Company M, 10th Crvalry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *George Hubbard*, company M, 10th Cavalry, having been regularly mounted as a member of the guard and having been duly posted as a sentinel over the hay yard at Fort Sill, I. T., did lay down and sleep on his post. This at or near Fort Sill, I. T., on or about the twenty-fourth day of February, 1872."

To which charge and specification the accused, Private *George Hubbard*, Company M, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Hubbard*, Company M, 10th Cavalry, "To be confined at hard labor, in charge of the guard, for the period of eight (8) months; and to forfeit to the United States ten ($10) dollars per month of his pay for the same period."

II. The proceedings, findings and sentence in the case of Private *George Hubbard*, Company M, 10th Cavalry, are disapproved in consequence of a *fatal defect* in the proceedings, which was not corrected "upon a reassembling" of the court; and in view of the court having been dissolved, the sentence will be set aside. The prisoner will be released from confinement and restored to duty.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private Edward Cassiday.....Company C, 4th Cavalry.
2. Private Homer Hammond.....Company E, 4th Cavalry.
3. Recruit Charles Hodge..... 4th Cavalry.
4. Recruit John Lynch ..... 4th Cavalry.
5. Privates Charles Broon, Henry Evans, Abraham Gokey, Henry Kolb and Henry Loveland .....Company I, 11th Infantry.
6. Private John Flannagan.....Company K, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *May* 6, 1872.

General Court Martial Orders, No. 42.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday February 12, 1872, pursuant to paragraph II, Special Order No. 18, Headquarters Department of Texas, dated San Antonio, Texas, January 27, 1872, and of which Major Alfred E. Latimer, 4th Cavalry, is President, were arraigned and tried:

1. Private *Edward Cassiday*, Company C, 4th Cavalry.

Charge—"Violation of the 50th Article of War."

Specification—"In this, that Private *Edward Cassiday*, of company C, 4th U. S. Cavalry, having been duly mounted as a member of the post guard on the morning of the 11th day of March, 1872, and having been regularly posted as a sentinel on post No. 8, between the hours of 11 o'clock P. M., on the 11th of March, 1872, and 3:30 A. M., on the 12th of March, 1872, did leave the said post before he was properly or regularly relieved; and did remain absent until he returned to the post guard house at or near the hour of 6:10 A. M. This at Fort Richardson, Texas, on or about the dates and between the hours mentioned."

To which charge and specification the accused, Private *Edward Cassiday*, Company C, 4th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Edward Cassiday*, Company C, 4th Cavalry, "To be confined at hard labor for the period of six months in post guard house; and to forfeit ten ($10) dollars of his monthly pay for the same period."

2. Private *Homer Hammond*, Company E, 4th Cavalry.

Charge I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Homer Hammond*, of company E, 4th Cavalry, having been duly posted as a sentinel over the quartermaster's

corral, did desert his post. This at Fort Richardson, Texas, between the hours of 11:30 P. M., and 1:30 A. M., the 30th and 31st of March, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Homer Hammond*, of company E, 4th Cavalry, being at the time a member of the post guard, did steal from the guard room one Spencer carbine, No. 9454, the property of the United States, for which Captain John A. Wilcox, 4th Cavalry, is responsible. This at Fort Richardson, Texas, on or about 11:30 o'clock P. M., on the 30th March, 1872."

Specification 2d—"In this, that he, Private *Homer Hammond*, of company E, 4th Cavalry, having been duly posted as a sentinel over the quartermaster's corral, with orders for the protection of all property contained therein, did break, or connive at the breaking of the lock securing the gate of the corral; and did feloniously take, or aid and abet, or connive at the taking from said corral, one (1) private horse, the property of Colonel Ranald S. Mackenzie, 4th Cavalry, and one (1) horse and four mules, the property of the United States, for which First Lieutenant H. W. Lawton, 4th Cavalry, and A. A. Q. M., at Fort Richardson, is responsible. This at Fort Richardson, Texas, between the hours of 11:30 P. M., and 1:30 A. M., the 30th and 31st March, 1872."

CHARGE III—"Desertion."

Specification—"In this, that he, Private *Homer Hammond*, of company E, 4th Cavalry, having been duly enlisted as a soldier in the army of the United States, did desert the same; and remain absent until apprehended at Palo Pinto, Texas, on the 1st day of April, 1872. This at Fort Richardson, Texas, between the hours of 11:30 P. M., and 1:30 A. M., the 30th and 31st March, 1872."

To which charges and specifications the accused, Private *Homer Hammond*, Company E, 4th Cavalry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specifications,	"Not Guilty."
To the third charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."
Of the specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Homer Hammond*, Company E, 4th Cavalry, "To be dishonorably discharged the United States service; to forfeit all pay and allowances that are due or may become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of ten (10) years."

3 Recruit *Charles Hodge*, 4th Cavalry.

CHARGE—"Desertion."

Specification 1st—"In this, that he, Recruit *Charles Hodge*, 4th Cavalry, did desert from a detachment of recruits under the command of Captain N. Prime, 10th Infantry, while *en route* from New York to Fort Richardson, Texas; and did remain absent until arrested by the civil authorities at

New Orleans, La. This at New Orleans, La., on or about the 18th day of December, 1871."

Specification 2d—"In this, that he, Recruit *Charles Hodge*, 4th Cavalry, having been turned over to a guard, in charge of First Lieutenant Charles A. Vernou, 4th Cavalry, to be taken to Fort Richardson, Texas, did desert from said guard; and did remain absent until arrested. This at Houston, Texas, on or about the 27th day of February, 1872."

To which charge and specifications the accused, Recruit *Charles Hodge*, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the word 'desert' and substitute therefor the words 'absent himself,' and of the excepted word not guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Charles Hodge*, 4th U. S. Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances that are due or may become due; and to be confined at hard labor, in such military prison as the General commanding the Department may direct, for the period of three (3) years."

4. Recruit *John Lynch*, 4th Cavalry.

CHARGE—"Desertion."

Specification 1st—"In this, that he, Recruit *John Lynch*, 4th Cavalry, did desert from a detachment of recruits under the command of Captain N. Prime, 10th Infantry, while *en route* from New York to Fort Richardson, Texas; and did remain absent until arrested by the civil authorities at New Orleans, La. This at New Orleans, La., on or about the 18th day of December, 1871."

Specification 2d—"In this, that he, Recruit *John Lynch*, 4th Cavalry, having been turned over to a guard; in charge of First Lieutenant Charles A. Vernou, 4th Cavalry, to be taken to Fort Richardson, Texas, did desert from said guard; and did remain absent until arrested. This at Houston, Texas, on or about the 27th day of February, 1872."

To which charge and specification the accused, Recruit *John Lynch*, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification "Guilty, except the word 'desert,' substituting therefor the words 'absent himself,' and of the excepted word, "Not Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *John Lynch*, 4th Cavalry, "To be dishonorably discharged the service; to forfeit all pay and allowances that are due or may become due; and to be confined at hard labor, at such military prison as the Commanding General of the Department may direct, for the period of three (3) years."

5. Privates *Charles Broon*, *Henry Evans*, *Abraham Gokey*, *Henry Kolb* and *Henry Loveland*, Company I, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that they, Privates *Charles Broon*, *Henry Evans*, *Abraham Gokey*, *Henry Kolb* and *Henry Loveland*, of company I, 11th Infantry, did each desert the service of the United States, on or about the

first day of April 1872; and did remain absent until apprehended on the third day of April, 1872, at a point about eighteen miles from Fort Richardson, Texas. This at Fort Richardson, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline"

Specification—"In this, that they, Privates *Charles Broon, Henry Evans, Abraham Gokey, Henry Kolb* and *Henry Loveland*, of company I, 11th Infantry, did each feloniously take, steal, and carry away with them, the following ordnance and ordnance stores, the property of the United States, and for which Captain E. C. Bowen, 11th Infantry, commanding company I, 11th Infantry, is responsible, viz: one Springfield breech loading rifle musket and twenty (20) rounds of centre fire metallic ball cartridges. This at Fort Richardson, Texas, on or about the first day of April, 1872."

To which charges and specifications the accused, Privates *Charles Broon, Henry Evans, Abraham Gokey, Henry Kolb* and *Henry Loveland*, Company I, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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 them, Privates *Charles Broon, Henry Evans, Abraham Gokey, Henry Kolb* and *Henry Loveland*, Company I, 11th Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances that are due or may become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the unexpired term of their enlistment."

6. Private *John Flannagan*, Company K, 11th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *John Flannagan*, company K, 11th Infantry, did absent himself without proper authority from the following roll-calls of company K, 11th Infantry, viz: from retreat and tattoo roll-calls, on the 6th day of April, 1872; from reveille, retreat and tattoo roll-calls, on the 7th day af April, 1872, and from reveille roll-call on the 8th day of April, 1872. All this at Fort Richardson, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, Private *John Flannagan*, company K, 11th Infantry, did absent himself without proper authority from dress-parade on the 6th day of April, 1872; from general inspection on the 7th day of April, 1872, and from dress-parade on the 7th day of April, 1872. All this at Fort Richardson, Texas, on or about the dates above specified."

CHARGE II—"General worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John Flannagan*, company K, 11th infantry, has been tried and convicted by three Courts Martial since May 12, 1871; said Court Martial orders date as follows, viz: General Orders No. 62, Headquarters Fort Richardson, Texas, May 12, 1871; General Orders No. 53, Headquarters Department of Texas, San Antonio, Texas, July 17, 1871; General Orders No. 32, Headquarters Fort Richardson, Texas, March 16, 1872. All this at Fort Richardson, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, Private *John Flannagan*, company K, 11th Infantry, has, by his own worthlessness, drunkenness and misdemeanor, been confined under charge of the guard for one hundred and fifty-seven

days, more or less, at the post of Fort Richardson, Texas, since May 9, 1871, at the following dates, viz: from May 9, 1871 to May 14, 1871—five days; from June 9, 1871, to June 10, 1871—one day; from June 18, 1871, to June 20, 1871—two days; from June 22, 1871, to October 18, 1871—one hundred and eighteen days; from November 26, 1871, to December 17, 1871—twenty-one days; from January 20, 1872, to January 22, 1872—two days; from March 14, 1872, to March 22, 1872—eight days. All this at Fort Richardson, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *John Flannagan*, Company K, 11th Infantry, pleaded:

To the first charge and its specifications,	"Guilty."
To the second charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second 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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Flannagan*, Company K, 11th Infantry, "To be dishonorably discharged the service; and to be confined at hard labor, in charge of the guard, for six months."

II. The proceedings and findings in the case of Private *Edward Cassiday*, Company C, 4th Cavalry, are approved. The sentence is reduced to four months' confinement at hard labor, with forfeiture of ten dollars per month for that period. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and sentence, in the case of Private *Homer Hammond*, Company E, 4th U. S. Cavalry, are approved, and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of Recruits *Charles Hodge* and *John Lynch*, 4th Cavalry, are approved. The sentence in each case is mitigated to forfeiture of all pay and allowances to date of this order; to confinement at hard labor for one year, at the station of company, forfeiting ten dollars per month of their pay during that time; and is so approved and will be duly executed.

The proceedings, findings and sentence in the cases of Privates *Charles Broon*, *Henry Evans*, *Abraham Gokey*, *Henry Kolb* and *Henry Loveland*, Company I, 11th Infantry, are approved, provided the term of confinement does not exceed two years, and the sentence will be duly executed. The State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *John Flannagan*, Company K, 11th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT SAN ANTONIO, TEXAS.

1. Private EDWARD GRAY.....Company C, 10th Infantry.
2. Sergeant JOHN SEMES.....Company A, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *May* 10, 1872.

GENERAL COURT MARTIAL ORDERS, No. 43.

I. Before a General Court Martial which convened at San Antonio, Texas, on Thursday, April 25, 1872, pursuant to paragraph I, Special Order No. 80, Headquarters Department of Texas, dated San Antonio, Texas, April 24, 1872, and of which Captain BENJAMIN C. CARD, Assistant Quartermaster, U. S. Army, is President, were arraigned and tried:

1. Private *Edward Gray*, Company C, 10th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that Private *Edward Gray*, company C, 10th Infantry, having been duly mounted as a member of the guard, and posted as a sentinel over Mexican prisoners, did sit down and sleep on his post; and was found in that position by the officer of the day when making his rounds. This at San Antonio, Texas, on the morning of April 21, 1872, between the hours of two and three o'clock A. M."

To which charge and specification the accused, Private *Edward Gray*, Company C, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Gray*, Company C, 10th Infantry, "To be confined at hard labor, in charge of the guard, at the station of his company for the period of four (4) months; and to forfeit to the United States ten (10) dollars per month of his pay for the same period."

2. Sergeant *John Semes*, Company A, 25th Infantry.

CHARGE—"Mutinous conduct, in violation of the 7th Article of War."

Specification—"In this, that he, Sergeant *John Semes*, company A, 25th Infantry, did, with malicious and mutinous intent, endeavor to prevail upon and cause Privates Homer Washington and John E. Moore, company A, 25th Infantry, to load their muskets with ball cartridge for the purpose of shooting First Sergeant Samuel H. Fletcher, company A, 25th Infantry, while said Sergeant was in the execution of his duty; and did give

instructions to said Washington and Moore for the carrying out of said purpose. This at Fort Clark, Texas, on or about the 15th of December, 1871."

To which charge and specification the accused, Sergeant *John Semes*, Company A, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Not guilty, but guilty of mutinous conduct, to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Sergeant *John Semes*, Company A, 25th Infantry, "To be reduced to the rank of a private soldier; to be confined at hard labor for one year, under charge of the guard, at the post where his company may be serving; and to forfeit to the United States eight (8) dollars of his monthly pay, per month, during the same period."

II. The proceedings and findings in the case of Private *Edward Gray*, Company C, 10th Infantry, are approved. In consideration of the recommendation of the court, so much of the sentence as relates to confinement is remitted. The remainder is approved and will be duly executed.

The proceedings and findings in the case of Sergeant *John Semes*, Company A, 25th Infantry, are approved. The period of confinement is reduced to six months, with forfeiture of eight dollars per month for the same period. As thus mitigated, the sentence is approved and will be duly executed.

III. The General Court Martial instituted by paragraph I, of Special Order No. 80, current series, from these Headquarters, and of which Captain BENJAMIN C. CARD, Assistant Quartermaster, U. S. Army, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur

Aide-de-Camp.

AT FORT CLARK, TEXAS.

1. Private ROBERT WHITE.....Company G, 9th Cavalry.
2. Private DANIEL ROWE.....Company D, 25th Infantry.
3. Private EMANUEL LEWIS.....Company E, 25th Infantry.
4. Private EDEN RIDGLEY.....Company E, 25th Infantry.
5. Recruit WILLIAM JOHNSON.....25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *May* 13, 1872.

GENERAL COURT MARTIAL ORDERS, NO. 44.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, March 18, 1872, pursuant to paragraph I, Special Order No. 48, Headquarters Department of Texas, dated San Antonio, Texas, March 11, 1872, and of which Captain D. D. VAN VALZAH, 25th Infantry, is President, were arraigned and tried:

1. Private *Robert White*, Company G, 9th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Robert White*, a duly enlisted soldier in company G, 9th U. S. Cavalry, did desert the service of the United States at Fort Clark. Texas, on the 11th day of May, 1871; and did remain absent from his company and regiment until apprehended at Fort Duncan, Texas, March 6, 1872. This at or near Fort Clark, Texas, on or about the dates specified."

To which charge and specification the accused, Private *Robert White*, Company G, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert White*, Company G, 9th Cavalry, "To be dishonorably discharged the service; and to be confined at hard labor, at such place as may be designated by the Department Commander, for the period of three (3) years."

2. Private *Daniel Rowe*, Company D, 25th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Daniel Rowe*, company D, 25th Infantry, having been regularly enlisted, did desert the service of the United States on or about the 12th day of April, 1872; and did remain absent until arrested at or near Turkey creek, Texas, on or about the 14th day of April, 1872, by Privates David Brown, company D, 25th U. S. Infantry, and Monroe Johnson, company E, 25th U. S. Infantry. This at Fort Clark, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Daniel Rowe*, company D, 25th U. S. Infantry, did take, steal, carry away and appropriate to his own use and benefit, one breech loading Springfield rifled musket, valued at fifty ($50) dollars, and twenty (20) rounds of centre primed metallic cartridges, valued at one dollar and twenty cents ($1.20), the property of the United States, and for which Captain D. D. Van Valzah, 25th U. S. Infantry, is responsible. (The rifle, before mentioned, and fifteen rounds of centre primed metallic cartridges, were recovered and returned to the company commander.) This at Fort Clark, Texas, on or about the 12th day of April, 1872."

Specification 2d—"In this, that Private *Daniel Rowe*, company D, 25th U. S. Infantry, did take, steal, carry away and appropriate to his own use and benefit, one woolen blanket, valued at three dollars and eleven cents ($3.11), the property of Private Joseph Turner, company D, 25th U. S. Infantry, and one flannel sack coat, one pair of infantry trowsers and one pair of drawers, the property of Private Peter Jackson, company D, 25th U. S. Infantry, and valued at four dollars and fifty-four cents ($4.54). This at Fort Clark, Texas, on or about the 12th day of April, 1872."

To which charges and specifications the accused, Private *Daniel Rowe*, Company D, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Rowe*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States; to be drummed out; and to be confined, at such place as the Commanding General of the Department may direct, for the period of three (3) years."

3. Private *Emanuel Lewis*, Company E, 25th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that Private *Emanuel Lewis*, company E, 25th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Clark, Texas, on the 18th day of April, 1872; and did remain absent until apprehended and delivered to the military authorities at Fort Clark, Texas, on or about the 21st day of April, 1872. Thirty dollars paid for his apprehension."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Emanuel Lewis*, company E, 25th Infantry, did feloniously steal and carry away from the post of Fort Clark, Texas, one (1) Springfield breech loading rifled musket, valued at fifty ($50) dollars, and one (1) set of infantry accoutrements, valued at five dollars and sixty cents, ($5.60), the property of the United States. This on or about the 18th day of April, 1872."

To which charges and specifications the accused, Private *Emanuel Lewis*, Company E, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Emanuel Lewis*, Company E, 25th Infantry, "To be dishonorably discharged the service of the United States; to be drummed out; and to be confined, at such place as may be designated by the Commanding General of the Department, for the period of three (3) years."

4. Private *Eden Ridgley*, Company E, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Eden Ridgley*, company E, 25th Infantry, U. S. Army, did feloniously take, steal, and attempt to carry away, the sum of four ($4.00) dollars in currency, more or less, the property of Private *Charles Stewart*, company E, 25th Infantry. This at Fort Clark, Texas, on or about the 19th of April, 1872."

To which charge and specification the accused, Private *Eden Ridgley*, Company E, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Eden Ridgley*, Company E, 25th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due, and to be confined at hard labor, at such penitentiary as the Commanding General of the Department may direct, for the period of two (2) years."

5. Recruit *William Johnson*, 25th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Recruit *William Johnson*, 25th Infantry, having been regularly detailed and mounted as a member of the post guard, and posted as a sentinel over prisoners, did desert his post, guard, and the service of the United States, allowing to escape, prisoners George Wright and James W. Wright, company A, 25th Infantry. This at Fort Clark, Texas, on or about the 23d day of February, 1872. Thirty dollars reward has been paid for his apprehension."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Recruit *William Johnson*, 25th Infantry, did take, steal and carry away the following property of the United States, for which Second Lieutenant D. B. Wilson, 25th Infantry, commanding detachment of recruits, is accountable, viz: camp and garrison equipage: four hat numbers; value, four cents; one pair metallic scales, privates, thirty-one cents; one knapsack, complete, one dollar and thirty-three cents; one haversack, forty-three cents; one canteen, complete, twenty-nine cents. Total value, two dollars and forty cents. Ordnance and ordnance stores: one Springfield breech loading musket, cal. .50, model 1868; one bayonet scabbard; one cartridge box; one cartridge box belt; one cartridge box plate; one waist belt; one gun sling; one waist belt plate; one screw driver; twenty centre fire metallic cartridges; of the total value of fifty-seven dollars, and two cents ($57.02), and did appropriate the same to his ownuse. This at Fort Clark, Texas, on or about the 23d day of February, 1872."

To which charges and specifications the accused, Recruit *William Johnson*, 25th Infantry, pleaded:

To the first charge and its specification, "Guilty."

To the specification, second charge, "Guilty, excepting 'two hat numbers; one knapsack, complete; one haversack; one canteen, complete; one gun sling; one screw driver,' and to taking, carrying away and stealing the excepted articles, Not Guilty."

To the second charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, excepting 'two hat numbers; one knapsack, complete; one haversack; one canteen, complete; one gun sling; one screw driver;' and to taking, carrying away and stealing the excepted articles, Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *William Johnson*, 25th Infantry, "To be dishonorably discharged the service of the United States."

II. The proceedings and findings in the case of Private *Robert White*, Company G, 9th Cavalry, are approved. The period of confinement is reduced to one year at the station of his company. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Daniel Rowe*, Company D, 25th Infantry, are approved. The period of confinement is reduced to fifteen months at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Emanuel Lewis*, Company E, 25th Infantry, are approved. The period of confinement is reduced to one year at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the cases of Private *Eden Ridgley*, Company E, and Recruit *William Johnson*, 25th Infantry, are disapproved in consequence of the fatal defect that the averment, *the court and Judge Advocate were duly sworn*, &c., is *interlined*, and without showing that such interlineation was made with the knowledge and approval of the court in session. As the court cannot well be reconvened, the sentences are set aside and the prisoners will be restored to duty.

III. The General Court Martial instituted by paragraph I, of Special Order No. 48, current series, from these Headquarters, and of which Captain D. D. VAN VALZAH, 25th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort McKavett, Texas.

1. Private Charles Gordon.....Company M, 9th Cavalry.
2. Private Richard Bellenger.....Company A, 24th Infantry.
3. Musician Albert Winfild .....Company H, 24th Infantry.
4. Corporal Samuel Williams.....Company I, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *May* 14, 1872.

General Court Martial Orders, No. 45.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, April 26, 1872, pursuant to paragraph II, Special Order No. 76, Headquarters Department of Texas, dated San Antonio, Texas, April 19, 1872, and of which Captain Henry C. Corbin, 24th Infantry, is President, were arraigned and tried:

1. Private *Charles Gordon*, Company M, 9th Cavalry.

Charge—"Desertion."

Specification—"In this, that the said *Charles Gordon*, an enlisted soldier in the service of the United States, and a private of company M, 9th Cavalry, did desert the said service and company at or near Fort McKavett, Texas, on or about the 16th of October, 1870; and did remain absent until delivered as a deserter at Fort Duncan, Texas, on or about March 23, 1872."

To which charge and specification the accused, Private *Charles Gordon*, Company M, 9th Cavalry, pleaded "Guilty."

Finding.

The court, after mature deliberation, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Charles Gordon*, Company M, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of two (2) years."

2. Private *Richard Bellenger*, Company A, 24th Infantry.

Charge—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Richard Bellenger*, company A, 24th Infantry, when ordered by Corporal James Francis, company A, 24th Infantry, to keep away from an altercation between enlisted men of his regiment, did step up to said Corporal and strike him with his fist, in the face. This at Fort McKavett, Texas, on or about the 16th day of March, 1872."

To which charge and specification the accused, Private *Richard Bellenger*, Company A, 24th Infantry, pleaded:

To the specification, "Guilty to the words 'did strike him with his fist,' not guilty of the remainder."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Bellenger*, Company A, 24th Infantry, "To be confined at hard labor, in charge of the guard, for the period of six (6) months; and to forfeit five (5) dollars of his monthly pay for the same period." The court is thus lenient on account of the excellent character of the accused.

3. Musician *Albert Winfield*, Company H, 24th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that the said Musician *Albert Winfield*, company H, 24th Infantry, having been ordered by his superior officer, Captain H. C. Corbin, 24th Infantry, not to visit said Captain Corbin's quarters, or any part thereof, did, in direct violation of said order, enter the kitchen of said Captain Corbin. This at Fort McKavett, Texas, on or about the 13th day of April, 1872."

Specification 2d—"In this, that the said Musician *Albert Winfield*, company H, 24th Infantry, having been arrested and ordered to the post guard house by Captain H. C. Corbin, 24th Infantry, while officer of the day and in the execution of his office, did refuse to go to the guard house; and did resist the guard placed over him; and did threaten said guard, Private Paine, company I, 24th Infantry, with blows if said guard did not release him; and did escape from said guard. This at Fort McKavett, Texas, on or about the 13th of April, 1872."

To which charge and specifications the accused, Musician *Albert Winfield*, Company H, 24th Infantry, pleaded:

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 accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *Albert Winfield*, Company H, 24th Infantry, "To be confined at hard labor, in charge of the guard, for four (4) months; and to forfeit five (5) dollars of his monthly pay for the same period."

4. Corporal *Samuel Williams*, Company I, 24th Infantry.

CHARGE—"Assault with a deadly weapon, to the prejudice of good order and military discipline."

Specification—"In this, that Corporal *Samuel Williams*, company I, 24th Infantry, did assault, and cut with a knife, the person of Private Harry McCoy, company I, 24th Infantry, thereby inflicting a serious wound

upon the person of said Harry McCoy. All this in the barracks of company I, 24th Infantry, at Fort McKavett, Texas, on or about the 14th day of April, 1872."

To which charge and specification the accused, Corporal *Samuel Williams*, Company I, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Samuel Williams*, Company I, 24th Infantry, "To be reduced to the ranks; and to be confined at hard labor, in charge of the guard, for three (3) months; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

II. The proceedings and findings in the case of Private *Charles Gordon*, Company M, 9th Cavalry, are approved. The period of confinement is reduced to one year, at the station of his company. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Richard Bellenger*, Company A, 24th Infantry, are approved. The period of confinement is reduced to three months. As thus mitigated, the sentence is approved, and will be duly executed.

The proceedings and findings in the case of Musician *Albert Winfield*, Company H, 24th Infantry, are approved. The period of confinement is reduced to two months. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Corporal *Samuel Williams*, Company I, 24th Infantry, are approved; but as the assault was provoked by the wilfully irritating conduct of the man assaulted, the sentence is mitigated to one month's confinement at hard labor, with forfeiture of ten dollars of his monthly pay; and is so approved and will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT RICHARDSON, TEXAS.

1. Private WILLIAM H. HEMMINGWAY ..... Company A, 4th Cavalry.
2. Private ELIJAH, *alias* ALVAH, LOVE..... Company B, 35th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *May* 31, 1872.

GENERAL COURT MARTIAL ORDERS, No. 46.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Monday, February 12, 1872, pursuant to paragraph II, Special Order No. 18, Headquarters Department of Texas, dated San Antonio, Texas, January 27, 1872, and of which Major ALFRED E. LATIMER, 4th Cavalry, is President, were arraigned and tried:

1. Private *William H. Hemmingway*, Company A, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *William H. Hemmingway*, of company A, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same; and did remain absent until apprehended by Second Lieutenant Leon A. Matile, 11th Infantry. This at Fort Richardson, Texas, on the 17th day of April, 1872."

To which charge and specification the accused, Private *William H. Hemmingway*, Company A, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William H. Hemmingway*, Company A, 4th Cavalry, "To be confined at hard labor for two (2) years, at such place as the Department Commander may designate. The confinement to commence upon the expiration of his sentence promulgated in General Court Martial Order No. 31, current series, Headquarters Department of Texas."

2. Private *Elijah, alias Alvah, Love*, Company B, 35th Infantry.

CHARGE—"Desertion."

Specification 1st—"In this, that he, Private *Elijah, alias Alvah, Love*, company B, 35th U. S. Infantry, having been duly enlisted in the service of the United States on or about February 19, 1866, to serve three (3) years, did desert the same at or near San Antonio, Texas, on or about the 9th day of March, 1867; and did remain absent until apprehended at or near Waco, Texas, on or about the 8th day of August, 1871. All this at the places and on the dates above mentioned."

Specification 2d—"In this, that he, Private *Elijah, alias Alvah, Love*, company B, 35th U. S. Infantry, having been placed under charge of a guard at or near Waco, Texas, for the purpose of being taken to San Antonio, Texas, did escape from said guard, and desert the service of the United States while *en route* from Waco, Texas, to San Antonio, Texas; and did remain absent until he was apprehended by First Lieutenant Leopold O. Parker, Adjutant, 4th U. S. Cavalry, at or near Galveston, Texas, on or about the 9th day of February, 1872. All this at the places and on the dates above mentioned."

To which charge and specifications the accused, Private *Elijah, alias Alvah, Love*, Company B, 35th U. S. Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Elijah, alias Alvah, Love*, Company B, 35th Infantry, "To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due or that may become due; and to be confined at hard labor, at such place as the General commanding the Department may direct, for the period of two (2) years."

II. The proceedings, findings and sentence in the case of *William H. Hemmingway*, late private Company A, 4th Cavalry, are disapproved in view of the fact that the prisoner was undergoing sentence of a General Court Martial (see General Court Martial Order No. 31, Department of Texas, 1872,) at the time of the alleged offence.

The proceedings and findings in the case of Private *Elijah, alias Alvah, Love*, Company B, 35th Infantry, are approved. The period of confinement is reduced to one year at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

III. The General Court Martial instituted by paragraph II, of Special Order No. 18, current series, from these Headquarters, and of which Major ALFRED E. LATIMER, 4th Cavalry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Aide de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *June* 18, 1872.

GENERAL COURT MARTIAL ORDERS, No. 47.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Friday, May 3, 1872, pursuant to paragraph II, Special Order No. 73, and paragraphs III and IV, Special Order No. 78, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, April 12, and 22, 1872, and of which Captain E. G. BUSH, 10th Infantry, is President, was arraigned and tried:

Second Lieutenant *John Gotshall*, 10th Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Second Lieutenant *John Gotshall*, Tenth United States Infantry, while acting as Adjutant of the Post of Ringgold Barracks, Texas, and during office hours, was so much under the influence of intoxicating liquors as to be unable to properly perform his duties as Adjutant. This at Ringgold Barracks, Texas, on the first day of February, A. D. 1872."

CHARGE II—"Neglect of duty, to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specificacion 1st—"In this, that Second Lieutenant *John Gotshall*, Tenth United States Infantry, while acting as Adjutant of the Post of Ringgold Barracks, Texas, when ordered to make a detail to escort Paymaster George E. Glenn, U. S. A., from Ringgold Barracks, Texas, to Fort Brown, Texas, did neglect to verify and inspect the said detail when it reported under arms at the adjutant's office, by which neglect one of the detail was found by the post commander, Major T. M. Anderson, Tenth United States Infantry, too drunk to perform his duty; and when, thereafter, Second Lieutenant *John Gotshall*, Tenth United States Infantry, was ordered by his commanding officer, Major T. M. Anderson, Tenth United States Infantry, to come to the adjutant's office to correct the detail for the escort of the said Paymaster George E. Glenn, did wholly fail and neglect to do so; and did not report at the adjutant's office for one hour and a half after he was sent for by his said commanding officer, although the said order was sent to him in office hours, to wit: between the hours of nine and twelve A. M., on the morning of February first, A. D. 1872. This at Ringgold Barracks, Texas."

Specification 2d—"That Second Lieutenant *John Gotshall*, Tenth United States Infantry, having been duly detailed as officer of the day, and while acting as officer of the day, did neglect his duty, in this, that having been warned by the corporal of the guard that the sentinel on post number three had been challenged by some one on the opposite or Mexican side of the Rio Grande, who assumed to be a Mexican military officer and declared that he had an important communication to make to the officer of the day, did neglect and wholly fail to go to post number three to verify the report of the corporal of the guard, or to learn the nature of the communication, or the cause of the challenge; and that when, at a later hour of same night, the corporal of the guard again informed Second

Lieutenant *John Gotshall*, Tenth United States Infantry, the officer of the day, that the sentinel on post number three was still challenged, and that the party challenging claimed that he had a deserter to deliver to the proper authority of the camp, did wholly fail and neglect to make use of the proper means to secure the said deserter, or to verify the report of the corporal of the guard, and by reason of this neglect the deserter, although sent to this, or the American side of the river, made his escape and was lost to the service. This at Ringgold Barracks, Texas, on or about the twenty-second day of February, 1872."

To which charges and specifications the accused, Second Lieutenant *John Gotshall*, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification first charge, "Not Guilty."
Of the first charge, "Not Guilty."
Of the first specification, second charge. "Not Guilty."

Of the second specification, second charge, "Guilty, except the word 'deserter,' wherever it occurs in the specification, and substituting therefor the word 'man,' and also excepting the words 'and by reason of this neglect the deserter, although sent to this, or the American side of the river, made his escape and was lost to the service,' but attach no criminality thereto, and of the excepted words Not Guilty."

Of the second charge, "Not Guilty."

And the court does therefore acquit him, Second Lieutenant *John Gotshall*, 10th Infantry.

II. As it is impossible to reconvene this court without great delay and expense, there not being a quorum of the members who tried the case within the limits of the Department, the foregoing proceedings and findings are disapproved. Fortunately, for the credit of the service, it is seldom so many serious errors are made by a court in so brief a record.

The court erred in sustaining the 'exception,' made by the accused, on page 11 of the record, if the effect of sustaining such 'exception' was to exclude the testimony of the witness, Major Thomas M. Anderson, 10th Infantry, from consideration as evidence in the case. It is difficult to perceive how the order announced by the Judge Advocate as their decision can otherwise be interpreted. The testimony taken was clearly *competent*, and was entitled to consideration, as evidence, notwithstanding the 'exception;' but if it had been otherwise, only such portions of the testimony as were inimical to some substantial objection, should have been excluded upon objection made when such evidence was presented; and the action of the court in excluding all the testimony of the witness, (after the conclusion of the examination) cannot be justified by any principle of practice or custom of the service.

The court also erred on page 15, in sustaining the 'exception' of the accused to that part of the testimony of Lieutenant Bottsford, 10th Infantry, when he 'went to the quarters of the accused,' and wherein the witness declares that the accused 'had been (was) boisterous and did not care a damn;' this testimony and all other bearing upon the conduct or actions of the accused, tending to show a condition of drunkenness, or sobriety, during the first day of February, 1872, 'between guard mount and four o'clock in the afternoon,' (that being the date, and those the hours mentioned in the specification to first charge.) was entitled to be received and considered as evidence in the cause, its credit remaining to be determined, upon final consideration of the case, in the ascertainments of the findings by the court.

Drunkenness is provable either by direct evidence of its existence, as shown by its effects upon the individual, or by the presumptive evidence arising from the conversation, demeanor or acts of the person affected. Either of these species of proof are competent as evidence of the condition alleged, and the rejection of either, when offered or received, is erroneous.

The court also erred on page 31, in sustaining the 'objection by a member' to a question by the Judge Advocate, propounded to Captain R. P. Wilson, who was recalled for further examination. It is the unquestionable right of the Judge Advocate, or accused, in military courts, to recall a witness for further examination, upon any relevant matter which had inadvertantly been omitted, or that had come to the knowledge of the party offering the testimony, after conclusion of his former examination; and this right should be liberally construed by courts, to the end, not only, that there be no *suppressio veri*, but that the whole truth, bearing upon the question under consideration, may be elicited. It should be the principal object of Courts Martial to ascertain the truth, and therefore too great importance should not be given to purely technical objections, where the true ends of justice are to be unfavorably affected thereby, whether such objections emanate from the prosecution or the defense.

Under the provisions of General Orders No, 77, series 1870, Headquarters Department of Texas, the guard detailed by the post adjutant, by order of the commanding officer of the post of Ringgold Barracks, Texas, was required to be inspected by him, without further order, and the neglect to do so cannot be justly answered by the silence of the accused.

It is difficult to conceive any mode of reasoning whereby the facts alleged in the second specification to the second charge, of which the accused is found to be 'Guilty' by the court, can be held to be without criminality. That an officer in charge of a guard, at a frontier station, should entirely neglect to inquire into, or pay attention to the report, by his subordinate, of the circumstances alleged in this specification, is conduct so extraordinary as to require some explanation; and while the officer might or might not have been justified in complying with the request of the party challenging, it was clearly his duty to have given the matter *personal* and *immediate* attention, and the failure to do so can scarcely be other than criminal neglect.

Lieutenant *Gotshall* will be released from arrest and restored to duty without further trial.

By command of Brigadier General Augur:

J. A. AUGUR,

Acting Assistant Adjutant General.

Official:

J. A. Augur

~~Aide-de-Camp.~~

A. A. A. G.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private William Jordan.....Company B, 10th Infantry.
2. Private John Entwistle.....Company E, 10th Infantry.
3. Private Michael Harty.....Company E, 10th Infantry.
4. Private Michael Friel.....Company I, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *June* 19, 1872.

General Court Martial Orders, No. 48.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Friday, May 3, 1872, pursuant to paragraph II, Special Order No. 73, and paragraphs III and IV, Special Order No. 78, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, April 12 and 22, 1872, and of which Captain E. G. Bush, 10th Infantry, is President, were arraigned and tried:

1. Private *William Jordan*, Company B, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *William Jordan*, company B, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service on the 17th day of February, 1872; and did remain absent until apprehended at or near Ringgold Barracks, Texas, on the 5th day of April, 1872. This at Ringgold Barracks, Texas, at the time above specified."

To which charge and specification the accused, Private *William Jordan*, Company B, 10th Infantry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *William Jordan*, Company B, 10th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due him, excepting the just dues of the laundress; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of three years."

2. Private *John Entwistle*, Company E, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that *John Entwistle*, a duly enlisted soldier in the service of the United States, private of company E, 10th U. S. Infantry, did desert said service at Ringgold Barracks, Texas, on the 19th day of

March, 1872; and did remain absent until apprehended at or near Ringgold Barracks, Texas, on the 23d day of March, 1872. All this at or near the places and on or about the dates above specified."

To which charge and specification the accused, Private *John Entwistle*, Company E, 10th Infantry, pleaded "Not Guilty."

SENTENCE.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him. Private *John Entwistle*, Company E. 10th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due and to become due him; and to be confined at hard labor, at the post where his company may be serving, for the period of six months."

3. Private *Michael Harty*, Company E, 10th Infantry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that Private *Michael Harty*, company E, 10th Infantry, while detailed on extra duty as teamster in the quartermaster's department, was so drunk as to be unable to perform his duties properly. This at Ringgold Barracks, Texas, on or about April 30, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Michael Harty*, company E, 10th Infantry, did make a forcible entrance into the post trader's store at Ringgold Barracks, Texas, and did steal or attempt to steal therefrom a sum of money. (Amount unknown.) This at the place above named, and on or about April 30, 1872."

Specification 2d—"In this, that Private *Michael Harty*, company E, 10th Infantry, did, when being taken to the post guard house by Sergeant Thomas Cusick, company I, 10th Infantry, the said Sergeant being in the execution of his office, strike the said Sergeant a forcible blow with his hand or fist. This at Ringgold Barracks, Texas, on or about April 30, 1872."

To which charges and specifications the accused, Private *Michael Harty*, Company E, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Harty*, Company E, 10th Infantry, "To be dishonorably discharged the service of the United States, to forfeit all pay and allowances now due or which may become due him, excepting the just dues of the laundress; and to be confined at hard labor, at such military prison as the Department Commander may direct, for the period of one year."

4. Private *Michael Friel*, Company I, 10th Infantry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, *Michael Friel*, private of company I, 10th Infantry, having been placed, as sentinel, in charge of prisoner Bernard

Lyons, private, company E, 10th Infantry, did allow said prisoner to obtain intoxicating liquor and become drunk. This at or near Ringgold Barracks, Texas, and on or about the 1st day of February, 1872."

To which charge and specification the accused, Private *Michael Friel*, Company I, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *Michael Friel*, Company I, 10th Infantry.

II. The proceedings and findings in the case of Private *William Jordan*, Company B, 10th Infantry, are approved. In consideration of the recommendation of the court, the sentence is mitigated to confinement at hard labor, at the post where his company may be serving, for the period of six months, with forfeiture of pay during the same period; and, as thus mitigated, is approved and will be duly executed.

The proceedings in the case of Private *John Entwistle*, Company E, 10th Infantry, are approved. The evidence not showing the intent to desert, the conviction should have been "absence without leave." The findings and sentence are disapproved and the accused will be released from confinement and restored to duty.

The proceedings in the case of Private ~~*William*~~ *Harty*, Company E, 10th Infantry, are approved. The findings of the first charge and its specification are disapproved. The findings of the second charge and its specifications are approved. The sentence is mitigated to confinement at hard labor, at the post where his company may be serving, for the period of six months, with forfeiture of pay during the same period; and, as thus mitigated, is approved and will be duly executed.

The proceedings, findings and acquittal in the case of Private *Michael Friel*, Company I, 10th Infantry, are approved. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph II, of Special Order No. 73, and paragraphs III and IV, of Special Order No. 78, current series, from these Headquarters, and of which Captain E. G. BUSH, 10th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

J. A. Augur

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT GRIFFIN, TEXAS.

1. Private JAMES A QUINN.....Company F, 4th Cavalry.
2. Private JOSEPH BROWN.....Company H, 4th Cavalry.
3. Private HENRY BRENNAN.....Company A, 11th Infantry.
4. Private CHANDLER W. GOULD.....Company A, 11th Infantry.
5. Private WILLIAM LEAMON .....Company A, 11th Infantry.
6. Private JOHN H. SMITH.....Company A, 11th Infantry.
7. Private HENRY BRACKEN.....Company F, 11th Infantry.
8. Private CHRISTOPHER PARZELT .....Company F, 11th Infantry.
9. Private JOHN WALSH.....Company F, 11th Infantry

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *June* 25, 1872.

GENERAL COURT MARTIAL ORDERS, No. 49.

I. Before a General Court Martial convened at Fort Griffin, Texas, on Thursday, May 23, 1872, pursuant to paragraph II, Special Order No. 94, Headquarters Department of Texas, dated San Antonio, Texas, May 14, 1872, and of which Major ALFRED E. LATIMER, 4th Cavalry, is President, were arraigned and tried:

1. Private *James A. Quinn*, Company F, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that Private *James A. Quinn*, company F, 4th Cavalry, a duly enlisted soldier of the United States, did desert said service at or near Fort Richardson, Texas, on or about June 27, 1871; and did remain absent until he surrendered himself at or near Fort Gibson, Indian Territory, on or about the 25th day of November, 1871. All this at or near Fort Richardson, Texas, on or about June 27, 1871, and Fort Gibson, Indian Territory, on or about November 25, 1871."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James A. Quinn*, company F, 4th Cavalry, did steal, or otherwise dispose of the following articles of ordnance and ordnance stores, and camp and garrison equipage, pertaining to company F, 4th Cavalry, and for which Captain Wirt Davis, 4th Cavalry, was responsible, viz: one Spencer carbine, cal. .50, $100; one Remington revolving pistol, cal. .44, $50; one carbine sling and swivel, $1.86; one pistol cartridge pouch, $0.60; one pistol belt holster, $0.90; one carbine cartridge box, $1.43; one sabre belt and plate, $1.90; one curb bridle, cavalry, $5.00; one watering bridle, cavalry, $1.05; one currycomb and horse brush, $1.30; one screw driver, carbine, $0.15; one lariat and picket pin, $1.15; one pair spurs and straps, $0.55; one saddle-blanket, $4.25; one thong and brushwiper, $0.40; forty metallic cartridges, for Spencer carbine, $2.40; twelve pistol cartridges, $0.24; two cross sabres,

letter and numbers, $0.66; one canteen and strap, $0.29. All this at or near Fort Richardson, Texas, on or about June 27, 1871."

To which charges and specifications the accused, Private *James A. Quinn*, Company F, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James A. Quinn*, Company F. 4th Cavalry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due, or that may become due him; and to be confined at hard labor, at such military prison as the Commanding General may designate, for the period of two (2) years."

2. Private *Joseph Brown*, Company H, 4th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Joseph Brown*, company H, 4th U. S. Cavalry, being a member of the post guard, and having a prisoner, named Cameron, under his immediate charge, did allow said prisoner to escape. This at Fort Griffin, Texas, on or about the 27th day of March, 1872."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Joseph Brown*, company H, 4th Cavalry, being a member of the post guard, and having been duly posted as a sentinel over a prisoner, was found sleeping upon his post. This at Fort Griffin, Texas, on or about the 27th day of March, 1872."

To which charges and specifications the accused, Private *Joseph Brown*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Joseph Brown*, Company H, 4th Cavalry, "To be confined at hard labor, under charge of the guard, at the post of his company for three (3) months, wearing a ball weighing fifteen (15) pounds, by a chain three (3) feet long, during the same period." The court is thus lenient in view of the excellent character heretofore borne by the prisoner.

3. Private *Henry Brennan*,, Company A, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Henry Brennan*, company A, 11th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the said service on or about February 2, 1872; and did remain absent therefrom until apprehended near Fort Griffin, Texas, on or about May 2, 1872; thirty dollars paid for his apprehension. This at Fort Griffin, Texas, on or about the dates specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Henry Brennan*, company A, 11th U. S. Infantry, did feloniously take, steal, and appropriate to his own use

the following articles, the property of the United States, for which Captain George L. Choisy, 11th U. S. Infantry, is responsible, viz: one breech-loading Sharp's rifled musket, value, fifty ($ 50) dollars; twenty (20) centre-primed metallic cartridges, value, one dollar and twenty cents, ($ 1.20). This at Fort Griffin, Texas, on or about the 2d of February, 1872."

To which charges and specifications the accused, Private *Henry Brennan*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Henry Brennan*, Company A, 11th Infantry, "To be dishonorably discharged the service; 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 reviewing authority may direct, for the period of two (2) years."

4. Private *Chandler W. Gould*, Company A, 11th Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War"

Specification—"In this, that he, Private *Chandler W. Gould*, of company A, 11th U. S. Infantry, having been regularly mounted as a member of the post guard at Fort Griffin, Texas, on the 25th day of March, 1872, did become so drunk as to be unable to properly perform the duties of a sentinel. All this at Fort Griffin, Texas, on or about the date above specified."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Chandler W. Gould*, of company A, 11th Infantry, was drunk. This at Fort Griffin, Texas, on or about March 25, 1872."

CHARGE III—"Violation of the 99th Article of War."

Specification—"In this, that he, Private *Chandler W. Gould*, company A, 11th Infantry, being a duly enlisted soldier in the United States service, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, used, excessively, intoxicating liquors, productive of drunkenness, and become habitually drunken, and thereby rendered himself incapable of the faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of his proper superior officers. All this at Fort Griffin, Texas, on or about 25th day of March, 1872, and for several months previous thereto."

To which charges and specifications the accused, Private *Chandler W. Gould*, Company A, 11th Infantry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Guilty."
To the third charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Chandler W. Gould*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due, or that may become due him; and to be confined, in such military prison as the Department Commander may designate, for the period of one (1) year."

5. Private *William Leamon*, Company A, 11th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, did fail to repair, at the time fixed, to the place of drill of his company. This at Fort Griffin, Texas, on or about March 18, 1872."

CHARGE II—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, *William Leamon*, of company A, 11th Infantry, was drunk. This at Fort Griffin, Texas, on or about March 19, 1872."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, having been regularly and properly detailed for guard, as a member of the detail for guard from company A, 11th Infantry, did become so drunk as to unfit him for guard duty, thereby causing another man to be detailed in his place. This at Fort Griffin, Texas, on or about March 19, 1872."

CHARGE IV—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *William Leamon*, of company A, 11th Infantry, has become so much addicted to the use of intoxicating liquor as to render him worthless as a soldier. This at Fort Griffin, Texas, on or about March, 19, 1872."

Specification 2d—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, was tried by a Garrison Court Martial for absence without leave, found guilty, and sentenced to forfeit to the United States six dollars of his pay for one month; proceedings published in General Order No. 42, Headquarters Post of Fort Griffin, July 12, 1871. This at Fort Griffin, Texas, on or about July 12, 1871."

Specification 3d—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, was tried by a Field Officer's Court Martial for absence without leave, found guilty, and sentenced to forfeit to the United States eight dollars of his pay for one month; proceedings published in General Order No. 58, Headquarters Fort Griffin, Texas, September 30, 1871. This at Fort Griffin, Texas, on or about September 30, 1871."

Specification 4th—"In this, that he, *William Leaman*, a private of company A, 11th Infantry, was tried, for neglect of duty, to the prejudice of good order and military discipline, and for conduct prejudicial to good order and military discipline, by a Field Officer's Court Martial, found guilty of both charges, and sentenced to forfeit to the United States ten dollars of his monthly pay; proceedings published in General Order No. 82, Headquarters Fort Griffin, Texas, December 21, 1871. This at Fort Griffin, Texas, on or about December 21, 1871."

Specification 5th—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, was tried for violation of the 44th Article of War, by a

Field Officer's Court Martial, found guilty, and sentenced to forfeit to the United States ten dollars of his pay for one month; proceedings published in General Order No 5, Headquarters Post of Fort Griffin, Texas, January 16, 1872. This at Fort Griffin, Texas, on or about January 16, 1872."

Specification 6th—"In this, that he, *William Leamon*, a private of company A, 11th Infantry, was tried and found guilty, by one Garrison Court Martial and three Field Officer's Courts Martial, between July 12, 1871, and January 16, 1872, for crimes which originated from the use of intoxicating liquor. This at Fort Griffin, Texas."

To which charges and specifications the accused, Private *William Leamon*, Company A, 11th Infantry, pleaded:

To the first charge and its specification,	"Guilty"
To the second charge, and its specification,	"Not Guilty."
To the third charge and its specification,	"Not Guilty."
To the first specification, fourth charge,	"Not Guilty."
To the second specification, fourth charge,	"Guilty."
To the third specification, fourth charge,	"Guilty."
To the fourth specification, fourth charge,	"Guilty."
To the fifth specification, fourth charge,	"Guilty."
To the sixth specification, fourth charge,	"Not Guilty."
To the fourth charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."
Of the first specification, fourth charge,	"Guilty."
Of the second specification, fourth charge,	"Guilty."
Of the third specification, fourth charge,	"Guilty."
Of the fourth specification, fourth charge,	"Guilty."
Of the fifth specification, fourth charge,	"Guilty."
Of the sixth specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Leamon*, Company A, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay now due or that may become due him; and to be confined at hard labor, at such place as the Department Commander may designate, for the period of one (1) year."

6. Private *John H. Smith*, Company A, 11th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, *John H. Smith*, a private of company A, 11th U. S. Infantry, was drunk. This at Fort Griffin, Texas, on or about May 11, 1872."

Specification 2d—"In this, that he, Private *John H. Smith*, of company A, 11th U. S. Infantry, having been ordered by First Sergeant John Burke, of company A, 11th Infantry, (he being in the execution of his office,) to police around the company quarters, did refuse to obey said order, and reply, 'I will not, you son of a bitch;' 'I will kill you, you son of a bitch;'

or words to that effect. This at Fort Griffin, Texas, on or about May 11, 1872."

To which charge and specifications the accused, Private *John H. Smith*, Company A, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Not Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John H. Smith*, Company A, 11th Infantry, "To be confined at hard labor, in the post guard house, where his company may be serving, for one month; and to forfeit ten dollars of his monthly pay for the same period."

7. Private *Henry Bracken*, Company F, 11th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, did fail (without being prevented by sickness or other evident necessity,) to repair, at the time fixed by his commanding officer, to the place of dress parade of his company. This at Fort Griffin, Texas, on or about the 14th day of April, 1872."

CHARGE II—"Violation of the 45th Article of War."

Specification 1st—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, was so intoxicated at the morning drill of his company as to be totally unfit to properly perform the duties of a soldier. This at Fort Griffin, Texas, on or about the 10th day of April, 1872."

Specification 2d—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, was so drunk at the time of company drill as to render him incapable of properly performing the duty of a soldier. This at Fort Griffin, Texas, on or about the 12th day of April, 1872."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, has, by the frequent use of intoxicating liquor, and by his almost constant neglect of duty, rendered himself worthless as a soldier. This at Fort Griffin, Texas, from the 5th day of April, 1871, (date of his assignment to company) to the 15th day of April, 1872."

Specification 2d—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, did, by the frequent use of intoxicating liquor, and by the almost constant neglect of his duty, render himself so worthless as to cause his confinement in the guard house for a large portion of the year ending April 15, 1872, to-wit: 133 days, during the following periods: From the 29th day of April, 1871, until May 2, 1871; from the 2d day of July, 1871, until July 3, 1871; from the 6th of July, 1871, until August 12, 1871; from the 23d of August, 1871, until the 28th of August, 1871; from the 30th of August, 1871, until September 1, 1871; from the 1st of September, 1871, until the 9th of September, 1871; from the 12th of September, 1871, until October 1, 1871; from the 15th of November, 1871, until November 16, 1871; from the 27th of November, 1871, until November 30, 1871; from the 13th of January, 1872, until January 14, 1872; from the 19th of January, 1872, until February 27, 1872; from the 11th of April, 1872, until April 12, 1872; from the 13th of April, 1872, until April 14, 1872. All this at or near Fort Griffin, Texas, on or about the dates above specified."

Specification 3d—"In this, that he, Private *Henry Bracken*, company F, 11th U. S. Infantry, was tried for and convicted of military offences committed when under the influence of liquor, on the following dates, to-wit: July 28, 1871; September 14, 1871; and January 26, 1872. All this at or near Fort Griffin, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *Henry Bracken*, Company F, 11th Infantry, pleaded:

To the first charge and its specification,	"Guilty."
To the first specification, second charge,	"Not Guilty."
To the second specification, second charge,	"Guilty."
To the second charge,	"Guilty."
To the first specification, third charge,	"Not Guilty."
To the second specification, third charge,	"Not Guilty."
To the third specification, third charge,	"Guilty."
To the third charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

Of the first specification, third charge, "Guilty, except the words 'almost constant,' and of the excepted words, Not Guilty."

Of the second specification, third charge, "Guilty, except the words 'almost constant,' and of the excepted words, Not Guilty."

Of the third specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Bracken*, Company F, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances now due or that may become due him; and then to be confined, at such place as the Department Commander may designate, for one (1) year."

8. Private *Christopher Parzelt*, Company F, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *Christopher Parzelt*, company F, 11th Infantry, while a member of the post guard, did become so much under the influence of intoxicating liquor as to be unable to perform, properly, the duties of a sentinel. This at Fort Griffin, Texas on or about the 16th of May, 1872."

To which charge and specification the accused, Private *Christopher Parzelt*, Company F, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Christopher Parzelt*, Company F, 11th Infantry, "To be confined at hard labor, under charge of the guard, at the station of his company, for the period of three (3) months."

9. Private *John Walsh*, Company F, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *John Walsh*, company F, 11th Infantry, while a member of the post guard, did become so much under the influence of intoxicating liquor as to be unable to perform, properly, the duties of a sentinel. This at Fort Griffin, Texas, on or about the 17th of May, 1872."

To which charge and specification the accused, Private *John Walsh*, Company F, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Walsh*, Company F, 11th Infantry, "To be confined at hard labor, under charge of the guard at the station of his company, for the period of three (3) months."

II. The proceedings and findings in the cases of Privates *James A. Quinn*, Company F, 4th Cavalry, and *Henry Brennan*, Company A, 11th Infantry, are approved. The period of confinement is reduced to one year, at the State Penitentiary at Baton Rouge, Louisiana. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings and findings in the case of Private *Joseph Brown*, Company H, 4th Cavalry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted. The remainder is approved and will be carried into effect.

The proceedings and findings in the cases of Privates *Chandler W. Gould* and *William Leamon*, Company A, and *Henry Bracken*, Company F, 11th Infactry, are approved The period of confinement, in each case, is reduced to four months, at station of company. As thus mitigated, the sentences are approved and will be duly executed.

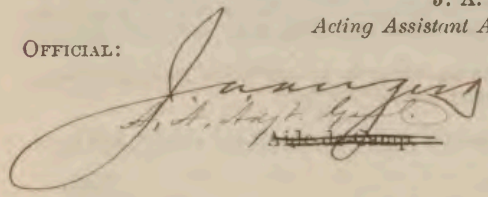
The proceedings, findings and sentences in the cases of Privates *John H. Smith*, Company A. and *Christopher Parzelt*, and *John Walsh*, Company F, 11th Infantry, are approved and the sentences will be duly executed.

III. The General Court Martial instituted by paragraph II. of Special Order No. 94, current series, from these Headquarters, and of which Major ALFRED E. LATIMER, 4th Cavalry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:



CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Duncan, Texas.

1. Sergeant Alexander Ezebb..... Company I, 25th Infantry.
2. Private Fountain Young..... Company C, 9th Cavalry.
3. Wagoner Polk Anderson..... Company C, 9th Cavalry.
4. Private George James..... Band, 25th Infantry.
5. Private Henry Coss..... Company E, 25th Infantry.
6. Private Edward L. Jones..... Company F, 24th Infantry.
7. Private Charles Conner..... Company F, 24th Infantry.
8. Private Robert Lynn..... Company F, 24th Infantry.
9. Private Stephen Hutson..... Company K, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *July* 10, 1872.

General Court Martial Orders, No. 50.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, May 23, 1872, pursuant to paragraph III, Special Order No. 94, Headquarters Department of Texas, dated San Antonio, Texas, May 14, 1872, and of which Major Henry C. Merriam, 24th U. S. Infantry, is President, were arraigned and tried:

1. Sergeant *Alexander Ezebb*, Company I, 25th Infantry.

Charge—"Desertion."

Specification—"In this, that Sergeant *Alexander Ezebb*, company I, 25th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 9th day of April, 1872, while *en route* from Fort Duncan, Texas, to Fort Clark, Texas; and did remain absent until on or about the 16th day of April, 1872, when he was apprehended at or near Eagle Pass, Texas.

To which the accused, Sergeant *Alexander Ezebb*, Company I, 25th Infantry, pleaded:

To the specification "Guilty, except the words 'desert the same.'"
To the charge, "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Sergeant *Alexander Ezebb*, Company I 25th Infantry, "To be reduced to the ranks; to be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are now due, or that may become due, and to be confined at hard labor, at such place as the proper authority may direct, for the period of two years."

2. Private *Fountain Young*, Company C, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that the said Private *Fountain Young*, company C, 9th U. S. Cavalry, being a member of the stable guard duly mounted at Fort Duncan, Texas, on the first day of May, 1872, and having been duly posted as a sentinel, was found asleep at his post between the hours of 1 and 2 o'clock A. M., on the 2d day of May, 1872, by the corporal of the guard, in charge. This at or near Fort Duncan, Texas, on or about the date and time above specified."

To which charge and specification the accused, Private *Fountain Young*, Company C, 9th U. S Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification "Guilty, except the words 'between the hours of one and two o'clock A. M.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Fountain Young*, Company C, 9th U. S. Cavalry, "To forfeit to the United States eight ($8) dollars per month of his monthly pay for three (3) months; and to be confined at hard labor for the same period."

3. Wagoner *Polk Anderson*, Company C, 9th Cavalry.

CHARGE—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Wagoner *Polk Anderson*, Troop C, 9th U. S. Cavalry, did, without just cause or provocation, make an assault with a knife or razor, in and upon the person of Private Alexander Robinson, Troop C, 9th U. S. Cavalry; and did inflict upon the person of the said Robinson a wound or wounds of a dangerous character, and from which the said Robinson is now suffering, and by reason of which the United States are deprived of the military services of the said Robinson, until such time as he may recover from the wound or wounds inflicted upon his person by the said Wagoner *Anderson*. This at Fort Duncan, Texas, on or about the 25th of April, 1872."

To which the accused, Wagoner *Polk Anderson*, Company C, 9th Cavalry, pleaded:

To the specification "Guilty, except the words 'without just cause or provocation,' and 'of a dangerous character,' and of the excepted words, Not Guilty."

To the charge "Guilty, except the words 'intent to kill,' and of the excepted words, Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused, Wagoner *Polk Anderson*, Company C, 9th Cavalry:

Of the specification "Guilty, except the words 'of a dangerous character,' and of the excepted words, Not Guilty."

Of the charge "Guilty, except the words 'with intent to kill,' and of the excepted words, Not Guilty."

SENTENCE.

And the court does therefore sentence him, Wagoner *Polk Anderson*, Compony C, 9th Cavalry, "To be confined at hard labor for the period of three months; and to forfeit to the United States eight ($8) dollars per month of his monthly pay for the same period."

4. Private *George James*, Band, 25th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *George James*, a duly enlisted soldier in the military service of the United States, and private of the band of the 25th Infantry, did desert the said service on or about the 13th day of May, 1871, at or near Fort Clark, Texas; and did remain absent until apprehended at or near Eagle Pass, Texas, on or about the 8th day of June, 1872. (Thirty dollars reward paid for his apprehension.) This at Fort Clark, Texas, and Eagle Pass, Texas, on or about the dates above written."

To which charge and specification the accused, Private *George James*, Band, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, confirms the plea of the accused and finds him:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George James*, Band, 25th Infantry, "To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged from the service of the United States; and then to be confined at hard labor, at such place as the proper authority may designate, for the period of two years."

5. Private *Henry Coss*, Company E, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Henry Coss*, company E, 25th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 22d day of April, 1871; and did so remain absent until apprehended at Eagle Pass, Texas, on or about the 8th day of June, 1872. (Thirty dollars reward paid for his apprehension.) This at Fort Duncan, Texas, on or about the dates above written."

To which charge and specification the accused, Private *Henry Coss*, Company E, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, confirms the plea of the accused, and finds him, Private *Henry Coss*, Company E, 25th U. S. Infantry:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Coss*, Company E, 25th U. S. Infantry, "To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged from the service of the United States; and then to be confined at hard labor, at such place as the proper authority may designate, for the period of two years."

6. Private *Edward L. Jones*, Company F, 24th Infantry.

CHARG I—"Absence without leave."

Specification—"That *Edward L. Jones*, a duly enlisted soldier in the army of the United States, and private of company F, 24th Infantry, did absent himself from his quarters and the military reservation and visit the town of Eagle Pass, Texas, without authority. This at Fort Duncan, Texas, on the night of May 17, 1872."

CHARGE II—"Conduct to the prejudice of good order and military dicipline."

Specification—"That *Edward L. Jones*, a duly enlisted soldier in the army of the United States, and private of company F, 24th Infantry, being absent from his quarters without authority, did enter a house occupied by

a Mexican woman named Ramos, and did proceed to take therefrom a trunk or box, the property of said woman, without her knowledge or consent, when she detecting him with it near the door and attempting to stop him, he struck her violently, and then made his escape, leaving behind him his forage cap. This in or near Eagle Pass, Texas, on or about the night of May 17, 1872."

To which the accused, Private *Edward L. Jones*, Company F, 24th Infantry pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Edward L Jones*, Company F, 24th Infantry, "To be confined at hard labor, at the post where his company may be serving for the period of six (6) months; and to forfeit to the United States eight (8) dollars per month of his monthly pay for the same period."

7. Private *Charles Conner*, Company F, 24th Infantry.

CHARGE I—"Absence without leave."

Specification—"That *Charles Conner*, a duly enlisted soldier in the army of the United States, and Private of company F, 24th Infantry, did absent himself without permission from his proper quarters, and visit the town of Eagle Pass, Texas, immediately after the quarters had been visited by the company commander. This at or near Fort Duncan, Texas, between 9 and 11 o'clock P. M., June 3d, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"That *Charles Conner*, a duly enlisted soldier in the army of the United States, and private of company F, 24th Infantry, did leave his proper quarters after taps, without any permission whatever, and visit the town of Eagle Pass, Texas, having been arrested only two (2) days before for the same offence and tried and convicted for it by a Garrison Court Martial, and released by the commanding officer the same day (June 3d, 1872). This at or near Fort Duncan, Texas, June 3d, 1872, between 9 and 11 o'clock, P. M."

To which charges and specifications the accused, Private *Charles Conner*, Company F, 24th Infantry pleaded "Guilty."

FINDING.

The court, after mature deliberation, confirms the plea of the accused, and finds him:

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, Private *Charles Conner* Company F, 24th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of three (3) months; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

8. Private *Robert Lynn*, Company F, 24th Infantry,

CHARGE I—"Absence without leave."

Specification—"That *Robert Lynn*, a duly enlisted soldier in the army of the United States, and Private of company F, 24th Infantry, did absent himself without permission from his proper quarters, and visit the town of Eagle Pass, Texas, immediately after the quarters had been visited by the company commander. This at or near Fort Duncan, Texas, between 9 and 11 o'clock P. M., June 3d, 1872."

CHARGE II—"Conduct to the prejudice of good order and military dicipline."

Specification—"That *Robert Lynn*, a duly enlisted soldier in the army of the United States, and Private of company F, 24th Infantry, did leave his proper quarters after taps, without any permission whatever, and visit the town of Eagle Pass, Texas, having been arrested only two (2) days before for the same offence, and tried and convicted for it by a Garrison Court Martial, and released by the commanding officer the same day (June 3d, 1872.) This at or near Fort Duncan, Texas, June 3d, 1872, between 9 and 11 o'clock P. M."

To which charges and specifications the accused, Private *Robert Lynn*, Company F, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, confirms the plea of the accused and finds him:

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, Private *Robert Lynn*, Company F, 24th Infantry, "To be be confined at hard labor, at the post where his company may be serving, 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.

9. Private *Stephen Hutson*, Company K, 24th Infantry.

CHARGE—"Disobedience of orders."

Specification—"That Private *Stephen Hutson*, company K, 24th Infantry, having been duly posted as a sentinel over certain prisoners at work hauling water, and having been ordered and instructed by the officer of the day, Lieutenant H. F. Leggett, 24th Infantry, through the sergeant of guard, not to allow the prisoners under his charge to separate or enter any private house in the town of Eagle Pass, Texas, through which they had to proceed in going to and returning from the river, did disregard and disobey said orders and instructions, and permit one Private, George Carpenter, company K, 24th Infantry, a prisoner confined in the post guard house, undergoing sentence of confinement, and who was at work with the water wagon and in charge of Private *Hutson*, to leave the water wagon, and go to the house of Mr. W. C. Jones, a citizen of Eagle Pass, and to enter said house and take therefrom a box or trunk, said to be the property of Private George Carpenter. This at or near Fort Duncan, Texas, on or about the 19th day of March, 1872."

To which charge and specification the accused, Private *Stephen Hutson*, Company K, 24th Infantry pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."

Of the charge, "Not Guilty, but guilty of neglect of duty, to the prejudice of good order and military dicipline."

SENTENCE.

And the court does therefore sentence him, Private *Stephen Hutson*, Company K, 24th Infantry, "To forfeit to the United States ten (10) dollars per month of his monthly pay for one month."

II. The proceedings and findings in the case of Sergeant *Alexander Ezebb*, Company I, 25th Infantry, are approved. In consideration of the good character shown by accused and believing there is some doubt of the intent not to return to his command; the sentence is mitigated to "reduction to the ranks as a private soldier, and confinement at hard labor under charge of the guard, at the station of his company, for four (4) months, with forfeiture of ten (10) dollars per month of his monthly pay for the same period, and is so approved and will be duly executed.

The proceedings and findings in the cases of Privates *George James*, Band, and *Henry Coss*, Company E, 25th Infantry, are approved. The period of confinement is reduced to one (1) year in each case. The military prison at the State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement. As thus mitigated, the sentences are approved and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Fountain Young*, and Wagoner *Polk Anderson*, Company C, 9th Cavalry, Privates *Edward L. Jones*, *Charles Conner*, *Robert Lynn*, Company F, and *Stephen Hutson*, Company K, 24th Infantry, are approved, and the sentences will be duly executed.

III. The General Court Martial instituted by paragraph III, of Special Order No. 94, current series, from this Headquarters, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, is dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

J. A. Augur
Aide de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *July* 13, 1872.

GENERAL COURT MARTIAL }
ORDERS, No. 51. }

I. Before a General Court Martial which convened at San Antonio, Texas, May 9, 1872, pursuant to paragraph III, Special Order No. 70, and paragraph I, Special Order No. 90, current series, Department of Texas, dated San Antonio, Texas, April 9, and May 9, respectively, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, was arraigned and tried:

Private *Henry Abell*, Company A, 24th Infantry.

CHARGE—"Desertion"

Specification—"In this, that Private *Henry Abell*, company A, 24th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort McKavett, Texas, on or about April 11, 1872; and did so remain absent until he was apprehended at or near Cold Springs, Texas, on or about the 5th of May, 1872."

To which charge and specification the accused, Private *Henry Abell*, Company A, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, confirms the plea of accused and finds him:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Abell*, Company A, 24th Infantry, "To be confined at hard labor at the post where his company may be serving, in charge of the guard, for a period of one year, forfeiting all pay that may be now due him, and that may become due during that period, except the just dues of the laundress."

II. The proceedings, findings and sentence in the foregoing case of Private *Henry Abell*, Company A, 24th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

A. Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort McKavett, Texas.

1. Private John Davis.....Company F, 9th Cavalry.
2. Private Robert Hightower.....Company F, 9th Cavalry.
3. Private John Reed.....Company F, 9th Cavalry.
4. Private William Sly.....Company F, 9th Cavalry.
5. Private William Clark.....Company A, 24th Infantry.
6. Private James Harris.....Company A, 24th Infantry.
7. Private Stephen A. Sykes.....Company A, 24th Infantry.
8. Private George B ll.....Company E, 24th Infantry.
9. Private George Hopkins.....Company C, 24th Infantry.
10. Private Anderson Herring.....Company D, 24th Infantry.
11. Private James Lawrence.....Company D, 24th Infantry.
12. Private Ivy Keys.....Company E, 24th Infantry.
13. Private Edward McDonald.....Company E, 24th Infantry.
14. Private Alex. Jones.....Company I, 24th Infantry.
15. Private Harrison Rodgers.....Company I, 24th Infantry.
16. Private Henry Hutchins.....Unassigned, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *July* 30, 1872.

General Court Martial Orders, No. 52.

I. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, April 26, 1872, pursuant to paragraph II, Special Order No. 76, Headquarters Department of Texas, dated San Antonio, Texas, April 19, 1872, and of which Captain Henry C. Corbin, 24th Infantry, is President, were arraigned and tried:

1. Private *John Davis*, Company F, 9th Cavalry.

Charge I—"Desertion."

Specification—"That Private *John Davis*, Company F, 9th Cavalry, after having been duly enlisted in the army of the United States, to serve five years, did desert the same on or about the 25th day of May, 1872, at Fort McKavett, Texas; and did remain absent until apprehended at Fort Mason, Texas, May 28, 1872."

Charge II—"Theft."

Specification—"That *John Davis*, private Company F, 9th Cavalry, did take, without proper authority, one Remington pistol, property of the United States, and for which Private Charles Miller, Company F, 9th Cavalry, was accountable to his company commander; and did appropriate the same to his own use. This at Fort McKavett, Texas, the 25th day of May, 1872."

To which charges and specifications the accused, Private *John Davis*, Company F, 9th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Davis*, Company F, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due or to become due; to be drummed out; and to be confined, at such place as the Commanding General may direct, for one (1) year."

2. Private *Robert Hightower*, Company F, 9th Cavalry.

CHARGE—"Desertion."

Specification—"That Private *Robert Hightower*, Company F, 9th U. S. Cavalry, after having been duly enlisted in the service of the United States, to serve five years, did desert the same at Fort McKavett, Texas, on or about the 25th day of May, 1872; and did remain absent until apprehended at Fort Mason, Texas, on the 28th day of May, 1872."

To which charge and specification the accused, Private *Robert Hightower*, Company F, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the cused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Hightower*, Company F, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; and to be confined, at such place as the Commanding General may direct, for six (6) months."

3. Private *John Reed*, Company F, 9th Cavalry.

CHARGE—"Desertion"

Specification—"That Private *John Reed*, Company F, 9th U. S. Cavalry, after having been duly enlisted in the service of the United States, to serve five years, did desert the same at Fort McKavett, Texas, on or about the 25th day of May, 1872; and did remain absent until apprehended at or near Fort Mason, Texas, on the 28th day of May, 1872."

To which charge and specification the accused, Private *John Reed*, Company F, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Reed*, Company F, 9th Cavalry, "To be dishonorably discharged the service, with loss of all pay and allowances due or to become due; and to be confined at hard labor, at such place as the Commanding General may direct, for six (6) months."

4. Private *William Sly*, Company F, 9th Cavalry.

CHARGE I—"Desertion."

Specification—"That Private *William Sly*, Company F, 9th Cavalry, having been duly enlisted in the service of the United States, to serve five years, did desert the same at Fort McKavett, Texas, on or about May 25, 1872;

and did remain absent until apprehended at or near Fort Mason, Texas, May 28, 1872."

CHARGE II—"Violation of the 50th Article of War."

Specification—"That Private *William Sly*, Company F, 9th Cavalry, having been regularly mounted as a member of the stable guard, over F company's corral, did quit the same without proper authority, at Fort McKavett, Texas, on or about the 24th day of May, 1872; and did remain absent until arrested at Fort Mason, Texas, May 28, 1872."

To which charges and specifications the accused, Private *William Sly*, Company F, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Sly*, Company F, 9th Cavalry, "To be dishonorably discharged and drummed out of the service of the United States, with loss of all pay and allowances due or to become due; and to be confined, for one year, at such place as the Commanding General may direct."

5. Private *William Clark*, Company A, 24th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *William Clark*, Company A, 24th Infantry, did borrow different articles of clothing, from other men of his company, contrary to well known orders issued by his company commander. This at Fort McKavett, Texas, on or about March 7, 1872."

Specification 2d—"In this, that Private *William Clark*, Company A, 24th Infantry, being questioned by the chief of his squad, Sergeant William Flunnoie, Company A, 24th Infantry, whether he was aware that it was contrary to the orders of Lieutenant Dodt, 24th Infantry, commanding Company A, to borrow articles of clothing from other men, made use of the following disrespectful language: 'I am aware of it, but I don't care what the Lieutenant says,' or words to that effect. This at Fort McKavett, Texas, on or about March 7, 1872."

Specification 3d—"In this, that Private *William Clark*, Company A, 24th Infantry, being directed by the sergeant of his squad, Sergeant William Flunnoie, Company A, 24th Infantry, to turn over his clothing and accoutrements prior to being taken to the guard house, did not obey said order, but threw down his knapsack on the floor. This at Fort McKavett, Texas, on or about March 7, 1872."

Specification 4th—"In this, that Private *William Clark*, Company A, 24th Infantry, when ordered by Sergeant William Flunnoie, Company A, 24th Infantry, to put on his blouse, in order to be in a proper condition to be taken to the guard house, did refuse to obey said order. This at Fort McKavett, Texas, on or about March 7, 1872."

Specification 5th—"In this, that Private *William Clark*, Company A, 24th Infantry, being directed by Sergeant William Flunnoie, Company A, 24th Infantry, to go with him to the guard house, did attempt to create a disturbance in the company barracks by addressing the following language to other men of his company: 'Come boys, you know we all came together and we never failed to stick together,' or words to that effect.

All this at Fort McKavett, Texas, on or about the 7th day of March, 1872."

To which charge and specifications the accused, Private *William Clark*, Company A, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the third specification,	"Guilty."
Of the fourth specification,	"Guilty."
Of the fifth specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Clark*, Company A, 24th Infantry, "To be dishonorably discharged and drummed out of the service, with loss of all pay and allowances due or to become due; and then to be confined, at such place as the Commanding General may direct, for one year."

6. Private *James Harris*, Company A, 24th Infantry.

CHARGE—"Conduct to the prejudice of good order and military dicipline."

Specification—"In this, that Private *James Harris*, Company A, 24th Infantry, did, while Sergeant William Flunnoie, Company A, 24th Infantry, was endeavoring to take Private William Clark, Company A, 24th Infantry to the guard house, attempt to prevent the sergeant from so doing, and made use of the following language: 'Men, if any of you were of any account, you would not allow this man (meaning Private William Clark) to be treated in this manner,' or words to that effect, at the same time advancing in a threatening manner toward the above named sergeant. All this at Fort McKavett, Texas, on or about the 7th day of March, 1872."

To which charge and specification the accused, Private *James Harris*, Company A, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Not Guilty."
Of the charge,	"Not Guilty."

And the court does therefore acquit him, Private *James Harris*, Company A, 24th Infantry.

7. Private *Stephen A. Sykes*, Company A, 24th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Stephen A. Sykes*, Company A, 24th Infantry, did, while Sergeant William Flunnoie, Company A 24th Infantry, was endeavoring to take Private William Clark, Company A, 24th Infantry, to the guard house, attempt to prevent the sergeant from so doing and made use of the following language: 'Men, if any of you were of any account, you would not allow this man (meaning Private William Clark) to be treated in this manner,' or words to that effect, at the same time advancing in a threatening manner toward the above named sergeant. All this at Fort McKavett, Texas, on or about the 7th of March, 1872."

To which charge and specification the accused, Private *Stephen A. Sykes*, Company A, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty," except the words "attempt to prevent the sergeant from so doing," and the words "at the same time advancing in a threatening manner toward above named sergeant."

Of the charge "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Stephen A. Sykes*, Company A, 24th Infantry, "To be confined at hard labor, in charge of the guard, for the period of four months; and to forfeit to the United States five ($5) dollars of his monthly pay for the same period."

8. Private *George Bell*, Company C, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, the said Private *George Bell*, C Company, 24th Infantry, did, in an insubordinate manner, say to First Sergeant R. E. Douglass, C Company, 24th Infantry 'that he would be damned if he would soldier so long as he, the said Private *Bell*, could get in the guard house,' or words to that effect. This at or near Fort McKavett, Texas, on or about May 11, 1872."

Specification 2d—"In this, that he, the said Private *George Bell*, Company C, 24th Infantry, having been released from the post guard house and having been ordered to remain in his company quarters by Captain H. C. Corbin, commanding Company C, 24th Infantry, with instructions to clean his arms and accoutrements, did absent himself from his company quarters without proper authority; and did thereby fail to perform any of the duty assigned him; this in direct defiance of the authority and order of his company commander. All this at or near Fort McKavett, Texas on or about the 11th day of May, 1872."

CHARGE II—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, the said Private *George Bell*, having been detailed for guard on the following dates: February 15, 19, 22 and 28, and March 8, 12, 17, 20, 23 and 26, 1872, (the only times he has ever been detailed for guard) did always appear in a slovenly and unsoldierlike manner—with his arms and equipments dirty. This at or near Fort McKavett, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, the said Private *George Bell*, having been convicted by a garrison court martial of absenting himself from his duty, company and post, without proper authority, did, the same day of the expiration of his sentence, commit again the same offence. This at or near Fort McKavett, Texas, on or about the 11th day of May, 1872."

To which charges and specifications the accused, Private *George Bell*, Company C, 24th Infantry, pleaded:

To first specification, first charge,	"Not Guilty."
To second specification, first charge,	"Guilty."
To first charge,	"Guilty."
To first specification, second charge,	"Not Guilty."
To second specification, second charge,	"Guilty."
To second charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the first charge,	"Guilty."

Of the first specification, second charge, "Guilty," except the words, "the only times he has ever been detailed for guard."

Of the second specification, second charge, "Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Bell*, Company C, 24th Infantry, "To be dishonorably discharged and drummed out of the service of the United States, with loss of all pay and allowances now due, or that may become due; and to be confined at hard labor for six months."

9. Private *George Hopkins*, Company C, 24th Infantry.

CHARGE—"Drunkeness on duty, to the predjudice of good order and military discipline."

Specification—"In this, that Private *George Hopkins*, Company C, 24th Infantry, did, while a member of the post guard and in charge of certain prisoners, become so drunk as to allow said prisoners to take possession of some of his ammunition, and to allow said prisoners to return to the guard house sometime in advance of him. All this at or near Fort McKavett, Texas, on or about the 22d day of May, 1872."

To which charge and specification the accused, Private *George Hopkins*, Company C, 24th Infantry, pleaded "Guilty."

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Hopkins*, Company C, 24th Infantry, "To be confined at hard labor, in charge of the guard, for the period of six (6) months; and to carry, during the first and last months of his confinement, a knapsack weighing thirty pounds from reveille to retreat roll call, every alternate hour."

10. Private *Anderson Herring*, Company D, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Anderson Herring*, Company D, 24th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about March 23, 1872, at or near Fort McKavett, Texas; and did remain a deserter until apprehended at or near Mayner's Creek, Texas, on or about March 26, 1872."

To which charge and specification the accused, Private *Anderson Herring*, Company D, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Anderson Herring*, Company D, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; and to be confined, in such prison as the Commanding General may direct, for the period of two years."

11. Private *James Lawrence*, Company D, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *James Lawrence*, Company D, 24th Infantry, having been duly enlisted in the service of the United States, did desert

the same on or about March 23, 1872, at Fort McKavett, Texas; and did remain a deserter until apprehended at or near Mayner's Creek, Texas, on or about March 26, 1872."

To which charge and specification, the accused, Private *James Lawrence*, Company D, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Lawrence*, Company D, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; and then to be confined, in such prison as the Commanding General may direct, for the period of two years.

12. Private *Ivy Keys*, Company E, 24th Infantry

CHARGE—"Desertion."

Specification—"In this, that Private *Ivy Keys*, Company E, 24th Infantry, having been duly enlisted in the army of the United States, did desert the same on or about May 25, 1872, at Fort McKavett, Texas; and did remain so absent until apprehended at or near Fort Mason, Texas, on or about the 28th of May, 1872. Thirty ($30) dollars reward paid for his apprehension."

To which charge and specification the accused, Private *Ivy Keys*, Company E, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty"

SENTENCE.

And the court does therefore sentence him, Private *Ivy Keys*, Company E, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due; and to be confined, at such place as the Commanding General may direct, for six months."

13. Private *Edward McDonald*, Company E, 24th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *Edward McDonald*, Company E, 24th Infantry, did carry about his person a large knife or dirk, in violation of Special Order No. 36, dated Headquarters Fort McKavett, Texas, September 18, 1870. This at Fort McKavett, Texas, on or about the 23d of May, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Edward McDonald*, Company E, 24th Infantry, did create a disturbance in his company quarters. This at Fort McKavett, Texas, on or about the 23d of May, 1872."

Specificaton 2d—"In this, that Private *Edward McDonald*, Company E, 24th Infantry, having been ordered by Sergeant Robert Hewitt, Company E, 24th Infantry, (he, the said Sergeant Hewitt, being then in the lawful execution of his duty) to cease his noise and remain in his quarters, did answer in a highly insubordinate manner, 'You can put me in the guard house and be damned. If you make at me I will fix you,' or words to that effect, having at the same time a dirk or knife in his hand, the blade

hidden under his sleeve. This at Fort McKavett, Texas, on or about the 23d of May, 1872."

To which charges and specifications the accused, Private *Edward McDonald*, Company E, 24th Infantry, pleaded:

To the specification, first charge,	"Guilty."
To the first charge,	"Not Guilty"
To the second charge and its specifications,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward McDonald*, Company E. 24th Infantry, "To be confined at hard labor, in charge of the guard, for the period of four (4) calendar months; and to forfeit five ($5) dollars of his monthly pay for the same period."

14. Private *Alexander Jones*, Company I, 24th Infantry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that Private *Alexander Jones*, unassigned and attached to Company I, 24th Infantry, did illegally dispose of certain articles of his clothing, viz: two pairs of trowsers, one dress coat and one pair of bootees. All this at Fort McKavett, Texas, on or about the 24th day of May, 1872."

CHARGE II—"Disobedience of orders."

Specification—"In this, that Private *Alexander Jones*, unassigned and attached to Company I, 24th Infantry, did gamble or play at cards in the barracks of Company I, 24th Infantry. This, in violation of a well known company order, at Fort McKavett, Texas, on or about the 24th day of May, 1872."

To which charges and specifications the accused, Private *Alexander Jones*, Company I, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Alexander Jones*, Company I, 24th Infantry, "To forfeit ten ($10) dollars of his monthly pay for one month; and to be confined at hard labor, in charge of the guard, for the same period."

15. Private *Harrison Rodgers*, Company I, 24th Infantry.

CHARGE I—"Assaulting a non-commissioned officer, to the predjudice of good order and military dicipline."

Specification—"In this, that Private *Harrison Rodgers*, Company I, 24th Infantry, did assault and strike with a rock, Sergeant George Hobson, Company I, 24th Infantry, thereby inflicting a serious wound upon the per-

son of the said George Hobson. All this at or near Fort McKavett, Texas, on or about the 2d day of April, 1872."

CHARGE II—"Resisting the authority of a non commissioned officer, to the predjudice of good order and military dicipline."

Specification—"In this, that Private *Harrison Rodgers*, Company I, 24th Infantry, being on duty in the company garden, under the control of Sergeant George Hobson, Company I, 24th Infantry, having been ordered to stop playing and go to work, did in an insolent manner refuse to do so; and when ordered to the guard house by said Sergeant Hobson, did say: 'I will do something to go into the guard house. I had rather go to Ship Island than not,' and other words of like effect; and then and there assault and strike with a rock, the person of Sergeant George Hobson, Company I, 24th Infantry. All this at or near Fort McKavett, Texas, on or about the 2d day of April, 1872."

To which charges and specifications the accused, Private *Harrison Rodgers*, Company I, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Harrison Rodgers*, Company I, 24th Infantry, "To forfeit to the United States ten ($10) dollars of his monthly pay for eight (8) months; and to be confined, in charge of the guard, for the same period."

16. Private *Henry Hutchins*, unassigned, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Recruit *Henry Hutchins*, unassigned, 24th Infantry, did desert the service of the United States, at or near Fort McKavett, Texas, on or about the 25th day of May, 1872; and did remain absent until delivered as a deserter at Fort McKavett, Texas, on or about the 31st day of May, 1872. All this at or near Fort McKavett, Texas, on or about the 25th day of May, 1872."

To which charge and specification the accused, Private *Henry Hutchins*, unassigned, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature deliberation, finds the accused.

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Hutchins*, unassigned, 24th Infantry, "To be dishonorably discharged the service, with loss of all pay and allowances due or to become due; and to be confined at hard labor, at such place as the Commanding General may direct, for the period of six (6) months."

II. The proceedings and findings of the first charge and its specification in the case of Private *John Davis*, Company F, 9th Cavalry, are approved. The second charge and its specification being fatally defective are disapproved. The conviction of the first charge fully justifies the sentence, and it is approved and will be duly executed. The military prison at the State Penitentiary, Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the cases of Privates *Robert Hightower* and *John Reed*, Company F, 9th Cavalry, *Ivy Keys*, Company E, and *Henry Hutchins*, unassigned, 24th Infantry, are approved So much of the sentences as impose dishonorable discharge and loss of pay and allowances to become due after expiration of term of confinement, is remitted. As thus mitigated, the sentences are approved and will be duly executed at the station of their respective companies.

The proceedings, findings and sentences in the cases of Privates *William Sly*, Company F, 9th Cavalry, *Stephen A. Sykes*, Company A, *George Hopkins*, Company C, *Harrison Rodgers* and *Alexander Jones*, Company I, 24th Infantry, are approved, and the sentences will be duly executed. In the case of Private *William Sly*, Company F, 9th Cavalry, the military prison at the State Penitentiary, Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *James Harris*, Company A, 24th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *William Clark*, Company A, 24th Infantry, are approved. The sentence is considered excessive, and in view of the length of time the prisoner has been in confinement, is mitigated to confinement at hard labor, at the station of his company, for four (4) months, with forfeiture of his pay for the same period, and is so approved and will be duly executed.

The proceedings and findings in the cases of Privates *James Lawrence* and *Anderson Herring*, Company D, 24th Infantry, are approved. The sentences are mitigated to confinement at hard labor, at the station of their company, for one year, with forfeiture of all pay and allowances during the time and from the dates of their apprehension, and are so approved and will be duly executed.

The proceedings and findings in the case of Private *Edward McDonald*, Company E, 24th Infantry, are approved. The sentence is mitigated to confinement at hard labor in charge of the guard, at the station of his company, for two (2) months, with forfeiture of five ($5) dollars of his monthly pay for the same period, and is so approved and will be duly executed.

The proceedings and findings in the case of Private *George Bell*, Company C, 24th Infantry, are approved. The period of confinement is reduced to four (4) months. As thus mitigated, the sentence is approved and will be duly executed. Fort McKavett, Texas, is designated as the place of confinement.

III. The General Court Martial instituted by paragraph II, of Special Order No. 76, current series, from these Headquarters, and of which Captain HENRY C. CORBIN, 24th Infantry, is President, is hereby dissolved.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Corporal William Jenkins ..... Company H, 9th Cavalry.
2. Private Aleck Mason ..... Company A, 9th Cavalry.
3. Private Henry Cagger ..... Company A, 9th Cavalry.
4. Private Joseph Ross ..... Company A, 9th Cavalry.
5. Private Richard Morris ..... Company A, 9th Cavalry.
6. Private Samuel Coyne ..... Company A, 9th Cavalry.
7. Private William Langwood ..... Company A, 9th Cavalry.
8. Private Mack Harris ..... Company H, 9th Cavalry.
9. Musician Levi Lee ..... Company G, 24th Infantry.
10. Private William Humphrey ..... Company B, 24th Infantry.
11. Private Willis Tillman ..... Company B, 24th Infantry.
12. Private Dennis Shorter ..... Company G, 24th Infantry.
13. Private William Miller, 1st ..... Company G, 24th Infantry.
14. Private Jack Witcher ..... Company G, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *August* 3, 1872.

General Court Martial Orders, No. 53.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, May 20, 1872, pursuant to Special Order No. 94, paragraph I; Special Order No. 100, paragraphs IV and V; Special Order No. 106, paragraph III, and Special Order No. 122, paragraph I, current series, Department of Texas, and of which Captain Andrew Sheridan, 24th Infantry, is President, were arraigned and tried:

1. Corporal *William Jenkins*, Company H, 9th Cavalry.

Charge—"Manslaughter, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *William Jenkins*, a corporal of Troop H, 9th Cavalry, did take from its safe place, at the stables of his troop, the carbine of Private Henry Robinson, of Troop H, 9th Cavalry, a member of the stable guard, and by carelessly handling the said carbine did shoot Private Samuel Lee, of Troop H, 9th Cavalry."

Specification 2d—"In this, that he, *William Jenkins*, corporal of Troop H, 9th Cavalry, did, through gross and criminal carelessness in handling a loaded carbine, fire said carbine and shoot Private Samuel Lee, of Troop H, 9th Cavalry, causing his (Lee's) immediate death. All this at Fort Clark, Texas, on the morning of June 7, 1872."

To which charge and specifications the accused, Corporal *William Jenkins*, Company H, 9th Cavalry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the word 'criminal,' and of the excepted word, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *William Jenkins*, Company H, 9th Cavalry, "To be reduced to the ranks; to be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due; and confined in such military prison as the Commanding General of the Department may direct, for the period of two (2) years."

2. Private *Aleck Mason*, Company A, 9th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Aleck Mason*, a private soldier of Troop A, 9th Cavalry, did take out of box of Private Thomas Eglan, of Troop A, 9th Cavalry, (during his absence on a scout) certain clothing, viz: two (2) stable frocks, two (2) pairs overalls, two (2) pairs drawers, three (3) pairs socks and one (1) under shirt, and did appropriate the same to his own use and benefit. This at Fort Clark, Texas, on or about June 22, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specifica ion—"In this, that he, Private *Aleck Mason*, of Troop A, 9th Cavalry, did dispose of certain articles of clothing by betting them at a game of cards, the clothing being his own (issued to him for to be worn by him in service) or stolen from his fellow soldier, Private Thomas Eglan, of same troop and regiment. This at Fort Clark, Texas, on or about June 22, 1872."

To which charges and specifications the accused, Private *Aleck Mason*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'two pairs of overalls, three pairs of socks and one undershirt,' and in place of two stable frocks, substitute 'one stable frock and two pairs of drawers,' and out of box of, and substitute the word 'from,' and of the excepted words, "Not 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, Private *Aleck Mason*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances; and to be confined, in such military prison as the Commanding General of the Department may direct, for the period of two years."

3. Private *Henry Cagger*, Company A, 9th Cavalry.

CHARGE—"Violation of the 52d Article of War."

Specification—"In this, that he, *Henry Cagger*, a private soldier of Troop A, 9th Cavalry, did shamefully abandon his post, as a soldier engaged in battle with hostile Indians; and did drop out of ranks and conceal himself behind bushes whilst the other men of his troop were engaged; and did remain in such concealment until driven from it by his troop commander. This near Howard's Well, Texas, on the 20th day of April, 1872."

ADDITIONAL CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *Henry Cagger*, because of a persistent, wilful and dogged neglect, resulting from constitutional depravity, is

worthless as a soldier and unable to perform any military duty properly, or to take proper care of the arms, ammunition, accoutrements, horse or horse equipments furnished him, to be employed in the U. S. service. This from October 23, '71, to May 22, '72, dates inclusive, at Fort Stockton, Texas, on the march, and at Fort Clark, Texas."

Specification 2d—"In this, that he, *Henry Cagger*, a private soldier of Troop A, 9th Cavalry, did present himself on inspections of his troop, viz: October 31, 1871; November 30, 1871; December 31, 1871; January 31, 1872; February 29, 1872, and March 31, 1872, in a slovenly manner; clothing, arms and accoutrements unclean, to the discredit of his troop. This at Fort Stockton, Texas, on dates above stated."

To which the accused, Private *Henry Cagger*, Company A, 9th Cavalry, pleaded:

To the charge and its specification, "Not Guilty."
To the additional charge and its specifications, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification to charge, "Guilty."
Of the charge, "Guilty."
Of the first specification, additional charge, "Guilty."
Of the second specification, additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Cagger*, Company A, 9th Cavalry, "To have his head shaved; be trumpeted out of the service, and dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or to become due; and then be confined at hard labor for five (5) years at such place as the Department Commander shall direct."

4. Private *Joseph Ross*, Company A, 9th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, *Joseph Ross*, a private soldier of troop A, 9th Cavalry, did use threatening, vulgar and provoking language to Private William Turner, Troop A, 9th Cavalry."

Specification 2d—"In this, that he, *Joseph Ross*, a private soldier of troop A, 9th Cavalry, did, whilst a prisoner and under guard, (in the barracks of his troop) take a sabre off the nail on which it hung, draw the blade from its scabbard and with it make a cut at Private William Turner, Troop A, 9th Cavalry, which was turned off by the bayonet of the sentinel, Private Robert Newby, Company G, 21th Infantry."

Specification 3d—"In this, that he, *Joseph Ross*, a private soldier of Troop A, 9th Cavalry, whilst a prisoner and under guard, in passing the kitchen of Troop A, 9th Cavalry, did use violent language to Private William Turner, cook for his troop; and did use the following expressions: 'you damn son of a bitch, when I get out of the guard house I will kill you,' or words to that effect. All this at Fort Clark, Texas, on the morning of May 29, 1872."

To which charge and specifications the accused, Private *Joseph Ross*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."
Of the third specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Ross*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances due or to become due; and confined, at such military prison as the Commanding General of the Department may direct, for three (3) years."

5. Private *Richard Morris*, Company A, 9th Cavalry.

CHARGE I—"Sleeping on post."

Specification—"In this, that he, *Richard Morris*, a private soldier of Troop A, 9th Cavalry, did, after being duly posted as a sentinel over public animals and property, go to sleep on his post, and was found asleep by Corporal John Jackson, of his troop, in charge of detachment, at Fort Lancaster, Texas, on or about the 5th day of March, 1872."

CHARGE II—"Desertion of post, in violation of the 46th Article of War."

Specification—"In this, that he, *Richard Morris*, a private soldier of Troop A, 9th Cavalry, did, after being duly posted as a sentinel, desert and leave his post, and go into his quarters and go to sleep, and was found asleep by the corporal in charge of the detachment, Corporal John Jackson, Troop A, 9th Cavalry, and also seen asleep by Corporal Hester, Company K, 25th Infantry. This at Fort Lancaster, Texas, on or about the 15th of March, 1872."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *Richard Morris*, a private soldier of Troop A, 9th Cavalry, did use threatening language to Corporal John Jackson, of same troop and regiment, to-wit: 'you damn son of a bitch, you keep on and you will never see Stockton,' or words to that effect; and did sell several articles of his clothing to train men passing, in defiance of the corporal or the orders of his troop commander. All this whilst on detached service at Fort Lancaster, Texas, on or about the 20th day of March, 1872."

ADDITIONAL CHARGE—"Perjury, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Richard Morris*, a private soldier of Troop A, 9th Cavalry, did, on or about the 12th day of May, 1872, in open court, as a witness for the defense in the case of Private Lewis Howard, of Troop A, 9th Cavalry, testify under oath that Corporal Jackson said to him (Howard) he would 'give him rations enough to last him 'til he got to the post, and that he would then get rations from his company; I was standing close by him when he told him so,' or words to that effect; all of which was false. This at Fort Clark, Texas, before garrison court martial, convened by Special Order No. 73, current series, Post Headquarters, and of which Captain Andrew Sheridan, 24th Infantry, was President, on or about May 12, 1872."

To which charges and specifications the accused, Private *Richard Morris*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."
Of the specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Morris*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances; and to be confined for five (5) years at such military prison as the Commanding General may designate."

6. Private *Samuel Coyne*, Company A, 9th Cavalry.

CHARGE I—"Violation of the 37th Article of War."

Specification 1st—"In this, that he *Samuel Coyne*, a private soldier of Troop A, 9th Cavalry, did dispose of, or lose by his neglect, the ammunition issued to him, viz: forty (40) metallic cartridges, calibre .50; and did present himself for inspection, at the monthly inspection of his troop, March 31, 1872, without ammunition. This at Fort Stockton, Texas, on or about March 31, 1872."

Specification 2d—"In this, that he, *Samuel Coyne*, a private soldier of Troop A, 9th Cavalry, did, after he had been furnished twenty metallic cartridges on the 31st of March, 1872, turn in his arms and equipments on or about April 11, 1872, having no ammunition, and being unable to account for its loss. This at Fort Stockton, Texas, on or about April 11, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *Samuel Coyne*, a private of Troop A, 9th Cavalry, did present himself for inspection with his troop on May 12, 1872, in a filthy state, arms and clothing; and did, after a sufficient time was allowed him to clean himself and his arms, present himself for inspection in a slovenly and unclean state, jacket unbuttoned, arms greasy. All this at Fort Clark, Texas, on or about May 12, 1872."

To which charges and specifications the accused, Private *Samuel Coyne*, Company A, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Samuel Coyne*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States."

7. Private *William Langwood*, Company A, 9th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, *William Langwood*, a private soldier of Troop A, 9th Cavalry, did conduct himself in a disorderly manner, and try to make a disturbance in the quarters of his troop; and did arm himself with a sabre, with the intention of using it to hurt Trumpeter William Nelson, of same troop and regiment."

Specification 2d—"In this, that he, *William Langwood*, a private soldier of Troop A, 9th Cavalry, did, when ordered by Sergeant Peter Alphonse,

of Troop A, 9th Cavalry, to put away his sabre and go to the guard house, use defiant and disrespectful language to him; and did resist the authority of Sergeant Peter Alphonse, and when force was employed by the sergeant, did resist until overpowered and disarmed; the sergeant, Peter Alphonse, of Troop A, 9th Cavalry, being in the execution of his office."

Specification 3d—"In this, that he, *William Langwood*, of Troop A, 9th Cavalry, did conduct himself in an insubordinate manner at the stables during the stable duties of his troop; and did, when ordered by Sergeant Jackson, of same troop and regiment, to groom his horse or he would report him to the Lieutenant, (meaning First Lieutenant Patrick Cusack, 9th Cavalry) reply, 'I don't give a damn for the Lieutenant; the Lieutenant hav'n't a damn thing to do with me,' or words to that effect; and did, when the sergeant told him to groom his horse or he would knock him down, reply, 'you are a son of a bitch,' and continued to abuse Sergeant Jackson until knocked down by a blow struck him by said Sergeant Jackson put a stop to his abusive language."

Specification 4th—"In this, that he, *William Langwood*, a private of Troop A, 9th Cavalry, did use the following language to the sergeant of the stable guard and sentinel, (Sergeant John Jackson, and sentinel Private Lewis Stewart.) both of Troop A, 9th Cavalry, 'I'll be damned if you can drive me,' and 'I'm tired serving under a damn Irishman, anyway,' (meaning his troop commander, Captain Michael Cooney, 9th Cavalry, or words to this effect. All this at Fort Clark, Texas, on the 2d day of June, 1872."

ADDITIONAL CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *William Langwood*, Troop A, 9th Cavalry, did quarrel and fight with Private Monroe Johnson, Company B 24th Infantry; and did bite off a portion of the ear of said Private Monroe Johnson, Company B, 24th Infantry. This at or near the village of Brackettsville, Texas, on or about the 30th day of May, 1872."

To which charges and specifications the accused, Private *William Langwood*, Company A, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification to charge,	"Guilty."
Of the second specification to charge,	"Guilty."
Of the third specification to charge,	"Guilty."
Of the fourth specification to charge,	"Guilty."
Of the charge,	"Guilty."
Of the specification, additional charge,	"Guilty."
Of the additional charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Langwood*, Company A, 9th Cavalry, "To be dishonorably discharged from the service of the United States, with loss of all pay due or to become due; and to be confined, at such military prison as the reviewing authority may direct, for the period of two (2) years."

8. Private *Mack Harris*, Company H, 9th Cavalry.

CHARGE—"Violation of the 99th Article of War."

Specification—"In this, that Private *Mack Harris*, Company H, 9th U. S. Cavalry, having been duly mounted as a member of the camp guard, and having been sent to his dinner, did remain away about four hours; and

when found by the corporal of the guard, he, Private *Mack Harris*, Company H, 9th U. S. Cavalry, was gambling. When told by the sergeant of the guard (John Jackson, Company A, 9th Cavalry) that he would be punished, he cursed him and said, 'I will get even with you, I will put a ball through you when I come off guard,' or words to that effect. This at camp near Fort Clark, Texas, on or about the 28th day of April, 1872."

To which charge and specification the accused, Private *Mack Harris*, Company H, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Mack Harris*, Company H, 9th Cavalry, "To be confined at hard labor, under charge of the guard, for six (6) months; and to forfeit to the United States ten ($10) dollars per month of his monthly pay for the same period."

9. Musician *Levi Lee*, Company G, 24th Infantry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification—"That Musician *Levi Lee*, Company G, 24th Infantry, did, with malicious intention, brutally assault, beat and maltreat laundress Josephine Haines, Company G, 24th Infantry. This at or near Fort Clark, Texas, on or about May 15, 1872."

To which charge and specification the accused, Musician *Levi Lee*, Company G, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *Levi Lee*, Company G, 24th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances that are or may become due him; and to be confined, at such military prison as the reviewing authority may direct, for the period of two years."

10. Private *William Humphrey*, Company B, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That Private *William Humphrey*, B company, 24th Infantry, did cross the Rio Grande into the Republic of Mexico, and did there sell or otherwise dispose of one (1) pair of cavalry pants. This at Fort Quitman, Texas, on or about the 7th day of January, 1872."

Specification 2d—"That Private *William Humphrey*, B company, 24th Infantry, did have in his possession one (1) pair of new cavalry pants which were not issued to him, and for the possession of which he could not properly account. This at Fort Quitman, Texas, on or about the 7th day of January, 1872."

Specification 3d—"That Private *William Humphrey*, B company, 24th Infantry, did steal or take one (1) pair of cavalry pants, the property of the United States, and for which First Lieutenant M. W. Saxton, 24th Infantry, Acting Assistant Quartermaster, was responsible. This at Fort Quitman, Texas, on or about the 4th or 5th of January, 1872."

CHARGE II—"Disobedience of orders."

Specification—"That Private *William Humphrey*, B company, 24th Infantry, did cross the Rio Grande into the Republic of Mexico without permission from proper authority, and in violation of post orders. This at Fort Quitman, Texas, on or about the 7th day of January, 1872."

To which charges and specifications the accused, Private *William Humphrey*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Not Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the third specification, first charge,	"Not Guilty."
Of the first charge,	"Not Guilty."
Of the specification to second charge,	"Not Guilty."
Of the second charge,	"Not Guilty."

And the court does therefore acquit him, Private *William Humphrey*, Company B, 24th Infantry.

11. Private *Willis Tillman*, Company B, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Willis Tillman*, Company B, 24th Infantry, having been duly detailed and mounted as a member of the post guard of Fort Clark, Texas, and having been placed as a sentinel in charge of a lot of prisoners, did allow, by his neglect, one of them, Private Samuel Watkins, Company B, 24th Infantry, to escape. This at Fort Clark, Texas, on or about the 31st day of May, 1872."

To which charge and specification the accused, Private *Willis Tillman*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Not Guilty."
Of the charge,	"Not Guilty."

And the court does therefore acquit him, Private *Willis Tillman*, Company B, 24th Infantry.

12. Private *Dennis Shorter*, Company G, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military dicipline."

Specification—"In this, that he, Private *Dennis Shorter*, Company G, 24th Infantry, having been duly detailed and mounted as a member of the post guard of Fort Clark, Texas, and having been placed as a sentinel in charge of a lot of prisoners, did allow, by his neglect, one of them, Private Samuel Watkins, Company B, 24th Infantry, to escape. This at Fort Clark, Texas, on or about the 31st day of May, 1872."

To which charge and specification, the accused, Private *Dennis Shorter*, Company G, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Not Guilty."
Of the charge,	"Not Guilty."

And the court does therefore acquit him, Private *Dennis Shorter*, Company G, 24th Infantry.

13. Private *William Miller, 1st*, Company G, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That Private *William Miller*, 1*st*, Company G, 24th Infantry, did steal a sum of money (fifty-three dollars, more or less,) the property of Private Harrison Wilson, Company G, 24th Infantry. This at Fort Clark, Texas, on or about the 8th of June, 1872."

To which charge and specification the accused, Private *William Miller*, 1*st*, Company G, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Miller*, 1*st*, Company G, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances; and to be confined, at such place as the reviewing authority may direct, for the period of fifteen (15) months."

14. Private *Jack Witcher*, Company G, 24th Infantry.

CHARGE—"Deserting post, in violation of 46th Article of War."

Specification—"That Private *Jack Witcher*, Company G, 24th Infantry, havbeen duly mounted as a member of the post guard, and having been duly posted on post No. 4, did quit the same without authority—after a half hour's search he was found outside of the corral, coming from the direction of the settlement near Fort Clark, Texas. This at Fort Clark, Texas, on the night of the 8th, or morning of the 9th of May, 1872, between the hours of 11 P. M., and 2 A. M., on the days specified."

To which charge and specification the accused, Private *Jack Witcher*, Company G, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Jack Witcher*, Company G, 24th Infantry, "To forfeit to the United States nine ($9) dollars of his monthly pay for five (5) months; and to be confined at hard labor, in charge of the guard, for the same period."

II. The proceedings, findings and acquittals in the cases of Privates *William Humphrey*, *Willis Tillman*, Company B, and *Dennis Shorter*, Company G, 24th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *Henry Cagger*, Company A, *Mack Harris*, Company H, 9th Cavalry, and *William Miller*, 1*st*, Company G, 24th Infantry, are approved. The military prison at the State Penitentiary, Baton Rouge, Louisiana, is designated as the place of confinement for Privates *William Miller*, 1*st*, and *Henry Cagger*. The station of his company is designated as the place of confinement in case of Private *Mack Harris*.

The proceedings in case of Private *Richard Morris*, Company A, 9th Cavalry, are approved; but the evidence leaving doubt of the existence of criminal intent of accused in the additional charge and specification; the findings upon that charge and specification are disapproved. The sentence is mitigated

to confinement, at the place where his company may be serving, for six months, with loss of all pay during same period, and will be duly executed.

The proceedings and findings in the cases of Private *William Langwood*, Company A, 9th Cavalry, and Musician *Levi Lee*, Company G, 24th Infantry, are approved. The sentence, in each case, is mitigated to confinement for six months at the station of their respective companies; forfeiting all pay during that period.

The proceedings, findings and sentences in the cases of Corporal *William Jenkins*, Company H, and Private *Aleck Mason*, Company A, 9th Cavalry, are disapproved. They will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Samuel Coyne*, Company A, 9th Cavalry, are approved. The sentence is disapproved. If the causes, mentioned by the court, in their sentence, exist, they should be ascertained by proper medical investigation. The charges alleged should have been submitted to trial by a Garrison Court Martial. The accused will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *Jack Witcher*, Company G, 24th Infantry, are approved In view of the possibility, under the evidence recorded, that the accused was acting under mistaken views of his duty, and also of the good reputation proven by him in his defence, the sentence is remitted and the accused will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Joseph Ross*, Company A, 9th Cavalry, are approved. The sentence is mitigated to forfeiture of his monthly pay for three months, and confinement at hard labor, in charge of the guard at the post where his company may be stationed, for the same period, and is so approved and will be duly executed.

By command of Brigadier General Augur:

J. A. AUGUR,

Acting Assistant Adjutant General.

Official:

Colm Augur.

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT RICHARDSON, TEXAS.

1. Saddler ANDREW STAUFFER ..... Company L, 4th Cavalry.
2. Private JOHN BOWEN ..... Company L, 4th Cavalry.
3. Private GEORGE KEELEY ..... Company K, 4th Cavalry.
4. Lance Corporal DOMINICK CLANCY ..... Company D, 11th Infantry.
5. Private JOHN CAMPBELL ..... Company I, 11th Infantry.
6. Privates HENRY EVANS and HENRY LOVELAND, ... Company I, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *August* 9, 1872.

GENERAL COURT MARTIAL ORDERS, No. 54.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, May 1, 1872, pursuant to paragraph III, Special Order No. 74, current series, Department of Texas, and of which Lieutenant Colonel GEORGE P. BUELL, 11th U. S. Infantry, is President, were arraigned and tried:

1. Saddler *Andrew Stauffer*, Company L, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Saddler *Andrew Stauffer*, Company L, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Richardson, Texas, May 31, 1872; and remain absent until arrested near Jacksboro', Texas, June 2, 1872. All this at and near Fort Richardson, Texas, on or about the dates above specified."

To which charge and specification the accused, Saddler *Andrew Stauffer*, Company L, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'did desert the same at Fort Richardson, Texas, May 31, 1872.'"

Of the charge, "Not Guilty, but guilty of 'absence without leave.'"

SENTENCE.

And the court does therefore sentence him, Saddler *Andrew Stauffer*, Company L, 4th Cavalry, "To forfeit ten dollars of his monthly pay for the period of six months."

2. Private *John Bowen*, Company L, 4th Cavalry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *John Bowen*, Company L, 4th U. S. Cavalry, did absent himself, without leave, from Fort Richardson, Texas, on the 28th day of May, 1872; and remain absent until arrested near

Jacksboro', Texas, on the 2d day of June, 1872. This at or near Fort Richardson', Texas, on or about the dates above specified."

CHARGE II—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John Bowen*, Company L, 4th U. S. Cavalry, having joined his company on the 27th day of July, 1871, has been tried and convicted by two courts martial since December 1, 1871, to the present date; said court martial orders date as follows, viz: General Court Martial Order No. 15, Headquarters Department of Texas, San Antonio, Texas, January 26, 1872; and General Order No 65, Headquarters Fort Richardson, Texas, May 25, 1872 All this at Fort Richardson, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, Private *John Bowen*, Company L, 4th U. S. Cavalry, has, by his own worthlessness, habitual drunkenness and misconduct, been confined under charge of the guard for one hundred and twenty days, more or less, at the Post of Fort Richardson, Texas, at the following dates: from the 29th day of November, 1871, to the 26th day of March, 1872—one hundred and eighteen days—from the 24th day of May, 1872, to the 26th day of May, 1872—two days. Total, one hundred and twenty days. All this at the place and on or about the dates above specified."

To which the accused, Private *John Bowen*, Company L, 4th Cavalry, pleaded:

To the first charge and its specification,	"Guilty."
To the first specification, second charge,	"Guilty."
To the second specification, second charge,	"Not Guilty."
To the second charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, except the words 'worthlessness and habitual drunkenness,'"

Of the second charge,	"Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Bowen*, Company L, 4th Cavalry, "To forfeit to the United States ten dollars of his monthly pay for the period of six (6) months."

3. Private *George Keeley*, Company K, 4th Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *George Keeley*, Company K, 4th Cavalry, being duly mounted as a member of the guard at Fort Richardson, Texas, on the 31st day of May, 1872, did, while a member of said guard, get drunk. All this at Fort Richardson, Texas, on the date above specified."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *George Keeley*, Company K, 4th Cavalry, a member of the post guard at Fort Richardson, Texas, become so drunk as to be stupid; and while in that condition was found with his pants unbuttoned and his person indecently exposed, lying on the seat of the privy of the post guard house, by the commanding officer of the post. All this at Fort Richardson, Texas, on the 31st of May, 1872."

To which charges and specifications the accused, Private *George Keeley*, Company K, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the case, finds the accused:

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, Private *George Keeley*, Company K, 4th U. S. Cavalry, "To be confined at hard labor, under charge of the guard, at the post where his company may be serving, 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."

4 Lance Corporal *Dominick Clancy*, Company D, 11th Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Lance Corporal *Dominick Clancy*, of D company, 11th Infantry, while corporal of the post guard, did leave the post guard house at ten and a half o'clock P. M., with two members of the guard in charge of five prisoners (night party) to attend to policing the sinks, which duty he did fail to perform, turning over the prisoners and keys to Private Meehan, C company, 11th Infantry, (a member of the guard) asking him to take charge, attend to the duty and return the prisoners to the guard house. This without any authority."

CHARGE II—"Violation of the 50th Article of War."

Specification—"In this, that he, Lance Corporal *Dominick Clancy*, D company, 11th Infantry, while corporal of the post guard, being sent with two members of the guard in charge of five prisoners (night party) to police the sinks at ten and a half o'clock P. M., and instead of performing this duty did turn the prisoners over to Private Meehan, C company, 11th Infantry, one of the guard; and did leave the party and his guard without authority; and did remain absent until after the guard was turned out for inspection by the officer of the day, at 12:30 o'clock A. M."

CHARGE III—"Violation of the 45th Article of War."

Specification—"In this, that he, Lance Corporal *Dominick Clancy*, D company, 11th Infantry, while corporal of the post guard, did report to the officer of the guard between the hours of 12 M. and 2 o'clock A. M., without his belts on, and so much intoxicated as to be unable to perform any duty properly. All of this at Fort Richardson, Texas, on or about the 12th and 13th of May, 1872."

To which charges and specifications the accused, Lance Corporal *Dominick Clancy*, Company D, 11th Infantry, pleaded:

To the specification, first charge, "Guilty."
To the first charge, "Not Guilty."
To the specification, second charge, "Guilty."
To the second charge, "Guilty."
To the specification, third charge, "Guilty, except the words 'and so much intoxicated as to be unable to perform any duty properly.'"
To the third charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Lance Corporal *Dominick Clancy*, Company D, 11th Infantry, "To be confined at hard labor in the post guard house, where his company may be serving, for the period of four months."

5. Private *John Campbell*, Company I, 11th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *John Campbell*, Company I, 11th Infantry, did, after having been duly mounted as a member of the guard and posted as a sentinel on No. 2 post, in rear of the guard house, in charge of two prisoners, (Privates William Hemmingway, Company A, 4th Cavalry, and Henry Snell, Company B, 3d Cavalry,) allow Private Snell to escape—said Snell, at the time he made his escape, being handcuffed and shackled. This about 10 P. M., on the 3d day of May, 1872, at the Post of Fort Richardson, Texas."

To which charge and specification the accused, Private *John Campbell*, Company I, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *John Campbell*, Company I, 11th Infantry.

6. Privates *Henry Evans* and *Henry Loveland*, Company I, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Privates *Henry Evans* and *Henry Loveland*, Company I, 11th Infantry, prisoners in confinement, did desert the service of the United States at Fort Richardson, Texas, on the 7th day of May, 1872; and did remain absent until arrested and apprehended as deserters at Fort Richardson, Texas, on the 7th day of May, 1872."

To which charge and specification the accused, Privates *Henry Evans* and *Henry Loveland*, Company I, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence them, Privates *Henry Evans* and *Henry Loveland*, Company I, 11th Infantry, "To be dishonorably discharged the service; to forfeit all pay and allowances that are due or that may become due, except just dues of laundress; and be confined at hard labor for one year in such military prison as the Commanding General of the Department may designate."

II The proceedings, findings and sentences in the cases of Private *John Bowen*, Company L, 4th Cavalry, and Lance Corporal *Dominick Clancy*, Company D, 11th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Henry*

Evans and *Henry Loveland*, Company I, 11th Infantry, are disapproved. The record is fatally defective in not setting out due administration of oath to Judge Advocate.

The proceedings in the case of Saddler *Andrew Stauffer*, Company L, 4th Cavalry, are irregular. The findings of the court upon the specification leave no sufficient statement of facts to sustain the charge as found. The findings and sentence are disapproved, and the accused will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *George Keeley*, Company K, 4th Cavalry, are approved. The sentence is mitigated to confinement at hard labor for the period of four months, and forfeiture of pay for the same period. As thus mitigated, the sentence is approved and will be duly executed.

The proceedings, findings and acquittal in the case of Private *John Campbell*, Company I, 11th Infantry, are approved. He will be released from confinement and restored to duty.

By command of Brigadier General Augur:

J. A. AUGUR,

Acting Assistant Adjutant General.

Official:

Colm Ancyne

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT CLARK, TEXAS.

1. Private JOHN BROOKS.....Company A, 9th Cavalry.
2. Private WILLIAM WESLEY.....Company G, 9th Cavalry.
3. Private ANTHONY BROWN .....Company H, 9th Cavalry.
4. Private WILLIAM HUBBARD .....Company K, 9th Cavalry.
5. Private GEORGE LOWERY .....Company K, 9th Cavalry.
6. Private HIRAM FRANKLIN.....Company B, 24th Infantry.
7. Private WILLIAM HUMPHREY .....Company B, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *August* 29, 1872.

GENERAL COURT MARTIAL
ORDERS, No. 55.

I. Before a General Court Martial which convened at Fort Clark, Texas on Monday, May 20, 1872, pursuant to paragraph I. Special Order No. 94, Headquarters Department of Texas, dated San Antonio, Texas, May 14, 1872, and of which Captain ANDREW SHERIDAN, 24th Infantry, is President, were arraigned and tried:

1. Private *John Brooks*, Company A, 9th Cavalry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"In this, that he, *John Brooks*, a private of Troop A, 9th Cavalry, did fail to repair to the place of parade with his troop at the time fixed for tattoo roll-call, on the 24th of July, 1872. This at Fort Clark, Texas."

CHARGE II—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, *John Brooks*, a private soldier of Troop A, 9th Cavalry, was drunk, to the prejudice of good order and military discipline. This at Fort Clark, Texas, July 24, 1872."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *John Brooks*, a private soldier of Troop A, 9th Cavalry, has become so addicted to the use of intoxicating liquor as to render him unreliable and worthless as a soldier. This at Fort Clark, Texas, on or about July 24, 1872."

Specification 2d—"In this, that he, *John Brooks*, a private soldier of Troop A, 9th Cavalry, was tried by a Garrison Court Martial for conduct prejudicial to good order and military discipline—found guilty, and sentenced to forfeit to the United States his pay for one (1) month. (Pr. proceedings of Garrison Court Martial published in General Order No. 38, series 1872, Headquarters Fort Clark, Texas.) This at Fort Clark, Texas, on or about June 1, 1872."

Specification 3d—"In this, that he, *John Brooks*, a private soldier of Troop A, 9th Cavalry, was tried by a Garrison Court Martial for conduct prejudicial to good order and military discipline—found guilty, and sentenced to forfeit to the United States five ($5.00) dollars of his monthly pay for one month; to be confined in charge of the guard for eight (8) days; to carry a log weighing twenty-four (24) pounds during that period, from reveille until retreat, allowing half an hour for each meal. (Pr. proceedings of Garrison Court Martial published in General Order No. 48, series 1872, Headquarters Fort Clark, Texas.) This at Fort Clark, Texas, on or about July 5, 1872."

Specification 4th—"In this, that he, *John Brooks*, a private soldier of Troop A, 9th Cavalry, is always drunk when he can obtain intoxicating liquor, and is disorderly and quarrelsome when under the influence of liquor. This at Fort Clark, Texas, on several occasions between the 28th day of April and the 24th day of July, 1872."

To which charges and specifications the accused, Private *John Brooks*, Company A, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification to first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the specification to second charge,	"Guilty."
Of the second charge,	"Guilty."
Of the first specification to third charge,	"Guilty."
Of the second specification to third charge,	"Guilty."
Of the third specification to third charge,	"Guilty."
Of the fourth specification to third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Brooks*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances now due or that may become due, except the just dues of the laundress."

2. Private *William Wesley*, Company G, 9th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"That he, Private *William Wesley*, Company G, 9th Cavalry, while a member of the stable guard of Company G, 9th Cavalry, did take from the store room of said company (of which stable guard had charge, said store room being in one end of the company stables) three (3) pairs of cavalry boots, the property of the United States, and for which First Lieutenant F. S. Davidson, 9th Cavalry, is responsible; and did carry away said boots. This at Fort Clark, Texas, on the 22d day of July, 1872, between the hours of 8 and 12 o'clock."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"That he, Private *William Wesley*, Company G, 9th Cavalry, being a member of the stable guard of Company G, 9th Cavalry, did leave the stable of said company, it being the post of said guard; and did remain absent, without permission from proper authority, about one half hour, more or less. This at Fort Clark, Texas, on or about the 22d day of July, 1872, between the hours of 8 and 12 o'clock."

To which the accused, Private *William Wesley*, Company G, 9th Cavalry, pleaded:

To the first charge and its specification, "Not Guilty."

To the second charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification to first charge, "Not Guilty."
Of the first charge, "Not Guilty."
Of the specification to second charge, "Guilty."
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Wesley*, Company G, 9th Cavalry, "To forfeit to the United States his monthly pay for one month."

3. Private *Anthony Brown*, Company H, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Anthony Brown*, Company H, 9th Cavalry, having been regularly posted as a sentinel over the camp and public animals of a detachment *en route* from Camp Wood to Fort Clark, Texas, did leave his post and lie down and go to sleep. All this in an Indian country between Camp Wood, Texas, and Fort Clark, Texas, on or about the 21st day of July, 1872."

To which charge and specification the accused, Private *Anthony Brown*, Company H, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Anthony Brown*, Company H, 9th Cavalry, "To be confined in charge of the post guard for the period of one year; and to forfeit eight dollars of his monthly pay for the same period."

4. Private *William Hubbard*, Company K, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification 1st—"In this, that he Private *William Hubbard*, Troop K, 9th Cavalry, did, after being regularly posted as a sentinel over the public horses of his troop, lie down upon a pile of stable manure and go to sleep. This at Fort Clark, Texas, on the 24th day of July, 1872."

Specification 2d—"In this, that he, Private *William Hubbard*, Troop K, 9th Cavalry, did, after having been regularly posted as a sentinel over the public horses of his troop, leave his post and lie down and go to sleep, and was found by the officer of the day, aided by the sergeant of his guard, asleep and his carbine laying near him. This at Fort Clark, Texas, July 24, 1872."

To which charge and specifications the accused, Private *William Hubbard*, Company K, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Hubbard*, Company K, 9th Cavalry, "To be dishonorably discharged the service of the Uni-

ted States; with loss of all pay and allowances now due or to become due, except the just dues of the laundress."

5. Private *George Lowery*, Company K. 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *George Lowery*, Troop K, 9th Cavalry, a duly enlisted soldier in the service of the United States, and duly mounted and posted as stable guard over the public horses and property in the stable of troop K, 9th Cavalry, did go to sleep on his post; and remain asleep until found by the corporal of the guard in that condition and was awakened by him. This at Fort Clark, Texas, on or about the night of July 28, 1872."

To which charge and specification the accused Private *George Lowery*, Company K, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Lowery*, Company K. 9th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due, except the just dues of the laundress; and to be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of one year."

6. Private *Hiram Franklin*, Company B, 24th Infantry.

CHARGE—"Manslaughter, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Hiram Franklin*, Company B, 24th Infantry, did wickedly and wilfully shoot, with a Springfield breech-loading rifle, loaded with powder and ball, First Sergeant Joseph Edmore, company B 24th Infantry, thereby inflicting a mortal wound upon and causing the death of the said First Sergeant Joseph Edmore, Company B, 24th Infantry. All this at or near the Escondido Springs, Texas, on or about the morning of the 16th of April, 1872."

To which charge and specification the accused, Private *Hiram Franklin*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Hiram Franklin*, Company B, 24th Infantry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances now due, or that may become due; and to be confined at hard labor, in such military prison as the Department Commander may direct, for the period of twenty-five (25) years."

7. Private *William Humphrey*, Company B, 24th Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"That Private *William Humphrey*, Company B, 24th Infantry, while on duty as sentinel over the public property (wagons, carts, horses, mules, etc.) in the quartermaster's corral, did, by his neglect and care-

lessness, permit a public horse to escape, or to be stolen or taken away from said corral. This at Fort Clark, Texas, on the night from the 10th to the 11th day of July, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *William Humphrey*, Company B, 24th Infantry, while on duty as sentinel over the public animals, etc. in the quartermaster's corral, did, by his aid and connivance, allow one of said animals (a horse) to be taken away or stolen. This at Fort Clark, Texas, on the night from the 10th to the 11th of July, 1872."

To which charges and specifications the accused, Private *William Humphrey*, Company B, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Humphrey*, Company B, 24th Infantry.

II. In case of Private *John Brooks*, Company A, 9th Cavalry, the proceedings and findings upon first and second charges and their specifications are approved The proceedings and findings upon third charge and specification are disapproved. No charge of conduct in the nature of worthlessness can be sustained or approved unless predicated upon specifications setting out specific offences. Trial, sentence, and punishment for offences committed, cannot form a basis for re-trial by their aggregation. The sentence is mitigated to forfeiture of ten dollars per month, of his monthly pay, for six months, and will be duly executed. Accused will be released from confinement and restored to duty.

The proceedings and findings in case of Private *William Wesley*, Company G, 9th Cavalry, are approved. The sentence is mitigated to forfeiture of five dollars of his monthly pay for one month, and will be duly executed. Accused will be restored to duty.

The proceedings and findings in case of Private *Anthony Brown*, Company H, 9th Cavalry, are approved. The sentence is mitigated to confinement for four months at the station of his company; forfeiting eight dollars per month of his pay for five months, and will be duly executed.

The proceedings and findings in case of Private *George Lowery*, Company K, 9th Cavalry, are approved. The sentence is mitigated to confinement for four months, and forfeiture of ten dollars per month of his pay for same period, and will be duly executed.

The proceedings and findings in case of Private *William Hubbard*, Company K, 9th Cavalry, are approved. The sentence is mitigated to forfeiture of ten dollars per month of his pay for six months, and will be duly executed.

The proceedings and findings in case of Private *Hiram Franklin*, Company B, 24th Infantry, are approved. The period of confinement is reduced to fifteen years. The sentence, thus mitigated, will be duly executed. The military prison at the State Penitentiary, Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings, findings and acquittal in case of Private *William Humphrey*, Company B, 24th Infantry, are approved. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by Special Order No. 94, paragraph I, current series, Department of Texas, and of which Captain ANDREW SHERIDAN, 24th Infantry, is President, is hereby dissolved

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,

Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur.

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Stockton, Texas.

1. Private James Morgan ..... Company D, 9th Cavalry.
2. Private Alphonzo Henry ..... Company F, 25th Infantry.
3. Corporal Joseph Minott ..... Company F, 25th Infantry.
4. Private Robert D. Chase ..... Company K, 25th Infantry.
5. Private John H. Smith ..... Company K, 25th Infantry.

At San Anton o, Texas.

6. Private Charles Edwards ..... Company A, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *August* 30, 1872.

General Court Martial Orders, No. 56.

I Before a General Court Martial which convened at Fort Stockton, Texas, on Friday, August 2, 1872, pursuant to paragraph VI, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major Zenas R. Bliss, 25th Infantry, is President, were arraigned and tried:

1. Private *James Morgan*, Company D, 9th Cavalry.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification—"That he, Private *James Morgan*, Company D, 9th Cavalry, did steal from Private Charles Schoflin, Company D, 9th Cavalry, a part of the lock of his (Schoffin's) carbine. This near Blue River, in New Mexico, on or about the 26th day of July, 1872."

To which charge and specification the accused, Private *James Morgan*, Company D, 9th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *James Morgan*, Company D, 9th Cavalry, "To be confined at hard labor, in charge of the guard, for four (4) months, and to forfeit ten dollars of his monthly pay for the same period."

2. Private *Alphonzo Henry*, Company F, 25th Infantry.

Charge—"Desertion."

Specification—"That he, Private *Alphonzo Henry*, having been duly enlisted in the service of the United States, did desert the same at Fort Duncan, Texas, on or about the 12th of November, 1871; and did remain absent until apprehended as a deserter near Fort Duncan Texas, on about the 13th of March, 1872. $30 reward paid for apprehension."

To which charge and specification the accused, Private *Alphonzo Henry*, Company F, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alphonzo Henry*, Company F, 25th Infantry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances that are or may become due; and to be confined, in such military prison as the Department Commander may direct, for one (1) year."

3. Corporal *Joseph Minott*, Company F, 25th Infantry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification—"That he, Corporal *Joseph Minott*, Company F, 25th Infantry, having been directed by 1st Sergeant John Thomas, Company F, 25th Infantry, to remove from his sleeves unauthorized badges which he had placed or caused to be placed upon them, did fail to do so. This at Fort Stockton, Texas, on or about the 3d day of August, 1872."

To which charge and specification the accused, Corporal *Joseph Minott*, Company F, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Joseph Minott*, Company F, 25th Infantry, "To forfeit $5 of his monthly pay for one (1) month." The court is thus lenient on account of the excellent character given the accused.

4. Private *Robert D. Chase*, Company K, 25th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Private *Robert D. Chase*, Company K, 25th Infantry, did visit the quarters of laundress Emma Chase without authority, in violation of the orders of his company commander. This at Fort Stockton, Texas, on or about the night of the 7th day of May, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Robert D. Chase*, Company K, 25th Infantry, did threaten to break open the door of laundress Emma Chase's house unless she gave him immediate admittance thereto. This at Fort Stockton, Texas on or about the night of the 7th day of May, 1872."

Specification 2d—"In this, that Private *Robert D. Chase*, Company K, 25th Infantry, did tell laundress Emma Chase that if she attempted to open her door he would cut her heart out. This at Fort Stockton, Texas, on or about the night of the 7th day of May, 1872, and after Private *Chase* had entered the house."

CHARGE III—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Robert D. Chase*, Company K, 25th Infantry, did assault Private Lewis Anderson, Company K, 25th Infantry, by kicking him in the side and cutting him in various places with a butcher

knife, crying 'God damn you! I am going to kill you, for I am going away to-morrow, and everybody will remember me as long as they stay in Stockton,' or words to that effect. This at Fort Stockton, Texas, on or about the night of the 7th day of May, 1872."

To which charges and specifications the accused, Private *Robert D. Chase*, Company K, 25th Infantry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specifications, "Not Guilty."
To the third charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the first specification, second charge, "Not Guilty."
Of the second specification, second charge, "Guilty."
Of the second charge, "Guilty."

Of the specification, third charge, "Guilty, except the words 'butcher' and 'for I am going away to-morrow, and everybody will remember me as long as they stay in Stockton,' and of the excepted words, Not Guilty."

Of the third charge, "Guilty, except the words 'with intent to kill,' and of the excepted words, Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert D. Chase*, Company K, 25th Infantry, "To forfeit all pay and allowances due or to become due; to be dishonorably discharged, and confined in a military prison, at hard labor, for the period of one year."

5. Private *John H. Smith*, Company K, 25th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *John H. Smith*, Company K, 25th Infantry, did steal and appropriate to his own use one Colt's revolver, the property of the United States, and for which Captain F. S. Dodge, 9th Cavalry, is responsible. This at Fort Stockton, Texas, on or about the 8th day of August, 1872."

To which charge and specification the accused, Private *John H. Smith*, Company K, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John H. Smith*, Company K, 25th Infantry, "To forfeit all pay and allowances that are now due, or may become due; to be dishonorably discharged; and confined in the Penitentiary at Baton Rouge, Louisiana, for the period of one year."

II. Before a General Court Martial which convened at San Antonio, Texas, on Monday, July 15, 1872, pursuant to paragraph I, Special Order No. 119; paragraph II, Special Order No. 121; paragraph V, Special Order No. 122, and paragraph II, Special Order No. 123, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 9, 13, 15 and 16, 1872, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, was arraigned and tried:

Private *Charles Edwards*, Company A, 10th Infantry.

CHARGE—"Desertion.'

Specification—"In this, that he, Private *Charles Edwards*, Company A, 10th Infantry, having been duly enlisted in the Army of the United States, did desert the same at Fort Brown, Texas, on or about March 16, 1872; and did remain absent until apprehended at Galveston, Texas, on or about May 21, 1872."

To which charge and specification the accused, Private *Charles Edwards*, Company A, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the ac-accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Edwards*, Company A, 10th Infantry, "To forfeit all pay and allowances now due, or that may become due, except the just dues of the laundress; to be dishonorably discharged from the service of the United States; and then confined at hard labor, in such military prison as the Commanding General may direct, for the period of two years."

III. The proceedings and findings in case of Private *James Morgan*, Company D, 9th Cavalry, are approved. The period of confinement is reduced to one (1) month, with forfeiture of ten (10) dollars of his monthly pay for same period. As modified, the sentence will be carried into execution.

The proceedings and findings in case of Private *Alphonzo Henry*, Company F, 25th Infantry, are approved. The sentence is mitigated to confinement for one (1) year at the station of his company; forfeiting twelve (12) dollars per month of his pay for same period, and will be duly executed.

The proceedings, findings and sentence in case of Corporal *Joseph Minott*, Company F, 25th Infantry, are approved, and the sentence will be duly executed. The accused will be released from arrest and restored to duty.

The proceedings and findings in case of Private *Robert D. Chase*, Company K, 25th Infantry, are approved. The sentence is mitigated to confinement at the post where his company may be serving for six (6) months, forfeiting ten (10) dollars per month of his pay for same period, and will be duly executed.

The proceedings and findings in case of Private *John H. Smith* Company K, 25th Infantry, are approved. Upon the recommendation of members of the court to clemency, the sentence is mitigated to confinement for three months at the station of his company, and forfeiture of ten (10) dollars per month of his pay for the same period, and will be duly executed.

The proceedings and findings in case of Private *Charles Edwards*, Company A, 10th Infantry, are approved. The sentence is mitigated to confinement for one (1) year at the military prison, State Penitentiary, Baton Rouge, Louisiana, and will be duly carried into effect.

BY COMMAND OF BRIGADIER GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur,
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private Henry A. Graves ..... Company A, 10th Infantry.
2. Private William Higgins ..... Company A, 10th Infantry.
3. Private James Howard ..... Company A, 10th Infantry.
4. Private George Schafer ..... Company A, 10th Infantry.
5. Corporal Stephen K Coffey ..... Company G, 10th Infantry.
6. Private James Donnelly ..... Company G, 10th Infantry.
7. Private Jacob Frank ..... Company G, 10th Infantry.
8. Private John Henry ..... Company G, 10th Infantry.
9. Private John F. Koelpein ..... Company G, 10th Infantry.
10. Private John Passmore ..... Company G, 10th Infantry.
11. Recruit Julius Aufferman ..... Company G, 10th Infantry.
12. Private Louis Brown ..... Company H, 10th Infantry.
13. Private Richard Carroll ..... Company H, 10th Infantry.
14. Private Herman Dienst ..... Company H, 10th Infantry.
15. Private Robert Quigley ..... Company H, 10th Infantry.
16. Private Edward Gouldstone ..... Company K, 10th Infantry.
17. Private Matthias Hermes ..... Company K, 10th Infantry.
18. Private James Roper ..... Company K, 10th Infantry.

At San Antonio, Texas.

19. Private Patrick Henry ..... Company C, 10th Infantry.
20. Private Richard Kelly ..... Company C, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *September* 6, 1872.

General Court Martial Orders, No. 57.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Friday, June 28, 1872, pursuant to paragraph II, Special Order No. 108, and paragraph V, Special Order No. 111, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, June 15 and 24, 1872, and of which Lieutenant Colonel Alexander McD. McCook, 10th Infantry, is President, were arraigned and tried:

1. Private *Henry A. Graves*, Company A, 10th Infantry.

Charge—"Desertion."

Specification—"In this, that he, Private *Henry A. Graves*, Company A, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Brown, Texas, on or about the 17th day of May, 1872; and did remain absent until about the 31st day of May, 1872, when he was delivered to the officer of the day at Post of Fort Brown, Texas, in citizen's clothing, by a guard sent from the Post of Ringgold Barracks, Texas."

ADDITIONAL CHARGE—' Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Henry A. Graves*, Company A, 10th U. S. Infantry, while in confinement in charge of the post guard at the Post of Fort Brown, Texas, awaiting trial for desertion, did break from the guard and endeavor to escape from confinement by swimming the Rio Grande river to Mexico; and did persist in the attempt to cross the said river to Mexico, although twice fired at by the guard, until the musket of the guard was taken by the officer of the day. This at Fort Brown, Texas, on or about the 21st day of June, 1872."

To which charges and specifications the accused, Private *Henry A. Graves*, Company A, 10th Infantry, pleaded:

To the charge and its specification, "Not Guilty."
To the additional charge and its specification, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."
Of the specification, additional charge, "Guilty."
Of the additional charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry A. Graves*, Company A, 10th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and then to be confined, in such military prison as the Department Commander may direct, for the period of four (4) years."

2. Private *William Higgins*, Company A, 10th Infantry.

CHARGE—"Desertion"

Specification—"In this, that he, Private *William Higgins*, Company A, 10th Infantry, did desert the service of the United States at Fort Brown, Texas, on or about the 21st day of May, 1872; and did remain absent until apprehended on the Corpus Christi road, on or about the 23d day of May, 1872. This at Fort Brown, Texas, on or about the dates specified."

To which charge and specification the accused, Private *William Higgins*, Company A, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Higgins*, Company A, 10th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined, in such military prison as the Department Commander may direct, for the period of four years."

3. Private *James Howard*, Company A, 10th Infantry.

CHARGE—"Drunkeness on duty, in violation of the 45th Article of War."

Specification—"In this, that Private *James Howard*, Company A, 10th Infantry, while a member of the post guard at Fort Brown, Texas, did become so drunk as to be unfit to perform the duties of a sentinel. This at the Post of Fort Brown, Texas, on or about the 10th day of June, 1872."

To which charge and specification the accused, Private *James Howard*, Company A, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Howard*, Company A, 10th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving for the period of ten (10) months."

4. Private *George Schafer*, Company A, 10th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George Schafer*, Company A, 10th Infantry, while a member of the post guard at the Post of Fort Brown, Texas, and in charge of certain prisoners, did neglect his duty as a sentinel, whereby one of the said prisoners (Private John F. Koelpein, band, 10th Infantry, a deserter) did escape. This at Fort Brown, Texas, on or about June 20, 1872."

To which charge and specification the accused, Private *George Schafer*, Company A, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Schafer*, Company A, 10th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of twelve (12) months."

5. Corporal *Stephen K. Coffey*, Company G, 10th Infantry.

CHARGE.—"Violation of the 50th Article of War."

Specification—"In this, that he, Corporal *Stephen K. Coffey*, Company G, 10th Infantry, having been duly mounted as a corporal of the post guard, did quit his guard without the permission of his superior officer, take off his belts, and go into the city of Brownsville, Texas. This at or near Fort Brown, and Brownsville, Texas, on the night of May 20, 1872."

To which charge and specification the accused, Corporal *Stephen K. Coffey*, Company G, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Stephen K. Coffey*, Company G, 10th Infantry, "To be reduced to the rank of a private soldier; and confined at hard labor, in charge of the guard, for the period of three (3) months."

6. Private *James Donnelly*, Company G, 10th Infantry.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James Donnelly*, Company G, 10th Infantry, being regularly posted as a sentinel in charge of two general prisoners, did permit the said prisoners to go outside of the military reservation and into a whiskey shop in the city of Brownsville and get drunk. This at Fort Brown, and city of Brownsville, Texas, on or about the 17th day of March, 1872."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *James Donnelly*, Company G, 10th Infantry, having been regularly posted as a sentinel in charge of two general prisoners, did leave his post and go into the city of Brownsville between the hours of ten and twelve o'clock, A. M.; and did remain there until about one o'clock P. M., on the 17th day of March, 1872, when apprehended by the sergeant of the guard. This at Fort Brown, and the city of Brownsville, Texas, on or about the 17th day of March, 1872."

CHARGE III—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *James Donnelly*, Company G, 10th Infantry, having been regularly mounted as a member of the post guard at Fort Brown, Texas, did become drunk so as to be totally unable to perform the duties of a soldier. This at Fort Brown, Texas, on or about the 17th day of March, 1872."

CHARGE IV—"Violation of the 50th Article of War."

Specification.—"In this, that he, Private *James Donnelly*, Company G, 10th Infantry, a member of the post guard at Fort Brown, Texas, did, without necessity, and without permission, quit his guard. This at Fort Brown, Texas, on or about the 17th day of March, 1872."

To which charges and specifications the accused, Private *James Donnelly*, Company G, 10th Infantry, pleaded:

To the first charge and its specification,	"Not Guilty."
To the second charge and its specification,	"Not Guilty."
To the third charge and its specification,	"Guilty."
To the fourth charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."
Of the specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Donnelly*, Company G, 10th Infantry, "To be dishonorably discharged from the service of the United States; and to forfeit all pay and allowances that are now due or may become due, the just dues of the laundress excepted."

7. Private *Jacob Frank*, Company G, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Jacob Frank*, of Company G, 10th Infantry, having been duly detailed and mounted as a member of the police Guard, at Fort Brown, Texas, on the first day of July, 1872, and posted as a sentinel on No. 4 post, at said garrison, did lay down near said post and there go to sleep; and did remain in said condition until

awakened by the approach of the officer of the day, Second Lieutenant Charles E. Bottsford, 10th Infantry, between the hours of three and four o'clock A. M., on the second day of July, 1872. This at Fort Brown, Texas, at the time above specified."

To which charge and specification the accused, Private *Jacob Frank*, Company G, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'go to sleep.'"

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, Private *Jacob Frank*, Company G, 10th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of two (2) months; and to forfeit ten (10) dollars of his monthly pay for the same period."

8. Private *John Henry*, Company G, 10th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—In this, that he, Private *John Henry*, Company G, 10th Infantry, a duly mounted member of the post guard mounted at Fort Brown, Texas, February 16, 1872, did, during his tour of duty, become drunk and so much intoxicated as to be unfit to perform his duty properly. This at Fort Brown, Texas, on or about February 16 and 17, 1872."

To which charge and specification, the accused, Private *John Henry*, Company G, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Henry*, Company G, 10th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of ten (10) months."

9. Private *John F. Koelpein*, Company G, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *John F. Koelpein*, a duly enlisted soldier in the service of the United States, private of Company G, 10th Infantry, United States Army, (member of the Regimental Band,) did desert the said service from Fort Brown, Texas, on or about the 21st day of May, 1872; and did remain absent from said service until apprehended about 40 miles from Fort Brown, Texas, on or about the 23d of May, 1872."

To which charge and specification the accused, Private *John F. Koelpein*, Company G, 10th Infantry, (member of regimental band) pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused;

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John F. Koelpein*, Company G, 10th Infantry, (member of regimental band) "To be dishonorably discharged from the service of the United States; to forfeit all pay and allow-

ances that are or may become due, the just dues of the laundress excepted; and then to be confined, in such military prison as the Department Commander may direct, for the period of four (4) years."

10. Private *John Passmore*, Company G, 10th Infantry.

CHARGE I—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *John Passmore*, Company G, 10th Infantry, did sell or otherwise dispose of one pair of trowsers, government clothing, regularly issued to him. This at Fort Brown, Texas, on or about the 25th day of May, 1872."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *John Passmore*, Company G, 10th Infantry, after having been duly warned for guard, did fail to appear on the parade ground of his company at guard mounting. This at Fort Brown, Texas, on or about the 25th day of May, 1872."

To which charges and specifications the accused, Private *John Passmore*, Company G, 10th Infantry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *John Passmore*, Company G, 10th Infantry, "To forfeit to the United States one dollar (1 05) and five cents per week of his pay for two (2) weeks; and in addition thereto to forfeit to the United States three (3) dollars per month of his pay for four (4) months; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six (6) months."

11. Recruit *Julius Aufferman*, Company G, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Julius Aufferman*, an enlisted soldier in the service of the United States, recruit of Company G, 10th Infantry, United States Army, did desert the said service from Post of Fort Brown, Texas, on or about the 20th day of May, 1872; and did remain absent from said service until apprehended about forty miles from that post, on or about the 23d day of May, 1872."

To which charge and specification the accused, Recruit *Julius Aufferman*, Company G, 10th Infantry, pleaded "Guilty"'

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Julius Aufferman*, Company G, 10th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined, in such military prison as the Department Commander may direct, for the period of four years."

12. Private *Louis Brown*, Company H, 10th Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Louis Brown*, Company H, 10th Infantry, has, by the frequent use of intoxicating liquor, rendered himself wholly unreliable and worthless as a soldier. This at Fort Brown, Texas, May 27, 1872."

Specification 2d—"In this, that he, Private *Louis Brown*, Company H, 10th Infantry, has been absent without leave and in confinement since November 30, 1870, as follows: November 30, 1870, from duty to absent without leave; December 1, 1870, from absent without leave to confinement; January 7, 1871, from confinement to duty; March 21, 1871, from duty to absent without leave; March 22, 1871, from absent without leave to confinement; March 23, 1871, from confinement to duty; March 24, 1871, from duty to absent without leave; March 25, 1871, from absent without leave to confinement: April 6, 1871, from confinement to duty; April 9, 1871, from duty to absent without leave; April 10, 1871, from absent without leave to confinement; April 17, 1871, from confinement to duty; April 18, 1871, from duty to absent without leave; April 20, 1871, from absent without leave to confinement; April 22, 1871, from confinement to duty; April 24, 1871, from duty to absent without leave; April 25, 1871, from absent without leave to confinement; May 11, 1871, from confinement to duty; May 26, 1871, from duty to absent without leave; June 9, 1871, from absent without leave to confinement; October 20, 1871, from confinement to duty; November 1, 1871, from duty to absent without leave; November 3, 1871, from absent without leave to confinement; November 7, 1871, from confinement to duty; November 10, 1871, from duty to confinement; November 12, 1871, from confinement to sick in hospital; November 16, 1871, from sick in hospital to absent without leave; November 17, 1871, from absent without leave to confinement; December 15, 1871, from confinement to duty; December 25, 1871, from duty to absent without leave; December 26, 1871, from absent without leave to confinement; December 27, 1871, from confinement to duty, February 4, 1872, from duty to absent without leave; February 11, 1872, from absent without leave to confinement; March 7, 1872, from confinement to duty; March 9, 1872, from duty to absent without leave; March 23, 1872, from absent without leave to confinement; in confinement serving sentence of a Garrison Court Martial until May 4, 1872; a total of three hundred and seventy-three days, or thereabouts, and is, in consequence of so repeatedly absenting himself from his duties, and being so great a portion of his time in confinement, wholly worthless as a soldier. All this at Fort Brown, Texas, on or about the dates specified."

To which charge and specifications the accused, Private *Louis Brown*, Company H, 10th Infantry, pleaded:

To the first specification, "Not Guilty."

To the second specification, "Guilty, excepting the words 'and is, in consequence of so repeatedly absenting himself from his duties, and being so great a portion of his time in confinement, wholly worthless as a soldier.'"

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Louis Brown*, Company H, 10th Infantry, "To be dishonorably discharged from the service of the United States, and then to be bugled out of the garrison."

13. Private *Richard Carroll*, Company H, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Richard Carroll*, Company H, 10th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Brown, Texas, on the 20th day of May, 1872; and did remain absent until apprehended about forty miles from the city of Brownsville, Texas, on the road to Corpus Christi, Texas, on the 23d day of May, 1872. All this at or near the places, on or about the dates specified."

To which charge and specification the accused, Private *Richard Carroll*, Company H, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Carroll*, Company H, 10th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined, in such military prison as the Department Commander may direct, for the period of four years."

14. Private *Herman Dienst*, Company H, 10th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Herman Dienst*, Company H, 10th Infantry, being a member of the post guard at Fort Brown, Texas, and having under his immediate charge the following prisoners, viz: Private Robert Wyatt, Company H, 10th Infantry, and Private Gottlieb Rupp, Company K, 10th Infantry, (a member of the regimental band) did allow Private Wyatt to escape. This at Fort Brown, Texas, on or about the 14th day of May, 1872."

To which charge and specification, the accused, Private *Herman Dienst*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Herman Dienst*, Company H, 10th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of twelve (12) months."

15. Private *Robert Quigley*, Company H, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Robert Quigley*, Company H, 10th Infantry, having been duly mounted as a member of the post guard at Fort

Brown, Texas, and posted as a sentinel over the quartermaster's stables, did leave his post before being regularly relieved. This at Fort Brown, Texas, on or about the 29th day of June, 1872."

To which charge and specification, the accused, Private *Robert Quigley*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Quigley*, Company H, 10th Infantry, "To be dishonorably discharged the service of the United States."

16. Private *Edward Gouldstone*, Company K, 10th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Edward Gouldstone*, Company K, 10th Infantry, on extra duty in Post Hospital, did become drunk and disorderly. This at Fort Brown, Texas, on or about the 4th day of April, 1872."

Specification 2d—In this, that he, Private *Edward Gouldstone*, Company K, 10th Infantry, on extra duty in Post Hospital, being ordered to confinement by the Hospital Steward, in the name of the Post Surgeon, did escape and repair to the quarters of the Post Surgeon without authority. This at Fort Brown, Texas, on or about the 4th day of April, 1872."

CHARGE II—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *Edward Gouldstone*, Company K, 10th Infantry, on extra duty in Post Hospital, having left the Post Hospital and repaired to the quarters of Assistant Surgeon A. C. Girard, U. S. Army, Post Surgeon, without permission from proper authority, and being ordered by the said Assistant Surgeon Girard, his superior officer, to return to the Post Hospital, did refuse to obey the order; and did make use of the following language: 'I will not go, you cannot make me go back,' or words to that effect. This at Fort Brown, Texas, on or about the 4th day of April, 1872."

To which charges and specifications the accused, Private *Edward Gouldstone*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Not 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, Private *Edward Gouldstone*, Company K, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for two (2) months; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of two (2) months."

17. Private *Matthias Hermes*, Company K, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *Matthias Hermes*, a duly enlisted soldier in the service of the United States, private of Company K, 10th Infantry, United States Army, did desert the said service from Fort Brown, Texas, on or about the 19th day of May, 1872; and did remain absent from said service until apprehended about 40 miles from Fort Brown, Texas, on or about the 23d of May, 1872."

To which charge and specification, the accused, Private *Matthias Hermes*, Company K, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Matthias Hermes*, Company K, 10th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined, in such military prison as the Department Commander may direct, for the period of four (4) years."

18. Private *James Roper*, Company K, 10th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *James Roper*, Company K, 10th Infantry, did take and steal from the knapsack of Private Philip Muntz, Company K, 10th Infantry, one pair of trowsers, of the value of two dollars and ten ($2.10) cents, which were found in his possession. This at Fort Brown, Texas, on or about the 19th day of June, 1872."

Specification 2d—"In this, that he, Private *James Roper*, Company K, 10th Infantry, did take and steal from the bedstead of Private Michael Kain, Company K, 10th Infantry, one flannel sack coat of the value of two dollars and thirteen ($2.13) cents, which was found in his possession. This at Fort Brown, Texas, on or about the 19th day of June, 1872."

Specification 3d—"In this, that he, Private *James Roper*, Company K, 10th Infantry, did appropriate to his own use and benefit one flannel sack coat, of the value of two dollars and thirteen ($2.13) cents, the property of Private James Devine, Company K, 10th Infantry. This at Fort Brown, Texas, on or about the 19th day of June, 1872."

To which charge and specifications the accused, Private *James Roper*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'the bedstead of,' and substitute the words 'washroom of Company K, 10th Infantry,' of the excepted words Not Guilty."

Of the third specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Roper*, Company K, 10th Infantry "To be dishonorably discharged from the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and then to be confined in such military prison as the Department Commander may direct, for the period of three (3) years."

II. Before a General Court Martial which convened at San Antonio, Texas, on Monday, August 19, 1872, pursuant to paragraph III, Special Order No. 141, and paragraph I, Special Order No. 145, dated, respectively, San Antonio, Texas, August 13 and 20, 1872, and of which Lieutenant Colonel SAMUEL B. HOLABIRD, Deputy Quartermaster General U. S. Army, is President, were arraigned and tried:

1. Private *Patrick Henry*, Company C, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Patrick Henry*, Company C, 10th Infantry, when ordered by Sergeant George S. Chapman, Company C, 10th Infantry, to go to his quarters, did fail to obey said order; and did use abusive and insulting language, saying to him (Sergeant Chapman) 'The hell we will You God damned son of a bitch we have been laying for you,' or words to that effect. This at San Antonio, Texas, on the 16th day of August, 1872, between the hours of 11 and 12 o'clock P. M."

Specification 2d—"In this, that Private *Patrick Henry*, Company C, 10th Infantry, did assault, strike with his fists, kick, and otherwise maltreat Sergeant George S. Chapman, Company C, 10th Infantry, thereby inflicting or aiding to inflict on his (Sergeant Chapman's) person sundry severe and dangerous wounds and bruises, to-wit: one cut or wound on the head, bruises on the chest and face; he (Sergeant Chapman) being at the time in the execution of his office. This at San Antonio, Texas, on the 16th day of August, 1872, between the hours of 11 and 12 o'clock P. M."

To which charge and specifications the accused, Private *Patrick Henry*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Not Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Henry*, Company C, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for four months; and to be confined at hard labor, in charge of the post guard, for sixty days."

2. Private *Richard Kelly*, Company C, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Richard Kelly*, Company C, 10th Infantry, when ordered by Sergeant George S. Chapman, Company C, 10th Infantry, he (said Geo. S. Chapman) at the time being in the execution of his office, to go to his quarters, did refuse and fail to obey said order. This at San Antonio, Texas, on or about the 16th of August, 1872, between the hours of 11 and 12 o'clock P. M."

Specification 2d—"In this, that Private *Richard Kelly*, Company C, 10th Infantry, did assault, strike with his fist, kick and otherwise maltreat Sergeant George S. Chapman, Company C, 10th Infantry, thereby inflicting or aiding to inflict on his (Sergeant Chapman's) person sundry severe and dangerous wounds and bruises, to-wit: one cut or wound on the head; bruises on the chest, face and limbs, he (Sergeant Chapman) being at the time in the execution of his office. This at San Antonio, Texas, on or about the 16th day of August, 1872, between the hours of 11 and 12 o'clock P. M."

To which charge and specifications the accused, Private *Richard Kelly*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Not Guilty."

Of the second specification, "Guilty, except of the words 'and limbs,' and of the excepted words Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Kelly*, Company C, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for four (4) months; and to be confined at hard labor, under charge of the post guard, for sixty days."

III. The proceedings and findings in the cases of Privates *William Higgins* and *Henry A. Graves*, Company A, *John F. Koelpein* and Recruit *Julius Auffermann*, Company G, Privates *Richard Carroll*, Company H and *Matthias Hermes*, Company K, 10th Infantry, are approved. The sentence in each case is mitigated to confinement for one year at the station of respective companies, forfeiting twelve (12) dollars per month of their monthly pay for the same period; and will be duly executed.

The proceedings and findings in case of Private *James Howard*, Company A, 10th Infantry, are approved. The sentence is mitigated to confinement for four (4) months, and will be duly carried into effect.

The proceedings in case of Private *George Shafer*, Company A, 10th Infantry, are approved. As the evidence does not conclusively establish neglect of duty, the findings and sentence are disapproved. The accused will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Corporal *Stephen K. Coffey*, Privates *Jacob Frank*, *John Passmore*, Company G, and *Edward Goulbstone*, Company K, 10th Infantry, are approved, and the sentences will be duly executed at the station of their respective companies.

The proceedings and findings in case of Private *James Donnelly*, Company G, 10th Infantry, are approved. The sentence is mitigated to forfeiture of ten (10) dollars per month of his pay for eight (8) months, and will be carried into effect.

The proceedings and findings in the case of Private *John Henry*, Company G, 10th Infantry, are approved. The sentence is mitigated to confinement for four (4) months, and will be carried into effect.

The proceedings, findings and sentence in the case of Private *Louis Brown*, Company H, 10th Infantry, are disapproved. He will be released from confinement and restored to duty. The action of the court in excusing members from serving, who had not been challenged, was unauthorized and is disapproved.

The proceedings, findings and sentence in case of Private *Herman Deinst*, Company H, 10th Infantry, are disapproved as the evidence does not establish "wilful neglect of duty" as set forth in the allegation. The accused will be released from confinement and restored to duty.

The proceedings and findings in case of Private *Robert Quigley*, Company H, 10th Infantry, are approved. The sentence is considered excessive, and as the court cannot be reconvened or the sentence mitigated, it is remitted. The accused will be released from confinement and restored to duty.

The proceedings and findings in case of Private *James Roper*, Company K, 10th Infantry, are approved. The sentence is mitigated to confinement for

four (4) months at the station of his company, forfeiting all pay for the same period, and will be duly executed.

In the cases of Privates *Patrick Henry* and *Richard Kelly*, Company C, 10th Infantry, if the evidence for the defence is of any account, the Sergeant was the aggressor and provoked a personal quarrel with the accused. Although it is the desire of the Commanding General to uphold the authority of non-commissioned officers while directly in the execution of their office, it is not his intention to protect them in drunken quarrels brought on by themselves while they shield themselves by a pretence of being on duty. The sentences are disapproved. Privates *Henry* and *Kelly* will be released from confinement and restored to duty.

IV. The General Court Martial instituted by paragraph II, Special Order No. 108, and paragraph V, Special Order No. 111, current series, from these Headquarters, and of which Lieutenant Colonel ALEXANDER McD. McCOOK. 10th Infantry, is President, is dissolved.

BY COMMAND OF GENERAL AUGUR:

COLON AUGUR,
Aide-de-Camp.

OFFICIAL:

Colon Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Ringgold Barracks, Texas.

1. Private Henry Greenpoole ..... Company B, 9th Cavalry.
2. Private Wesley Nickson ..... Company B, 9th Cavalry.
3. Private Engelbert Dolt ..... Company B, 10th Infantry.
4. Private John Kennedy ..... Company B, 10th Infantry.
5. Sergeant Charles Pulsfort ..... Company B, 10th Infantry.
6. Private Thomas Smith ..... Company B, 10th Infantry.
7. Private Alexander French ..... Company F, 10th Infantry.
8. Private Thomas Clonan ..... Company I, 10th Infantry.
9. Private Henry Gates ..... Company I, 10th Infantry.
10. Private William Patterson ..... Company I, 25th Infantry.

At Fort Richardson, Texas.

11. Trumpeter William Zirlax ..... Company C, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *September* 9, 1872.

General Court Martial Orders, No. 58.

I. Before a General Court Martial which convened at Ringgold Barracks, Texas, on Thursday, June 20, 1872, pursuant to paragraph V, Special Order No. 104, and paragraph I, Special Order No. 133, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, June 6 and July 29, 1872, and of which Major T. M. Anderson, 10th Infantry, is President, were arraigned and tried:

1. Private *Henry Greenpoole*, Company B, 9th Cavalry.

Charge—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Henry Greenpoole*, of Company B, 9th U. S. Cavalry, having been posted as a sentinel over the public animals pertaining to that troop, was found asleep on his post between the hours of 4 A. M. and 5 A. M., when visited by the officer of the day. All this at or near Ringgold Barracks, Texas, on or about the 23d day of May, 1872."

To which charge and specification the accused, Private *Henry Greenpoole*, Company B, 9th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Greenpoole*, Company B, 9th Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six (6) months; and to forfeit to the United States ten (10) dollars of his pay, per month, for the same period."

2 Private *Wesley Nickson* Company B, 9th Cavalry.

CHARGE—"Conduct prejudical to good order and military discipline."

Specification 1st—"In this that he, Private *Wesley Nickson*, Troop B, 9th Cavalry, having been duly mounted as a member of the stable guard, posted over the public animals pertaining to Troop B, 9th Cavalry, and having been told by Corporal Samuel Taylor, of said company and regiment, while policing in and near the stable, to stop his talking, did reply, 'my mouth is my own, and I will stop talking whenever I please,' or words to that effect; he, the said Corporal Taylor, being in the execution of his office as corporal of the stable guard. All this at or near Ringgold Barracks, Texas, on or about the 4th day of August, 1872."

Specification 2d—"In this, that he, Private *Wesley Nickson*, of Troop B, 9th Cavalry, having been duly mounted as a member of the stable guard, posted over the public animals pertaining to Troop B, 9th Cavalry, did take up and attempt to strike with a shovel Corporal Samuel Taylor, of said company and regiment; he, Corporal Taylor, being in the execution of his office as corporal of the stable guard. All this at or near Ringgold Barracks, Texas, on or about the 4th day of August, 1872."

Specification 3d—"In this that he, Private *Wesley Nickson*, of Troop B, 9th Cavalry, did take up, cock, aim and snap a Sharp's altered carbine at Corporal Samuel Taylor, of said company and regiment; he, Corporal Taylor, being in the execution of his office as corporal of the stable guard. All this at or near Ringgold Barracks, Texas, on or about the 4th day of August, 1872."

Specification 4th—"In this, that he, Private *Wesley Nickson*, of Troop B, 9th Cavalry, having been duly mounted as a member of the stable guard, posted over the public animals pertaining to Troop B, 9th Cavalry, did take from his cartridge box one U. S. carbine cartridge, and did attempt to insert said cartridge into the chamber of a Sharp's altered carbine with the intention of shooting at, and doing bodily harm to Corporal Samuel Taylor of said company and regiment; he, Corporal Taylor, being in the execution of his office as corporal of the stable guard. All this at or near Ringgold Barracks, Texas, on or about the 4th day of August, 1872."

Specification 5th—"In this, that he, Private *Wesley Nickson*, of Troop B, 9th Cavalry, having been duly mounted as a member of the stable guard, posted over the public animals pertaining to Troop B, 9th Cavalry, and having been ordered by Corporal Samuel Taylor, of said company and regiment, to take off his accoutrements, did take up and attempt to strike with an axe said Corporal Taylor; he being in the execution of his office as corporal of the stable guard. All this at or near Ringgold Barracks, Texas, on or about the 4th day of August, 1872."

To which charge and specifications the accused, Private *Wesley Nickson*, Company B, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."
Of the third specification, "Guilty."
Of the fourth specification, "Guilty."
Of the fifth specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Wesley Nickson*, Company B, 9th Cavalry, "To be dishonorably discharged the service; to forfeit all pay due or which may become due, except just dues of the laundress; and to be confined at hard labor in such military prison as the Department Commander may direct, for a period of four years."

3. Private *Engelbert Dolt*, Company B, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Engelbert Dolt*, Company B, 10th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service; and did remain absent until apprehended at or near Rio Grande City, Texas, May 9, 1872. This at Ringgold Barracks, Texas, on the 6th day of May, 1872."

To which charge and specification the accused, Private *Engelbert Dolt*, Company B, 10th Infantry, pleaded:

To the specification, "Not Guilty."
To the charge, "'Not Guilty, but guilty of 'absence without leave.'"

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Engelbert Dolt*, Company B, 10th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of one year; with a twelve pound ball attached to his left leg by a chain three feet long; and to forfeit to the United States ten dollars a month, of his monthly pay, for the same period."

4. Private *John Kennedy*, Company B, 10th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *John Kennedy*, private Company B, 10th Infantry, did, without just cause or provocation, make a malicious assault upon Private William Werner, Company B, 10th Infantry; he, Private William Werner, being at the time in the execution of his duty; and did stab him with a knife, thereby inflicting a severe and dangerous wound. This at Ringgold Barracks, Texas, on or about the 22d day of July, 1872."

To which charge and specification the accused, Private *John Kennedy* Company B, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Kennedy*, Company B, 10th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or to become due him; and to be confined at hard labor, in such military prison as the reviewing authority may direct, for the period of two (2) years."

5. Sergeant *Charles Pulsfort*, Company B, 10th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline, in violation of the 99th Article of War."

Specification—"In this, that he, Sergeant *Charles Pulsfort*, Company B, 10th Infantry, did, without just cause or provocation, make a malicious assault upon Sergeant Thomas Cusick, Company I, 10th Infantry; he, Sergeant Cusick being in the execution of his office; and did strike him with a club with such force as to break his (Sergeant Cusick's) arm. This at or near Rio Grande City, Texas, on or about May 8, 1872."

To which charge and specification the accused, Sergeant *Charles Pulsfort*, Company B, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Charles Pulsfort*, Company B, 10th Infantry, "To be reduced to the ranks; and confined at hard labor, at the post of his company, for the period of six (6) months; and to forfeit ten (10) dollars per month of his monthly pay for the same period."

6. Private *Thomas Smith*, Company B, 10th Infantry.

CHARGE I—"Absence without leave, in violation of the 21st Article of War."

Specification—"In this, that he, *Thomas Smith*, a private of Company B, 10th Infantry, did absent himself without proper permission from his company and quarters about the hour of 8 o'clock P. M., August 10, 1872; and did remain absent until 7:30 o'clock A. M., August 12, 1872. This at or near Ringgold Barracks, Texas, at the time above specified."

CHARGE II—"Violation of the 41th Article of War."

Specification 1st—"In this, that *Thomas Smith*, private of Company B, 10th Infantry, did fail to appear on parade with his company at the regular weekly inspection. This at Ringgold Barracks, Texas, on the 11th day of August, 1872."

Specification 2d—"In this, that *Thomas Smith*, Private Company B, 10th Infantry, did, without proper permission, absent himself from dress parade. This at Ringgold Barracks, Texas, on the 11th of August, 1872."

CHARGE III—"Violation of the 38th Article of War."

Specification—"In this, that he, Private *Thomas Smith*, Company B, 10th Infantry, having had issued to him, by the United States, August 6, 1872, the following articles of clothing, viz: one (1 flannel sack coat, lined; one (1) flannel shirt; and one (1) pair bootees, sewed; has in his possession, at the present date, August 12, 1872, none of the said articles; he having bartered, sold, or otherwise unlawfully disposed of them. This at or near Ringgold Barracks, Texas, between the dates specified."

CHARGE IV—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Smith*, Company B, 10th Infantry, is an habitual drunkard, and utterly worthless as a soldier; and has been, since the date he joined the company, March 7, 1872, to the present date August 12, 1872, twenty-eight (28) days or upwards in confinement; said confinement being solely due to his intemperate and disorderly habits. This at Ringgold Barracks, Texas, during the time specified."

To which charges and specifications the accused, Private *Thomas Smith*, Company B, 10th Infantry, pleaded :

To the first charge and its specification,	"Guilty."
To the second charge and its specifications,	"Guilty."
To the third charge and its specification,	"Not Guilty."
To the fourth charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused :

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 second charge,	"Guilty."
Of the specification, third charge,	"Guilty."
Of the third charge,	"Guilty."
Of the specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Smith*, Company B, 10th Infantry, "To be dishonorably discharged the service; and to forfeit all pay due or which may become due, except just dues of the laundress."

7. Private *Alexander French*, Company F, 10th Infantry.

CHARGE I—"Violation of the 7th Article of War."

Specification—"In this, that Private *Alexander French*, of Company F, of the tenth regiment of infantry, did endeavor to assist his comrade, Private Samuel Bury, of Company F, of the tenth regiment of infantry, in violating the command of his superior officer in the execution of his office; and in so doing did strike First Lieutenant Charles E. Jewett, 10th Infantry, in the face, a heavy blow with his fist. This at Ringgold Barracks, Texas, between retreat and tattoo roll-calls, on the 27th day of May, 1872."

CHARGE II—"Violation of the 9th Article of War."

Specification 1st—"In this, that Private *Alexander French*, of company F, of the tenth regiment of infantry, did strike his superior officer, when in the execution of his office, in the face, a heavy blow with his fist; and did disobey the lawful command of his superior officer in the execution of his office. This at Ringgold Barracks, Texas, between retreat and tattoo roll-calls on the 27th day of May, 1872."

Specification 2d—"In this, that Private *Alexander French*, of Company F, of the tenth regiment of infantry, did, when repeatedly ordered to go to his quarters by his company commander, fail to do so; and did afterwards strike his company commander a heavy blow in the face with his fist; and when under arrest and under orders to be confined, did call his company commander 'a son of a bitch;' and did say to the men in charge of him 'let me at him,' meaning his company commander; and did also say to Private Samuel Bury, of Company F, 10th Infantry, in arrest with him, 'hit him, Sam,' meaning the same officer; and did further curse and swear at this officer. This at Ringgold Barracks, Texas, on the 27th day of May, 1872."

CHARGE III—"Drunkenness, to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification—"In this, that Private *Alexander French*, of Company F, of the tenth regiment of infantry, was noisy, boisterous and disorderly, in consequence of his being drunk. This at Ringgold Barracks, Texas, between retreat and tattoo roll calls, on the 27th day of May, 1872."

To which charges and specifications the accused, Private *Alexander French*, Company F, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, except the words 'hit him, Sam,' and of the excepted words, Not Guilty."
Of the second charge, "Guilty."
Of the specification, third charge, "Not Guilty."
Of the third charge, "Not Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alexander French*, Company F, 10th Infantry, "To be dishonorably discharged the service of the United States; and to be confined at hard labor, at such military prison as the Department Commander may direct, for four years and six months; with forfeiture of all pay now due, or which may become due during the same period."

8. Private *Thomas Clonan*, Company I, 10th Infantry.

CHARGE I—"Violation of the 21st Article of War."

Specification 1st—"In this, that Private *Thomas Clonan*, Company I, 10th Infantry, did absent himself, without permission from proper authority, from the reveille roll call of his company. This at Ringgold Barracks, Texas, on the 27th day of June, 1872."

Specification 2d—"In this, that Private *Thomas Clonan*, Company I, 10th Infantry, did absent himself, without permission from proper authority, from the morning drill of his company. This at Ringgold Barracks, Texas, on the 27th day of June, 1872."

CHARGE II—"Disobedience of orders, in violation of the 9th Article of War."

Specification—"In this, that Private *Thomas Clonan*, Company I, 10th Infantry, did, in violation of orders from Post Headquarters, of which the following is an exact copy:

"HEADQUARTERS RINGGOLD BARRACKS, TEXAS,
June 2, 1872.

GENERAL ORDER
NO. 20.

I. Hereafter, until further notice, no enlisted man of this command will go to the town of Rio Grande City, except on duty, without a written pass.

BY ORDER OF MAJOR T. M. ANDERSON:
(Signed) CLAYTON S. BURBANK,
Second Lieutenant, 10th Infantry,
Post Adjutant."

visit Rio Grande City, Texas; and did remain absent until arrested and brought back to this post by a patrol sent in search of him. This at Ringgold Barracks and Rio Grande City, Texas, on the 23th and 27th days of June, 1872."

To which charges and specifications the accused, Private *Thomas Clonan*, Company I, 10th Infantry, pleaded:

To the first charge and its specifications, "Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Thomas Clonan*, Company I, 10th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for two months; and to forfeit ten (10) dollars per month of his monthly pay, for the same period."

9. Private *Henry Gates*, Company I, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that *Henry Gates* a duly enlisted soldier in the service of the United States, and a private of Company I, 10th Infantry, did desert said service at Ringgold Barracks, Texas, on the 6th day of May, 1872; and did remain absent therefrom until apprehended about thirty-nine miles from said post on the 8th day of May, 1872. This at or near the places, and on or about the dates above mentioned."

To which charge and specification the accused, Private *Henry Gates*, Company I, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Gates*, Company I, 10th Infantry, "To be confined at hard labor, at the post where his company may be serving, for the period of one year; with a twelve pound ball attached to his left leg by a chain three feet long; and to forfeit to the United States ten dollars a month, of his monthly pay, for the same period."

10. Private *William Patterson*, Company I, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *William Patterson*, Company I, 25th Infantry, having been duly enlisted into the service of the United States on the 28th day of April, 1870, did desert the said service and remain absent therefrom until apprehended at or near Ringgold Barracks, Texas, on or about the 8th day of May, 1872. This at Fort Duncan, Texas, on or about the 27th day of November, 1870."

To which charge and specification the accused, Private *William Patterson*, Company I, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Patterson*, Company I, 25th Infantry, "To forfeit to the United States all pay and allowances now due or to become due him; and to be dishonorably discharged the service of the United States; and to be confined at hard labor for two (2) years, in such military prison as the reviewing authority may direct."

II. Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, May 1, 1872, pursuant to paragraph III, Special Order No. 74, Headquarters Department of Texas, dated San Antonio, Texas, April 13, 1872, and of which Lieutenant Colonel GEORGE P. BUELL, 11th Infantry, is President, was arraigned and tried:

Trumpeter *William Ziriax*, Company C, 4th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Trumpeter *William Ziriax*, Company C, 4th U. S. Cavalry, did leave his company quarters between the hours of 12 and 1 o'clock at night, on or about the 18th day of May, 1872, without permission from proper authority."

Specification 2d—"In this, that Trumpeter *William Ziriax*, Company C, 4th U. S. Cavalry, did leave his company quarters as aforesaid having in his possession one Spencer carbine, the property of the United States, pertaining to his company."

Specification 3d—"In this, that Trumpeter *William Ziriax* Company C, 4th U. S. Cavalry, did leave his company quarters, in possession of the Spencer carbine; and did, when asked by Corporal George W. Little, Company C, 4th U. S. Cavalry, what he intended doing with the carbine, reply: 'The carbine is my own, and I can do with it what I please,' or words of that effect; and when ordered to the guard house by Corporal Little, did make use of the following language: 'I am being confined for nothing, and if I get out of that your life will depend on it. You have to shoot me or I will shoot you,' or words to that effect. All this at Fort Richardson, Texas, on the night, on or about the 18th day of May, 1872."

To which charge and specifications the accused, Trumpeter *William Ziriax*, Company C, 4th Cavalry, pleaded, "Not Guilty."

FINDING

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the third specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Trumpeter *William Ziriax*, Company C, 4th Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of four months; and to forfeit to the United States ten dollars of his monthly pay for the same period."

III. The proceedings, findings and sentences in the cases of Privates *Henry Greenpoole*, Company B, 9th Cavalry, *Engelbert Dolt*, Company B, *Alexander French*, Company F, *Thomas Clonan* and *Henry Gates*, Company I, 10th Infantry, and Trumpeter *William Ziriax*, Company C, 4th Cavalry, are approved, and the sentences will be duly executed. In the case of Private *French*, the State Penitentiary at Baton Rouge, Louisiana, is designated as the place of confinement.

The proceedings and findings in the case of Private *Wesley Nickson*, Company B, 9th Cavalry, are approved with the exception of so much of the findings under 3d and 4th specifications, as declares the Corporal to have been "in the execution of his office," which is disapproved. The evidence does not show that the troubles grew out of anything connected with the Corporal's being on duty, or in the execution of his office; but seems to have been a private quarrel growing out of the troubles in the morning, and due chiefly to the Corporal

having called the accused a son of a bitch and other abusive names. Non-commissioned officers will not be permitted to abuse men under their orders, or get into private quarrels with them and shield themselves from the consequences under pretence of being in the execution of their office. The sentence is mitigated to confinement at hard labor, under charge of the guard at the station where his company may be serving, for the period of one year, forfeiting to the United States twelve (12) dollars per month of his monthly pay during that time.

The proceedings in case of Private *John Kennedy*, Company B, 10th Infantry, are approved, except that in the opinion of the reviewing authority the court could and should have introduced witnesses (called by the court for its own information) as to the good character of the accused, even after the case had closed, in view of the fact that the accused had asked the introduction of such witnesses for the defence. The findings are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, at the post where his company may be serving, for six months, and to forfeit ten dollars of his monthly pay, per month, for the same period." As thus mitigated, the sentence will be duly executed.

The proceedings and findings in case of Sergeant *Charles Pulsfort*, Company B, 10th Infantry, are approved, except that in the opinion of the reviewing authority the court erred in allowing the introduction of testimony as to the "bad character" of the accused, the papers presented by him being merely in the light of recommendations and not considered as "evidence." The prosecution, it is noticed, touched upon particular acts of "bad conduct," and not upon the "general reputation" of the accused. Upon the recommendation of members of the court to clemency, the sentence is reduced "to forfeiture of ten (10) dollars per month, of his monthly pay, for three (3) months." As thus mitigated, the sentence is approved and will be duly executed Sergeant *Pulsfort* will be restored to duty.

The proceedings in the case of Private *Thomas Smith*, Company B, 10th Infantry, are approved. The findings are approved except upon the fourth charge and its specification which are disapproved; the acts of unsoldierly conduct not being sufficiently distinct and explicit. The sentence is approved and confirmed, and will be duly executed.

The proceedings and findings in case of Private *William Patterson*, Company I, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor for one (1) year at the post where his company may be serving; with forfeiture of all pay for same period, and will be duly executed.

IV. The General Court Martial instituted by paragraph V, of Special Order No. 104, and paragraph I, Special Order No. 133, current series, from these Headquarters, and of which Major T. M. ANDERSON, 10th Infantry, is President, is dissolved.

V. The General Court Martial instituted by paragraph III, Special Order No. 74, current series, from these Headquarters, and of which Lieutenant Colonel GEORGE P. BURL, 11th Infantry, is President, is dissolved.

BY COMMAND OF GENERAL AUGUR:

COLON AUGUR,
Aide-de-Camp.

OFFICIAL:

Colon Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Davis, Texas.

1. Trumpeter John Rogers ..... Company I, 9th Cavalry.
2. Private Charles Thomas ..... Company I, 9th Cavalry.
3. Private Isaiah Bowie..... Company B, 25th Infantry.
4. Private John Johnson..... Company D, 25th Infantry.
5. Private Alexander Stepney..... Company D, 25th Infantry.
6. Private Levi Scott.....Company G, 25th Infantry.

At Fort Duncan, Texas.

7. Private William Hodges .....Company F, 24th Infantry.
8. Private Zack Taylor.....Company F, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *September* 10, 1872.

General Court Martial Orders, No. 59.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3, 1872, pursuant to paragraph V, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Colonel George L. Andrews, 25th Infantry, is President, were arraigned and tried:

1. Trumpeter *John Rogers*, Company I, 9th Cavalry.

Charge—"Violation of the 50th Article of War."

Specification—"In this, that Trumpeter *John Rogers*, Company I, 9th U. S. Cavalry, did, having been duly detailed on duty as Trumpeter of the guard, quit his guard without leave from proper authority; and remain absent therefrom from about taps on the 12th of August, 1872, until after reveille on the 13th of August, 1872. This at Fort Davis, Texas."

To which charge and specification the accused, Trumpeter *John Rogers*, Company I, 9th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Trumpeter *John Rogers*, Company I, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for four (4) months."

2. Private *Charles Thomas*, Company I, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Charles Thomas*, Company I, 9th Cavalry, having been regularly mounted as a member of the post guard, and posted as stable guard over the horses of Company I, 9th Cavalry, and the grain houses containing public forage, did, without urgent necessity, leave his post and sit down; and did fail to challenge the officer of the day when he (the officer of the day) approached his (Private *Thomas*') beat while making the rounds. This at Fort Davis, Texas, between the hours of 3 o'clock A. M. and 4 o'clock A. M. on or about the 19th day of June, 1872."

To which charge and specification the accused, Private *Charles Thomas*, Company I, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Thomas*, Company I, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months; and to be confined at hard labor, in charge of the guard for the same period."

3. Private *Isaiah Bowie*, Company B, 25th Infantry.

CHARGE I—"Disobedience of orders, in violation of the 9th Article of War."

Specification 1st—"That he, Private *Isaiah Bowie*, Company B, 25th Infantry, having been regularly detailed on fatigue duty in the quartermaster's department under the direction of his superior officer, the Post Quartermaster, (First Lieutenant Daniel Hart, 25th Infantry) he being in the execution of his office; and having been ordered three (3) times, through the sergeant in charge of the fatigue party, (Sergeant Richard Johnson, Company B, 25th Infantry) he being in the execution of his office, to go up on top of a shed and then and there help and assist in the repair of said shed, did reply each time 'I wont do it,' or in words to that effect; and did persist and positively refuse to obey said orders. This at Fort Quitman, Texas, July 25, 1872."

Specification 2d—"That Private *Isaiah Bowie*, Company B, 25th Infantry, having been regularly detailed and mounted as a member of the post guard, and duly posted as a sentinel over three general prisoners at work hauling water, and having been duly instructed and ordered by his superior officer, the officer of the day, Second Lieutenant Owen Jay Sweet, 25th Infantry) he being in the execution of his office, through the sergeant of the guard, (Sergeant Richard Johnson, Company B, 25th Infantry) he being in the execution of his office, to keep the prisoners under his custody well in hand, and not allow them to leave the water wagon, nor to separate or go beyond his immediate control or to neglect or to loiter over their work, nor to allow them any chance to escape, did disobey said orders and instructions; and did permit said prisoners to leave the water wagon and to separate and go beyond his control, and to neglect their work, and to undress, and to go in bathing in the Rio Grande, and thereby did allow said prisoners a chance to escape, one of whom had crossed beyond mid-channel to the Mexican side of the river Rio Grande, where found by the corporal of the guard (Corporal Perry Davis, Company D, 25th Infantry) and ordered back to the United States side of the

Rio Grande; and when asked by the corporal why he had disobeyed his orders did reply that he could not help it, nor the prisoners from doing as they did, or words to that effect. This at Fort Quitman, Texas, on or about July 30, 1872."

CHARGE II—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"That Private *Isaiah Bowie*, Company B, 25th Infantry, is, from bad conduct, worthless and untrustworthy as a soldier, and in consequence of his repeated bad deportment has been confined as a prisoner, in charge of the guard, from April 9 to April 10; from July 6 to July 16; from July 25 to July 28; and from July 30 to the following final date, inclusive, and was tried, found guilty, and convicted by a Garrison Court Martial July 9, 1872, of conduct prejudicial to good order and military discipline; and all of this within a period of four (4) months, to the disgrace of his company and regiment, and to the disgrace and manifest injury of the service. This at Forts Bliss and Quitman, Texas, from April 9 to July 31, 1872."

To which charges and specifications the accused, Private *Isaiah Bowie*, Company B, 25th Infantry, pleaded:

To the first specification, first charge, "Guilty."
To the second specification, first charge, "Not Guilty,"
To the first charge, "Not Guilty."
To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Guilty."
Of the second specification, first charge, "Guilty."
Of the first charge, "Not Guilty, but guilty of conduct to the prejudice of good order and military discipline."
Of the specification, second charge, "Guilty."
Of the second charge, "Not Guilty, but guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the court does therefore sentence him, Private *Isaiah Bowie*, Company B, 25th Infantry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due, except the just dues of the laundress."

4. Private *John Johnson*, Company D, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *John Johnson*, Company D, 25th Infantry, having been regularly detailed and posted as a sentinel, was found lying down and asleep on his post. This near Fort Davis, Texas, about 2 o'clock A. M., May 30, 1872."

To which charge and specification the accused, Private *John Johnson*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Johnson*, Company D, 25th Infantry, "To forfeit the United States ten (10) dollars of his monthly

pay for six (6) months; and to be confined at hard labor, under charge of the guard, for the same period."

5. Private *Alexander Stepney*, Company D, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Alexander Stepney*, Company D, 25th U. S. Infantry, did attempt to compel Private Walter Hollins, Company D, 25th U. S. Infantry, to give him money, viz: twenty-five cents, more or less; and on his refusal to do so did threaten violence to the said Private Hollins, saying that if he did nt give him the money he would 'lick' him, or words to that effect; and did, when said Private Hollins was returning to his quarters, seize him, said Private Hollins, and draw or lift up a dirk clasp knife, and say that he would kill him, the said Private Hollins, if he did not give him a half dollar, which said Hollins did, believing that his life was in danger. This at or near Fort Quitman, Texas, about the hour of eight P. M., August 13, 1872."

To which charge and specification the accused, Private *Alexander Stepney*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alexander Stepney*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due, except the just dues of the laundress."

6. Private *Levi Scott*, Company G, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Levi Scott*, Company G, 25th Infantry, a member of the post guard, having been duly posted as a sentinel on post No. 2, in front of the quartermaster's storehouse, did quit his post without permission and go into a shed, and when twice called by the officer of the day did not make his appearance nor answer the call. This at Fort Davis, Texas, at about one (1) o'clock A. M., on the 27th day of June, 1872."

To which charge and specification the accused, Private *Levi Scott*, Company G, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

II. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, May 23, 1872, pursuant to paragraph III, Special Order No. 94, and paragraph II, Special Order No. 115, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, May 14, and July 1, 1872, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, were arraigned and tried:

7. Private *William Hodges*, Company F, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That *William Hodges*, a duly enlisted soldier in the army of

the United States, and private of Company F, 24th Infantry, did clandestinely take from the quarters of his company and without the knowledge or consent of the company commander, chief of squad, or the private (Houston) to whom it had been issued, one (1) S. R. musket, B. L., model 1868, and numbered twenty-two thousand (22,300) and three hundred; knowing the same to be the property of the United States, for which Captain C. C. Hood, 24th Infantry, is responsible; and after so taking it did carry it to the chaparral in rear of his company quarters and conceal it, with the intent that said musket should be sold by said *Hodges* or Private Taylor, same company, and the proceeds, in whole or in part, applied to his (*Hodges*) or their private use and benefit; and further, that later on the same day he, Private *Hodges*, did sell or assist said Taylor in selling or disposing of the aforesaid musket to a Mexican (name unknown) at or in the vicinity of the post. This at or near Fort Duncan, Texas, on or about the 16th day of June, 1872."

To which charge and specification the accused, Private *William Hodges*, Company F, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Hodges*, Company F, 24th Infantry, "To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such penitentiary as the proper authority may direct, for the period of five (5) years."

8. Private *Zack Taylor*, Company F, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"That *Zack Taylor*, a duly enlisted soldier in the army of the United States, and private of Company F, 24th Infantry, did take from his company quarters, without the knowledge or consent of his company commander, chief of squad, or the private (Houston) to whom it had been issued, one (1) S. R. musket, B. L., model 1868, and numbered 22,300, the property of the United States, and for which Captain C. C. Hood, 24th Infantry, is responsible, and clandestinely deliver it to Private William Hodges, same company, with the intent that said musket should be sold, by himself or the said Hodges, and the proceeds in whole or in part applied to his or their private use and benefit, and further, that later on the same day, he, Private *Taylor*, did sell or dispose of the aforesaid musket to a Mexican, (name unknown) at or in the vicinity of the post. This at or near Fort Duncan, Texas, on or about the 16th day of June, 1872."

To which charge and specification, the accused, Private *Zack Taylor*, Company F, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification "Guilty, except the words 'and further, that later on the same day, he, Private *Taylor*, did sell or dispose of the aforesaid musket to a Mexican (name unknown) at or in the vicinity of the post,' of the excepted words Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Zack Taylor*, Company F, 24th Infantry "To forfeit to the United States all pay and allowances now due, or that may become due, to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such penitentiary as the proper authority may direct, for the period of five (5) years."

III. The proceedings, findings and sentences in the cases of Trumpeter *John Rogers* and Private *Charles Thomas*, Company I, 9th Cavalry, are approved, and the sentences will be duly executed.

In the case of Private *Isaiah Bowie*, Company B, 25th Infantry, the findings on the second specification, charge first, are disapproved, not being properly supported by the evidence. There is no evidence to show that one of the prisoners "crossed beyond mid-channel to the Mexican side," as alleged. The testimony as to the *instructions* given the accused does not accord with those specified. The accused is charged with disobeying an order of the officer of the day, while the evidence shows that that officer merely told the sergeant that the "usual" instructions would be in force. No testimony is introduced to show what these "usual instructions" were, or that those given the accused were in accordance with the directions of the officer of the day. Judges Advocate cannot be too particular in covering every point in the specification. When this cannot be done, the court, in a finding of "guilty," should except such portions as are not covered by the evidence before it and spread upon the record. The findings to the second charge and specification are disapproved; the acts of unsoldierly conduct not being sufficiently specified under the charge. To have been tried by a Garrison Court and punished is not a crime cognizable by a military court. The sentence is mitigated to forfeiture of twelve (12) dollars per month, of his monthly pay, for four (4) months; and, as mitigated, will be duly executed. The accused will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *John Johnson*, Company D, 25th Infantry, are approved. Upon the recommendation of members of the court to clemency, on the grounds that the prisoner "had been subjected to an *unusual* and *exhausting* punishment immediately prior to being placed on guard," the sentence is remitted. The evidence showing that the prisoner had been kept on knapsack drill for nearly thirty-six (36) consecutive hours without sleep, and was detailed for guard immediately after, it is the opinion of the reviewing officer that the officer responsible for putting the prisoner on guard, immediately after undergoing such a punishment, is the one who should have been tried, rather than the accused. Private *Johnson* will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Alexander Stepney*, Company D, 25th Infantry, are approved. The sentence is mitigated to forfeiture of twelve (12) dollars per month, of his monthly pay, for four (4) months, and will be duly carried into effect. The accused will be released from confinement and restored to duty.

The proceedings, findings and acquittal in the case of Private *Levi Scott*, Company G, 25th Infantry, are approved. He will be released from confinement and returned to duty.

The proceedings and findings in the case of Private *William Hodges*, Company F, 24th Infantry, are approved. The sentence is mitigated to confinement at hard labor, at the station of his company, for one (1) year, forfeiting all pay during that time.

The proceedings in case of Private *Zack Taylor*, Company F, 24th Infantry, are approved. The findings and sentence are disapproved. He will be released from confinement and restored to duty.

By Command of General Augur:

COLON AUGUR,
Aide-de-Camp.

Offic al:

Colon Augur
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT RICHARDSON, TEXAS.

1. Recruit HOWARD GUYMON.....Company B, 4th Cavalry.
2. Private PETER PETERSON .....Company E, 4th Cavalry.
3. Private HUGH N. BROCKWELL.....Company K, 4th Cavalry.
4. Private RICHARD LYNCH .....Company K, 4th Cavalry.
5. Private HERBERT L. BAIRD .....Company K, 11th Infantry.
6. Private THOMAS REILLY .....Company K, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *September* 23, 1872.

GENERAL COURT MARTIAL ORDERS, No. 60.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, August 14, 1872, pursuant to paragraph II, Special Order No. 136, Headquarters Department of Texas, dated San Antonio, Texas, August 2, 1872, and of which Lieutenant Colonel GEORGE P. BUELL, 11th Infantry, is President, and Captain MASON JACKSON, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Recruit *Howard Guymon*, Company B, 4th Cavalry.

CHARGE—"Desertion"

Specification—"In this, that he, Recruit *Howard Guymon*, of Company B, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same on the 4th day of July, 1872; and did remain absent until apprehended between the Post of Fort Richardson, and Weatherford, Texas, on or about the 5th day of July, 1872. All this at or near Fort Richardson, Texas, on or about the dates above mentioned."

To which charge and specification the accused, Recruit *Howard Guymon*, Company B, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Howard Guymon*, Company B, 4th Cavalry, "To be dishonorably discharged from the service of the United States, with loss of all pay and allowances; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of one (1) year."

The proceedings and findings in the case of Recruit *Howard Guymon*, Company B, 4th Cavalry, are approved. The sentence is mitigated to forfeiture of all pay and allowances to date of the order promulgating the sentence; to

be confined at hard labor, at post of his company, for one (1) year; forfeiting twelve (12) dollars per month, of his monthly pay, during that time. As mitigated, the sentence is approved and will be duly executed.

2. Private *Peter Peterson*, Company E, 4th Cavalry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Peter Peterson*, Company E, 4th Cavalry, being a member of the post guard, and having been placed in charge of three prisoners, (two of them shackled did go with said prisoners to the spring, and while there did allow Charles Pillow, (colored) one of said prisoners, to make his escape. This at Fort Richardson, Texas, on the 18th day of July, 1872."

To which charge and specification the accused, Private *Peter Peterson*, Company E, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *Peter Peterson*, Company E, 4th Cavalry, are approved. He will be released from confinement and restored to duty.

3. Private *Hugh N. Brockwell*, Company K, 4th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Hugh N. Brockwell*, private Company K, 4th U. S. Cavalry, did steal from the trunk of Private, James E. Hall, Company K, 4th U. S. Cavalry, the sum of five ($5.00) dollars, by obtaining a false key from Private Jeremiah Ryan, Company L, 4th U. S. Cavalry, with the intent of applying the same to his own use. All this at Fort Richardson, Texas, between the hours of 3 and 4 o'clock P. M., July 19, 1872."

To which charge and specification the accused, Private *Hugh N. Brockwell*, Company K, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Hugh N. Brockwell*, Company K, 4th Cavalry, "To be confined at hard labor, in charge of the post 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; and at the end of his confinement to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Hugh N. Brockwell*, Company K, 4th Cavalry, are approved. The sentence is mitigated to read as follows: To be confined at hard labor, in charge of the guard at the post where his company may be serving, for three (3) months; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period. As mitigated, the sentence will be duly executed.

4. Private *Richard Lynch*, Company K, 4th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Richard Lynch*, Company K, 4th

Cavalry, did, without cause or provocation, strike Sergeant William H. Lawrence, Company C, 11th Infantry. This at Fort Richardson, Texas, on or about July 17, 1872."

Specification 2d—"In this, that he, Private *Richard Lynch*, Company K, 4th Cavalry, did resist Sergeant Richards, Company K, 4th Cavalry, while he was in the lawful performance of his duty, saying that he would not go to the guard house; and did further say 'you damned son of a bitch, you cannot take me;' and while Sergeant Richards, Company K, 4th Cavalry, was taking him to the guard house, assisted by Sergeant Enwright, Company K, 4th Cavalry, did offer to strike them while they were in the lawful performance of their duty; calling them, at the same time, 'dirty sons of bitches.' This at Fort Richardson, Texas, on or about July 17, 1872."

Specification 3d—"In this, that he, Private *Richard Lynch*, Company K, 4th Cavalry, while being taken to the guard house by Sergeant Enwright, Company K, 4th Cavalry, (Sergeant Richards, Company K, 4th Cavalry, having gone for a detail of the guard to assist him) did escape and run to the quarters of a detachment of recruits of the 4th Cavalry, and attempt to create an excitement in the garrison by using profane and obscene language. This at Fort Richardson, Texas, on or about July 17, 1872."

To which charge and specifications the accused, Private *Richard Lynch*, Company K, 4th Cavalry, pleaded:

To the first specification, "Not Guilty"

To the second specification, "Not Guilty."

To the third specification, "Guilty, except the words 'and attempt to create an excitement in the garrison by using profane language,' and of the excepted words, Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the third specification, "Guilty, except the words 'and attempt to create an excitement in the garrison by using profane and obscene language,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Lynch*, Company K, 4th Cavalry, "To be confined at hard labor, in charge of the post guard, for the period of six (6) months; and to forfeit to the United States ten (10) dollars per month, of his monthly pay, for the same period."

The proceedings in the case of Private *Richard Lynch*, Company K, 4th Cavalry, are approved. The findings are approved except that on the second specification, which is disapproved, not being supported by the evidence. The sentence is mitigated to read as follows: "To be confined at hard labor, in charge of the guard at the station of his company, for one (1) month; and forfeit to the United States twelve (12) dollars of his monthly pay." As mitigated, the sentence will be duly executed.

5. Private *Herbert L. Baird*, Company K, 11th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Herbert L. Baird*, Company K, 11th Infantry, did connive at, aid and abet Private Wilhelm Jansen, Com-

pany K, 11th Infantry, in stealing and carrying away the sum of one thousand and forty ($1040.00) dollars, more or less, in United States currency, the property of George Dieffenbach, Hospital Steward U. S. Army. This at Fort Richardson, Texas, on or about the 23d day of July, 1872."

CHARGE II—"Desertion."

Specification—"In this, that he, the said Private *Herbert L. Baird*, Company K, 11th Infantry, being a duly enlisted soldier in the army of the United States, did desert from the same, and did remain absent until apprehended, dressed in citizens' clothing This at Fort Richardson, Texas, on or about the 23d day of July, 1872."

To which charges and specifications the accused, Private *Herbert L. Baird*, Company K, 11th Infantry, pleaded:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification. "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Herbert L. Baird*, Company K, 11th Infantry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due or to become due; and to be confined in such military prison as the proper authority may direct for the period of five (5) years."

The proceedings and findings in the case of Private *Herbert L. Baird*, Company K, 11th Infantry, are approved. The term of confinement is reduced to three (3) years; and the sentence, as modified, will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

6. Private *Thomas Reilly*, Company K, 1 th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification—"That he, Private *Thomas Reilly*, Company K, 11th Infantry, having been detailed on the evening of the 16th of June, 1872, for guard on the 17th of June, 1872, did absent himself from his company; and did fail to report at the appointed place for guard mounting. This at Fort Richardson, Texas, on or about the dates above specified."

CHARGE II—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Reilly*, Company K, 11th Infantry, having been detailed for guard, did become so much under the influence of intoxicating liquor as to be utterly unable to perform said duty, or any other. This at Fort Richardson, Texas, on or about the 17th day of June, 1872."

CHARGE III—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Reilly*, Company K, 11th Infantry, has been confined in the post guard house one hundred and thirty-nine days, since the 8th of October, 1871, at the following times—each and every time for drunkenness, viz. From October 8, 1871, to Feb-

ruary 16, 1872, 132 days; from March 14 to March 15, 1872, one day; from April 8 to April 11, 1872, four days; from April 30 to May 1, 1872, one day; from June 5 to June 6, 1872, one day; making, in all, one hundred and thirty-nine days; and is now in confinement for drunkenness, thereby rendering himself utterly worthless and unreliable as a soldier. All this at Fort Richardson, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *Thomas Reilly*, Company K, 11th Infantry, pleaded:

To the first charge and its specification, "Not Guilty."
To the second charge and its specification, "Guilty."
To the third charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, except the words 'from April 8 to April 11, 1872, four days;' and of the excepted words, Not Guilty."
Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Reilly*, Company K, 11th Infantry, "To be dishonorably discharged the service of the United States."

The proceedings, findings and sentence in the case of Private *Thomas Reilly*, Company K, 11th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF GENERAL AUGUR:

COLON AUGUR,
Aide-de-Camp.

OFFICIAL:

Colon Augur

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Private Mathias Gross ....Company B, 11th Infantry
2. Private George B. Mackey.....Company E, 11th Infantry.
3. Private Francis Cox.... ....Company H, 11th Infantry.

At San Antonio, Texas.

4. Private Stephen Fitzgerald.....Company C, 10th Infantry.
5. Private John Sheridan.....Company C, 10th Infantry.
6. Private Patrick Murphy .....Company C, 10th Infantry.
7. Private Oscar F. Standinger.....Company C, 10th Infantry.
8. Private Alphonso R. Taylor.....Company H, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *September* 24, 1872.

General Court Martial Orders, No. 61.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 31, 1872, pursuant to paragraph IV, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major John P. Hatch, 4th Cavalry, is President, and First Lieutenant George G. Lott, 11th Infantry, is Judge Advocate, were arraigned and tried:

1. Private *Mathias Gross*, Company B, 11th Infantry.

Charge I—"Desertion."

Specification—"In this, that he, Private *Mathias Gross*, Company B, 11th Infantry, a duly enlisted soldier in the service of the United States, did desert the same and remain so absent until arrested by the First Sergeant of his company; he having in his possession the rifle, accoutrements, and ammunition issued to him by his company commander. All this at Fort Concho, Texas, on or about the 19th day of May, 1872."

Charge II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Mathias Gross*, Company B, 11th Infantry, did take from the quarters of his company, without permission from proper authority, and when not on duty, the rifle, accoutrements, and ammunition issued to him by his company commander, in violation of a well known company order. This at Fort Concho, Texas, on the 19th day of May, 1872."

Specification 2d—"In this, that he, Private *Mathias Gross*, Company B, 11th Infantry, being in the act of leaving the vicinity of his company quarters with the rifle, accoutrements, and ammunition issued to him by his

company commander, and being repeatedly ordered to halt by First Sergeant William Herbert, Company B, 11th Infantry, did fail to do so; and when arrested by the said First Sergeant, did, in a threatening manner, draw the bayonet from its scabbard, resisting the said First Sergeant Herbert; Sergeant Herbert being in the execution of his office. All this at Fort Concho, Texas, on or about the 19th day of May, 1872."

Specification 3d—"In this, that he, Private *Mathias Gross*, Company B, 11th Infantry, did say to First Sergeant William Herbert, Company B, 11th Infantry, and others of the same company, 'I will not serve with the company any longer, now that Captain Conrad and Sergeant Faerber are gone,' or words to that effect; and to the prejudice of good order and military discipline. This at or near Fort Concho, Texas, on or about the 19th day of May, 1872."

To which charges and specifications the accused, Private *Mathias Gross*, Company B, 11th Infantry, pleaded:

To the first charge and its specification,	"Not Guilty."
To the first specification, second charge,	"Guilty."
To the second specification, second charge,	"Not Guilty,"
To the third specification, second charge,	"Not Guilty."
To the second charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Mathias Gross*, Company B, 11th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of one year; and to forfeit all pay and allowances for the same period; the first six days of every month to be solitary confinement on bread and water."

The proceedings in case of Private *Mathias Gross*, Company B, 11th Infantry, are approved. The findings on first charge and specification are disapproved. The findings on second charge and specifications are approved. The sentence is mitigated to confinement for three months, with forfeiture of pay for same period, and will be duly executed.

2. Private *George B. Mackey*, Company E, 11th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *George B. Mackey*, of Company E, 11th Infantry, having been duly posted as a sentinel, was found asleep on his post (No. 3) between the hours of 2 A. M. and 3 A. M., when visited by the officer of the day. All this at Fort Concho, Texas, on or about the 15th day of June, 1872."

To which charge and specification the accused, Private *George B. Mackey*, Company E, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George B. Mackey*, Company E, 11th Infantry, "To forfeit ten dollars per month, of his monthly pay, for a period of three months; and to be confined at hard labor, in charge of the guard, for the same period." The court is thus lenient in consideration of his previous good character, as shown from three discharges in possession of Private *Mackey*.

The proceedings, findings and sentence in the case of Private *George B. Mackey*, Company E, 11th Infantry, are approved, and the sentence will be duly executed.

3. Private *Francis Cox*. Company H, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Francis Cox*, Company H, 11th Infantry, having been duly enlisted in the service of the United States, did desert said service at or near Fort Concho, Texas, on or about the 13th day of December, 1871; and did remain absent until apprehended at or near Austin, Texas, on the 22d day of January, 1872; thirty dollars having been paid for his apprehension. All this at Fort Concho, Texas, on or about the 13th day of December, 1871."

To which charge and specification the accused, Private *Francis Cox*, Company H, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Francis Cox*, Company H, 11th Infantry, "To be dishonorably discharged the service of the United States; and confined at hard labor, for a period of three years, at such prison as the Commanding Officer, Department of Texas, may direct; and to forfeit all pay and allowances now due, or that may become due, the just dues of the laundress excepted."

The proceedings and findings in case of Private *Francis Cox*, Company H, 11th Infantry, are approved. The sentence is mitigated to confinement for one year, at hard labor, at the post where his company may be serving; with forfeiture of twelve dollars per month, of his pay for same period, and will be duly executed.

II. Before a General Court Martial which convened at San Antonio, Texas, per paragraph III, Special Order No. 141, and paragraph I, Special Order No. 145, Headquarters Department of Texas, dated, respectively, San Antonio, August 13 and 20, 1872, and of which Lieutenant Colonel SAMUEL B. HOLABIRD, Deputy Quartermaster General, U. S. Army, is President, and Captain GEORGE B. RUSSELL, 9th Infantry, is Judge Advocate, were arraigned and tried:

4. Private *Stephen Fitzgerald*, Company C, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *Stephen Fitzgerald*, Company C, 10th Infantry, a duly enlisted soldier in the service of the United States, did, at San Antonio, Texas, on the 6th day of August, 1872, desert the said service; and did remain absent therefrom until he surrendered himself to the commanding officer of the Post of Austin, Texas, on the 19th day of August, 1872."

To which charge and specification the accused, Private *Stephen Fitzgerald*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'desert,' substituting therefor the words 'absent himself from.'"

Of the charge, "Not Guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *Stephen Fitzgerald*, Company C, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for the period of three months; and to be confined at hard labor, in charge of the guard, for thirty days."

The proceedings, findings and sentence in the case of Private *Stephen Fitzgerald*, Company C, 10th Infantry, are approved, and the sentence will be duly executed.

5. Private *John Sheridan*, Company C, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *John Sheridan*, Company C, 10th Infantry, a duly enlisted soldier in the service of the United States, did, at San Antonio, Texas, on the 6th day of August, 1872, desert the said service; and did remain absent until he surrendered himself at the Post of Austin, Texas, on the 10th day of August, 1872."

To which charge and specification the accused, Private *John Sheridan*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except of the word 'desert,' substituting therefor the words 'absent himself from.'"

Of the charge, "Not Guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *John Sheridan*, Company C, 10th Infantry, "To forfeit to the United States ten dollars of his monthly pay, per month, for the period of three months; and to be confined at hard labor, under charge of the guard, for thirty days."

The proceedings, findings and sentence in the case of Private *John Sheridan*, Company C, 10th Infantry, are approved, and the sentence will be duly executed.

III. Before a General Court Martial which convened at San Antonio, Texas, on Monday, September 9, 1872, pursuant to paragraph I, Special Order No. 159, Headquarters Department of Texas, dated San Antonio, Texas, September 7, 1872, and of which Lieutenant Colonel A. McD. McCook, 10th Infantry, is President, and Second Lieutenant C. S. BURRANK, 10th Infantry, is Judge Advocate, were arraigned and tried:

6. Private *Patrick Murphy*, Company C, 10th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"That he, *Patrick Murphy*, private Company C, 10th Infantry, having been regularly mounted as a member of the post guard, did become so drunk as to be unable to perform his duty, This at San Antonio, Texas, on or about September 5, 1872."

To which charge and specification the accused, Private *Patrick Murphy*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification. "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Murphy*, Company C, 10th Infantry, "To forfeit to the United States eight ($8.00) dollars a month, of his monthly pay, for the period of six months; and to be confined at hard labor, in charge of the post guard at the post of his company, for the same period."

The proceedings and findings in the case of Private *Patrick Murphy*, Company C, 10th Infantry, are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, at the post where his company may be serving, for one month; and to forfeit to the United States ten dollars of his monthly pay for same period," and will be so executed.

7. Private *Oscar F. Standinger*, Company C, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That he, Private *Oscar F. Standinger*, Company C, 10th Infantry, having been regularly posted as a sentinel, was found asleep on his post when visited by the corporal of the guard, Corporal Herman Weise, Company C, 10th Infantry. This at San Antonio, Texas, on or about the 4th day of September, 1872."

To which charge and specification the accused, Private *Oscar F. Standinger*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Oscar F. Standinger*, Company C, 10th Infantry, "To forfeit to the United States ten (10) dollars a month, of his monthly pay, for the period of one (1) year; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the same period."

The proceedings and findings in the case of Private *Oscar F. Standinger*, Company C, 10th Infantry, are approved. The sentence is mitigated to read "six months" in place of "one year," and will be so executed.

8. Private *Alphonso R. Taylor*, Company H, 10th Infantry.

CHARGE I—"Violation of the 6th Article of War."

Specification—"In this, that Private *Alphonso R. Taylor*, Company H, 10th Infantry, on being ordered to the guard house as a prisoner by Second Lieutenant Clayton S. Burbank, 10th U. S. Infantry, did use contemptuous and disrespectful language to said Lieutenant Burbank, calling him a 'son of a bitch and a bastard,' or words to the same effect. This at San Antonio, Texas, on or about the 5th day of September, 1872."

CHARGE II—"Violation of the 9th Article of War."

Specification—"In this, that Private *Alphonso R. Taylor*, Company H, 10th U. S. Infantry, on being ordered to the guard house as a prisoner by Second Lieutenant Clayton S. Burbank, 10th U. S. Infantry, (said Lieutenant Burbank being at the time in the execution of his office) did fail to obey said order; and did attempt to strike said Lieutenant Burbank, rendering it necessary to call upon the guard for assistance to confine him. This at San Antonio, Texas, on the 5th day of September, 1872."

To which charges and specifications the accused, Private *Alphonso R. Taylor*, Company H, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Alphonso R. Taylor*, Company H, 10th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of five (5) months; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the same period."

The proceedings, findings and sentence in the case of Private *Alphonso R. Taylor*, Company H, 10th Infantry, are approved, and the sentence will be duly executed.

IV. The General Court Martial instituted by paragraph I, of Special Order No. 159, current series, from these Headquarters, and of which Lieutenant Colonel A McD. McCOOK, 10th Infantry, is President, is dissolved.

BY COMMAND OF GENERAL AUGUR:

COLON AUGUR,
Aide-de-Camp.

OFFICIAL:

Colon Augur,
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Duncan, Texas.

1. Private Elisha Nelson .....Company C, 9th Cavalry.
2. Private William Pettis .....Company C, 9th Cavalry.
3. Private Henry C. Turner .....Company C, 9th Cavalry.
4. Private George Brown .....Company F, 24th Infantry.
5. Private George Howard .....Company K, 24th Infantry.
6. Musician James H. H. Turner.....Company K, 24th Infantry.
7. Private Thomas Wilson.....Company K, 24th Infantry.
8. Recruit James Terrill.....24th Infantry.

At Fort Davis, Texas.

9. Sergeant John Hervey.....Company I, 9th Cavalry.
10. Private James E. Ermy .....Company E, 25th Infantry.
11. Private George Strickling .....Company E, 25th Infantry.
12. Recruit William Dow.....25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *September* 27, 1872.

General Court Martial Orders, No. 62.

I. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, May 23, 1872, pursuant to paragraph III, Special Order No. 94, paragraph II, Special Order No. 115, and paragraph II, Special Order No. 133, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, May 14, July 1 and 29, 1872, and of which Major Henry C. Merriam, 24th Infantry, is President, and Second Lieutenant G. Valois, 9th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Elisha Nelson*, Company C, 9th Cavalry.

Charge—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Elisha Nelson*, Company C, 9th U. S. Cavalry, having been regularly detailed and duly mounted as a member of the stable guard of Company C, 9th U. S. Cavalry, did leave his guard without permission from proper authority; and did remain so absent for four hours, more or less, visiting the town of Eagle Pass, Texas; and did not return from said town until sent for by the sergeant of the stable guard. All this at or near Fort Duncan, Texas, on or about the 4th day of September, 1872."

To which charge and specification the accused, Private *Elisha Nelson*, Company C, 9th Cavalry, pleaded:

To the specification, except the words 'visiting the town of Eagle Pass,' "Guilty."

To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Elisha Nelson*, Company C, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for three (3 months; and to be confined at hard labor, at the station of his company, for the same period."

The proceedings, findings and sentence in the case of Private *Elisha Nelson*, Company C, 9th Cavalry, are approved. In view of the previous good character of the accused, as shown by the evidence, so much of the sentence as relates to confinement is remitted; the remainder is approved, and will be duly executed. Private *Nelson* will be released from confinement and returned to duty.

2. Private *William Pettis*, Company C, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Pettis*, Troop C, 9th U S. Cavalry, did feloniously take, steal and carry away from the quarters of Mrs. J. E. Tonsall, an authorized laundress, two linen shirts, valued at five dollars each, the property of Captain C. D. Beyer, 9th Cavalry, and James Carroll, post trader; and did dispose of them for his own use and benefit. This at Fort Duncan, Texas, on or about the 10th day of July, 1872."

To which charge and specification the accused, Private *William Pettis*, Company C, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *William Pettis*, Company C, 9th Cavalry, are approved. He will be released from confinement and restored to duty.

3. Private *Henry C. Turner*, Company C, 9th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Henry C. Turner*, of Troop C, 9th U. S. Cavalry, did steal from the bunk of Private John Price, Troop C, 9th U. S. Cavalry, one (1) woolen blanket of the value of three ($3.11) dollars and eleven cents, the property of the said Private John Price; and did sell or otherwise unlawfully dispose of the same, for his own use and benefit. This at Fort Duncan, Texas, on or about the 29th day of August, 1872."

To which charge and specification the accused, Private *Henry C. Turner*, Company C, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry C. Turner*, Company C, 9th Cavalry, "To forfeit to the United States all pay now due, or that

may become due him; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such military prison as the proper authority may direct, for a period of one (1) year."

The proceedings and findings in the case of Private *Henry C. Turner*, Company C, 9th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard at the post where his company may be serving, for three months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period, and will be so executed.

4. Private *George Brown*, Company F, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George Brown*, Company F, 24th U. S. Infantry, did steal and carry away one infantry great coat, the property of Private Isaac Miner, Company F, 24th U. S Infantry, value of $5.33. This at Fort Duncan, Texas, on or about August 15, 1872; with the intent to appropriate the same to his own use and benefit."

To which charge and specification the accused, Private *George Brown*, Company F, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Brown*, Company F, 24th Infantry, "To forfeit to the United States all pay now due, or that may become due him; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such military prison as the proper authority may direct, for a period of one (1) year."

The proceedings and findings in the case of Private *George Brown*, Company F, 24th Infantry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard at the post where his company may be serving, for three months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period, and will be so executed.

5. Private *George Howard*, Company K, 24th Infantry.

CHARGE—"Desertion"

Specification—"That he, Private *George Howard*, Company K, 24th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 5th day of November, 1871; and did remain absent until on or about the 22d day of August, 1872, when he was apprehended as a deserter near Fort Duncan, Texas. This at Fort Duncan, Texas, on or about the dates above specified."

To which charge and specification the accused, Private *George Howard*, Company K, 24th Infantry, pleaded:

To the specification, except the word 'apprehended,' "Guilty."
To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'apprehended,' and of the excepted word, Not Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Howard*, Company K, 24th Infantry, "To forfeit to the United States all pay and allow-

ances now due, or that may become due him; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such military prison as the proper authority may direct, for a period of two (2) years."

The proceedings and findings in the case of Private *George Howard*, Company K, 24th Infantry, are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, at the post where his company may be serving, for one year; and to forfeit to the United States twelve dollars per month, of his monthly pay, for the same period," and will be so executed.

6. Musician *James H. H. Turner*, Company K, 24th Infantry.

CHARGE—"Worthlessness and conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Musician *James H. H. Turner*, Company K, 24th Infantry, since the first day of November, 1871, by general worthlessness, and by lying, stealing, drinking intoxicating liquors, and other persistent meanness, has become totally unfit, in deportment and character, for a soldier; and has, since the date above written, been brought before Garrison Courts Martial seven (7) times; and on each occasion been convicted of military offences as follows: November 6, 1871, December 2, 1871, January 10, 1872, March 6, 1872, May 7, 1872, June 3, 1872, and June 27, 1872; and during the same period has been confined in the post guard house for breaches of military discipline, under charges, and awaiting trial by court martial, and undergoing sentence imposed by courts martial, one hundred and eight (108) days, as follows. From 1st November to 4th November, 1871, four days; 24th November to 25th November, 1871, two days; 28th November, 1871, to 5th January, 1872, thirty-seven days; 8th January, 1872, to 10th February, 1872, thirty-four days; 24th February to 8th March, 1872, fourteen days; 30th April to 7th May, 1872, eight days; 1st June to 3d June, 1872, three days; 10th July to 15th July, 1872, six days; 23d August, 1872, to ———.

The dates above given, as the one on which confined, and the one on which released, being, in every instance, both inclusive. All this at Fort Duncan, Texas, on or about from the 1st day of November, 1871, to the 23d day of August, 1872."

Specification 2d—"In this, that Musician *James H. H. Turner*, did falsely and knowingly represent to Private George W. Dudley, Company C, 9th Cavalry, and to Corporal Thomas Campbell, Company F, 24th Infantry, that Sergeant John Benton, of Company K, 24th Infantry, had sent him (*Turner*) to request them, respectively, Dudley and Campbell, to write an order or orders to Mr. P. M. Fiske, a merchant in Eagle Pass, Texas, whereby it is represented to the said Fiske that it is and was the desire of Sergeant Benton that said Fiske should deliver to the said *Turner* certain goods, and merchandize and liquors enumerated in said orders, and to charge the money value of the same to the said Sergeant John Benton; one of said orders being in words and figures following, saving and excepting the orthography:

'FORT DUNCAN, TEXAS,
August 23, 1872.

MR. FISKE,

SIR: Will you be please [d] to send me a Bot [tle] whiskey detaining [containing] the sum of one quart, and 75 cents of cigars, and three strings for a Guitar, and charge the same to my account. The bearer will be James Turner, Co. K.

Sergeant JOHN BENTON,
of K company, 24th Inf.'

He, the said *Turner*, at the same time well knowing his representations

to the said Dudley and Campbell to be wholly false and fraudulent; and did carry said order to said P. M. Fiske—and other orders; and did wilfully and knowingly make false verbal statements to said Fiske, in like manner purporting to be verbal orders from Sergeant John Benton, Company K, 24th Infantry, whereby he procured from said P. M. Fishe goods, merchandize and liquors to the value of forty three dollars and ninety-five cents, ($43.95) more or less, and to the prejudice of good order and military discipline. This at or near Fort Duncan, Texas, on and between the 1st and 23d days of August, 1872."

To which charge and specifications the accused, Musician *James H. H. Turner*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him Musician *James H. H Turner*, Company K, 24th Infantry, "To forfeit to the United States all pay and allowances now due, or that may become due him; to be dishonorably discharged from the service of the United States; and to be confined at hard labor, at such place as the proper authority may direct, for the period of three years."

The proceedings and findings in the case of Musician *James H. H. Turner*, Company K, 24th Infantry, are approved, except in relation to the first specification, which are disapproved. To have been tried, convicted and *punished* is not a crime cognizable by a military court. The period of confinement is reduced to one year, and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent under suitable guard, and turned over to the warden with a copy of this order.

7. Private *Thomas Wilson*, Company K, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Thomas Wilson*, Company K, 24th Infantry, a nurse in the post hospital at Fort Duncan, Texas, did take, steal and carry away a pair of boots, valued at $2.07, the property of Private George Taylor, Company C, 9th Cavalry, a patient in the same hospital, with intent to appropriate said boots to his own use and benefit. This at Fort Duncan, Texas, on or about the 12th of July, 1872."

To which charge and specification the accused, Private *Thomas Wilson*, Company K, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Wilson*, Company K, 24th Infantry, "To forfeit to the United States all pay now due, or pay that may become due him; to be dishonorably discharged from the service of the United States; then to be confined at hard labor, at such military prison as the proper authority may direct, for a period of one year."

The proceedings and findings in the case of Private *Thomas Wilson*, Company K, 24th Infantry, are approved. The sentence is mitigated to confine-

ment at hard labor, in charge of the guard at the post where his company may be serving, for the period of three months; with forfeiture to the United States of ten dollars per month, of his monthly pay, during the same time, and will be so executed.

8. Recruit *James Terrill*, 24th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That Recruit *James Terrill*, 24th Infantry, attached to Company K, having been regularly detailed as a member of the post guard, and warned by the First Sergeant of the company to which he is attached to get ready for guard, by cleaning and putting in order his arms, accoutrements and clothing, did wholly fail and neglect to do so. This at Fort Duncan, Texas, on or about the 12th and 15th days of August, 1872."

Specification 2d—"That *James Terrill*, a recruit of the 24th Infantry, attached to Company K, having been warned and detailed for guard by the First Sergeant of the company to which he is attached, and directed to get ready for guard, did fail and neglect to do so; and when questioned by the First Sergeant and asked why he neglected to prepare for guard duty, did reply, 'I would a great deal rather go to the guard house and remain there always than to do any kind of company duty,' or words to that effect. This at Fort Duncan, Texas, on or about the 12th and 15th days of August, 1872."

CHARGE II—"Violation of the 44th Article of War."

Specification—"That Recruit *James Terrill*, 24th Infantry, attached to Company K, having been regularly detailed as a member of the post guard, and warned of such detail by the First Sergeant of the company to which he is attached, did fail to repair, at the time fixed, to the place for mounting guard, by his commanding officer. This at Fort Duncan, Texas, on or about the 12th and 15th days of August, 1872."

To which charges and specifications the accused, Recruit *James Terrill*, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Recruit *James Terrill*, 24th Infantry, "To forfeit to the United States ten (10) dollars per month, of his monthly pay, for three months; and to be confined in the post guard house, at hard labor, for the same period."

The proceedings, findings and sentence in the case of Recruit *James Terrill*, 24th Infantry, are approved, and the sentence will be duly executed.

II. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3d, 1872, pursuant to paragraph V, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Colonel GEORGE L. ANDREWS, 25th Infantry, is President, and Second Lieutenant WALLACE TEAR, 25th Infantry, is Judge Advocate, were arraigned and tried:

9. Sergeant *John Hervey*, Company I, 9th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *John Hervey*, Company I, 9th

U. S. Cavalry, did absent himself from his company and quarters, without permission from proper authority, between tattoo roll-call of the 21st, and reveille roll-call of the 22d day of August, 1872. All this at Fort Davis, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, Sergeant *John Hervey*, Company I, 9th U. S. Cavalry, did create a disturbance at a dance at the house of one Daniel Murphy, by threatening to shoot one Annie Carter, and one Private Adam Hall, Band, 25th Infantry; and did afterward, to-wit: about one o'clock A. M., the same night, secrete himself behind a bush in the vicinity of the post blacksmith shop; and did jump from behind said bush and fire a pistol, loaded with powder and ball, at said Annie Carter and Private Hall, saying 'I will kill you, you sons of bitches,' or words to that effect; and did continue to threaten to take the lives of said Annie Carter and Private Hall, until caused to desist by the approach of the corporal of the post guard. All this at or near Fort Davis, Texas, on or about the night of the 21st day of August, 1872."

To which charge and specifications the accused, Sergeant *John Hervey*, Company I, 9th Cavalry, pleaded:

To the first specification, "Guilty."
To the second specification, "Not Guilty."
To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty, except the words 'did create a disturbance at a dance at the house of one Daniel Murphy by threatening to shoot one Annie Carter, and one Private Adam Hall, Band, 25th Infantry,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *John Hervey*, Company I, 9th Cavalry, "To be reduced to the ranks; and to be confined at hard labor, in charge of a guard, for the period of twelve (12) months."

The proceedings and findings in the case of Sergeant *John Hervey*, Company I, 9th Cavalry, are approved. In consideration of the evidence as to good character, and of the recommendation of members of the court to clemency, the sentence is remitted. Sergeant *Hervey* will be released from arrest and restored to duty.

10. Private *James E. Ermy*, Company E, 25th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification 1st—"That Private *James E. Ermy*, Company E, 25th Infantry, being a member of the guard on duty at the stage station at Varilla Springs, Texas, for the protection of said station, did, having been duly posted as a sentinel at the corral at the aforesaid station, go to sleep on his post. This at Varilla Springs, Texas, on or about the 4th day of July, 1872."

Specification 2d—"That Private *James E. Ermy*, Company E, 25th Infantry, being a member of the guard on duty at the stage station at Varilla Springs, Texas, for the protection of said station, did, having been duly posted as a sentinel at the corral at the aforesaid place, go to sleep on his post. This at Varilla Springs, Texas, on or about the 6th day of July, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"That Private *James E. Ermy*, Company E, 25th Infantry, having presented himself in a dirty condition at the 12 o'clock M. inspection of the old guard of his company; and having been ordered by First Sergeant John Sample, Company E, 25th Infantry, in the execution of his office, to appear again at 2 o'clock P. M. for inspection, and to go and clean himself up, did, in utter disregard of the authority of the First Sergeant aforesaid, go into the barracks, take off his equipments and lie down and go to sleep; and did turn out at 2 o'clock P. M. for inspection, in the same dirty condition as before, to-wit, at 12 o'clock M. This at Fort Davis, Texas, on or about the 2d day of August, 1872."

Specification 2d—"That Private *James E. Ermy*, Company E. 25th Infantry, having appeared at two inspections of the old guard of that company on the same day, in a dirty condition, to-wit: at 12 o'clock M. and 2 o'clock P. M; and having been ordered by the non commissioned officer in charge of the inspection at 2 o'clock P. M. (Corporal Griffin Collins, Company E, 25th Infantry, in the execution of his duty) to fall out of ranks and clean himself up, as he (*Ermy*) was in a dirty condition, did say 'my musket is clean; I guess I know when my musket is clean as well as you do,' or words to that effect; and did refuse to clean up, saying 'I'm damned if I am going to clean up any more,' or words to that effect. This at Fort Davis, Texas, on or about the 2d day of August, 1872."

To which charges and specifications the accused, Private *James E. Ermy*, Company E, 25th Infantry, pleaded:

To the first charge and its specifications,	"Guilty."
To the second charge and its specifications,	"Not Guilty."

FINDING

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second 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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James E. Ermy*, Company E, 25th Infantry, "To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances that are or may become due, except the just dues of the laundress; and to be confined at hard labor, for the period of one year, at such place as the Commanding General may designate."

The proceedings and findings in the case of Private *James E. Ermy*, Company E, 25th Infantry, are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for eight months; and to forfeit to the United States twelve dollars per month, of his monthly pay, for the same period." As thus mitigated, the sentence will be duly executed.

11. Private *George Strickling*, Company E, 25th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"That Private *George Strickling*, Company E, 25th Infantry, being a member of the guard on duty at the mail station at Varilla Springs, Texas, for the protection of said station, did, having been duly posted as a sentinel at the corral at the aforesaid place, go to sleep on his post. This at Varilla Springs, Texas, on or about the 12th day of July, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"That Private *George Strickling*, Company E, 25th Infantry, having appeared at the regular 12 o'clock M. inspection of the old guard in Company E, 25th Infantry, with dirty musket and equipments, and having been ordered by First Sergeant John Sample, Company E, 25th Infantry, he being in the execution of his office, to clean up and fall in at 2 oclock P. M. for a second inspection, did disregard said orders and lie about his company quarters and make no efforts to prepare himself for the 2 o'clock inspection; and did turn out at that hour in the same dirty condition as at the prior 12 o'clock M. inspection. This at Fort Davis, Texas, on or about the 2d day of August, 1872."

Specification 2d—"That Private *George Strickling*, Company E, 25th Infantry, having presented himself at two inspections of the old guard of his company, to-wit: at 12 o'clock M. and at 2 o'clock P. M; and having been directed by Corporal Griffin Collins, Company E, 25th Infantry, the non-commissioned officer having the 2 o'clock P. M. inspection in charge, to fall out and clean up his musket and accoutrements, as they were dirty, did reply 'my musket aint dirty, I know a clean gun from a dirty one,' or words to that effect; and did refuse to clean his musket, saying 'I'll be damned if I am going to clean up any more,' or words to that effect. This at Fort Davis, Texas, on or about the 2d day of August, 1872."

To which charges and specifications the accused, Private *George Strickling*, Company E, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Strickling*, Company E, 25th Infantry, "To be dishonorably discharged the service of the United States; with forfeiture of all pay and allowances that are or may become due, except the just dues of the laundress; and to be confined at hard labor, for the period of one year, at such place as the Commanding General may designate."

The proceedings and findings in the case of Private *George Strickling*, Company E, 25th Infantry, are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for eight months; and to forfeit to the United States twelve dollars per month, of his monthly pay, for the same period." As mitigated, the sentence will be duly executed.

12. Recruit *William Dow*, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Recruit *William Dow*, 25th Infantry, a duly enlisted soldier in the U. S. Army, having been posted as a sentinel over the commissary storehouse, did go to sleep, in which condition he was found by the corporal of the guard. All this at Fort Davis, Texas, on morning of September 3, 1872."

To which charge and specification the accused, Recruit *William Dow*, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *William Dow*, 25th Infantry, "To be dishonorably discharged the service of the United States; with forfeiture of all pay and allowances now due or that may become due, except the just dues of the laundress."

The proceedings and findings in the case of Recruit *William Dow*, 25th Infantry, are approved. The sentence is mitigated to forfeiture of twelve dollars per month, of his monthly pay, for the period of four months, and will be duly executed. The accused will be released from confinement and restored to duty.

BY COMMAND OF GENERAL AUGUR:

COLON AUGUR,
Aide-de-Camp.

OFFICIAL:

Colon Augur

Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF TEXAS,
SAN ANTONIO, TEXAS, *October* 8, 1872.

GENERAL COURT MARTIAL ORDERS, No. 63.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Monday, September 16, 1872, pursuant to paragraph IV, Special Order No. 156, Headquarters Department of Texas, dated San Antonio, Texas, September 3, 1872, and of which Major HENRY DOUGLASS, 11th Infantry, is President, and Captain J. S. TOMKINS, 25th Infantry, Judge Advocate, was arraigned and tried:

First Lieutenant *Frederick A. Kendall*, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, First Lieutenant *Frederick A. Kendall*, 25th U. S. Infantry, did, in the store of the post trader, indulge in the use of intoxicating liquors until he became disgracefully and 'crazy drunk.' This at Fort Davis, Texas, on or about August 15, 1872."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that he, First Lieutenant *Frederick A. Kendall*, 25th U. S. Infantry, having been duly detailed as officer of the day, did fail to repair, at the time fixed, to the place of parade of the guard, being prevented from so doing by drunkenness. This at Fort Davis, Texas, on or about August 16, 1872."

CHARGE III—"Violation of the 45th Article of War."

Specification 1st—"In this, that he, First Lieutenant *Frederick A. Kendall*, 25th U. S. Infantry, being the only officer on duty with his company, did get drunk; and did attend the reveille roll-call of his company in an intoxicated condition. This at Fort Davis, Texas, on or about August 16, 1872."

Specification 2d—"In this, that he, First Lieutenant *Frederick A. Kendall*, 25th U. S. Infantry, having been regularly detailed as officer of the day, did become so drunk as to be unable to, and did not, obey said detail. This at Fort Davis, Texas, on or about August 16, 1872."

ADDITIONAL CHARGE—"Conduct unbecoming an officer and a gentleman."

Specification—"In this, that First Lieutenant *Frederick A. Kendall*, 25th Infantry, did appear before his company at reveille roll-call in a state of intoxication. This at Fort Davis, Texas, on or about the 16th day of August, 1872."

To which charges and specifications the accused, First Lieutenant *Frederick A. Kendall*, 25th Infantry, pleaded:

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."
To the first specification, third charge,	"Not Guilty."
To the second specification, third charge,	"Not Guilty."
To the third charge,	"Not Guilty."

To the specification, additional charge, a plea in bar of trial was sustained by the court.

To the additional charge, no plea, the specification having been debarred.

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, except the words 'disgracefully and.'"

Of the first charge,	"Not Guilty."
Of the specification, second charge,	"Not Guilty."
Of the second charge,	"Not Guilty."
Of the first specification, third charge,	"Not Guilty."
Of the second specification, third charge,	"Not Guilty."
Of the third charge,	"Not Guilty."

Of the specification, additional charge, no finding, a plea in bar of trial having been sustained.

Of the additional charge, no finding, the specification having been debarred.

And the court do therefore acquit him, First Lieutenant *Frederick A. Kendall*, 25th Infantry.

The proceedings in the case of First Lieutenant *Frederick A. Kendall*, 25th Infantry, are approved. The findings are approved, except that to the first charge, which is disapproved. The reviewing authority does not agree with the court in its finding that becoming "crazy drunk" in the store of the post trader, and within the limits of a military post, is *not* "conduct to the prejudice of good order and military discipline." The "custom" of excusing an officer from duty and placing him upon "sick report" at the request of a member of his family, without making a personal examination of the patient, where practicable, is improper and to be discouraged. The excusing of an officer from duty by a medical officer should be in light of a *certificate* that the officer is unfit for duty from causes known to the medical officer from personal examination. Lieutenant *Kendall* will be released from arrest and restored to duty.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

J. A. Augur

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Sill, Indian Territory.

1. Private John Brown.....Company E, 10th Cavalry.
2. Private Charles Jefferson.....Company H, 10th Cavalry.
3. Private Anderson Wilson.....Company H, 10th Cavalry.
4. Private George Street.....Company I, 10th Cavalry.
5. Private Willis Harris.....Company L, 10th Cavalry.
6. Trumpeter Miller Hazzard.....Company M, 10th Cavalry.
7. Private Lyman Tasker.....Company M, 10th Cavalry.

At Fort Davis, Texas.

8. Trumpeter Richard Roper.....Company I, 9th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *October* 10, 1872.

General Court Martial Orders, No. 64.

I. Before a General Court Martial which convened at Fort Sill, Indian Territory, on Monday, August 12, 1872, pursuant to paragraph II, Special Order No. 130, Headquarters Department of Texas, dated San Antonio, Texas, July 24, 1872, and of which Major George W. Schofield, 10th Cavalry, is President, and Captain Stevens T. Norvell, 10th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *John Brown*, Company E, 10th Cavalry.

Charge—"Sleeping on post."

Specification—"In, that Private *John Brown*, E company, 10th Cavalry, having been duly posted as a sentinel over prisoners, on post number two, in rear of the guard house, did go to sleep on his post. This at Fort Sill, Indian Territory, about 10 30 o'clock on the night of May 8, 1872."

To which charge and specification the accused, Private *John Brown*, Company E, 10th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *John Brown*, Company E, 10th Cavalry, "To be dishonorably discharged the service of the United States."

The proceedings, findings and sentence in the case of Private *John Brown*, Company E, 10th Cavalry, are approved and the sentence will be duly carried into effect.

2. Private *Charles Jefferson*, Company H, 10th Cavalry.

CHARGE—"Desertion"

Specification—"In this that Private *Charles Jefferson*, Troop H, 10th Cavalry, having been duly enlisted as a soldier in the service of the United States, did desert said service at Camp Supply, Indian Territory, on or about the 6th of August, 1869; and did remain absent until arrested at the Washita Crossing, Indian Territory, on or about the 26th of May, 1872."

To which charge and specification the accused, Private *Charles Jefferson*, Company H, 10th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Jefferson*, Company H, 10th Cavalry, "To forfeit all pay and allowances now due, or which may become due, except the just dues of the laundress; and to be dishonorably discharged the service of the United States."

The proceedings, findings and sentence in the case of Private *Charles Jefferson*, Company H, 10th Cavalry, are approved and the sentence will be duly executed.

3. Private *Anderson Wilson*, Company H, 10th Cavalry.

CHARGE I—"Violation of the 6th Article of War."

Specification—"In, that *Anderson Wilson*, a private of H troop, 10th Cavalry, U. S. Army, while on guard duty, having been found outside the limits of his camp and ordered to return to his guard by his superior and commanding officer, did deliberately delay until after the order was several times repeated; and did, finally, in an insolent manner, saunter off with his hands in his pockets, saying in an impertinent tone, 'that's not so; I has never been spoke to for neglect; I'se always up in my duty,' or words to that effect. This on the Fort Sill and Fort Harker road, at the crossing of Turkey Creek, Indian Territory, on or about June 14, 1872."

CHARGE II—"Violation of the 9th Article of War."

Specification—"In, that *Anderson Wilson*, a private in Troop H, 10th Cavalry, U. S. Army, in consequence of impertinence to his superior officer, having been ordered by Sergeant John Marshall, A troop, 10th Cavalry, sergeant of his detachment, to march dismounted and carry his horse equipments to the next camp, and having replied to said Sergt. 'I will die right here first,' did, when his (*Wilson's*) superior officer, First Lieutenant T. J. Spencer, 10th Cavalry, U. S. Army, attempted to enforce the order, lift a club to offer violence against him, said superior officer, and to forcibly resist him in the execution of his duty. This on the Fort Sill and Fort Harker road, at the crossing of Turkey Creek, I. T., on or about June 15, 1872."

CHARGE III—"Desertion."

Specification—"In, that *Anderson Wilson*, a private in H troop, 10th U. S. Cavalry, having been duly enlisted in the military service of the United States, and on detached service, did desert from the same; and remain absent until apprehended and brought back by a guard sent to arrest him. This on the march, on the Fort Sill and Arkansas City road, near the border of the Indian Territory and Kansas, on or about June 21, 1872."

CHARGE IV—"Theft, to the prejudice of good order and military discipline."

Specification—"In, that *Anderson Wilson*, a private in H troop, 10th Cavalry, did appropriate to his own use, and feloniously carry off one cavalry horse, valued at about one hundred and twenty-five dollars, ($125) one set cavalry horse equipments, valued at about fifty dollars, ($50) one Sharp's carbine, cal. .50, valued at fifty dollars, ($50) one set of accoutrements appertaining thereto, valued at about ten dollars, ($10) and forty C. P. metallic cartridges, cal. .50, valued at about four (4) dollars, the property of the United States; and did retain possession thereof until arrested by a guard sent out to apprehend him, and compelled to give them up. This near the border of Kansas and the Indian Territory, on the Fort Sill and Arkansas City road, seven miles southwest of Arkansas City, Kansas, on or about June 21, 1872."

To which charges and specifications the accused, Private *Anderson Wilson*, Company H, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."

Of the specification, fourth charge, "Guilty, excepting the value of each article as stated in the specification, and the number of cartridges."

Of the fourth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Anderson Wilson*, Company H, 10th Cavalry, "To forfeit to the United States all pay and allowances now due, or that may become due him; to be dishonorably discharged the service of the United States; and to be confined at hard labor, for the period of three (3) years, in such military prison as the commanding officer of the Department may direct."

The proceedings and findings of the 1st, 3d and 4th charges and their specifications in the case of Private *Anderson Wilson*, Company H, 10th Cavalry, are approved. The findings of the 2d charge and its specification are disapproved, the evidence not conclusively establishing the fact of uplifting a weapon against his superior officer. The period of confinement is reduced to two years, and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

4. Private *George Street*, Company I, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In, that Private *George Street*, of I troop, 10th Cavalry, did, by pretending to have lost his voice, remain off duty from June 1, 1871, to the 16th day of January, 1872."

Specification 2d—"In, that Private *George Street*, I troop, 10th Cavalry, did, by feigning loss of voice, intentionally deceive his company commander and others with the intention of procuring his discharge from the U. S. service. All this at Camp Supply and Fort Sill, I. T., between the 1st day of June, 1871, and the 16th day of January, 1872."

Specification 3d—"In, that Private *George Street*, I troop, 10th Cavalry, did bring and assist to bring into the Post of Fort Sill, I. T., and sell to the enlisted men stationed at said post, spirituous liquors, knowing at the same time that it was directly against orders."

Specification 4th—"In, that Private *George Street*, I troop, 10th Cavalry, did clandestinely leave the Post of Fort Sill, I. T., at night, with a team belonging to him; and did remain absent for some hours, for the purpose of procuring whiskey to sell, while he was on the sick report, without proper permission. All this at Fort Sill, I. T., on or about the 2d day of October, 1871."

Specification 5th—"In, that Private *George Street*, I troop, 10th Cavalry, did enter the quarters of Captain T. A. Baldwin, 10th Cavalry, and did abstract from a chest or trunk in one of the rooms of said quarters one (1) pair of jet ear rings valued at $1.00, and two dollars in silver coin, being the property of Molly Hawkins, a colored woman in the employ of the said Captain T. A. Baldwin. All this at Fort Sill, I. T., on or about the 14th day of January, 1872."

Specification 6th—"In, that Private *George Street*, I troop, 10th Cavalry, did accuse Private Robert Hopkins, 10th Cavalry, of unlocking, entering and placing articles in his (Private *George Street's)* trunk or chest, without authority, thereby insinuating that Private Robert Hopkins was a thief, and placing his liberty in jeopardy. All this at Fort Sill, I. T., on or about the 7th day of May, 1872."

To which charge and specifications the accused, Private *George Street*, Company I, 10th Cavalry, pleaded:

To the first specification,	"Not Guilty."
To the second specification,	"Not Guilty."
To the third specification,	"Not Guilty."
To the fourth specification,	"Not Guilty."
To the fifth specification,	"Not Guilty."
To the sixth specification,	"Guilty."
To the charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Not Guilty."
Of the second specification,	"Not Guilty."
Of the third specification,	"Guilty."
Of the fourth specification,	"Guilty."
Of the fifth specification,	"Not Guilty."

Of the sixth specification, confirms the plea of the accused but attaches no criminality thereto.

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George Street*, Company I, 10th Cavalry, "To forfeit ten (10) dollars per month, of his monthly pay, for the period of three (3) months."

The proceedings, findings and sentence in the case of Private *George Street*, Company I, 10th Cavalry, are approved, and the sentence will be duly carried into effect.

5. Private *Willis Harris*, Company L, 10th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In, that he, Private *Willis Harris*, L troop, 10th Cavalry, did rob the government safe of six hundred and sixty-nine dollars and forty-

eight cents, ($669.48) more or less, public funds at Fort Arbuckle, C. N., on or about the 4th day of April, 1871, for which First Lieutenant C. E. Nordstrom, 10th Cavalry, was responsible."

CHARGE II—"Absent without leave."

Specification—"In, that he, Private *Willis Harris*, L troop, 10th Cavalry, did absent himself from his troop, without proper authority, from the 8th day of September, 1871, to the 15th day of May, 1872, when he surrendered himself to his company commander. This at Fort Sill, I. T., between the dates above specified."

To which charges and specifications, the accused, Private *Willis Harris*, Company L, 10th Cavalry, pleaded:

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, finds the accused:

Of the specification, first charge, "Guilty."
Of the first charge, "Guilty."
Of the specification, second charge, "Guilty, excepting the words and figures '8th day of September, 1871,' and substituting therefor '23th day of September, 1871.'"
Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Willis Harris*, Company L, 10th Cavalry, "To forfeit all pay and allowances that are, or may become due him; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, in such military prison as the Department Commander may designate, for the period of five (5) years."

The proceedings and findings in the case of Private *Willis Harris*, Company L, 10th Cavalry, are approved. The period of confinement is reduced to two years and six months; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent under suitable guard, and turned over to the warden with a copy of this order.

6. Trumpeter *Miller Hazzard*, Company M, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Trumpeter *Miller Hazzard*, of Company M, 10th Cavalry, did take, steal and appropriate to his own use, the sum of ten (10) dollars, (the same being a ten dollar note, U. S. currency) the property of Private James Isemond, Company M, 10th Cavalry. This at or near Fort Sill, I. T., on or about July 13, 1872."

To which charges and specifications the accused Trumpeter *Miller Hazzard*, Company M, 10th Cavalry pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Trumpeter *Miller Haz-*

zard, Company M, 10th Cavalry, are approved. He will be released from confinemet and restored to duty.

7. Private *Lyman Tasker*, Company M, 10th Cavalry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In, that, Private *Lyman Tasker*, Troop M, 10th Cavalry, having been regularly posted as a sentinel over the quartermaster's corral, and placed in charge of all government property contained therein, did sit down upon, or near to his post, and did fall asleep until awoke by the officer of the day. This at Fort Sill, I. T., on or about the morning of June 16, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In, that, Private *Lyman Tasker*, Troop M, 10th Cavalry, having been duly posted as a sentinel over the the quartermaster's corral and placed in charge of all government property contained therein, did allow a large number of public horses and mules to be stolen therefrom. This at Fort Sill, I. T, on or about the morning of June, 16, 1872."

To which charges and specifications, the accused, Private *Lymtan Tasker*, Company M, 10th Cavalry, pleaded:

To the specification, first charge, "Guilty," except to the words "and fall asleep until awoke by the officer of the day," and to that portion of the specification "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 accused:

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, Private *Lyman Tasker*, Company M, 10th Cavalry, "To forfeit all pay and allowances now due or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor in the post guard house for the period of six (6) months."

The proceedings and findings in the case of Private *Lyman Tasker*, Company M, 10th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard at the station where his company may be serving, for the period of one (1) month; and forfeiture of ten (10) dollars per month, of his monthly pay, for three (3) months. As thus mit gated, the sentence will be executed.

II Before a General Court Martial wh ch convened at Fort Davis, Texas, on Monday, September 16, 1872, pursuant to paragraph IV, Special Order No. 156, Headquarters Department of Texas, dated San Antonio, Texas, September 3, 1872, and of which Major HENRY DOUGLASS, 11th Infantry, is President, and Captain J. S. TOMKINS, 25th Infantry, Judge Advocate, was arraigned and tried.

8. Trumpeter *Richard Roper*, Company I, 9th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Trumpeter *Richard Roper*, Company I, 9th Cavalry, having been duly detailed and mounted as trumpeter of the post guard, and stationed at the Post Adjutant's office, with instructions to

sound the service calls, did neglect his duty and lie down in the office and go to sleep, and was found in this condition by the Post Adjutant, First Lieutenant C. N. Gray, 25th Infantry. This at Fort Davis, Texas, between the hours of 8 and 9 o'clock P. M., September 15, 1872."

To which charges and specifications the accused, Trumpeter *Richard Roper*, Company I, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Trumpeter *Richard Roper*, Company I, 9th Cavalry, "To forfeit to the United States five ($5) dollars of his monthly pay for the period of one month."

The proceedings, findings and sentence in the case of Trumpeter *Richard Roper*, Company I, 9th Cavalry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III. The General Court Martial instituted by paragraph IV, of Special Order No. 156, current series, from these Headquarters, and of which Major HENRY DOUGLASS, 11th Infantry, is President, and Captain J. S. TOMKINS, 25th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

AT FORT GRIFFIN, TEXAS.

1. Private GEORGE E. BARNES.....Company H, 4th Cavalry.
2. Private PATRICK GAULSHIHAN.....Company H, 4th Cavalry.
3. Private DAVID HALLEY.....Company H, 4th Cavalry.
4. Private RICHARD WELCH.....Company H. 4th Cavalry.
5. Corporal JAMES COSGROVE.....Company A, 11th Infantry.
6. Private WILLIAM H. GAIN.....Company A, 11th Infantry.
7. Artificer MICHAEL CONNORS.....Company F. 11th Infantry.
8. Private MICHAEL CARMODY.....Company G, 11th Infantry.
9. Private EDWARD COX.....Company G, 11th Infantry.
10. Private ROBERT GRAY.....Company G, 11th Infantry.
11. Private MICHAEL WALSH.....Company G. 11th Infantry.
12. Private BENJAMIN WOELFFLEY.....Company G, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

SAN ANTONIO, TEXAS, *October* 12, 1872.

GENERAL COURT MARTIAL ORDERS, No. 65.

I. Before a General Court Martial which convened at Fort Griffin, Texas, September 10, 1872, pursuant to paragraph V, Special Order No. 153, Headquarters Department of Texas, dated San Antonio, Texas, August 30, 1872, and of which Colonel WILLIAM H. WOOD, 11th Infantry, is President, and Captain THEODORE SCHWAN, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *George E. Barnes*, Company H, 4th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *George E. Barnes*, Company H, 4th U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Griffin, Texas, on or about the 25th day of July, 1872; and did remain absent until apprehended near Stephensville, Texas, on or about the 31st day of July, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *George E. Barnes*, Company H, 4th U. S. Cavalry, did feloniously steal, carry away, or otherwise dispose of the following articles, the property of the United States, and for which Captain S. Gunther, 4th U. S. Cavalry, is responsible, viz: one Sharp's carbine, cal. .50, value fifty (50) dollars; fourteen (14) rounds carbine ammunition, value one dollar (1.40) and forty cents; one (1) cross sabre, value one (1) cent; one (1) number, 4, value one (1) cent; one letter, H, value one (1) cent. This at Fort Griffin, Texas, on or about the 26th day of July, 1872."

To which charges and specifications the accused, Private *George E Barnes*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *George E. Barnes*, Company H, 4th Cavalry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due, or that may become due him; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of three (3) years."

The proceedings and findings in the case of Private *George E. Barnes*, Company H, 4th Cavalry, are approved. The period of confinement is reduced to two (2) years, and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

2. Private *Patrick Gaulshihan*, Company H, 4th Cavalry.

CHARGE I—"Violation of the 50th Article of War."

Specification—"In this, that he, Private *Patrick Gaulshihan*, Company H, 4th U. S. Cavalry, having been duly and regularly mounted as a member of the post guard at Fort Griffin, Texas, did, without cause or necessity, or permission from proper authority, quit said guard between the hours of 9 P. M. and 10 P. M., July 26, 1872; and did remain absent until about reveille, July 27, 1872; when he was arrested near the quarters of Company A, 11th U. S. Infantry, by Corporal Joseph S. Hopely, Company H, 4th Cavalry, corporal of the guard. This at Fort Griffin, Texas, on or about the dates above specified."

CHARGE II—"Violation of the 99th Article of War."

Specification—"In this, that he, Private *Patrick Gaulshihan*, Company H, 4th U. S. Cavalry, being a duly enlisted soldier in the United States service, bound honestly and faithfully to serve the United States, and to obey the officers appointed over him, has from time to time used, excessively, intoxicating liquors, productive of drunkenness, and become habitually drunken, and thereby rendered himself incapable of the faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of his proper superior officers. All this at Fort Griffin, Texas, on or about the 26th day of July, 1872, and between that date and the 22d of July, 1871."

To which charges and specifications the accused, Private *Patrick Gaulshihan*, Company H, 4th Cavalry, pleaded:

To the first charge and its specification,	"Guilty."
To the second charge and its specification,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Patrick Gaulshihan*, Company H, 4th Cavalry, "To be dishonorably discharged the service; and to

forfeit to the United States all pay and allowances that are now due or that may become due him."

The proceedings, findings and sentence in the case of Private *Patrick Gaulshihan*, Company H, 4th Cavalry, are approved and the sentence will be duly executed.

3. Private *David Halley*, Company H, 4th Cavalry.

CHARGE I—"Violation of the 21st Article of War."

Specification 1st—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, did, without permission from proper authority, absent himself from his company and quarters from about 10 o'clock A. M. until about 2 o'clock P. M. This at Fort Griffin, Texas, on or about the 20th day of July, 1872."

Specification 2d—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, did absent himself, without leave, from Fort Griffin, Texas, on the 25th day of August, 1872, from about 2 o'clock P. M. until about 10 o'clock P. M., when he was arrested by an armed party near the Clear Fork of the Brazos river, Texas. This at or near Fort Griffin, Texas, on or about the dates specified."

CHARGE II—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, did, without cause or necessity, and without permission from proper authority, absent himself from the afternoon fatigue duty of his company. This at Fort Griffin, Texas, on or about the 20th day of July, 1872."

Specification 2d—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, did, without cause or necessity, and without permission from proper authority, absent himself from the evening stable duty, and from retreat and tattoo roll-calls of his company. This at Fort Griffin, Texas, on or about the 25th day of August, 1872."

CHARGE III—"Violation of the 99th Article of War."

Specification 1st—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, did, in a drunken and disgraceful condition, lie down at the door of the company office of Company H, 4th U. S. Cavalry; and when ordered by First Sergeant James W. Foley, Company H, 4th U. S. Cavalry, to get up and go to the squad room, did fail to obey said order This at Fort Griffin, Texas, on the 29th day of May, 1872."

Specification 2d—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, being a duly enlisted soldier in the United States service, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, used, excessively, intoxicating liquors, productive of drunkenness and thereby rendered himself incapable of the faithful and trustworthy discharge of the duties of the military service. All this at Fort Griffin, Texas, on or about the 25th day of August, 1872, and between that day and the 28th of November, 1871."

Specification 3d—"In this, that he, Private *David Halley*, Company H, 4th U. S. Cavalry, is, while under the influence of intoxicating liquors, treacherous and quarrelsome in his intercourse with his comrades, and insubordinate to the non-commissioned officers of his company. This at or near Fort Griffin, Texas, on or about August 25, 1872, and between that day and the 1st of August, 1871."

To which charges and specifications the accused, Private *David Halley*, Company H, 4th Cavalry, pleaded:

To the first charge and its specifications, "Guilty."

To the second charge and its specifications, "Guilty."
To the first specification, third charge, "Guilty."
To the second specification, third charge, "Not Guilty."
To the third specification, third charge, "Not Guilty."
To the third charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Guilty."
Of the second 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 second charge, "Guilty."
Of the first specification, third charge, "Guilty."
Of the second specification, third charge, "Guilty."
Of the third specification, third charge, "Guilty, except the word 'treacherous.'"
Of the third charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *David Halley*, Company H, 4th Cavalry, "To be dishonorably discharged the service; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

The proceedings in the case of Private *David Halley*, Company H, 4th Cavalry, are approved. The findings are approved, except upon the 2d and 3d specifications, charge third, which are disapproved, not being supported by the evidence. The sentence is mitigated to forfeiture to the United States of all pay for the period of four months, and will be so executed. He will be released from confinement and restored to duty.

4. Private *Richard Welch*, Company H, 4th Cavalry.

CHARGE I—"Violation of the 42d Article of War."

Specification—"In this, that he, Private *Richard Welch*, Company H, 4th U. S. Cavalry, did, without permission from his superior officer, lie out of his quarters on the night of the 26th of July, 1872. This at Fort Griffin, Texas, on or about the date above specified."

CHARGE II—"Violation of the 99th Article of War."

Specification 1st—"In this, that he, Private *Richard Welch*, Company H, 4th U. S. Cavalry, having been detailed on the evening of July 26, 1872, for detached service on the morning of July 27, 1872, did become so much under the influence of intoxicating liquor as to render him unable to perform, in a proper manner, the duties of a soldier. This at Fort Griffin, Texas, on or about the dates above specified."

Specification 2d—"In this, that he, Private *Richard Welch*, Company H, 4th U. S. Cavalry, being a duly enlisted soldier in the United States service, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, used, excessively, intoxicating liquors, productive of drunkenness, and become habitually drunken; and thereby rendered himself incapable of the faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of his proper superior officers. All this at Fort Griffin, Texas, on or about the 27th day of July, 1872, and between that day and the 13th of July, 1871."

To which charges and specifications the accused, Private *Richard Welch*, Company H. 4th Cavalry, pleaded:

To the first charge and its specification, "Guilty."
To the second charge and its specifications, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Richard Welch*, Company H. 4th Cavalry, "To be dishonorably discharged the service; and to forfeit to the United States all pay and allowances that are now due, or that may become due him."

The proceedings, findings and sentence in the case of Private *Richard Welch*, Company H, 4th Cavalry, are approved and the sentence will be duly executed.

5. Corporal *James Cosgrove*, Company A, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Corporal *James Cosgrove*, Company A, 11th Infantry, having been regularly mounted as a member of the post guard, did become so much under the influence of intoxicating liquors as to be unable to properly perform the duties of a soldier. This at Fort Griffin, Texas, on or about September 10, 1872."

To which charge and specification the accused, Corporal *James Cosgrove*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *James Cosgrove*, Company A. 11th Infantry, "To be reduced to the ranks; to be confined at hard labor, under 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."

The proceedings, findings and sentence in the case of Corporal *James Cosgrove*, Company A, 11th Infantry, are approved and the sentence will be duly executed.

6. Private *William H. Gain*, Company A, 11th Infantry.

CHARGE—"Desertion."

Specification 1st—"In this, that he, Private *William H. Gain*, Company A, 11th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 12th day of April, 1872; and did remain absent until apprehended about fifteen miles from Fort Richardson, Texas, on or about April 15, 1872. This at or near Fort Griffin, Texas, on or about the dates specified."

Specification 2d—"In this, that he, *William H. Gain*, private Company A, 11th U. S. Infantry, being a prisoner in the guard house, awaiting trial for desertion, did desert with the sentry in charge of him on or about April 19, 1872; and did remain absent until arrested near Fort Griffin, Texas, on or about the 5th day of September, 1872. This at Fort Griffin, Texas."

To which charge and specifications the accused, Private *William H. Gain*, Company A, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William H. Gain*, Company A, 11th Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due, or that may become due him; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of two (2) years."

The proceedings and findings in the case of Private *William H. Gain*, Company A, 11th Infantry, are approved. The sentence is mitigated to read: "To be confined at hard labor, under charge of the guard at the station where his company may be serving, for the period of eighteen months, forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period," and will be so executed.

7. Artificer *Michael Connors*, Company F, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Artificer *Michael Connors*, Company F, 11th U. S. Infantry, a duly enlisted soldier of the United States, did desert the same at or near Fort Griffin, Texas, between tattoo roll call on the 26th day of July, and reveille roll-call on the 27th of July, 1872; and did remain absent until apprehended at or near Fort Belknap, Texas, on or about the 27th day of July, 1872. All this at or near Forts Griffin and Belknap, Texas, on or about the dates above specified."

To which charge and specification the accused, Artificer *Michael Connors*, Company F, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Artificer *Michael Connors*, Company F, 11th Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due, or that may become due him; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of two (2) years."

The proceedings and findings in the case of Artificer *Michael Connors*, Company F, 11th Infantry, are approved. The sentence is mitigated to read as follows: "To be confined at hard labor, under charge of the guard at the station where his company may be serving, for the period of one year; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period," and will be so executed.

8. Private *Michael Carmody*, Company G, 11th Infantry.

CHARGE—"Violation of the 99th Article of War."

Specification—"In this, that he, Private *Michael Carmody*, Company G, 11th U. S. Infantry, being a duly enlisted soldier in the United States Army, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, used, excessively, intoxicating liquors productive of drunkenness, and become habitually drunken, and thereby rendered himself incapable of the faith-

ful and trustworthy discharge of the duties of the military service, and unable to obey the orders of his proper superior officers. All this at Fort Griffin, Texas, on or about the 31st day of August, 1872, and between that day and January 1, 1872."

To which charge and specification the accused, Private *Machael Carmody*, Company G, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Carmody*, Company G, 11th Infantry, "To be dishonorably discharged the service; and to forfeit to the United States all pay and allowances that are now due or that may become due him."

The proceedings, findings and sentence in the case of Private *Michael Carmody*, Company G, 11th Infantry, are approved, and the sentence will be duly executed.

9. Private *Edward Cox*, Company G, 11th Infantry.

CHARGE—"Desertion"

Specification—"In this, that he, Private *Edward Cox*, duly enlisted soldier in the service of the United States, private of Company G, 11th Infantry, did desert the said service from Fort Griffin, Texas, on or about the 1st day of August, 1872; and did remain absent from said service until apprehended at or near Flannegan's Ranche, Texas, on or about the 3d day of August, 1872."

To which charge and specification, the accused, Private *Edward Cox*, Company G, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty"
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Cox*, Company G, 11th Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due or that may become due him; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of two (2) years."

The proceedings and findings in the case of Private *Edward Cox*, Company G, 11th Infantry, are approved. The sentence is mitigated to read: "To be confined at hard labor, under charge of the guard at the station where his company may be serving, for the period one (1) year; forfeiting to the United States twelve (12) dollars per month, of his monthly pay, during the same period," and will be so executed.

10. Private *Robert Gray*, Company G, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Robert Gray*, Company G, 11th Infantry, while a member of the guard at the post of Fort Griffin, Texas, did become so much under the influence of intoxicating liquor, as to be unable to perform his duty. This at Fort Griffin, Texas, on or about the 12th day of September, 1872."

To which charge and specification the accused, Private *Robert Gray*, Company G, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Gray*, Company G, 11th Infantry, "To be confined at hard labor, under charge of the guard, for three (3) months; and to forfeit to the United States ten (10) dollars per month, of his monthly pay, for the same period."

The proceedings, findings and sentence in the case of Private *Robert Gray*, Company G, 11th Infantry, are approved, and the sentence will be duly executed.

11. Private *Michael Walsh*, Company G, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, *Michael Walsh*, an enlisted soldier in the service of the United States, private of Company G, 11th Infantry, did desert the said service from Fort Griffin, Texas, on or about the 26th day of July, 1872; and did remain absent from said service until apprehended at or near Fort Belknap, Texas, on or about the 27th day of July, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Machael Walsh*, private Company G, 11th Infantry, did feloniously take, steal and carry away one Springfield breech loading rifle musket, of the value of fifty dollars; and twenty metallic cartridges, of the value of two dollars; the property of the United States, for which Captain Theodore Schwan, 11th Infantry is accountable. This at Fort Griffin, Texas, on or about the 26th day of July, 1872."

To which charges and specifications, the accused, Private *Michael Walsh*, Company G, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Michael Walsh*, Company G, 11th Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due, or that may become due him; and to be confined at hard labor, at such military prison as the proper authority may direct, for the period of three (3) years."

The proceedings and findings in the case of Private *Michael Walsh*, Company G, 11th Infantry, are approved. The period of confinement is reduced to two years, and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

12. Private *Benjamin Woelffley*, Company G, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, *Benjamin Woelffley*, an enlisted soldier in the service of the United States, private of Company G, 11th Infantry, did desert the said service from Fort Griffin, Texas, on or about the 31st day of July, 1872; and did remain absent from said service until apprehended at or near Flannegan's Ranch, Texas, on or about the 3d day of August, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Benjamin Woelffley*, private of Company G, 11th U. S. Infantry, did feloniously take, steal and carry away certain ordnance and ordnance stores, to wit: one Springfield breech-loading rifle musket, value, fifty dollars; and twenty (20) metallic cartridges, value, two ($2.00) dollars; the said ordnance and ordnance stores being the property of the United States, for which Captain Theodore Schwan, 11th Infantry, is responsible."

To which charges and specifications, the accused, Private *Benjamin Woelffley*, Company G, 11th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Benjamin Woelffley*, Company G, 11th Infantry, "To be dishonorably discharged the service; to forfeit to the United States all pay and allowances that are now due or that may become due him; and to be confined, at such military prison as the proper authoity may direct, for the period of three (3) years."

The proceedings and findings in the case of Private *Benjamin Woelffley*, Company G, 11th Infantry, are approved. The period of confinement is reduced to two years; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

G. D. Russell
Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Camp on Fresh Water Fork of the Brazos, Texas.

1. Private John W. Comfort,.....Company A, 4th Cavalry.
2. Private Daniel Morrison,..... Company A, 4th Cavalry.
3. Trumpeter Frederick C. Tonolla,..... Company A, 4th Cavalry.
4. Private Austin G. Greer,..... ....Company D, 4th Cavalry.
5. Private Samuel J. Levey,..... Company I, 4th Cavalry.
6. Private Edward Lewis,..... .....Company I, 24th Infantry.
7. Sergeant Thomas Conboy,.....Company E, 11th Infantry.

At Fort Duncan, Texas.

8. Private Albert E. Biggers,.....Company K, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *October* 22, 1872.

General Court Martial Orders, No. 66.

I. Before a General Court Martial which convened at Camp on Fresh Water Fork of the Brazos, Texas, on Tuesday, August 20, 1872, pursuant to paragraph I, Special Order No. 139, Headquarters Department of Texas, dated San Antonio, Texas, August 8, 1872, of which Major Alfred E. Latimer, 4th Cavalry, is President, and First Lieutenant William Hoffman, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *John W. Comfort*, Company A, 4th Cavalry.

Charge—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *John W. Comfort*, of Company A, 4th Cavalry, when sent for by his company commander, First Lieutenant William A. Thompson, 4th Cavalry, did appear in his presence in a drunken state; and when ordered to cease talking, and to report to the Acting First Sergeant of the company, did fail to obey the order promptly, but continued to talk, using the following language: 'Lieutenant, do you want me to stay in your company?' He then moved off slowly, muttering, and when a few feet from the tent, spoke, to wit: 'I will see your boss about this,' meaning Colonel R. S. Mackenzie, 4th Cavalry. His general demeanor was disrespectful and insubordinate. This at Camp on Tributary of Canadian River, near Fort Bascom, New Mexico, on or about the 18th day of August, 1872."

Specification 2d—"In this, that he, Private *John W. Comfort*, of Company A, 4th Cavalry, having been properly placed under charge of a guard, of which Captain J. W. Clous, 24th Infantry, had command, did, when ordered to work with other prisoners on a crossing of a stream, by the

said Captain John W. Clous, 24th Infantry, refuse to obey said order; and did, in a disrespectful and defiant manner, say to the said Captain J. W. Clous, 'I won't work, but I suppose you have men enough to make me do it. I'll fight you and your whole damned command, one after another,' or words to the same effect. This near Fort Bascom, New Mexico, on or about the 18th of August, 1872."

To which charge and specifications the accused, Private *John W. Comfort*, Company A, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John W. Comfort*, Company A, 4th Cavalry, "To forfeit twelve (12) dollars of his monthly pay for the period of four months."

The proceedings, findings and sentence in the case of Private *John W. Comfort*, Company A, 4th Cavalry, are approved and the sentence will be duly executed.

2. Private *Daniel Morrison*, Company A, 4th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Daniel Morrison*, of Company A, 4th Cavalry, did, when ordered by Sergeant John C. Gibbons, of Company A, 4th Cavalry, to desist from moving the company rations, use the following language: 'you are an Irish son of a bitch, and you are a bastard, and I can whip you,' or words to that effect. This at Camp on Tributary of Canadian River, near Fort Bascom, New Mexico, on or about the 18th day of August, 1872."

To which charge and specification the accused, Private *Daniel Morrison*, Company A, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Morrison*, Company A, 4th Cavalry, "To forfeit to the United States ten dollars of his monthly pay for four months."

The proceedings, findings and sentence in the case of Private *Daniel Morrison*, Company A, 4th Cavalry, are approved and the sentence will be duly executed.

3. Trumpeter *Frederick C. Tonolla*, Company A, 4th Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Trumpeter *Frederick C. Tonolla*, Company A, 4th U. S. Cavalry, having been regularly placed on duty as a member of the guard, did become so much under the influence of intoxicating liquor as to be unable, properly, to perform the duties of a soldier. All this on the 19th day of August, 1872, at or near the Fort Smith Crossing, New Mexico."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Trumpeter *Frederick C. Tonolla*, Company A, 4th U. S. Cavalry, after having been arrested, did use disrespectful and abusive language to Corporal Joseph Satsburger, Company B, 4th Cavalry, in charge of the guard, saying, 'you are a damned son of a bitch.' All this on or about the 19th day of August, 1872, at or near the Fort Smith Crossing, New Mexico."

To which charges and specifications the accused, Trumpeter *Frederick C. Tonolla*, Company A, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Trumpeter *Frederick C. Tonolla*, Company A, 4th Cavalry, "To be confined at hard labor for six months; and to forfeit his monthly pay for the same period, except the just dues of the laundress."

The proceedings and findings in the case of Trumpeter *Frederick C. Tonolla*, Company A, 4th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard, for four months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period, and will be so executed.

4. Private *Austin G. Greer*, Company D, 4th Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that Private *Austin G. Greer*, Company D, 4th Cavalry, having been regularly placed on duty as a member of the guard, did become so much under the influence of intoxicating liquor as to be unable, properly, to perform the duties of a soldier. All this at or near the Fort Smith Crossing, New Mexico, on or about the 19th day of August, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification—"In this, that he, Private *Austin G. Greer*, Company D, 4th U. S. Cavalry, did use disrespectful and abusive language to Corporal Joseph Satsburger, Company B, 4th Cavalry, in charge of the guard, saying, 'you are a damned son of a bitch and a bastard;' and did load his carbine and threaten to shoot the said Corporal Joseph Satsburger, Company B, 4th Cavalry, in case he attempted to confine him. All this at or near the Fort Smith Crossing, New Mexico, on or about the 19th day of August, 1872."

To which charges and specifications the accused, Private *Austin G. Greer*, Company D, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Austin G. Greer*, Company D, 4th Cavalry, "To be dishonorably discharged the military service of

the United States; and confined at hard labor, at such military prison as the proper authority may direct, for the period of three years; and to forfeit all pay and allowances due or to become due."

The proceedings and findings in the case of Private *Austin G. Greer*, Company D, 4th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, in charge of the guard at the station of his company, for the period of one year; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period, and will be so executed.

5. Private *Samuel J. Levey*, Company I, 4th Cavalry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *Samuel J. Levey*, Company I, 4th U. S. Cavalry, having been duly posted as a sentinel over the horses of Company I, 4th U. S. Cavalry, was found asleep by the sergeant of the guard between the hours of 3 and 4 o'clock A. M., on or about the morning of the 21st July, 1872. This at Camp on Fresh Water Fork of the Brazos, Texas, on or about the 21st day of July, 1872."

To which charge and specification the accused, Private *Samuel J. Levey*, Company I, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Samuel J. Levey*, Company I, 4th Cavalry, "To forfeit his monthly pay for six months, except the just dues of the laundress; and to be confined at hard labor, in charge of the guard, for the same period."

The proceedings and findings in the case of Private *Samuel J. Levey*, Company I, 4th Cavalry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard, for the period of three months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period, and will be so executed.

6. Private *Edward Lewis*, Company I, 24th Infantry.

CHARGE—"Violation of the 38th Article of War."

Specification—"In this, that Private *Edward Lewis*, Company I, 24th Infantry, did sell his blouse or sack coat to a soldier of the 4th U. S. Cavalry, receiving therefor the sum of fifty (50) cents, more or less. This at or near the camp on the Fresh Fork of the Brazos river, Texas, on or about the 13th day of September, 1872."

To which charge and specification the accused, Private *Edward Lewis*, Company I, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Lewis*, Company I, 24th Infantry, "To forfeit to the United States five (5) dollars of his monthly pay for two (2) months."

The proceedings and findings in the case of Private *Edward Lewis*, Company I, 24th Infantry, are approved. The sentence is mitigated to forfeiture to the United States of three dollars of his monthly pay for one month. He will be released from confinement and restored to duty.

7. Sergeant *Thomas Conboy*, Company E, 11th Infantry.

CHARGE I—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Sergeant *Thomas Conboy*, Company E, 11th Infantry, being on duty as Acting First Sergeant Company E, 11th Infantry, did become so drunk as to be unfit to perform his duties. This at or near Fort Griffin, Texas, on or about the 2d day of September, 1872."

CHARGE II—"Absence without leave, in violation of the 21st Article of War."

Specification—"In this, that he, Sergeant *Thomas Conboy*, Company E, 11th Infantry, having been told expressly by his commanding officer, First Lieutenant Robert Neely, 24th Infantry, that none of the non-commissioned officers or soldiers of his (the sergeant's) company would be allowed to leave camp, did absent himself from his company and camp and go to the Post of Fort Griffin, Texas; and did remain absent until sent for by his commanding officer; and did, after this, again absent himself from his company and camp, and remain absent a considerable portion of the night. This in camp, near Fort Griffin, Texas, on or about the 1st day of September, 1872."

To which charges and specifications the accused, Sergeant *Thomas Conboy*, Company E, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Sergeant *Thomas Conboy*, Company E, 11th Infantry, "To be reduced to the grade of private soldier, and to forfeit to the United States ten (10) dollars of his monthly pay for a period of three (3) months."

The proceedings and findings in the case of Sergeant *Thomas Conboy*, Company E, 11th Infantry, are approved. So much of the sentence as relates to forfeiture of pay is remitted. The remainder is approved and will be duly executed.

II. Before a General Court Martial which convened at Fort Duncan, Texas, on Thursday, May 23, 1872, pursuant to paragraph III, Special Order No. 94, and paragraph II, Special Order No. 115, dated, respectively, San Antonio, Texas, May 14 and July 1, 1872, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Second Lieutenant GUSTAVUS VALOIS, 9th Cavalry, Judge Advocate, was arraigned and tried:

8. Private *Albert E. Biggers*, Company K, 24th Infantry.

CHARGE I—"Worthlessness and conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Albert E. Biggers*, Company K, 24th Infantry, has, during the year last past, by persistent meanness and general worthlessness, become unfit for a soldier; and during that time has been brought for trial before Garrison Courts Martial and convicted of military offences as follows: September 16, 1871; December 7, 1871; January 16, 1872; June 3, 1872, and June 27, 1872. And during the same time has been confined in the post guard house for breaches of military discipline, either awaiting trial by court martial, or undergoing sentence

of a court martial, as follows: From the 8th of September, 1871, to the 1st October, 1871—24 days; from the 16th of November, 1871, to the 6th of January, 1872—62 days; from the 2d June, 1872, to the 3d June, 1872—one day; from the 20th July, 1872, to the 24th July, 1872—5 days; and from the 20th of August, 1872, to ——. All this in addition to other times he was confined for filthiness in his personal habits and bad appearance at inspection, when charges were not preferred against him, and he was not brought before court martial. This at Fort Duncan, Texas, from the 1st day of September, 1871, to the 20th day of August, 1872, and between those dates."

Specification 2d—"In this, that Private *Albert E. Biggers*, Company K, 24th Infantry, did, in consideration of his approval and endorsement, promise his company commander, Captain Frank W. Perry, 24th Infantry, in a certain printed and written document, that he would pay to Mr. Fredrich C. Dell, a citizen permitted to trade at the Post of Fort Duncan, (and which said paper, writing and printing, was dated and signed by the said *Biggers* June 21, 1872) immediately after his next payment by a paymaster of the United States army, the sum of two ($2.00) dollars, for value received in merchandise; and after, by such promise, he had procured the approval and endorsement of Captain Perry, he, the said *Biggers*, did, when the said note became due and payable, utterly and entirely refuse and neglect to pay the same, although frequently requested so to do, thereby deceiving his company commander, and reflecting on him, and making him, Captain Perry, in honor bound for the payment of the same; this, too, when the said *Biggers* had received sufficient money from the paymaster to enable him to pay said note. This at Fort Duncan, Texas, on or about the 21st of June, 1872, and the 20th of July, 1872."

CHARGE II—"Violation of the 38th Article of War."

Specification—"In this, that Private *Albert E. Biggers*, Company K, 24th Infantry, did sell or otherwise unlawfully dispose of the following articles of clothing, issued to him by his company commander, Captain F. W. Perry, 24th Infantry, namely: one pair of drawers valued at sixty-seven (67) cents; one pair infantry bootees, pegged, valued at one ($1.00) dollar; one woolen blanket, valued at three dollars ($3.11) and eleven cents. This at or near Fort Duncan, Texas, on or about the 20th day of August, 1872."

To which charges and specifications the accused, Private *Albert E. Biggers*, Company K, 24th Infantry, pleaded:

To the first specification, first charge,	"Guilty."
To the second specification, first charge,	"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 accused:

Of the first specification, first charge,	"Guilty."
Of the second 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, Private *Albert E. Biggers*, Company K, 24th Infantry, "To forfeit to the United States ten (10) dollars of his

monthly pay, per month, for six (6) months; to be confined at hard labor, at the station of his company, for the same period; and then to be dishonorably discharged the service of the United States."

The proceedings and findings of the second specification, first charge, and the second charge and its specification, are approved. The finding of the first specification, first charge, is disapproved. To have been tried, convicted and *punished* is not a crime cognizable by a military court. The sentence is mitigated to read as follows: "To be confined at hard labor, under charge of the guard, at the station where his company may be serving, for the period of two months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period," and will be so executed.

III. The General Court Martial instituted by paragraph III, Special Order No. 94, and paragraph II, Special Order No. 115, current series, from these Headquarters, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Second Lieutenant GUSTAVUS VALOIS, 9th Cavalry, Judge Advocate, is dissolved.

IV. The General Court Martial instituted by paragraph III, Special Order No. 141, current series, from these Headquarters, and of which Lieutenant Colonel SAMUEL B. HOLABIRD, Deputy Quartermaster General, is President, and Captain GEORGE B. RUSSELL, 9th Infantry, is Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Davis, Texas.

1. Hospital Steward Frederick W. Wearick.....U. S. Army.
2. Private Daniel Grigsby .....Company I, 9th Cavalry.
3. Private William Johnson..... ... Company E, 25th Infantry.
4. Musician Martin Pedee ..... Company E, 25th Infantry.
5. Private William H. Smith.....Company E, 25th Infantry.
6. Recruit Richard Fishback.....25th Infantry.
7. Recruit Georg E. Freeman.....25th Infantry.
8. Recruit Alfred Taylor.....25th Infantry.

At Fort Concho, Texas.

9. Private Anthony Deckel.....Company G, 4th Cavalry.

At Fort Stockton, Texas.

10. Private Green Lackey.....Company D, 9th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *October* 25, 1872.

General Court Martial Orders, No. 67.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3, 1872, pursuant to paragraph V, Special Order No. 129, paragraph II, Special Order No. 155, and paragraph IV, Special Order No 167, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23d, and September 3d and 13th, 1872, and of which Colonel George L. Andrews, 25th Infantry, is President, and Second Lieutenant Wallace Tear, 25th Infantry, Judge Advocate, were arraigned and tried:

1. Hospital Steward *Frederick W. Wearick*, U. S Army.

Charge—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Hospital Steward *Frederick W. Wearick*, U. S. Army, did take, steal, carry away, and appropriate to his own use, or otherwise dispose of, the following articles of government property, pertaining to the Medical Department, U. S. Army, and for which Assistant Surgeon Daniel Weisel, U. S. Army, is accountable, (money value unknown) to wit: one hundred and ninety-seven (197) bottles of brandy, more or less; seventy (70) bottles of wine, more or less. All this at Fort Davis, Texas, between the 14th day of December, 1871, and the 23d day of May, 1872."

To which charge and specification the accused, Hospital Steward *Frederick W. Wearick*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Hospital Steward *Frederick W. Wearick*, U. S. Army, are approved. He will be released from arrest and restored to duty.

2. Private *Daniel Grigsby*, Company I, 9th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Daniel Grigsby*, Company I, 9th U. S. Cavalry, having been duly mounted as a member of the stable guard at Fort Davis, Texas, and duly posted as a sentinel in the cavalry corral, did sit down on his post and go to sleep. This at Fort Davis, Texas, on or about the 11th day of September, 1872."

To which charge and specification the accused, Private *Daniel Grigsby*, Company I, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Grigsby*, Company I, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months; and to be confined at hard labor, in charge of a guard, for the same period."

The proceedings and findings in the case of Private *Daniel Grigsby*, Company I, 9th Cavalry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

3. Private *William Johnson*, Company E, 25th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *William Johnson*, Company E, 25th Infantry, having been duly enlisted as a soldier in the army of the United States, did desert said service on or about the 21st day of August, 1872, and did remain absent until the 30th day of August, 1872, on which date he surrendered himself to the military authorities at Fort Davis, Texas. This at El Muerto stage station, Texas, on or about the dates specified."

To which charge and specification the accused, Private *William Johnson*, Company E, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'desert,' and substituting therefor the words 'absent himself from,' and of the excepted word, Not Guilty."

Of the charge, "Not guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *William Johnson*, Company E, 25th Infantry, "To forfeit to the United States ten ($10.00) dollars of his monthly pay for one (1) month." The court is thus lenient in consider

ation of the suffering the accused must have endured during his absence.

The proceedings and findings in the case of Private *William Johnson*, Company E, 25th Infantry, are approved. The sentence is remitted. He will be released from confinement and restored to duty.

4. Musician *Martin Pedee*, Company E, 25th Infantry.

CHARGE—"Assault with intent to commit a rape, to the prejudice of good order and military discipline."

Specification—"That Musician *Martin Pedee*, Company E, 25th Infantry, did feloniously enter the quarters occupied by Mrs. Annie Williams, while her husband was absent on guard; and in reply to the question put by Mrs. Williams as to who he (*Pedee*) was, and what he wanted, did say, 'I am John Williams;' pretending to be her husband; and did, upon being recognized by the said Annie Williams, say, 'you know what I come for, and if you have a mind to give it to me it will be all right; and if you don't I'll cut your damned throat,' or words to that effect; and upon a refusal by the said Annie Williams to yield to his desires, did seize her by the throat and throw her down, and attempt by force to accomplish his purpose; and did continue to assault and threaten the said Annie Williams until frightened away by her loud cries for help. This at Fort Davis, Texas, on or about the night of the 9th of August, 1872."

To which charge and specification the accused, Musician *Martin Pedee*, Company E, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and what he wanted' and the words 'by her loud cries for help,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *Martin Pedee*, Company E, 25th Infantry, "To be dishonorably discharged from the service of the United States; to forfeit 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, in such military prison as the reviewing authority may direct, for the period of seven (7) years."

The proceedings and findings in the case of Musician *Martin Pedee*, Company E, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor under charge of the guard at the station where his company may be serving, for the period of one year; forfeiting to the United States twelve dollars per month, of his monthly pay, for the same period, and will be so executed.

5. Private *William H. Smith*, Company E, 25th Infantry.

CHARGE—"Desertion."

Specification—"In this, that Private *William H. Smith*, Company E, 25th U. S. Infantry, having been duly enlisted as a soldier in the army of the United States, did desert said service on or about the 21st day of August, 1872; and did remain absent until the 30th day of August, 1872; on which date he surrendered himself to the military authorities at Fort Davis, Texas. This at El Muerto stage station, Texas, on or about the dates specified."

To which charge and specification the accused, Private *William H. Smith*, Company E, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word, 'desert,' and substituting therefor the words 'absent himself from,' and of the excepted word, Not Guilty."

Of the charge, "Not Guilty, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him Private *William H. Smith*, Company E. 25th Infantry, "To forfeit to the United States ten ($10.00) dollars of his monthly pay for one month." The court is thus lenient in consideration of the suffering the accused must have endured during his absence.

The proceedings and findings in the case of Private *William H. Smith*, Company E. 25th Infantry, are approved. The sentence is remitted. He will be released from confinement and restored to duty.

6. Recruit *Richard Fishback*, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Recruit *Richard Fishback*, 25th Infantry, having been duly mounted as a member of the post guard, and duly posted as a sentinel, in charge of the commissary store house and other government property, did sit down on his post and go to sleep. This at Fort Davis, Texas, September 26, 1872."

To which charge and specification the accused, Recruit *Richard Fishback*, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Richard Fishback*, 25th Infantry, "To forfeit to the United States ten ($10.00) dollars of his monthly pay for six (6) months; and to be confined at hard labor, in charge of a guard, for the same period."

The proceedings and findings in the case of Recruit *Richard Fishback*, 25th Infantry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

7. Recruit *George E. Freeman*, 25th Infantry.

CHARGE I—"Absence without leave."

Specification—"That Recruit *George E. Freeman*, 25th Infantry, did absent himself from his quarters and garrison without permission from proper authority; and did remain absent from retreat, September 21, 1872, until retreat, September 22, 1872. This at Fort Davis, Texas, on or about the dates above specified."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"That Recruit *George E. Freeman*, 25th Infantry, was drunk and disorderly in his detachment barrack; and did, without just cause or provocation, assault Recruit William Lewis, 25th Infantry, by tearing and rendering worthless the uniform coat of said Recruit Lewis. This at Fort Davis, Texas, on or about the 21st day of September, 1872."

To which charges and specifications the accused, Recruit *George E. Freeman*, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Recruit *George E. Freeman*, 25th Infantry, "To forfeit to the United States ten ($10.00) dollars of his monthly pay for four (4) months."

The proceedings and findings in the case of Recruit *George E. Freeman*, 25th Infantry, are approved. The sentence is mitigated to read *two months* in place of "four months," and will be so executed.

8. Recruit *Alfred Taylor*, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Recruit *Alfred Taylor*, 25th Infantry, having been duly mounted as a member of the post guard, and duly posted as a sentinel, did sit down on his post and go to sleep. This at Fort Davis, Texas, on October 2, 1872."

To which charge and specification, the accused, Recruit *Alfred Taylor*, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Alfred Taylor* 25th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months; and to be confined at hard labor, in charge of a guard, for the same period."

The proceedings and findings in the case of Recruit *Alfred Taylor*, 25th Infantry, are approved. The sentence is mitigated to read *three months* in place of "six months," and will be so executed.

II. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 31, 1872, pursuant to paragraph IV, Special Order, No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major JOHN P. HATCH, 4th Cavalry, is President, and First Lieutenant GEORGE G. LOTT, 11th Infantry, Judge Advocate, was arraigned and tried:

9. Private *Anthony Deckel* Company G, 4th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Anthony Deckel*, Company G, 4th U. S. Cavalry, having been detailed to take charge of the company stables, and to sleep there during the night, did become so drunk as to be unable to attend to his duties; and while in said drunken condition the keys of the stable were taken from his possession and two (2) horses, the property of the United States, and for which Captain Joseph Rendlebrock, 4th U. S. Cavalry, commanding G Company, is accountable, were stolen by deserters. This at Fort Concho, Texas, on or about the night of September the 8th, 1872."

To which charge and specification, the accused, Private *Anthony Deckel*, Company G, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."
And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *Anthony Deckel*, Company G, 4th Cavalry are approved. He will be released from confinement and restored to duty.

III. Before a General Court Martial which convened at Fort Stockton, Texas, on Friday, August 2, 1872, pursuant to paragraph IV, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major ZENAS R. BLISS, 25th Infantry, is President, and Captain JAMES S. TOMKINS, 25th Infantry, Judge Advocate, was arraigned and tried.

10. Private *Green Lackey*, Company D, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"That he, Private *Green Lackey*, Company D, 9th Cavalry, being on duty as a member of the stable guard, and having been regularly posted in the stable, and over the horses of Company D, 9th Cavalry, did quit his post and lie down and go to sleep. This at Fort Stockton, Texas, on or about the 26th day of September, 1872."

To which charge and specification, the accused, Private *Green Lackey*, Company D 9th Cavalry, pleaded:

To the specification, "Guilty."
To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Green Lackey*, Company D, 9th Cavalry, "To be confined at hard labor, under charge of a guard at the post where his company may be stationed, for the period of six months; and to forfeit to the United States twelve (12) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *Green Lackey*, Company D, 9th Cavalry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

IV. The General Court Martial instituted by paragraph I, Special Order No. 139, current series, from these Headquarters, and of which Major ALFRED E. LATIMER, 4th Cavalry, is President, and First Lieutenant WILLIAM HOFFMAN, 11th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G B Russell

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Griffin, Texas.

1. Private Joseph Brown.....Company H, 4th Cavalry.
2. Private Edward Ehsey .....Company F, 11th Infantry.
3. Private Daniel Leary.....Company F, 11th Infantry.

At Fort Gibson, I. T.

4. Musician John Burns..... Company C, 25th Infantry.
5. Private John Lewis .....Company C, 25th Infantry.
6. Private Robert Alexander.....Unassigned, 10th Cavalry.
7. Private William Clark.....Company H, 10th Cavalry.
8. Recruit William Wannack.....10th Cavalry.

At Fort Sill, I. T.

9. Corporal Spencer J. Henry.....Company A, 10th Cavalry.
10. Corporal Spencer J. Henry.....Company A, 10th Cavalry.
11. Sergeant Harry Johnson.....Company A, 10th Cavalry.
12. Private James H. Taylor.....Company G, 10th Cavalry.
13. Private Benjamin Fisher.....Company I, 10th Cavalry.
14. First Sergeant Benjamin F. Davis .....Company M, 10th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *October* 30, 1872.

General Court Martial Orders, No. 68.

I. Before a General Court Martial which convened at Fort Griffin, Texas, September 10, 1872, pursuant to paragraph V, Special Order No. 153, Headquarters Department of Texas, dated San Antonio, Texas, August 30, 1872, and of which Colonel William H. Wood, 11th Infantry, is President, and Captain Theodore Schwan, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *Joseph Brown*, Company H 4th Cavalry.

Charge—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Joseph Brown*, of Troop H, 4th Cavalry, a member of the post guard, and duly posted as a sentinel at the cavalry stables, was found asleep upon his post. All this at or near the Post of Fort Griffin, Texas, on or about 10 o'clock P. M., the 23d day of September, 1872."

To which charge and specification the accused, Private *Joseph Brown*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Brown*, Company H, 4th Cavalry, "To be confined at hard labor, in charge of the guard, for six (6) months; and to forfeit to the United States ten ($10.00) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *Joseph Brown*, Company H, 4th Cavalry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

2. Private *Edward Ehsey*, Company F, 11th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Edward Ehsey*, Company F, 11th U. S. Infantry, a duly enlisted soldier of the United States, did desert said service at or near Fort Richardson, Texas, while on escort duty, on or about the 3d day of June, 1872; and did remain absent until apprehended at or near Fort Richardson, Texas, on or about the 6th day of June, 1872. All this at or near Fort Richardson, Texas, on or about the dates above specified."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Edward Ehsey*, Company F, 11th U. S. Infantry, did steal, or otherwise wrongfully dispose of, the following articles of ordnance and ordnance stores, and camp and garrison equipage, the property of the United States, and for which First Lieutenant W. E. Kingsbury, 11th U. S. Infantry, is responsible, viz: one Springfield B. L. rifled musket, cal. .50, value fifty (50) dollars; one hundred (100) rounds centre-primed metallic cartridges, value six (6) dollars; one bayonet scabbard, value forty (40) cents; one screw driver, value forty-one (41) cents; one cartridge box value one dollar and fifteen ($1.15) cents; one cartridge box belt, value fifty-nine (59) cents; one waist belt, value forty-two (42) cents; one canteen and strap, value twenty-nine cents; one haversack, value forty three (43) cents; four numbers, value four cents. All this at or near Fort Richardson, Texas, on or about June 3, 1872."

To which charges and specifications the accused, Private *Edward Ehsey*, Company F, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty, excepting the words 'desert said service,' and substituting therefor 'absent himself without leave;' and omitting that part of the specification following the words and figures 'the 3d day of June, 1872.'"

Of the first charge, "Not guilty, but guilty of absence without leave."

Of the specification, second charge, "Guilty, except the words 'steal or otherwise—one screw driver, value forty-one cents—one cartridge box belt, value fifty-nine cents—four numbers, value four cents.'"

Of the second charge, "Guilty, substituting the word 'conduct' for the word 'theft.'"

SENTENCE.

And the court does therefore sentence him, Private *Edward Ehsey*, Company F, 11th Infantry, "To be confined at hard labor, in charge of the guard,

for the period of two (2) months; and to forfeit ten ($10.00) dollars of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Edward Elsey*, Company F, 11th Infantry, are approved, and the sentence will be duly executed.

3. Private *Daniel Leary*, Company F, 11th Infantry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Daniel Leary*, Company F, 11th Infantry, having been duly mounted as a member of the post guard, did become drunk, and so much under the influence of intoxicating liquor as to be unable to perform, properly, the duties of a sentinel. This at or near Fort Griffin, Texas, on or about the 13th day of June, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Daniel Leary*, Company F, 11th Infantry, having been placed in charge of two prisoners, did allow said prisoners to obtain and use intoxicating liquor, thereby rendering them unfit for duty. This at or near Fort Griffin, Texas, on or about the 13th day of June, 1872, between the hours of 9:30 A. M. and 12 M."

To which charges and specifications the accused, Private *Daniel Leary*, Company F, 11th Infantry, pleaded:

To the first charge and its specification, "Guilty."

To the second charge and its specification, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'thereby rendering them unfit for duty.'"

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Leary*, Company F, 11th Infantry, "To be confined at hard labor, in charge of the guard, for six (6) months; and to forfeit to the United States ten ($10.00) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *Daniel Leary*, Company F, 11th Infantry, are approved. In view of the recommendation of members of the court for mitigation of the sentence, owing to the length of time the prisoner has already been in confinement the sentence is mitigated to read *two months* in place of "six months," and will be so executed.

II. Before a General Court Martial which convened at Fort Gibson, I. T., on Monday, September 30, 1872, pursuant to paragraph I, Special Order No. 169, Headquarters Department of Texas, dated San Antonio, Texas, September 21, 1872, and of which Captain L. H. CARPENTER, 10th Cavalry, is President, and First Lieutenant A. S. B. KEYES, 10th Cavalry, Judge Advocate, were arraigned and tried:

4. Musician *John Burns*, Company C, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In, that Musician *John Burns*, Company C, 25th Infantry, did, at the hour of 1:30 o'clock P. M., go into the company kitchen of Company C, 25th Infantry, and demand of Private James Jones, Company C, 25th Infantry, (on daily duty as company cook) his dinner; and on being ordered out of said kitchen, did, in an insulting manner, call Private James Jones, Company C, 25th Infantry, a 'son of a bitch;' and draw a

razor, attempting to cut and to do bodily harm to said Jones. All this at Fort Gibson, I. T., on the 8th day of October, 1872."

To which charge and specification the accused, Musician *John Burns*, Company C, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *John Burns*, Company C, 25th Infantry, "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 ($10.00) dollars of his monthly pay, per month, for the same period."

The proceedings, findings and sentence in the case of Musician *John Burns*, Company C, 25th Infantry, are approved, and the sentence will be duly executed.

5. Private *John Lewis*, Company C, 25th Infantry.

CHARGE—"Sleeping on his post, in violation of the 46th Article of War."

Specification—"That Private *John Lewis*, Company C, 25th Infantry, being a member of the camp guard of the 25th Infantry, while in an Indian country, and duly posted as a sentinel on post No. 5, was found asleep on said post. This in camp at Santa Nina, Texas, on or about the 12th day of May, 1872."

To which charge and specification the accused, Private *John Lewis*, Company C, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."

Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *John Lewis*, Company C, 25th Infantry, are approved. He will be released from confinement and restored to duty.

6. Private *Robert Alexander*, unassigned, 10th Cavalry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Robert Alexander*, unassigned, 10th U. S Cavalry, a soldier duly enlisted in the service of the United States, did desert the same on or about the 26th day of July, 1872; and did remain absent until apprehended at or near Illinois river, I. T., on the 27th day of July, 1872. This at Fort Gibson, I. T., on or about the 26th day of July, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Robert Alexander*, unassigned, 10th U. S. Cavalry, did steal, with intent to appropriate to his own use, the following articles, the same being the property of the United States, to-wit: one horse, of the value of one hundred and thirty-five ($135.00) dollars; one saddle, of the value of eighteen dollars and fifteen ($18.15) cents; one saddle blanket, of the value of four dollars and twenty-five ($4.25) cents; one curb bridle, of the value of five ($5.00) dollars. This at Fort Gibson, Indian Territory, on or about the 26th day of July, 1872."

Specification 2d—"In, that he, *Robert Alexander*, a private of the band, 10th U. S. Cavalry, did feloniously take and carry away, with intent to appropriate to his own use, from Private Benjamin Fisher, Company I,

10th U. S. Cavalry, one silver fruit knife, of the value of ten dollars, more less, and one pocket knife, of the value of five dollars, more or less. This at Fort Sill, I. T., on or about the 28th day of April, 1872."

To which charges and specifications the accused, Private *Robert Alexander*, unassigne 10th Cavalry, pleaded:

To the h t charge and its specification, "Guilty."
To the second charge and its specifications, "Not Guilty."

FINDING

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Alexander*, unassigned, 10th Cavalry, "To be dishonorably discharged the service of the United States; with the loss of all pay and allowances now due, or that may become due, except the just dues of the laundress; and to be confined at hard labor, in such penitentiary as the Commanding General may direct, for the period of three (3) years."

The proceedings and findings in the case of Private *Robert Alexander*, unassigned, 10th Cavalry, are approved. The period of confinement is reduced to two years, and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

7 Private *William Clark*, Company H, 10th Cavalry.

CHARGE—"Theft."

Specification—"In, that the said Private *William Clark*, of H troop, 10th Cavalry, did feloniously take and carry away, with the intention of appropriating to his own benefit, one (1) rubber poncho, valued at two dollars and sixty-three ($2.63) cents, the property of Wagoner Charles Burns, of Troop H, 10th Cavalry. This at Fort Gibson, C. N., on or about the 12th day of September, 1872."

To which charge and specification the accused, Private *William Clark*, Company H, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Clark*, Company H, 10th Cavalry, "To forfeit to the United States all pay and allowances now due, or which may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States; and confined at hard labor, in such penitentiary as the Department Commander may direct, for the period of one (1) year."

The proceedings in the case of Private *William Clark*, Company H, 10th Cavalry, are approved. The findings and sentence are disapproved, the evidence as to the theft not being considered satisfactory. The accused will be released from confinement and restored to duty.

8. Recruit *Will am Wannack*, 10th Cavalry.

CHARGE—" Desertion, in violation of the 20th Article of War."

Specification—" In. that he, *William Wannack*, a regularly enlisted soldier in the army of the United States, did desert the same; and did remain absent, without proper authority, until apprehended and returned as a deserter on the 11th day of September, 1872. This at recruiting rendezvous, Kansas City, Mo., on the 27th day of August, 1872. Thirty dollars paid for his apprehension."

To which charge and specification the accused, Recruit *William Wannack*, 10th Cavalry, pleaded " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, " Guilty, except the words 'did desert the same,' substituting therefor the words 'did absent himself,' and of the excepted words, Not Guilty;" and the court attach no criminality thereto.

Of the charge, " Not Guilty, but guilty of absence without leave;" and the court attach no criminality thereto.

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Recruit *William Wannack*, 10th Cavalry, are approved. He will be released from confinement and restored to duty.

III. Before a General Court Martial which convened at Fort Sill. I. T., on Monday, August 12 1872, pursuant to paragraph II, Special Order No. 130, Headquarters Department of Texas, dated San Antonio, Texas, July 24, 1872, and of which Major GEORGE W. SCHOFIELD, 10th Cavalry, is President, and Captain STEVENS T. NORVELL, 10th Cavalry, Judge Advocate, were arraigned and tried:

9. Corporal *Spencer J. Henry*, Company A, 10th Cavalry.

CHARGE—" Conduct to the prejudice of good order and military discipline."

Specification— 'In, that Corporal *Spencer J. Henry*, of Company A, 10th Cavalry, did, without proper cause or provocation, strike with his fist and knock down Sergeant Harry Johnson, of Company A, 10th Cavalry, This at Fort Sill, I. T., on or about September 14, 1872."

To which charge and specification the accused, Corporal *Spencer J. Henry*, Company A, 10th Cavalry, pleaded " Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except to the words 'and knock down,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Spencer J. Henry*, Company A, 10th Cavalry, " To forfeit ten (10) dollars of his pay, per month, for the period of six months."

The proceedings and findings in the case of Corporal *Spencer J. Henry*, Company A, 10th Cavalry, are approved. The sentence is mitigated to read *four months* in place of " six months," and will be so executed.

10. Corporal *Spencer J. Henry*, Company A, 10th Cavalry.

CHARGE I—" Violation of the 44th Article of War."

Specification 1st—" In, that Corporal *Spencer J. Henry*, Troop A, 10th Cavalry, did absent himself from the regular prescribed and appointed stable duty,

on the afternoon of August 9, 1872, without permission from proper authority. This at Fort Sill, I. T., on or about August 9, 1872."

Specification 2*d*—"In, that Corporal *Spencer J. Henry*, Troop A, 10th Cavalry, did absent himself from the regular prescribed and appointed stable duty, on the afternoon of September 2, 1872, without permission from proper authority. This at Fort Sill, I. T., on or about September 2, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1*st*—"In, that Corporal *Spencer J. Henry*, Troop A, 10th Cavalry, was so drunk as to be unable to perform his duty as a soldier. This at Fort Sill, I T., on or about August 9, 1872."

Specification 2*d*—"In, that Corporal *Spencer J. Henry*, Troop A, 10th Cavalry, was so drunk as to be unable to perform his duty as a soldier. This at Fort Sill, I. T., on or about September 2, 1872."

To which charges and specifications, the accused, Corporal *Spencer J. Henry*, Company A, 10th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second 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 second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Corporal *Spencer J. Henry*, Company A, 10th Cavalry, "To be reduced to the ranks." The court is thus lenient on account of the previous good character of the accused.

The proceedings, findings and sentence in the case of Corporal *Spencer J. Henry*, Company A, 10th Cavalry, are approved. He will be released from arrest and restored to duty as a private soldier.

11. Sergeant *Harry Johnson*, Company A, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In, that Sergeant *Harry Johnson*, Troop A, 10th Cavalry, did enter into an altercation with Corporal Spencer J. Henry, Troop A, 10th Cavalry; and did, without proper cause or provocation, draw a loaded pistol, with which he attempted to shoot at the said Corporal Henry. This at Fort Sill, I. T., on or about September 14, 1872."

To which charge and specification, the accused, Sergeant *Harry Johnson*, Company A, 10th Cavalry, pleaded:

To the specification, "Guilty, except to the words 'with which he attempted to shoot at the said Corporal Henry,' and to the excepted words Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Harry Johnson*, Company A, 10th Cavalry, "To be reduced to the ranks, and to forfeit ten (10) dollars of his pay, per month, for the period of four (4) months."

The proceedings, findings and sentence in the case of Sergeant *Harry Johnson*, Company A, 10th Cavalry, are approved. He will be released from arrest and restored to duty as a private soldier.

12. Private *James H. Taylor*, Company G, 10th Cavalry.

CHARGE—"Sleeping on post."

Specification—"In, that he, *James H. Taylor*, private, G Company, 10th Cavalry having been regularly posted as a sentinel, was found sleeping upon his post. This in camp on Pease river, Texas, between the hours of 1 and 3 o'clock A. M., August 23, 1872."

To which charge and specification the accused, Private *James H. Taylor* Company G, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James H. Taylor*, Company G, 10th Cavalry, "To be confined at hard labor, under charge of the guard, for six (6) months; and to forfeit ten (10) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *James H. Taylor*, Company G, 10th Cavalry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

13. Private *Benjamin Fisher*, Company I, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, *Benjamin Fisher*, private, Company I, 10th Cavalry, did steal, take, carry away, and appropriate to his own use, one sack of flour, containing one hundred (100) pounds, the property of the United States, and for which First Lieutenant Charles L. Cooper, 10th Cavalry, A. C. S., Fort Sill, I. T., is responsible. This at Fort Sill, I. T., on or about the 31st day of August, 1872."

To which charge and specification, the accused, Private *Benjamin Fisher*, Company I, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Benjamin Fisher*, Company I, 10th Cavalry, "To be dishonorably discharged the service of the United States; and to forfeit to the United States all pay or allowances that are or may become due, except the just dues of the laundress; and to be confined, in such military prison as the Department Commander may designate, for the period of two (2) years."

The proceedings and findings in the case of Private *Benjamin Fisher*, Company I, 10th Cavalry, are approved. The period of confinement is reduced to one (1) year. As mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

14. First Sergeant *Benjamin F. Davis*, Company M, 10th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, First Sergeant *B. F. Davis*, M Company, 10th Cavalry, having been ordered by Corporal A. Williams, L Company, 10th Cavalry, (corporal of the guard) to leave the floor and not disturb the dancers, (at a ball in A Company's quarters) did decline to obey; and did tell said corporal to 'go to hell,' or words to that effect; Corporal Williams being at the time in the discharge of his duty, preserving order. All this at Fort Sill, I. T., on or about the 2d of September, 1872, at or about 11 o'clock P. M."

Specification 2d—"In this, that he, First Sergeant *B. F. Davis*, M Company, 10th Cavalry, did resist the guard; and did draw, or attempt to draw, his revolver on said guard, while being removed from the quarters of A Company, 10th Cavalry. All this at Fort Sill, at or about 11 o'clock P. M., on or about September 2, 1872."

To which charge and specifications the accused, First Sergeant *Benjamin F. Davis*, Company M, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except to the words 'and did tell him, the said corporal, to go to hell,' and of the excepted words, Not Guilty," and with no criminality to the remainder.

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, First Sergeant *Benjamin F. Davis*, Company M, 10th Cavalry, "To forfeit fifteen (15) dollars per month, of his pay, for the period of eight (8) months; and to be confined to the limits of the post or camp where his company may be serving, for the same period, attending all military duties."

The proceedings and findings in the case of First Sergeant *Benjamin F. Davis*, Company M, 10th Cavalry, are approved. As this offense was committed on the 2d day of September, 1872, and the accused was allowed to re-enlist on the 20th day of September; and in view of the recommendation of every member of the court to clemency, the sentence is remitted. He will be released from arrest and restored to duty.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G. B. Russell

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Private Samuel Coyne ..... Company A, 9th Cavalry.
2. Private Antoney Grey ..... Company A, 9th Cavalry.
3. Blacksmith Marcus Thompson ..... Company A, 9th Cavalry.
4. Private Thomas Wilbur ..... Company A, 9th Cavalry.

At San Antonio, Texas.

5. Private John Collier ..... Company C, 10th Infantry.
6. Private Patrick Henry ..... Company C, 10th Infantry.
7. Private James Warnock ..... Company C, 10th Infantry.
8. Private Andrew T. Sharpe ..... Company A, 21st Infantry.
9. Private Robert Wakes ..... Company A, 25th Infantry.
10. Private Wade H. Hampton ..... Company I, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *November* 2, 1872.

General Court Martial Orders, No. 69.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, October 14, 1872, pursuant to paragraph II, Special Order No. 180, Headquarters Department of Texas, dated San Antonio, Texas, 9th October, 1872, and of which Major Albert P. Morrow, 9th Cavalry, is President, and First Lieutenant John S. Loud, Adjutant, 9th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Samuel Coyne*, Company A, 9th Cavalry.

Charge—"Violation of the 20th Article of War."

Specification—"In this, that he, *Samuel Coyne*, a regularly enlisted soldier in the service of the United States, did desert said service on or about September 1, 1872, at Fort Clark, Texas; and did remain absent until apprehended and delivered up to the U. S. authorities at Fort Duncan, Texas, September 28, 1872. This at Fort Clark, Texas, on September 1, 1872."

To which charge and specification the accused, Private *Samuel Coyne*, Company A, 9th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Samuel Coyne*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the

United States; to forfeit all pay and allowances now due or that may become due; and to be confined, for the period of three (3) years, at such military prison as may be designated by the Department Commander."

The proceedings and findings in the case of Private *Samuel Coyne*, Company A, 9th Cavalry, are approved. The period of confinement is reduced to one year. As mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

2. Private *Antoney Grey*, Company A, 9th Cavalry.

CHARGE—"Neglect of duty."

Specification—"In this, that he, *Antoney Grey*, a private soldier of Troop A, 10th Cavalry, did, while on duty and armed for the protection of U. S. property, (herding the horses of his troop) lay his Sharp's carbine down, and with such carelessness that he could not afterwards find it; thereby endangering the safety of the animals which he was expected to protect. This near the camp of his troop, (A, 9th Cavalry) on Nueces river, Texas, on the 28th day of September, 1872."

To which charge and specification the accused, Private *Antoney Grey*, Company A, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Antoney Grey*, Company A, 9th Cavalry, "To be confined, in charge of the post 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."

The proceedings and findings in the case of Private *Antoney Grey*, Company A, 9th Cavalry, are approved. The sentence is mitigated to read *two months* in place of "six (6) months," and will be so executed.

3. Blacksmith *Marcus Thompson*, Company A, 9th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, *Marcus Thompson*, a blacksmith of Troop A, 9th Cavalry, did engage in a quarrel with a citizen named Henry Coleman; and did go to his quarters and arm himself with his carbine with the intention of doing said Henry Coleman bodily harm. This at Fort Clark, Texas, on the morning of September 9, 1872."

Specification 2d—"In this, that he, Blacksmith *Marcus Thompson*, Troop A, 9th Cavalry, did endanger the life of Henry Coleman, a citizen and resident of Fort Clark, Texas, by aiming a carbine, loaded with a metallic cartridge, at him; and was arrested by the sergeant of the guard with his loaded carbine in the position of aim, at full cock, covering said Coleman. This at Fort Clark, Texas, on the 9th of September, 1872."

To which charge and specifications the accused, Blacksmith *Marcus Thompson*, Company A, 9th Cavalry, pleaded:

To the first specification, "Guilty, except the words 'with the intention of doing said Henry Coleman bodily harm.'"

To the second specification, "Not Guilty."

To the charge, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words 'with the intention of doing said Henry Coleman bodily harm,' and of the excepted words, Not Guilty."

Of the second specification, "Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Blacksmith *Marcus Thompson*, Company A, 9th Cavalry, "To forfeit to the United States two (2) dollars of his monthly pay for one month."

The proceedings, findings and sentence in the case of Blacksmith *Marcus Thompson*, Company A, 9th Cavalry, are approved. He will be released from confinement and restored to duty.

4. Private *Thomas Wilbur*, Company A, 9th Cavalry.

CHARGE—"Violation of the 20th Article of War."

Specification—"In this, that he, *Thomas Wilbur*, a private soldier of Troop A, 9th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service on the 8th day of September; and remain absent until arrested and delivered up to the U. S. on the 11th day of September, 1872. This at Fort Clark, Texas, September 8, 1872, and September 11, 1872."

To which charge and specification the accused, Private *Thomas Wilbur*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Wilbur*, Company A, 9th Cavalry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances now due or that may become due; and to be confined in such military prison as the Department Commander may direct, for the period of three (3) years."

The proceedings and findings in the case of Private *Thomas Wilbur*, Company A, 9th Cavalry, are approved. The sentence is mitigated to forfeiture of all pay and allowances to date of this order; and to be confined at hard labor, under charge of the guard at the station where his company may be serving, for the period of one year; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period, and will be so executed.

II. Before a General Court Martial which convened at San Antonio, Texas, on Saturday, September 28, 1872, pursuant to paragraph I, Special Order No. 174, Headquarters Department of Texas, dated San Antonio, Texas, September 27, 1872, and of which Major B. C. CARD, Quartermaster, U. S. Army, is President, and First Lieutenant D. H. KELTON, 10th Infantry, Judge Advocate, were arraigned and tried:

5. Private *John Collier*, Company C, 10th Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that he, Private *John Collier*, Company C, 10th Infantry, did absent himself from his company and quarters between the hours of retreat and tattoo of September 8, 1872; and did remain absent until the afternoon of the 12th of September, 1872, when he surrendered himself at the post guard house. This at San Antonio, Texas, on or about the 8th and 12th of September, 1872."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that he, Private *John Collier*, Company C, 10th Infantry, having been regularly detailed on the 8th day of September, 1872, for guard duty at the Post of San Antonio, Texas, did fail to appear, at the time fixed, at the customary place of parade. This at San Antonio, Texas, on the 9th day of September, 1872."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John Collier*, Company C, 10th Infantry, being duly enlisted in the service of the United States; bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, viz: from about the 27th of May, 1871, to the 12th of September, 1872, indulged so excessively in intoxicating liquors, and become such an habitual drunkard that he has rendered himself incapable of a faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of the officers placed over him. This at San Antonio, Texas, on or about the 9th day of September, 1872, and for several months previous thereto."

To which charges and specifications the accused, Private *John Collier*, Company C, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *John Collier*, Company C 10th Infantry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances now due or that may become due; and to be drummed out in the presence of the troops of the post at which he may be serving; and to be confined at hard labor, at such place as the Commanding General of the Department may direct, for a period of six (6) months."

The proceedings and findings in the case of Private *John Collier*, Company C, 10th Infantry, are approved. So much of the sentence as relates to drumming out and confinement is remitted; the remainder is approved, and will be duly executed.

6. Private *Patrick Henry*, Company C, 10th Infantry.

CHARGE I—"Drunkenness, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Patrick Henry*, Company C, 10th Infantry, did become so much under the influence of liquor as to incapacitate him from attending to his duties as a soldier. This at San Antonio, Texas, on the 2d day of October, 1872."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that Private *Patrick Henry*, Company C, 10th Infantry, having been regularly mounted as a member of the post guard, at the Post of San Antonio, Texas, was found drunk. This at San Antonio, Texas, on the 5th day of October, 1872."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Patrick Henry*, Company C, 10th Infantry, did, without proper cause, assault and strike, with his fists, Corporal Henry Weise, Company C, 10th Infantry; said Corporal Weise being at the time in the execution of his office as acting sergeant of the guard. This at San Antonio, Texas, on the 5th day of October, 1872."

To which charges and specifications the accused, Private *Patrick Henry*, Company C, 10th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Patrick Henry*, Company C, 10th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of one year, with a forfeiture of all pay for the same period; and to wear a ball and chain weighing fifteen pounds while in confinement."

The proceedings and findings in the case of Private *Patrick Henry*, Company C, 10th Infantry, are approved. The sentence is mitigated to read *six months* in place of "one year," and, as mitigated, will be duly executed.

7. Private *James Warnock*, Company C, 10th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"That he, *James Warnock*, private, Company C, 10th Infantry, having been regularly mounted as a member of the post guard, while a sentinel over a prisoner (Private Richard Kelly, Company C, 10th Infantry) sent for a bucket of drinking water for the use of the prisoners in the guard house, did permit the said prisoner (Kelly) to procure one bottle of whisky and place it in the bucket of water he was sent for, for the purpose of smuggling it into the guard house. This at San Antonio, Texas, about 6 o'clock A. M., on or about the 6th day of September, 1872."

CHARGE II—"Violation of the 45th Article of War."

Specification—"That he, Private *James Warnock*, Company C, 10th Infantry, having been regularly mounted as a member of the post guard, and properly posted as a sentinel over prisoners at work, did become so drunk as to render him unfit for the proper performance of his duty. This at San Antonio, Texas, on or about the 9th day of September, 1872."

To which charges and specifications the accused, Private *James Warnock*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *James Warnock*, Company C, 10th Infantry, "To forfeit to the United States eight (8) dollars per month, of his monthly pay, for six (6) months; and to be confined at hard labor, in charge of the guard at the post of his company, for the same period.

The proceedings and findings in the case of Private *James Warnock*, Company C, 10th Infantry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard at the post where his company may be serving, for the period of one month; forfeiting to the United States eight dollars per month, of his monthly pay, during the same period, and will be so executed.

8. Private *Andrew T. Sharpe*, Company A, 21st Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Andrew T. Sharpe*, Company A, 21st Infantry, having been duly enlisted as a soldier in the United States service on the first day of August, 1870, did desert said service at Supply Station, Camp Pinal, Arizona Territory, on or about the 18th day of June, 1871; and did remain absent until he surrendered himself at San Antonio, Texas, on or about the 25th day of July, 1872. This at or near the places above mentioned and on or about the days and dates specified."

To which charge and specification the accused, Private *Andrew T. Sharpe*, Company A, 21st Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Andrew T. Sharpe*, Company A, 21st Infantry, "To be dishonorably discharged the service of the United States; with the loss of all pay and allowances now due, or that may become due; and to be confined at hard labor, at such place as the General commanding the Department may direct, for a period of six (6) months."

The proceedings and findings in the case of Private *Andrew T. Sharpe*, Company A, 21st Infantry, are approved. In view of the recommendation of members of the court to clemency, the period of confinement is reduced to three months, and, as mitigated, the sentence will be executed. The guard house of the Post of San Antonio, Texas, is designated as the place of confinement.

9. Private *Robert Wakes*, Company A, 25th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Robert Wakes*, Company A, 25th Infantry, a member of the post guard, having been regularly detailed and mounted as such; and being placed in charge of prisoners (Private George C. Dallum Company C, 10th Infantry, and Alexander French, Company F, 10th Infantry) for the purpose of attending sick call, did, while at the post hospital, fail and neglect to perform his duty in a proper manner; thereby allowing prisoner French, Company F, 10th Infantry, to make his escape. This at San Antonio, Texas, on the 11th day of October, 1872."

To which charge and specification the accused, Private *Robert Wakes*, Company A, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, excepting the words 'private, Company F, 10th Infantry,' and of the excepted words, Not Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Wakes*, Company A 2 th Infantry, "To be confined at hard labor, in charge of the post guard at the post of his company, for one (1) month; and to forfeit to the United States six (6) dollars of his monthly pay for one month."

The proceedings, findings and sentence in the case of Private *Robert Wakes*, Company A, 25th Infantry, are approved, and the sentence will be duly executed.

10 Private *Wade H. Hampton*, Company I, 25th Infantry.

CHARGE—"Desertion."

Specification—"That he, Private *Wade H. Hampton*, Company I, 25th Infantry, having been duly enlisted into the service of the United States on the 18th day of August, 1870; did desert the said service on the 15th day of May, 1871; and remain absent therefrom until apprehended at Laredo, Texas, on the 3d day of June, 1872. This at Fort Clark, Texas, on or about the dates specified."

To which charge and specification the accused, Private *Wade H. Hampton*, Company I, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Wade H. Hampton*, Company I, 25th Infantry, "To forfeit all pay and allowances now due; and to be confined at hard labor, at the post where his company may be serving, for one year, forfeiting all pay during that period."

The proceedings and findings in the case of Private *Wade H. Hampton*, Company I, 25th Infantry, are approved. So much of the sentence as inflicts forfeiture of "all pay" during confinement for one year is mitigated to forfeiture to the United States of ten dollars per month, of his monthly pay, during that period; the remainder is approved. As mitigated, the sentence will be duly executed.

III. The General Court Martial instituted by paragraph I, Special Order No. 174, current series, from these Headquarters, and of which Major B. C. CARD, Quartermaster, U. S. Army, is President, and First Lieutenant D. H. KELTON, 10th Infantry, Judge Advocate, is dissolved.

IV. The General Court Martial instituted by paragraph I, Special Order No. 119, current series, from these Headquarters, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, and Captain JOHN W. FRENCH, 25th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G. B. Russell

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private James East.....Company M, 4th Cavalry.
2. Private Louis Brown .....Company H, 10th Infantry.
3. Private Patrick Ryan .....Company K, 10th Infantry.
4. Private Benjamin Faulkner..... Unassigned, 24th Infantry.
5. Private Green Smith .....Unassigned, 24th Infantry.
6. Recruit Charles C. Mendenhall.....Unassigned, 24th Infantry.

At Fort Davis, Texas.

7. Private Moses Dugen..... Company I, 9th Cavalry.
8. Private Elijah Filmore .....Company G, 25th Infantry.

At San Antonio, Texas.

9. Private Michael Finnell ..... Company D, 4th Cavalry.
10. Private Charles H. Sherman..... Company H, 4th Cavalry.
11. Private Nathan Dedmon..... Company K, 24th Infantry.
12. Recruit Albert Terry..... .....24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *November* 13, 1872.

General Court Martial Orders, No. 70.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, the 21st October, 1872, pursuant to paragraph I, Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, October 12, 1872, and of which Colonel Abner Doubleday, 24th Infantry, is President, and First Lieutenant Helenus Dodt, 24th Infantry, Judge Advocate, were arraigned and tried:

1. Private *James East*, Company M, 4th Cavalry.

Charge I—"Desertion."

Specification—"In this, that he, *James East*, an enlisted soldier in the service of the United States, and a private of Company M, 4th Cavalry, did desert the said service and company at Fort Brown, Texas, on or about the 25th of September, 1872; and did remain absent until delivered as a deserter at Fort Brown, Texas, on or about the 2d day of October, 1872."

Charge II—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *James East*, of Company M, 4th Cavalry, did steal, or otherwise dispose of, the following articles of ordnance

and ordnance stores, and camp and garrison equipage, pertaining to Company M, 4th Cavalry, and for which First Lieutenant David A. Irwin, 4th Cavalry, was responsible, viz: one Sharp's carbine, altered, cal. .50; one carbine sling; one carbine swivel; one carbine cartridge box; one sabre belt and plate; one thong and brush; one screw driver; one carbine socket and strap; one sabre knot; one number; one letter; one crossed sabres; valued at fifty-six dollars and fifty-nine ($56.59) cents."

Specification 2d—"In this, that Private *James East*, of Company M, 4th Cavalry, did steal, or otherwise dispose of, the following articles of quartermaster stores, pertaining to the quartermaster's department, and for which Captain E. J. Strang, A. Q. M., U. S. Army, was responsible, viz: one mule, valued at one hundred and fifty ($150.00) dollars; one cart, valued at sixty ($60.00) dollars; one set of cart harness, valued at thirty-five dollars and fifty ($35 50) cents; and one shovel, valued at fifty nine (59) cents. All this at Fort Brown, Texas, on or about the 25th day of September, 1872."

To which charges and specifications the accused, Private *James East*, Company M, 4th Cavalry, pleaded:

To the specification, first charge, "Not Guilty."
To the first charge, "Guilty."
To the second charge and its specifications, "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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 second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James East*, Company M, 4th 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 just dues of the laundress; and then to be confined, in such military prison as the reviewing authority may direct, for the period of five years."

The proceedings and findings in the case of Private *James East*, Company M, 4th Cavalry, are approved. The period of confinement is reduced to three years. As mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

2. Private *Louis Brown*, Company H, 10th Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Private *Louis Brown*, Company H, 10th Infantry, did, without permission from proper authority, absent himself from his company and quarters on the 23d day of September, 1872; and did remain so absent until about 8 o'clock P. M., on the 2d day of October, 1872. This at Fort Brown, Texas, on or about the dates specified."

To which charge and specification, the accused, Private *Louis Brown*, Company H, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Louis Brown*, Company H, 10th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for three (3) months; and to forfeit to the United States ten (10) dollars of his monthly pay for the same period."

The proceedings, findings and sentence in the foregoing case of Private *Louis Brown*, Company H, 10th Infantry, are approved, and the sentence will be duly executed.

3. Private *Patrick Ryan*, Company K, 10th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Patrick Ryan*, Company K, 10th Infantry, having been duly mounted as a member of the post guard, and stationed as a sentinel over the store houses, did sit down and go to sleep while on his post; and did remain asleep until awakened by the corporal of the guard who was posting the relief. This at Fort Brown, Texas, on or about the morning of October, 21, 1872, between the hours of 3 and 5 o'clock A. M."

To which charge and specification the accused, Private *Patrick Ryan*, Company K, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, excepting as to the time, 'between 3 and 5 o'clock A. M.,' and substituting therefor 'on or about 2 o'clock A. M.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Patrick Ryan*, Company K, 10th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of six (6) months; and to forfeit to the United States ten ($10.00) dollars of his monthly pay for the same period."

The proceedings and findings in the case of Private *Patrick Ryan*, Company K, 10th Infantry, are approved. The sentence is mitigated to read *four months* in place of "six months," and will be so executed.

4. Private *Benjamin Faulkner*, unassigned, 24th Infantry.

CHARGE—"Sleeping on post."

Specification—"In this, that he, Private *Benjamin Faulkner*, unassigned, 24th U. S. Infantry, having been duly detailed and posted as a sentinel over the public animals of the transportation of C company, 24th Infantry, did sit down, while on duty, and go to sleep; and so remain asleep until arrested by the sergeant of the guard. This at a camp of C company, 24th Infantry, on the Atascosa creek, Texas, on or about the 6th of October, 1872."

To which charge and specification the accused, Private *Benjamin Faulkner*, unassigned, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE

And the court does therefore sentence him, Private *Benjamin Faulkner*, unassigned, 24th Infantry, "To be confined at hard labor, at such place as the reviewing authority may direct, for one (1) year; and to forfeit his pay for the same period."

The proceedings and findings in the case of Private *Benjamin Faulkner*, unassigned, 24th Infantry, are approved. The sentence is mitigated to read "To be confined at hard labor, under charge of the guard at the station of his company, for four months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period," and will be so executed.

5. Private *Green Smith*, unassigned, 24th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Green Smith*, unassigned, 24th Infantry, a member of the post guard at Fort Brown, Texas, and regularly posted as a sentinel near the quarters built for artillery officers, on the night of October 7 and 8, 1872, did sleep on his post between the hours of 12 o'clock P. M., October 7, and 2 o'clock A. M., October 8, 1872. This at Fort Brown, Texas, on the dates specified."

To which charge and specification the accused, Private *Green Smith*, unassigned, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Green Smith*, unassigned, 24th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving, for the period of six (6) months; and to forfeit to the United States ten ($10.00) dollars of his monthly pay for the same period."

The proceedings and findings in the case of Private *Green Smith*, unassigned, 24th Infantry, are approved. The sentence is mitigated to read *two months* in place of "six months," and will be so executed.

6. Recruit *Charles C. Mendenhall*, unassigned, 24th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Recruit *Charles C. Mendenhall*, unassigned, 24th Infantry, having been duly enlisted into the service of the United States, March 13th, 1871, did desert the same while *en route* to join his regiment (24th Infantry) at Fredricksburg, Texas, on or about the 30th day of August, 1871; and did remain absent until he surrendered himself voluntarily at Austin, Texas, on or about the 13th day of August, 1872. This at the places and dates above specified."

To which charge and specification, the accused, Recruit *Charles C. Mendenhall*, unassigned, 24th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Charles C. Mendenhall*, unassigned, 24th Infantry, "To be confined at hard labor, in charge of the guard at the post where his company may be serving for the period of six (6) months; and to forfeit ten (10) dollars of his monthly pay for the same period." The court is thus lenient in view of extenuating circumstances.

The proceedings, findings and sentence in the case of Recruit *Charles C. Mendenhall*, unassigned, 24th Infantry, are approved, and the sentence will be duly executed.

II. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3, 1872, pursuant to paragraph V, Special Order No. 129, paragraph II, Special Order No. 156, and paragraph IV, Special Order No. 167, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, and September 3 and 19, 1872, and of which Colonel GEORGE L. ANDREWS, 25th Infantry, is President, and Second Lieutenant WALLACE TEAR, 25th Infantry, Judge Advocate, were arraigned and tried:

7. Private *Moses Dugen*, Company I, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Moses Dugen*, Company I, 9th Cavalry, having been duly mounted as a member of the stable guard, for the stables of Company I, 9th Cavalry, and posted as a sentinel, did leave his post before he was regularly relieved. This at Fort Davis, Texas, on the morning of October 11, 1872."

To which charge and specification, the accused, Private *Moses Dugen*, Company I, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Moses Dugen*, Company I, 9th Cavalry, "To be confined at hard labor, in charge of a guard, for the period of one (1) year, the first seven (7) days and the last seven (7) days to be in solitary confinement on bread and water diet; and to forfeit to the United States twelve dollars ($12) of his monthly pay for twelve (12) months."

The proceedings and findings in the case of Private *Moses Dugen*, Company I, 9th Cavalry, are approved. In view of the recommendation of members of the court to clemency, the sentence is mitigated to "confinement at hard labor, under charge of the guard, for two months; and forfeiture to the United States of ten dollars per month, of his monthly pay, for the same period," and will be so executed.

8. Private *Elijah Filmore*, Company G, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, *Elijah Filmore*, private of Company G, 25th Infantry, did, without authority, discharge a musket loaded with powder and ball; and, by so doing, did inflict a wound upon the body of George M. Dallas, of Company G, 25th Infantry, which said wound did cause the death of said Private George M. Dallas, Company G, 25th Infantry. All this at Fort Davis, Texas, on or about the fifth day of May, 1872."

To which charge and specification, the accused, Private *Elijah Filmore*, Company G, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Elijah Filmore*, Company G, 25th Infantry, "To be dishonorably discharged the service of the United States with a loss of all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined, in such military prison as the Commanding General may designate, for the period of five (5) years."

The proceedings and findings in the case of Private *Elijah Filmore*, Com-

pany G, 25th Infantry, are approved. The period of confinement is reduced to two years; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

III. Before a General Court Martial which convened at San Antonio, Texas, on Monday, October 28, 1872, pursuant to paragraph V, Special Order No. 189, Headquarters Department of Texas, dated San Antonio, Texas, October 24, 1872, and of which Major W. R. GIBSON, Paymaster, U. S. Army, is President, and First Lieutenant A. GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

9. Private *Michael Finnell*, Company D, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that Private *Michael Finnell*, Company D, 4th U. S. Cavalry, having been duly enlisted into the service of the United States, did desert the same; and remain absent until he surrendered himself at the Post of San Antonio, Texas, on the 28th September, 1872. This at Fort Duncan, Texas, on the 1st day of April, 1872."

To which charge and specification, the accused, Private *Michael Finnell*, Company D, 4th Cavalry, pleaded "Guilty"

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Michael Finnell*, Company D, 4th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for one year; and to be confined at hard labor, at the post where his company may be serving, for the same period."

The proceedings, findings and sentence in the case of Private *Michael Finnell*, Company D, 4th Cavalry, are approved, and the sentence will be duly executed.

10. Private *Charles H. Sherman*, Company H, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Charles H. Sherman*, Company H, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert said service; and did remain absent until he surrendered himself at San Antonio, Texas, on or about the 28th day of September, 1872. This at Fort Duncan, Texas, on or about the 1st day of April, 1872."

To which charge and specification, the accused, Private *Charles H. Sherman*, Company H, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles H. Sherman*, Company H, 4th Cavalry. "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for one year; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period."

The proceedings, findings and sentence in the case of Private *Charles H. Sherman*, Company H, 4th Cavalry, are approved, and the sentence will be duly executed.

11. Private *Nathan Dedmon*, Company K, 24th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Nathan Dedmon*, a duly enlisted soldier of the United States Army, belonging to Company K, 24th Infantry, did desert the service of the United States; and remain absent until apprehended at or near New Braunfels, Texas, on or about the 13th of October, 1872. This at Fort Duncan, Texas, or about the 2d day of October, 1872."

To which charge and specification, the accused, Private *Nathan Dedmon*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nathan Dedmon*, Company K, 24th Infantry, "To forfeit to the United States ten (10) dollars per month, of his monthly pay, for one year; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period; with a twelve (12) pound ball attached to his left leg by a chain three (3) feet long, for three (3) months of that period."

The proceedings and findings in the case of Private *Nathan Dedmon*, Company K, 24th Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted, the remainder is approved, and will be duly executed.

12. Recruit *Albert Terry*, 24th Infantry.

CHARGE—"Desertion."

Specification—That, Recruit *Albert Terry*, a duly enlisted soldier of the United States Army, belonging to the 24th Infantry, attached to Company K, 24th Infantry, did desert the service of the United States; and remain absent until apprehended at or near New Braunfels, Texas, on or about the 13th of October, 1872. This at Fort Duncan, Texas, on or about the 2d day of October, 1872."

To which charge and specification, the accused, Recruit *Albert Terry*, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Recruit *Albert Terry*, 24th Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay, per month, for one year; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period; with a twelve (12) pound ball attached to his left leg by a chain three (3) feet long, for three (3) months of that period."

The proceedings and findings in the case of Recruit *Albert Terry*, 24th Infantry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted, the remainder is approved, and will be duly executed.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G. B. Russell

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Gibson, I. T.

1. Private William Rideout.....Company I, 25th Infantry.

At Fort McKavett, Texas.

2. Private Edward Glasby.....Company F, 9th Cavalry.
3. Private Charles Boyce.....Company M, 9th Cavalry.
4. Private Thomas Harrigan.....Company I, 10th Infantry.
5. Wagoner William Scott.....Company H, 24th Infantry.
6. Private Horace Greely.....Unassigned, 24th Infantry.
7. Private James E. Watkins.....Unassigned, 24th Infantry.

At Fort Richardson, Texas.

8. Private Enoch Hoover.....Company A, 4th Cavalry.
9. Sergeant James Barber.....Company C, 4th Cavalry.
10. Private Edward Cassidy.....Company C, 4th Cavalry.
11. Private Charles V. Fitzpatrick.....Company C, 4th Cavalry.
12. Private William Swift.....Company C, 4th Cavalry.
13. Private Gilbert Mather.....Company C, 11th Infantry.
14. Private Francis Carberry.....Company D, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *November* 16, 1872.

General Court Martial Orders, No. 71.

I. Before a General Court Martial which convened at Fort Gibson, I. T., on Monday, September 30, 1872, pursuant to paragraph I, Special Order No. 169, Headquarters Department of Texas, dated San Antonio, Texas, September 21, 1872, and of which Captain L. H. Carpenter, 10th Cavalry, is President, and First Lieutenant A. S. B. Keyes, 10th Cavalry, Judge Advocate, was arraigned and tried:

1. Private *William Rideout*, Company I, 25th Infantry.

Charge—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Rideout*, Company I, 25th Infantry, while drilling with his company, did habitually and persistently disobey the orders and commands; and did, wilfully, improperly execute the movements directed by the First Sergeant of said company; and thereby create confusion in the ranks, and interrupt the drill; and, when corrected, and while being put in his proper place by said First Sergeant, did, in a mutinous and violent manner, resist the authority of

said First Sergeant by striking him with his fist, and by raising a musket and attempting to strike said First Sergeant therewith. This at Fort Gibson, I. T., on or about the 25th day of September, 1872."

To which charge and specification the accused, Private *William Rideout*, Company I, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Rideout*, Company I, 25th Infantry, "To be confined at hard labor, in charge of the guard, for four (4) calendar months; and to forfeit to the United States ten (10) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *William Rideout*, Company I, 25th Infantry, are approved. The sentence is mitigated to read *two months* in place of "four calendar months," and will be so executed.

II. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, October 25, 1872, pursuant to paragraph II, Special Order No. 185, Headquarters Department of Texas, dated San Antonio, Texas, October 19, 1872, and of which Captain JOHN B. PARKE, 10th Infantry, is President, and First Lieutenant E. O. GIBSON, Adjutant, 10th Infantry, Judge Advocate, were arraigned and tried:

2. Private *Edward Glasby*, Company F, 9th Cavalry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Edward Glasby*, Company F, 9th Cavalry, having been regularly detailed and mounted as a member of the post guard, and having been properly posted as a sentinel, was found asleep on post about the hour of 4 o'clock A. M., on the 14th day of October, 1872. This at Fort McKavett, Texas, on or about the time and dates specified above."

To which charge and specification the accused, Private *Edward Glasby*, Company F, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Glasby*, Company F, 9th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for six months; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the same period; having a twelve pound ball attached to his left leg by a chain three feet long."

The proceedings and findings in the case of Private *Edward Glasby*, Company F, 9th Cavalry, are approved. So much of the sentence as relates to wearing a ball and chain is remitted; the remainder is mitigated to read *four months* in place of "six months," and will be so executed.

3. Private *Charles Boyce*, Company M, 9th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *Charles Boyce*, Company M, 9th Cavalry, did steal from Private Henry R. Fish, Company F, 9th Cavalry, one (1)

Remington revolver, No. 69.646, the property of the United States; and for which Captain Henry Carroll, 9th Cavalry, is responsible. All this at or near Fort Concho, Texas, on or about the 27th day of September, 1872."

CHARGE II—"Wrongfully and knowingly selling or disposing of arms, the property of the United States, in violation of an Act of Congress, approved March 2, 1863."

Specification—"In this, that the said Private *Charles Boyce*, Company M, 9th Cavalry, did wrongfully and knowingly sell, or otherwise dispose of, one revolver, the property of the United States, furnished for the military service of the United States; and did appropriate the proceeds to his own use. This at Fort Concho, Texas, on or about September 27, 1872."

To which charges and specifications the accused, Private *Charles Boyce*, Company M, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *Charles Boyce*, Company M, 9th Cavalry, "To be dishonorably discharged and bugled out of the service of the United States; with loss of all pay and allowances due, or that may become due, the just dues of the laundress excepted; and to be confined, at such military prison as the reviewing authority may direct, for the period of two (2) years."

The proceedings and findings in the case of Private *Charles Boyce*, Company M, 9th Cavalry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for the period of eight months; forfeiting to the United States ten dollars per month, of his monthly pay, for the same period," and will be so executed.

4. Private *Thomas Harrigan*, Company I, 10th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *Thomas Harrigan*, Company I, 10th Infantry, having been regularly detailed and mounted as a member of the post guard, and posted as a sentinel in front of the guard house, was, when visited by the officer of the day, (Second Lieutenant Clayton S. Burbank, 10th Infantry) so drunk as to be unable to perform his duties properly. This at Fort McKavett, Texas, on or about the 17th of October, 1872."

To which charge and specification the accused, Private *Thomas Harrigan*, Company I, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Thomas Harrigan*, Company I, 10th Infantry, "To be confined at hard labor, in charge of the guard, for two months; and to forfeit to the United States ten dollars of his monthly pay for the same period."

The proceedings, findings and sentence in the case of Private *Thomas Harrigan*, Company I, 10th Infantry, are approved, and the sentence will be duly executed.

5. Wagoner *William Scott*, Company H, 24th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Wagoner *William Scott*, Company H, 24th Infantry, having been duly enlisted in the service of the United States, did desert the same at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, while his company was escorting a government wagon train, through a hostile Indian country, from Fort Concho, Texas, to Camp Supply, on Fresh Water Fork of the Brazos river, Texas; and did remain absent until apprehended near Fort McKavett, Texas, on or about September 26, 1872. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about September 22, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Wagoner *William Scott*, Company H, 24th Infantry, having deserted the military service of the United States, did steal and carry away with him one (1) breech-loading Springfield rifle musket, cal. .50, model 1870; and one (1) set of infantry accoutrements, complete; one canteen and strap, the property of the United States; and for which Captain John C. Gilmore, 24th Infantry, commanding Company H is responsible. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about the 22d day of September, 1872."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Wagoner *William Scott*, Company H, 24th Infantry, did wilfully shoot and maim himself in the hand with a loaded Springfield rifle musket, thereby disabling himself; and did, when apprehended, report as having been shot by some person or persons to him unknown. This at or near Fort McKavett, Texas, on or about the 26th of September 1872."

To which charges and specifications the accused, Wagoner *William Scott*, Company H, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Wagoner *William Scott*, Company H, 24th Infantry, "To be dishonorably discharged the service of the United States; with loss of all pay and allowances due or to become due, the just dues of the laundress excepted; and to be confined, at such military prison as the proper authority may designate, for the period of three (3) years."

The proceedings and findings in the case of Wagoner *William Scott*, Company H, 24th Infantry, are approved. The period of confinement is reduced to two years; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

6. Private *Horace Greely*, unassigned, 24th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Horace Greely*, unassigned, 24th Infantry, having been duly enlisted in the military service of the United States, did desert the same at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, while his company was escorting a government wagon train through a hostile Indian country, from Fort Concho, Texas, to Camp Supply, on Fresh Water Fork of Brazos river, Texas; and did remain absent until apprehended near Fort McKavett, Texas, on or about September 26, 1872. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about September 22, 1872."

CHARGE II—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Horace Greely*, unassigned, 24th Infantry, having deserted the military service of the United States, did steal and carry away with him one (1) breech-loading Springfield rifle musket; one (1) set of infantry accoutrements, complete; one (1) haversack; one (1) canteen and strap the property of the United States, and for which Captain John C. Gilmore, 24th Infantry, commanding Company H, is responsible. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about the 22d day of September, 1872."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, Private *Horace Greely*, unassigned, 24th Infantry, did wilfully shoot and maim himself in the foot with a loaded Springfield rifle musket, thereby disabling himself; and did report as having been shot by some person or persons to him unknown. This at or near Fort McKavett, Texas, on or about September 26, 1872."

To which charges and specifications the accused, Private *Horace Greely*, unassigned, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court having maturely considered the evidence adduced, finds the accused:

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, Private *Horace Greely*, unassigned, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due, except the just dues of the laundress; and to be confined at such military prison as the proper authority may designate, for the period of three (3) years."

The proceedings and findings in the case of Private *Horace Greely*, unassigned, 24th Infantry, are approved. The period of confinement is reduced to two years; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

7. Private *James E. Watkins*, unassigned, 24th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *James E. Watkins*, unassigned, 24th

Infantry, having been duly enlisted in the military service of the United States, did desert the same at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, while his company was escorting a government wagon train through a hostile Indian country, from Fort Concho, Texas, to Camp Supply, on Fresh Water Fork of Brazos river, Texas; and did remain absent until apprehended near Fort McKavett, Texas, on or about September 26, 1872. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about September 22, 1872."

CHARGE II—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *James E. Watkins*, unassigned, 24th Infantry, having been regularly detailed as a member of the guard at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, did leave and desert said guard before he was regularly relieved; and did so remain absent until apprehended near Fort McKavett, Texas, on or about September 26, 1872. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about the 22d day of September, 1872."

CHARGE III—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James E. Watkins*, unassigned, 24th Infantry, having deserted the service of the United States, did steal and carry away with him one (1) breech loading Springfield rifle musket; one (1) set of infantry accoutrements, complete; one (1) knapsack; one (1) haversack; one (1) canteen and strap, the property of the United States, and for which Captain John C. Gilmore, 24th Infantry, commanding Company H, is responsible. This at camp on North Concho river, Texas, twelve (12) miles from Fort Concho, Texas, on or about the 22d day of September, 1872."

CHARGE IV—"Conduct prejudicial to good order and military discipline."

Specification—"In this that he, Private *James E. Watkins*, unassigned, 24th Infantry, did wilfully shoot and maim himself in the wrist with a loaded Springfield rifle musket, thereby disabling himself; and did, when apprehended, report as having been shot by some person or persons to him unknown. This at or near Fort McKavett, Texas, on or about the 26th day of September, 1872."

To which charges and specifications the accused, Private *James E. Watkins*, unassigned, 24th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."
Of the specification, fourth charge,	"Guilty."
Of the fourth charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James E. Watkins*, unassigned, 24th Infantry, "To be dishonorably discharged the service of the United States, with loss of all pay and allowances due or to become due, except the just dues of the laundress; and to be confined, at such military prison as the proper authority may designate, for the period of four (4) years."

The proceedings and findings in the case of Private *James E. Watkins*, unassigned, 24th Infantry, are approved. The period of confinement is reduced to two years and six months; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

III. Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, August 14, 1872, pursuant to paragraph II, Special Order No. 136, and paragraph I, Special Order No. 171, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, August 2, and September 24, 1872, and of which Lieutenant Colonel GEORGE P. BUELL, 11th Infantry, is President, and Captain MASON JACKSON, 11th Infantry, Judge Advocate, were arraigned and tried:

8. Private *Enoch Hoover*, Company A, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Enoch Hoover*, Company A, 4th Cavalry, having been duly mounted as a member of the post guard, and posted as a sentinel in quartermaster's corral, was found asleep on his post. This at Fort Richardson, Texas on the morning of September the 10th, 1872, between the hours of 12 and 1 A. M."

To which charge and specification the accused, Private *Enoch Hoover*, Company A, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Enoch Hoover*, Company A, 4th Cavalry, "To be confined at hard labor, at the post of his company, for the period of four (4) months."

The proceedings, findings and sentence in the case of Private *Enoch Hoover*, Company A, 4th Cavalry, are approved, and the sentence will be duly executed.

9. Sergeant *James Barber*, Company C, 4th Cavalry.

CHARGE—"Violation of the 9th Article of War."

Specification—"In this, that he, Sergeant *James Barber*, Company C, 4th Cavalry, having been regularly mounted as sergeant of the post guard, at Fort Richardson, Texas, on the morning of September 21st, 1872, and having received verbal orders from Captain Mason Jackson, 11th Infantry, officer of the day, to make, or cause to be made by a non-commissioned officer of the guard, a thorough inspection of the prison rooms when each relief was posted, between retreat and reveille, did disobey said verbal orders; and did neglect to make the inspection of the prison rooms as above directed. This at Fort Richardson, Texas, between the hours of retreat on the 21st and reveille on the 22d of September, 1872."

To which charge and specification, the accused, Sergeant *James Barber*, Company C, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Sergeant *James Barber*, Company C, 4th Cavalry, are approved. He will be released from arrest and restored to duty.

10. Private *Edward Cassidy*, Company C, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Edward Cassidy*, Company C, 4th U. S. Cavalry, a duly enlisted soldier of the United States, did desert said service at or near Fort Richardson, Texas, on or about the 18th day of September, 1872; and did remain absent until apprehended by Corporal John McDermott, Company C 4th U. S. Cavalry, at or near Weatherford, Texas, on or about the 24th day of September, 1872."

To which charge and specification the accused, Private *Edward Cassidy*, Company C, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Cassidy*, Company C, 4th Cavalry, "To be confined, in such military prison, at hard labor, as the Department Commander may designate, for a period of two (2) years; forfeiting all pay and allowances now due or that may become due him for the same period; and then to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Private *Edward Cassidy*, Company C, 4th Cavalry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for one year; forfeiting to the United States ten dollars per month, of his monthly pay, for the same period," and will be so executed.

11. Private *Charles V. Fitzpatrick*, Company C, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Charles V. Fitzpatrick*, Company C, 4th U. S. Cavalry, a duly enlisted soldier of the United States, did desert said service at or near Fort Richardson, Texas, on or about the 18th day of September, 1872; and did remain absent until appprehended by Corporal John McDermott, Company C, 4th U. S. Cavalry, at or near Weatherford, Texas, on or about the 24th day of September, 1872."

To which charge and specification the accused, Private *Charles V. Fitzpatrick*, Company C, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles V. Fitzpatrick*, Company C, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due him; and to be confined, in such military prison as the Commanding General may designate, for the period of two (2) years."

The proceedings and findings in the case of Private *Charles V. Fitzpatrick*, Company C, 4th Cavalry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for the period of one year; forfeiting to the United States

ten dollars per month, of his monthly pay, during the same period," and will be so executed.

12. Private *William Swift*, Company C, 4th Cavalry.

CHARGE—"Desertion,"

Specification—"In this, that he, Private *William Swift*, Company C, 4th U. S. Cavalry, a duly enlisted soldier of the United States, did desert said service at or near Fort Richardson, Texas, on or about the 18th day of September, 1872; and did remain absent until apprehended by Corporal John McDermott, Company C, 4th U. S. Cavalry, at or near Weatherford, Texas, on or about the 24th day of September, 1872."

To which charge and specification the accused, Private *William Swift*, Company C, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Swift*, Company C, 4th Cavalry. "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or that may become due him, the just dues of the laundress excepted; and to be confined, in such military prison as the Department Commander may designate, for the period of two (2) years."

The proceedings and findings in the case of Private *William Swift*, Company C, 4th Cavalry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for the period of one year; forfeiting to the United States ten dollars per month, of his monthly pay, for the same period," and will be so executed.

13. Private *Gilbert Mather*, Company C, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Gilbert Mather*, Company C, 11th U. S. Infantry, did desert the service of the United States at Fort Richardson, Texas, on the 31st day of July, 1872; and did remain absent until apprehended at or near Crawford's Ranch, Texas, on the 1st day of August, 1872. This at Fort Richardson, Texas, on or about the 31st day of July, 1872."

To which charge and specification the accused, Private *Gilbert Mather*, Company C, 11th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Gilbert Mather*, Company C, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances now due or to become due him, the just dues of the laundress excepted; and to be confined, for the period of one (1) year, in such military prison as the Commanding General may direct."

The proceedings and findings in the case of Private *Gilbert Mather*, Company C, 11th Infantry, are approved. In consideration of the recommendation, by all the members of the court, to clemency, based on the previous good character of the prisoner, the sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may

be serving, for the period of three months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period," and will be so executed.

14. Private *Francis Carberry* Company D, 11th Infantry.

CHARGE I—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Francis Carberry*, Company D, 11th Infantry, having been duly posted as a sentinel over a camp of detachment 11th Infantry and property belonging to the United States, in a portion of the country traversed by hostile Indians, was found asleep on his post. All this while *en route* from Sherman to Fort Richardson, Texas and about 20 miles from Fort Richardson, on or about the night of the 9th day of July, 1872."

CHARGE II—"Violation of the 99th Article of War."

Specification—"In this that he, Private *Francis Carberry*, Company D, 11th Infantry, belonging to a detachment of 11th Infantry *en route* from Sherman to Fort Richardson, Texas, commanded by Lance Corporal John Hartman, Company D, 11th Infantry; and having been ordered by the said Lance Corporal Hartman (the said lance corporal being in the execution of his duty) to watch a certain number of mules, the property of the United States, that had been turned out to graze, and to see that said mules did not get astray, did reply to the said lance corporal that he would not watch said mules; and that they would not go away; and did wilfully refuse to obey the said lance corporal; and did further use the following words towards the said lance corporal, viz: 'God damn the mules, and God damn your heart;' and did, at the same time, jump on an army wagon in which his (the said Private *Carberry's*) musket was; and did obtain said musket; and did then and there point said musket, in a threatening manner, towards the said lance corporal; and upon the said lance corporal seizing the said musket and attempting to take it from the said Private *Carberry's* hands, he, the said Private *Carberry*, did use the following words towards the said lance corporal, viz: 'strike me, strike me you son of a bitch' All this while *en route* from Sherman to Fort Richardson, Texas, on or about the 10th day of July, 1872."

To which charges and specifications the accused, Private *Francis Carberry*, Company D, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Francis Carberry*, Company D, 11th Infantry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due him, the just dues of the laundress excepted; and to be confined at hard labor, for the period of two (2) years, at such military prison as the Commanding General may direct."

The proceedings and findings in the case of Private *Francis Carberry*, Company D, 11th Infantry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for the period of eight months, forfeiting to the United

States ten (10) dollars per month, of his monthly pay, during the same period," and will be so executed.

IV. The General Court Martial instituted by paragraph III, Special Order No. 70, and paragraph I, Special Order No. 90, current series, from these Headquarters, of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, and Captain A. E. HOOKER, 9th Cavalry, Judge Advocate, is dissolved.

V. The General Court Martial instituted by paragraph III, Special Order No. 165, current series, from these Headquarters, of which Lieutenant Colonel A. McD. McCOOK, 10th Infantry, is President, and Captain G. B. RUSSELL, 9th Infantry, Aide-de-Camp, Judge Advocate, is dissolved.

VI. The General Court Martial instituted by paragraph II, Special Order No. 136, and paragraph I, Special Order No. 171, current series, from these Headquarters, of which Lieutenant Colonel GEORGE P. BUELL, 11th Infantry, is President, and Captain MASON JACKSON, 11th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

G. D. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G D Russell
Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Brown, Texas.

1. Private John Sullivan .... Company E, 10th Infantry.
2. Private Francis Quinn.....Company K, 10th Infantry.
3. Private Robert Polk.....Company C, 24th Infantry.

At Fort Concho, Texas.

4. Blacksmith John Hannavan..... Company D, 4th Cavalry.
5. Private William Grady.....Company I, 4th Cavalry.
6. Musician John McClain. ... .Company B, 11th Infantry.
7. Private Charles Powell.....Company B, 11th Infantry.
8. Private James Howe.....Company E, 11th Infantry.

At Fort Duncan, Texas.

9. Private Christopher Buckhannon... .... Company F, 24th Infantry.
10. Private Jesse Gardiner .....Company F, 24th Infantry.
11. Scout Joe Dixie.....U. S. Army.

At Fort McKavett, Texas.

12 Private Joseph Ray ....Company M, 9th Cavalry.
13. Private Herman Hana.....Company F, 10th Infantry.

At Fort Stockton, Texas.

14. Hospital Steward John Preeiser ....U. S. Army.
15. Private Frederick Yeager.....Company K, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *November* 25, 1872.

General Court Martial Orders, No. 72.

I. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, October 21, 1872, pursuant to paragraph I, Special Order No 182, Headquarters Department of Texas, dated San Antonio, Texas, October 12, 1872, and of which Colonel Abner Doubleday, 24th Infantry, is President, and

First Lieutenant HELENUS DODT, 24th Infantry, Judge Advocate, were arraigned and tried:

1. Private *John Sullivan*, Company E, 10th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, *John Sullivan*, a private of Company E, 10th Infantry, did desert the service of the United States, from Ranche Penitas, Texas, on the 19th day of September, 1872; and did remain absent until arrested on the 20th day of September, 1872. This at the time and place aforesaid."

To which charge and specification the accused, Private *John Sullivan*, Company E, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *John Sullivan*, Company E, 10th Infantry, are approved. He will be released from confinement and restored to duty.

2. Private *Francis Quinn*, Company K, 10th Infantry.

CHARGE—"Absence without leave."

Specification—"In this, that he, Private *Francis Quinn*, Company K, 10th Infantry, having been duly enlisted as a soldier in the service of the United States, did absent himself from the said service of the United States, at Fort Brown, Texas, on or about the 24th day of October, 1872; and did remain absent until the 29th day of October, 1872. This at or near Fort Brown, Texas, on or about the time specified. Thirty ($30.00) dollars paid for his apprehension."

To which charge and specification the accused, Private *Francis Quinn*, Company K, 10th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Francis Quinn*, Company K, 10th Infantry, "To forfeit to the United States ten ($10.00) dollars of his monthly pay for the period of one month; and to refund all expenses incurred in his apprehension."

The proceedings and findings in the case of Private *Francis Quinn*, Company K, 10th Infantry, are approved. So much of the sentence as reads "and to refund all expenses incurred in his apprehension" is disapproved; the remainder is approved, and will be duly executed. He will be released from confinement and restored to duty

3. Private *Robert Polk*, Company C, 24th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, the said Private *Robert Polk*, C company, 24th U. S. Infantry, did feloniously steal and carry away from his company quarters one pair of infantry trowsers, the property of one George Hopkins, private, C company, 24th Infantry; and did sell said trowsers and appropriate the proceeds thereof to his own use and benefit. This at or near Fort Brown, Texas, on or about the 29th day of October, 1872."

To which charge and specification the accused, Private *Robert Polk*, Company C, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Polk*, Company C, 24th Infantry, "To be dishonorably discharged the service of the United States; and to forfeit all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined, at such military prison as the reviewing authority may designate, for the period of one (1) year."

The proceedings and findings in the case of Private *Robert Polk*, Company C, 24th Infantry, are approved. The sentence is mitigated to read "To be confined at hard labor, in charge of the guard at the station where his company may be serving, for the period of three months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period." and will be so executed.

II. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 31, 1872, pursuant to paragraph IV, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major JOHN P. HATCH, 4th Cavalry, is President, and First Lieutenant GEORGE G. LOTT, 11th Infantry, Judge Advocate, were arraigned and tried:

4. Blacksmith *John Hannavan*, Company D, 4th Cavalry.

CHARGE—"Violation of the 30th Article of War."

Specification—"In this, that Blacksmith *John Hannavan*, Company D, 4th U. S. Cavalry, did lose, through neglect, or otherwise make away with one (1) Remington revolver, issued to him as part of his arms; and for which Captain John Lee, 4th Cavalry, is responsible to the United States. This at Fort Concho, Texas, on or about the 23d day of October, 1872."

To which charge and specification the accused, Blacksmith *John Hannavan*, Company D, 4th Cavalry, pleaded:

To the specification, "Guilty, except the words 'through neglect or otherwise make away with,' and of the excepted words, Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Blacksmith *John Hannavan*, Company D, 4th Cavalry, "To be confined at hard labor, in charge of the post guard, for one month." The court is thus lenient in consideration of the long service of the accused in the army, and the fact that the government suffered no pecuniary loss from the neglect of which he was guilty.

The proceedings, and findings in the case of Blacksmith *John Hannavan*, Company D, 4th Cavalry, are approved. The sentence is remitted. He will be released from confinement and restored to duty.

5. Private *William Grady*, Company I, 4th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *William Grady*, Company I, 4th Cavalry, did feloniously take one Sharp's altered carbine, the property of the United States, from the arm rack in the company quarters; and

did hide the same under his trowsers and attempt to carry it out of the garrison. All this at Fort Concho, Texas, on or about November 1, 1872."

Specification 2d—"In this, that he, Private *William Grady*, Company I, 4th Cavalry, did, without permission from proper authority, take one Sharp's altered carbine, the property of the United States from the arm rack in his company quarters; and did carry the same from the quarters; and that, while said carbine was in his possession, it was so seriously injured as to render it totally unserviceable. All this at Fort Concho, Texas, on or about November 1, 1872."

To which charge and specifications the accused, Private *William Grady*, Company I, 4th Cavalry, pleaded:

To the first specification, "Guilty, except the words 'and did hide the same under his trowsers,' and of the excepted words, "Not Guilty."

To the second specification, "Guilty, except the words 'and while said carbine was in his possession it was so seriously injured as to render it totally unserviceable,' and of the excepted words, Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except the words, 'and did hide the same under his trowsers,' and of the excepted words, Not Guilty."

Of the second specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Grady*, Company I, 4th Cavalry, "To be confined, in charge of the post guard, at hard labor, for the period of three months; and to forfeit ten dollars per month, of his monthly pay, for the period of three months."

The proceedings, findings and sentence in the case of Private *William Grady*, Company I, 4th Cavalry, are approved, and the sentence will be duly executed.

6. Musician *John McClain*, Company B, 11th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"That he, Musician *John McClain*, Company B, 11th U. S. Infantry, did, in company with two other enlisted men of the United States army, forcibly enter the tent of one Charity Hays, a colored woman living within the limits of Fort Concho, Texas, pursuing the vocation of a laundress; and did there open, by force, a trunk belonging to the said Charity Hays, and take from it one pair of blankets, valued at ten ($10.00) dollars; two bed spreads, valued at eight ($8.00) dollars; ten yards of calico, valued at one and a half ($1.50) dollars; one lock, valued at seventy-five ($0.75) cents; seven handkerchiefs, and one pair of sleeve buttons; which property he conveyed away and converted to his own use. This at Fort Concho, Texas, on the night of October 14, 1872, between the hours of ten and eleven o'clock."

To which charge and specification the accused, Musician *John McClain*, Company B, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the word 'seven,' and substituting therefor the word 'three.'"

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Musician *John McClain*, Company B, 11th Infantry, "To be dishonorably discharged the service of the United States; forfeiting all pay and allowances now due, or that may become due him; and to be confined at hard labor, at such penitentiary as the Department Commander shall direct, for a period of four years."

The proceedings and findings in the case of Musician *John McClain*, Company B 11th Infantry, are approved. The period of confinement is reduced to eighteen (18) months; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

7. Private *Charles Powell*, Company B, 11th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"That he, Private *Charles Powell*, Company B, 11th U. S. Infantry, did, in company with two other enlisted men of the United States army, forcibly enter the tent of one Charity Hays, a colored woman living within the limits of Fort Concho, Texas, pursuing the vocation of a laundress; and did there open, by force, a trunk belonging to the said Charity Hays, and take from it one pair of blankets, valued at ten ($10.00) dollars; two bed spreads, valued at eight ($8 00) dollars; ten yards of calico, valued at one and a half ($1.50) dollars; one lock, valued at seventy five ($0 75) cents; three handkerchiefs and one pair of sleeve buttons; which property he conveyed away and converted to his own use. This at Fort Concho, Texas, on the night of October 14, 1872, between the hours of ten and eleven o'clock."

To which charge and specification the accused, Private *Charles Powell*, Company B, 11th Infantry, pleaded "Not Guilty."

FINDING

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Powell*, Company B, 11th Infantry, "That he forfeit all pay and allowances now due, or that may become due; and that he be dishonorably discharged the U. S. service; and confined at hard labor, in such prison as the Department Commander shall direct, for four years."

The proceedings in the case of Private *Charles Powell*, Company B, 11th Infantry, are approved. The findings are disapproved, not being supported by the evidence. He will be released from confinement and restored to duty.

8. Private *James Howe*, Company E, 11th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *James Howe*, E company, 11th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service and remain absent until arrested. This at or near Austin, Texas, on or about the 13th day of April, 1872."

To which charge and specification the accused, Private *James Howe*, Company E, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words, 'did desert said service and

remain absent until arrested,' substituting therefor the words 'did absent himself from his command without proper authority.'"

Of the charge, "Not guilty of desertion, but guilty of absence without leave."

SENTENCE.

And the court does therefore sentence him, Private *James Howe*, Company E, 11th Infantry, "To be confined, in charge of the post guard, at hard labor, for the period of four (4) months; and to forfeit to the United States twelve ($12.00) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *James Howe*, Company E, 11th Infantry, are approved. In consideration of the length of time the prisoner has already been in confinement for this offence so much of the sentence as imposes confinement is remitted; the remainder is mitigated to forfeiture to the United States of twelve dollars per month, of his monthly pay, for the period of two months, and will be so executed. Private *Howe* will be released from confinement and restored to duty.

III. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, October 14, 1872, pursuant to paragraph V, Special Order No. 179, and paragraph II, Special Order No. 184, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, October 8 and 17, 1872, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Captain FRANK W. PERRY, 24th Infantry, Judge Advocate, were arraigned and tried:

9. Private *Christopher Buckhannon*, Company F, 24th Infantry

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Christopher Buckhannon*, of Company F, 24th U. S. Infantry, did, upon his promise to his company commander, Lieutenant B. M. Custer, 24th U. S. Infantry, to pay the same at his next payment by the paymaster, obtain the approval of his said company commander to certain orders on Mr. P. M. Fiske, a trader near Fort Duncan, Texas, for the purchase, by said Private *Buckhannon*, of articles desired by him, and which orders bore dates and amounts as follows: July 27, 1872, for $5.00; July 29, 1872, for $5.00. Making a total of ten ($10.00) dollars, which said Private *Christopher Buckhannon* did promise to pay to P. M. Fiske, trader, after having obtained the approval of his company commander to the same, as set forth in the orders before cited; all of which promises he did utterly fail and neglect to fulfill, although the amount of money received by him from the paymaster (amounting to seventeen dollars and forty-two ($17.42) cents) did furnish him with sufficient means to make good said promises. This at Fort Duncan, Texas, September 30, 1872."

To which charge and specification the accused, Private *Christopher Buckhannon*, Company F, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Christopher Buckhannon*, Company F, 24th Infantry, "To forfeit to the United States eight ($8.00) dollars per month, of his monthly pay, for the period of two (2) months."

The proceedings, findings and sentence in the case of Private *Christopher Buckhannon*, Company F, 24th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

10. Private *Jesse Gardiner*, Company F, 24th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Private *Jesse Gardiner*, Company F, 24th U. S. Infantry, did, upon his promise to his company commander, Lieutenant B. M. Custer, 24th U. S. Infantry, to pay the same at his next payment by the paymaster, obtain the approval of his said company commander to certain orders on Mr. P M. Fiske, a trader near Fort Duncan, Texas, for the purchase, by said Private *Gardiner*, of articles desired by him, and which orders were dated, respectively, August 13, 1872, and August 25, 1872, and were for amounts, respectively, $3.00 and $2.00. And said Private *Jesse Gardiner*, did also, under like promises to pay the same at his next payment, obtain from his company commander, Captain C. C. Hood, 24th Infantry, his approval to an order for the purchase of articles desired by him, the said Private *Jesse Gardiner*, of Mr. P. M. Fiske, a trader near Fort Duncan, Texas, which order was dated September 18, 1872, and for the amount of $2.00. Making a total of seven ($7.00) dollars, which said Private *Jesse Gardiner* did promise to pay to P. M. Fiske, trader, after having obtained the approval of his company commander to the same; all of which promises he did utterly fail and neglect to fulfill, although the amount of money received by him from the paymaster, amounting to fourteen dollars and fifty five ($14.55) cents, did furnish him with sufficient means to make good said promises. This at Fort Duncan, Texas, September 30, 1872."

To which charge and specification the accused, Private *Jesse Gardiner*, Company F, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Jesse Gardiner*, Company F, 24th Infantry, "To forfeit to the United States eight ($8.00) dollars per month, of his monthly pay, for the period of two (2) months."

The proceedings, findings and sentence in the case of Private *Jesse Gardiner*, Company F, 24th Infantry, are approved. He will be released from confinement and returned to duty.

11. Scout *Joe Dixie*, U. S. Army.

CHARGE I—"Disobedience of orders."

Specification 1st—"In this, that he, *Joe Dixie*, a duly enlisted scout in the military service of the United States, did, after having been positively ordered by his commanding officer, Captain Charles D. Beyer, 9th U. S. Cavalry, being in the execution of his office, not to leave his camp without first obtaining permission from proper authority, did, within an hour, more or less, after receiving said order from his commanding officer, Captain Charles D. Beyer, 9th U. S. Cavalry, leave his quarters and camp; and did visit the town of Eagle Pass, Texas; and did remain absent for twelve (12) hours, more or less. All this at or near Fort Duncan, Texas, on or about the 14th day of September, 1872."

Specification 2d—"In this, that he *Joe Dixie*, a duly enlisted scout in the military service of the United States, did, after asking permission to visit the town of Eagle Pass, Texas, and permission being refused him by his commanding officer, Captain C. D. Beyer, 9th U. S. Cavalry; and after he had been ordered to his camp, and positively ordered not to leave said camp without permission from his proper commanding officer, did, in a direct and wilful manner, disobey said order—did not return to his

camp—but did visit the town of Eagle Pass, Texas. All this at Fort Duncan, Texas, on or about the 14th day of September, 1872."

CHARGE II—"Absence without leave."

Specification—"In this, that he, *Joe Dixie*, a duly enlisted scout in the military service of the United States, did absent himself from his camp and quarters, without leave from proper authority, from 2 o'clock P. M., September 14, 1872, until about daybreak on the morning of September 15, 1872. This at or near Fort Duncan, Texas, on or about the time, dates and place above set forth."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that he, *Joe Dixie*, a duly enlisted scout in the military service of the United States, did visit the town of Eagle Pass, Texas, without permission from proper authority; and there create a disturbance at a ball or dance by his drunken and boisterous manner; and upon being ordered to stop his noise and quarreling and proceed to his camp by First Lieutenant J. M. Starr, 9th U. S. Cavalry, did linger and lounge about the building in which the dance was being held until Lieutenant Starr, 9th Cavalry, had left; and did then, again, behave in a rude and boisterous manner; and did discharge his pistol, loaded with powder and ball, at a group of citizens standing near the building, to the imminent danger of their lives. All this at the town of Eagle Pass, Texas, on or about 1 or 2 o'clock A. M., September 15, 1872."

To which charges and specifications the accused, Scout *Joe Dixie*, U. S. army, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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."
Of the specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Scout *Joe Dixie*, U. S. Army, "To be confined at hard labor, for the period of six months; to forfeit to the United States all pay and allowances for the same period; then to be dishonorably discharged the service of the United States."

The proceedings and findings in the case of Scout *Joe Dixie*, U. S. Army, are approved. The sentence is mitigated to read "To be dishonorably discharged the service of the United States," and will be so executed.

IV. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, October 25, 1872, pursuant to paragraph II, Special Order No. 185, Headquarters Department of Texas, dated San Antonio, Texas, October 19, 1872, and of which Captain JOHN B. PARKE, 10th Infantry, is President, and First Lieutenant E. O. GIBSON, Adjutant, 10th Infantry, Judge Advocate, were arraigned and tried:

12. Private *Joseph Ray*, Company M, 9th Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Joseph Ray*, Troop M, 9th Cavalry, U. S. Army, did engage in a drunken row; and did assault Private Allen S. Dent, Troop F, 9th Cavalry, with a carbine. This at or near Fort McKavett, Texas, on or about November 8, 1872."

To which charge and specification the accused, Private *Joseph Ray*, Company M, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Joseph Ray*, Company M, 9th Cavalry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of two months; and to forfeit to the United States eight (8) dollars a month, of his monthly pay, for the same period." The court is thus lenient on account of the previous good character of the prisoner, as shown by the evidence.

The proceedings, findings and sentence in the case of Private *Joseph Ray*, Company M, 9th Cavalry, are approved, and the sentence will be duly executed.

13. Private *Herman Hana*, Company F, 10th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Herman Hana*, of Company F, of the tenth regiment of infantry, having been detailed on duty as a watchman, in charge of the public property contained in a building in the city of Laredo, Texas, with instructions to properly guard the same, did, through neglect of his duty, permit a quantity of clothing, camp and garrison equipage, the property of the United States, for which Lieutenant H. B. Chamberlain, 10th Infantry, Post Quartermaster at Fort McIntosh, Texas, was responsible, to be stolen from the said building, viz: one (1) forage cap; two (2) uniform jackets, cavalry; twenty (20) pairs trowsers, infantry; one (1) pair trowsers, cavalry; one (1) flannel shirt; eight (8) pairs C. F. drawers; eighteen (18) pairs boots, cavalry; twenty-three (23) pairs stockings; three (3) great coats, infantry; one (1) waterproof poncho, and one (1) canteen, to the total money value of one hundred and fifteen dollars and twenty-four cents, ($115.24). This near Fort McIntosh, Texas, between the 10th day of June, 1871, and the 31st day of August, 1871."

Specification 2d—"In this, that Private *Herman Hana*, of Company F, of the tenth regiment of infantry, having been instructed by Lieutenant H. B. Chamberlain, 10th Infantry, Post Quartermaster at Fort McIntosh, Texas, under whose direction he was employed, not to leave the building placed in his charge, as watchman—in which public property was stored—under any circumstances without his (Lieutenant Chamberlain's) permission, did leave said property and building unguarded; and, without permission, go to the garrison at Fort McIntosh, Texas, a distance of about one mile. This near Fort McIntosh, Texas, on or about the 31st day of August, 1871."

To which charge and specifications the accused, Private *Herman Hana*, Company F, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty, except of the words and figures 'one (1) waterproof poncho,' and substituting 'one hundred and twelve dollars and sixty-one cents' for 'one hundred and fifteen dollars and twenty-four cents,' and of the excepted words, Not Guilty."

Of the second specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Herman Hana*, Company F, 10th Infantry, "To make good to the United States, by a stoppage of ten dollars per month, of his monthly pay, the money value of the articles stolen, to-wit: one hundred and twelve dollars and sixty-one (112.61) cents."

The proceedings and findings of the second specification and the charge in the case of Private *Herman Hana*, Company F, 10th Infantry, are approved. The finding of the first specification is disapproved. The sentence is remitted. He will be released from confinement and restored to duty.

V. Before a General Court Martial which convened at Fort Stockton, Texas, on Friday, August 2, 1872, pursuant to paragraph VI, Special Order No. 129, and paragraph II, Special Order No. 193, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, and October 29, 1872, and of which Major ZENAS R. BLISS, 25th Infantry, is President, and Captain JAMES S. TOMKINS, 25th Infantry, Judge Advocate, were arraigned and tried:

14. Hospital Steward *John Pregiser*, U. S. Army.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable and unfit to perform his duties. This at Fort Stockton, Texas, on or about July 1, 1872."

Specification 2d—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about July 2, 1872."

Specification 3d—"In this, that he, *John Pregiser*, Hospital Steward U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about August 4, 1872."

Specification 4th—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about August 5, 1872."

Specification 5th—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about September 20, 1872."

Specification 6th—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about September 21, 1872."

Specification 7th—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about September 25, 1872."

Specification 8th—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, did become so much under the influence of intoxicating liquors as to render him unable to perform his duties. This at Fort Stockton, Texas, on or about September 26, 1872."

CHARGE II—"Disobedience of orders."

Specification 1st—"In this, that he, *John Pregiser*, Hospital Steward, U. S.

Army, having been ordered by the Post Surgeon, his immediate commanding officer, to report to him (the Post Surgeon) at his (the Post Surgeon's) quarters, did fail and refuse to obey said order. This at Fort Stockton, Texas, on or about September 26, 1872."

Specification 2d—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, having been ordered by the Post Surgeon, his immediate commanding officer, to report to him (the Post Surgeon) in his (Post Surgeon's) office, did positively refuse and fail to obey said order. This at Fort Stockton, Texas, on or about September, 26, 1872."

CHARGE III—"Violation of the 6th Article of War."

Specification 1st—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, having been asked by the Post Surgeon, in his (Post Surgeon's) office, why he had a table, books and other hospital property put into his (Post Surgeon's) office without instructions to that effect, did without making a reply, walk, abruptly and in a disrespectful manner, out of the office. This at Fort Stockton, Texas, on or about September 26, 1872."

Specification 2d—"In this, that he, *John Pregiser*, Hospital Steward, U. S. Army, having been asked by the Post Surgeon, his immediate commanding officer, in his (Post Surgeon's) office, why he did not report to him when ordered, did reply, in a disrespectful manner, as follows: 'because you spoke to me so mean this morning;' he being under the influence of liquor at the time. This at Fort Stockton, Texas, on or about September 26, 1872."

To which charges and specifications the accused, Hospital Steward *John Pregiser*, U. S. Army, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the third specification, first charge,	"Guilty."
Of the fourth specification, first charge,	"Guilty."
Of the fifth specification, first charge,	"Guilty."
Of the sixth specification, first charge,	"Guilty."
Of the seventh specification, first charge,	"Guilty."
Of the eighth 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 second charge,	"Guilty."
Of the first specification third charge,	"Guilty."
Of the second specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him Hospital Steward *John Pregiser*, U. S. Army, "To forfeit to the United States twenty ($20) dollars per month, of his monthly pay, for six months." The court is thus lenient on account of the general good character of the accused, as shown in evidence.

The proceedings findings and sentence in the case of Hospital Steward *John Pregiser*, U. S. Army, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty.

15. Private *Frederick Yeager*, Company K, 25th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that *Frederick Yeager*, private Company K, 25th In-

fantry, did get drunk while on duty as a member of the post guard.

This at Fort Stockton, Texas, on the 8th day of November, 1872."

To which charge and specification the accused, Private *Frederick Yeager*, Company K, 25th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frederick Yeager*, Company K, 25th Infantry, "To be confined at hard labor, in charge of a guard, for the period of two (2) months; with loss of ten (10) dollars per month, of his monthly pay, for same period; and solitary confinement, on bread and water one day each week, for same period."

The proceedings, findings and sentence in the case of Private *Frederick Yeager*, Company K, 25th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,

Acting Assistant Adjutant General.

OFFICIAL:

G B Russell

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Concho, Texas.

1. Private William Thomas .....Company D, 4th Cavalry.
2. Private George A. Dick..... ... .Company E, 11th Infantry.
3. Private James E. Smith..... Company E, 11th Infantry.
4. Sergeant William Brendes.....Company H, 11th Infantry.

At Fort Duncan, Texas.

5. Private Nathaniel Harrison.....Company C, 9th Cavalry.
6. Private James Gregory.....Company F, 24th Infantry.
7. Private William Bush..... Company K, 24th Infantry.
8. Private John Sandford.....Company K, 24th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *November* 30, 1872.

General Court Martial Orders, No. 73.

I. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 31, 1872, pursuant to paragraph IV, Special Order No. 129, Headquarters Department of Texas, dated San Antonio, Texas, July 23, 1872, and of which Major John P. Hatch, 4th Cavalry, is President, and First Lieutenant George G. Lott, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *William Thomas*, Company D, 4th Cavalry.

Charge I—"Violation of the 45th Article of War."

Specification—"In this, that Private *William Thomas*, Company D, 4th Cavalry, did, while a member of the guard over captive Indians, become so drunk as to be unable to perform his duty. This at Fort Concho, Texas, October 27, 1872."

Charge II—"Violation of the 46th Article of War."

Specification—"In this, that Private *William Thomas*, Company D, 4th Cavalry, a member of the guard over captive Indians, and being duly posted as a sentinel over such, did sleep on his post. This at Fort Concho, Texas, on the night of October 27, 1872, between the hours of 11 and 12 o'clock P. M."

To which charges and specifications the accused, Private *William Thomas*, Company D, 4th Cavalry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Thomas*, Company D, 4th Cavalry, "That he be dishonorably discharged the service of the United States; and forfeit all pay and allowances now due, or that may become due; and that he be confined at hard labor, for a period of four (4) years, at such military prison or penitentiary as the Commanding General may direct."

The proceedings and findings in the case of Private *William Thomas*, Company D, 4th Cavalry, are approved. From the evidence, it appears that the non commissioned officer of the guard improperly allowed this man to be posted as a sentinel, knowing him to be drunk. The sentence is mitigated to read "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of six months; forfeiting to the United States ten dollars per month, of his monthly pay, during the same period," and will be so executed

2. Private *George A. Dick*, Company E, 11th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *George A. Dick*, Company E, 11th Infantry, having been regularly detailed and mounted as a member of the post guard, was found on post so much under the influence of intoxicating liquor as to be unable, properly, to perform his duties. All this at Fort Concho, Texas, on or about the 28th day of October, 1872."

To which charge and specification the accused, Private *George A. Dick*, Company E, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *George A. Dick*, Company E, 11th Infantry, "To forfeit to the United States ten ($10.00) dollars per month, of his monthly pay, for two (2) years; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period."

The proceedings and findings in the case of Private *George A. Dick*, Company E, 11th Infantry, are approved. The sentence is mitigated to read *four months* in place of "two years," and will be so executed.

3. Private *James E. Smith*, Company E, 11th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James E. Smith*, Company E, 11th Infantry, being a member of the post guard, and having the immediate charge of five prisoners, did allow one of said prisoners to escape. This at or near Fort Concho, Texas, on or about November 13, 1872."

To which charge and specification the accused, Private *James E. Smith*, Company E, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty," but attach no criminality thereto.

Of the charge, "Not Guilty."

And does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *James E Smith*, Company E. 11th Infantry, are approved. He will be released from confinement and restored to duty.

4. Sergeant *William Brendes*, Company H, 11th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Sergeant *William Brendes*, Company H, 11th U. S. Infantry, being sergeant of the main guard, did send from the guard house five prisoners to work under charge of one sentinel, by which means one prisoner effected his escape. This at or near Fort Concho, Texas, on or about November 13, 1872."

Specification 2d—"In this, that he, the said Sergeant *William Brendes*, Company H, 11th U. S. Infantry, did send five prisoners from the guard house to work (in the afternoon) under charge of one sentinel; and did allow them to remain so, although the said sergeant had one supernumerary member of the guard at the guard house the greater part of the afternoon, whom he (Sergeant *Brendes*) could have used as a sentinel over a portion of the five prisoners, but did fail to do so; by which means one prisoner made his escape. This at or near Fort Concho, Texas, on or about November 13, 1872."

Specification 3d—"In this, that he, the said Sergeant *William Brendes*, Company H, 11th U. S. Infantry, being sergeant of the main guard, and having the immediate charge of the garrison and general prisoners, did fail to use every means in his power to secure said prisoners, by which neglect one prisoner made his escape. This at Fort Concho, Texas, on or about November 13, 1872."

To which charge and specifications the accused, Sergeant *William Brendes*, Company H, 11th Infantry, pleaded:

To the first specification, "Guilty, except the words 'by which means one prisoner effected his escape,' and of the excepted words, Not Guilty."

To the second specification, "Guilty, except the words 'and did allow them to remain so, although the said sergeant had one supernumerary member of the guard at the guard house the greater part of the afternoon, whom he (Sergeant *Brendes*) could have used over a portion of the five prisoners, but did fail to do so, by which means one prisoner made his escape,' and of the excepted words, Not Guilty."

To the third specification, "Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."

Of the second specification, "Guilty."

Of the third specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *William Brendes*, Company H, 11th Infantry, "That he be reduced to the rank of a private soldier."

The proceedings, findings and sentence in the case of Sergeant *William Brendes*, Company H, 11th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and returned to duty as a private soldier.

II. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, October 14, 1872, pursuant to paragraph V, Special Order No. 179, and paragraph II, Special Order No. 184, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, October 8 and 17, 1872, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Captain FRANK W. PERRY, 24th Infantry, Judge Advocate, were arraigned and tried:

5. Private *Nathaniel Harrison*, Company C, 9th Cavalry.

CHARGE—"Disobedience of orders."

Specification—"In this that he, Private *Nathaniel Harrison*, Company C, 9th U. S. Cavalry, did visit the town of Eagle Pass, Texas, in violation of the following orders, which were duly published to the command to which he *(Harrison)* belonged, viz:

'HEADQUARTERS FORT DUNCAN, TEXAS,
April 16, 1872.

GENERAL ORDERS, No. 23.

[*Extract.*]

I. The ravine lying between this post and the town of Eagle Pass, Texas, is the limits of the post in that direction. No enlisted man will be permitted to pass that ravine without a written pass—approved by the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:
(Signed) H. F. LEGGETT,
Second Lieutenant, 24th Infantry,
Post Adjutant.'

'HEADQUARTERS FORT DUNCAN, TEXAS,
October 9, 1872.

GENERAL ORDERS, No. 52.

[*Extract.*]

I. Owing to the prevalence of small pox in the town of Eagle Pass, Texas all enlisted men, servants and camp followers of this command are forbidden to visit said town, or hold any intercourse with persons belonging to it, unless under orders from the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:
(Signed) H. F. LEGGETT,
First Lieutenant, 24th Infantry,
Post Adjutant.'

To which charge and specification, the accused, Private *Nathaniel Harrison* Company C, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Nathaniel Harrison*, Company C, 9th Cavalry, "To forfeit to the United States eight dollars ($8) of his monthly pay, per month, for three (3) months." The court is thus lenient in consideration of the previous good character of the accused as shown by the evidence.

The proceedings, findings and sentence in the case of Private *Nathaniel Harrison*, Company C, 9th Cavalry, are disapproved; no date being given in the specification when the alleged offence was committed. He will be released from confinement and restored to duty.

6. Private *James Gregory*, Company F, 24th Infantry.

CHARGE—"Mutinous and insubordinate conduct, to the prejudice of good order and military discipline."

Specification 1st—"That *James Gregory*, a duly enlisted soldier in the army of the United States, and private of Company F, 24th Infantry, being on daily duty as company cook, did, when the door of the ration room was locked by the company Q M. Serg't, Benford, he being in the proper execution of his office, demand of the said Q M. Serg't Benford his reason for locking it, in abusive and provoking language; and did advance to said Q. M. Serg't with apparent and evident intent to strike him, calling him a God damned son of a bitch; and having been struck by the said Q. M. Serg't in self defence, he *(Gregory)* said, 'God damn all men that wear three (3) stripes,' and that he (the Q. M. Serg't) and the 1st Serg't of the company were God damned sons of bitches; that he could and would whip them, or words to that effect. This at the quarters of Company F, 24th U. S. Infantry, Fort Duncan, Texas, about October 23, 1872."

Specification 2d—"That *James Gregory*, a duly enlisted soldier in the army of the United States, and private of Company F, 24th Infantry, when he was ordered to be arrested did say to the 1st Sergeant, he being in the execution of his office, he *(Gregory)* would not be arrested by any God damned nigger; and when Q. M. Serg't Benford, with a guard, approached him to make the arrest, he *(Gregory)* did advance twice upon the said Q. M. Serg't to attack him, and the second time catch the said Q. M. Serg't about the waist and throw him to the ground and hold him until forcibly separated. This at the quarters of Company F, 24th U. S. Infantry, Fort Duncan, Texas, about October 23, 1872."

Specification 3d—"That *James Gregory*, a duly enlisted soldier in the army of the United States, and private of Company F, 24th Infantry, having been arrested and taken to his company commander, and by him ordered to desist from talking, did, in the presence of his company commander, with violent and menacing gestures and willful persistence, continue to speak as follows: 'I'll not allow any God damned son of a bitch to strike me. I know where I am God damned well, and I'll be sunk to hell if I don't say what I want to,' or words to that effect; and did continue to talk and gesticulate until taken beyond the presence of the said company commander. This at Fort Duncan, Texas, about October 23, 1872."

To which charge and specifications, the accused, Private *James Gregory*, Company F, 24th Infantry, pleaded:

To the first specification,	"Not Guilty."
To the second specification,	"Guilty."
To the third specification,	"Guilty."
To the charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the third specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James Gregory*, Company F, 24th Infantry, "To forfeit to the United States ten ($10) dollars per month of his monthly pay for six (6) months; and to be confined at hard labor for six (6) months, at such place as the proper authority may direct."

The proceedings and findings in the case of Private *James Gregory*, Company F, 24th Infantry, are approved. The sentence is mitigated to read *three*

months in place of "six months," and will be so executed. The station where his company may be serving is designated as the place of confinement.

7. Private *William Bush*, Company K, 24th Infantry.

CHARGE—"Disobedience of orders."

Specification 1st—"In this, that he, Private *William Bush*, Company K, 24th Infantry, did visit the town of Eagle Pass, Texas, in direct violation of the following post orders, which were duly published to the command to which he (*Bush*) belongs, viz:

'HEADQUARTERS FORT DUNCAN, TEXAS,
April 16, 1872.

GENERAL ORDERS, No. 23.

[*Extract.*]

I. The ravine lying between this post and the town of Eagle Pass, Texas, is the limits of the post in that direction. No enlisted man will be permitted to pass that ravine without a written pass—approved by the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:

(Signed) H. F. LEGGETT,
Second Lieutenant, 24th Infantry,
Post Adjutant.'

'HEADQUARTERS FORT DUNCAN, TEXAS,
October 9, 1872.

GENERAL ORDERS, No. 52.

[*Extract.*]

I. Owing to the prevalence of small pox in the town of Eagle Pass, Texas, all enlisted men, servants and camp followers of this command are forbidden to visit said town, or hold any intercourse with persons belonging to it, unless under orders from the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:

(Signed) H. F. LEGGETT,
First Lieutenant, 24th Infantry,
Post Adjutant.'

and which orders he heard read."

Specification 2d—"In this, that he, Private *William Bush*, Company K, 24th Infantry, being discovered in the town of Eagle Pass, Texas, without permission from proper authority, and ordered by Captain Charles D. Beyer, 9th U. S. Cavalry, in the execution of his office, to return at once to the Post of Fort Duncan, Texas, and report himself to the sergeant of the guard for confinement, did willfully disobey said order by not reporting himself to the sergeant of the guard. All this at or near Fort Duncan, Texas, and the town of Eagle Pass, Texas, on or about the 1st of November, 1872, between the hours of 5 and 7 o'clock P. M."

To which charge and specifications the accused, Private *William Bush*, Company K, 24th Infantry, pleaded:

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 accused:

Of the first specification,	"Guilty."
Of the second specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Bush*, Company K, 24th Infantry, "To forfeit to the United States eight ($8.00) dollars

per month. of his monthly pay, for three months; and to be confined at hard labor, at the station of his company, for same period." The court is thus lenient owing to the former good character of the accused.

The proceedings and findings in the case of Private *William Bush*, Company K, 24th Infantry, are approved, except that of the first specification, which is disapproved, no date being stated when the alleged offence was committed. The sentence is mitigated to read *one month* in place of "three months," and will be so executed.

8. Private *John Sandford*, Company K, 24th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"That Private *John Sandford*, Company K, 24th Infantry, did willfully and knowingly disobey the following General Orders of the post, which orders were well known and had been published to him:

'HEADQUARTERS FORT DUNCAN, TEXAS,
April 16, 1872.

GENERAL ORDERS. }
No. 23. }

[*Extract*]

I. The ravine lying between this post and the town of Eagle Pass, Texas, is the limits of the post in that direction. No enlisted man will be permitted to pass the ravine without a written pass from the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:

(Signed) H. F. LEGGETT,
Second Lieutenant, 24th Infantry,
Post Adjutant.'

also,

'HEADQUARTERS FORT DUNCAN, TEXAS,
October 9, 1872

GENERAL ORDERS, }
No. 52. }

* * * * *

I. Owing to the prevalence of small pox in the town of Eagle Pass, all enlisted men, servants and camp followers of this command are forbidden to visit said town, or hold any intercourse with persons belonging to it, unless under orders from the post commander.

* * * * *

BY ORDER OF MAJOR MERRIAM:

(Signed) H. F. LEGGETT.
First Lieutenant, 24th Infantry,
Post Adjutant,'

by leaving the post of Fort Duncan, and visiting the town of Eagle Pass, lying beyond the ravine referred to in General Orders, No. 23. This at Fort Duncan, Texas, on or about the 4th day of November, 1872, and again on or about the 8th day of November, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *John Sandford*, Company K, 24th Infantry, having been found in the town of Eagle Pass, Texas, without permission from proper authority, by First Lieutenant I. M. Starr, 9th Cavalry, did, when interrogated as to his name and the source of his authority for being absent from the post, did, knowingly and willfully, lie to Lieutenant Starr by saying his name was Henry, and that he had received permission from Corporal Henry of Company K, 24th Infantry, to be absent from the post, whereas there is no enlisted man in said company named Corporal Henry, nor is the name of the accused Henry. This at Eagle Pass, Texas, near Fort Duncan, Texas, on or about the 4th day of November, 1872."

To which charges and specifications, the accused, Private *John Sandford*, Company K, 24th Infantry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

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, Private *John Sandford*, Company K, 24th Infantry, "To forfeit to the United States ten ($10) dollars per month of his monthly pay for four (4) months; and to be confined at hard labor in the post guard house for the same period."

The proceedings and findings in the case of Private *John Sandford*, Company K, 24th Infantry, are approved. The sentence is mitigated to read *two months* in place of "four months," and will be so executed.

BY COMMAND OF GENERAL AUGUR:

G. B. RUSSELL,
Acting Assistant Adjutant General.

OFFICIAL:

G. B. Russell
Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Davis, Texas.

1. Private William Armstrong..... Company I, 9th Cavalry.
2. Private Alexander Fisher.....Company H, 25th Infantry.
3. Private Walter F. Gilmore.....Company D, 25th Infantry.
4. Private William Jennins.....Company H, 25th Infantry.
5. Private Solomon Moore .....Company E, 25th Infantry.
6. Trumpeter Richard Roper.....Company I, 9th Cavalry.
7. Private Charles Southerner.....Company D, 25th Infantry.
8. Private Charles Smith .....Company D, 25th Infantry.
9. Private Robert Stanley. .....Company H, 25th Infantry.
10. Private William Woods.....Company H, 25th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *December* 21, 1872.

General Court Martial Orders, No. 74.

I. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3, 1872, pursuant to paragraph V, Special Order No. 129, paragraph II, Special Order No. 156, and paragraph IV, Special Order No. 167, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, and September 3 and 19, 1872, and of which Colonel George L. Andrews, 25th Infantry, is President, and Second Lieutenant Wallace Tear, 25th Infantry, Judge Advocate, were arraigned and tried :

1. Private *William Armstrong*, Company I, 9th Cavalry.

Charge I—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *William Armstrong* Company I, 9th Cavalry, did steal, take, or carry away one (1) Sharp's carbine, cal. .50; which carbine had been issued to Private Harrison Williams, Company I, 9th Cavalry, and for which Captain F. T. Bennett, 9th Cavalry, is responsible to the United States. This at Fort Davis, Texas, on or about the 25th day of November, 1872."

Specification 2d—"In this, that he, Private *William Armstrong*, Company I, 9th Cavalry, did steal, take, or carry away twenty (20) centre primed metallic cartridges, more or less, from the box of Sergeant Delaware Pinn, Company I, 9th Cavalry ; which cartridges had been issued to Private Isaiah Robinson, Company I, 9th Cavalry, and for which Captain F. T. Bennett, 9th Cavalry, is responsible to the United States. This at Fort Davis, Texas, on or about the 26th day of November, 1872."

Charge II—"Violation of the 9th Article of War."

Specification—"In this, that he, Private *William Armstrong*, Company I, 9th Cavalry, having been placed in charge of the barracks of Company I, 9th Cavalry, (as room orderly) by his company commander, Captain F. T. Bennett, 9th Cavalry, in the lawful execution of his duty, and instructed not to leave the barracks without positive necessity, did fail to

obey said instructions, and did leave the barracks. This at Fort Davis, Texas, on or about the 25th day of November, 1872."

To which charges and specifications the accused, Private *William Armstrong*, Company I, 9th Cavalry, pleaded as follows:

To the first specification, first charge,	"Not Guilty."
To the second specification, first charge,	"Guilty."
To the first charge,	"Guilty."
To the specification, second charge,	"Guilty."
To the second charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Armstrong*, Company I, 9th Cavalry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may designate, for the period of five (5) years."

The proceedings and findings in the case of Private *William Armstrong*, Company I, 9th Cavalry, are approved. The period of confinement is reduced to one year, and, as mitigated, will be duly executed. The military prison at Huntsville, Texas, is designated as the place of confinement.

2. Private *Alexander Fisher*, Company H, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Alexander Fisher*, Company H, 25th Infantry, who enlisted February 9, 1871, did desert the service of the United States at Fort Bliss, Texas, on or about July 26, 1872; and did remain absent until apprehended, in civilians' clothes, near the town of Franklin, Texas, on or about July 28, 1872."

To which charge and specification the accused, Private *Alexander Fisher*, Company H, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Alexander Fisher*, Company H, 25th Infantry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of two (2) years."

The proceedings and findings in the case of Private *Alexander Fisher*, Company H, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard at the station where his company may be serving, for the period of six months; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period, and will be so executed.

3. Private *Walter F. Gilmore*, Company D, 25th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, did take, steal, and carry away one uniform coat, the property of Private George W. Ringgold, Company D, 25th U. S. Infantry, and valued at eight ($8.55) dollars and fifty-five cents, or thereabouts. This at Fort Quitman, Texas, on the night of the 5th of October, 1872."

Specification 2d—"In this, that Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, did take, steal and carry away one infantry great coat, the property of Private Nathan Johnson, Company D, 25th U. S. Infantry, and valued at five ($5.33) dollars and thirty-three cents. This at Fort Quitman, Texas, on or about the night of the 5th of October, 1872."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that Private *Walter F. Gilmore*, Company D, 25th U. S. Infantry, did absent himself from his company, without leave from the proper authority, between the hours of taps and eleven P. M. on the night of the 5th of October, 1872; and did remain absent until found attempting to cross the Rio Grande, on his way to Mexico. This at or near Fort Quitman, Texas, on the date above specified."

To which charges and specifications the accused, Private *Walter F. Gilmore*, Company D, 25th Infantry, 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 of the second charge,	"Guilty."
To the second charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification of the first charge,	"Guilty."
Of the second specification of the first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the specification of the second charge,	"Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Walter F. Gilmore*, Company D, 25th Infantry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due." The court is thus lenient in consideration of the circumstances as shown in the proceedings.

The proceedings and findings in the case of Private *Walter F. Gilmore*, Company D, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor, under charge of a guard, for six months; forfeiting ten dollars per month, of his monthly pay, for that time; and, as thus mitigated, will be duly carried into effect.

4. Private *William Jennins*, Company H, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *William Jennins*, Company H, 25th Infantry, did feloniously steal, take or carry away, and unlawfully dispose of, one (1) Springfield musket, cal. .59, the property of the United States, and for which his company commander, Captain Frank M. Coxe, 25th Infantry, was responsible. This at Fort Bliss, Texas, on or about August 8, 1872."

CHARGE II—"Desertion."

Specification—"That Private *William Jennins*, Company H, 25th Infantry, who enlisted May 14, 1871, did desert the service of the United States at Fort Bliss, Texas, on or about August 8, 1872, and go into the Republic of Mexico."

To which charges and specifications the accused, Private *William Jennins*, Company H, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *William Jennins*, Company H, 25th Infantry, "To be dishonorably discharged the service of the United States, with a loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of four (4) years."

The proceedings and findings in the case of Private *William Jennins*, Company H, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard, at the station where his company may be serving, for the period of one year; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period, and will be so executed.

5. Private *Solomon Moore*, Company E, 25th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification 1st—"That Private *Solomon Moore*, Company E, 25th Infantry, having been detailed on the evening of September 15, 1872, for guard duty on the 16th day of September, 1872 did fail to repair to the appointed place for guard mounting. This at Fort Davis, Texas, on or about the 16th day of September, 1872."

Specification 2d—"That Private *Solomon Moore*, Company E, 25th Infantry, did, without permission from proper authority, absent himself from the afternoon drill of his company. This at Fort Davis, Texas, on or about the 17th day of September, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"That Private *Solomon Moore*, Company E, 25th Infantry, did take from the knapsack of Private William H. Myers, Company E, 25th Infantry, (then in confinement) one pair of uniform trowsers, the property of said Private William H. Myers, Company E, 25th Infantry, without his knowledge or consent; and did appear in the same on the Sunday morning inspection of his company. This at Fort Davis, Texas, on or about the 15th day of September, 1872."

Specification 2d—"That Private *Solomon Moore*, Company E, 25th Infantry, did appear on the Sunday morning inspection of his company with the knapsack and clothing of Private Eden Ridgley, Company E, 25th Infantry, then on guard. This at Fort Davis, Texas, on or about the 15th day of September, 1872."

CHARGE III—"Violation of the 38th Article of War."

Specification—"That Private *Solomon Moore*, Company E, 25th Infantry, did, after several times offering for sale, sell, or otherwise dispose of, to Mrs. Minerva McKenzie, laundress, for the sum of one dollar, more or less, in

currency, one new pair of government bootees. This at Fort Davis, Texas, on or about the 27th day of September, 1872."

To which charges and specifications the accused, Private *Solomon Moore*, Company E. 25th Infantry, 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 first specification, second charge,	"Guilty."
To the second specification, second charge,	"Guilty."
To the second charge,	"Guilty."
To the specification, third charge,	"Guilty."
To the third charge,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the first charge,	"Guilty."
Of the first specification, second charge,	"Guilty."
Of the second specification, second charge,	"Guilty."
Of the second charge,	"Guilty."
Of the specification of the third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Solomon Moore*, Company E. 25th Infantry, "To forfeit to the United States one ($1.00) dollar per week, for four (4) weeks; and to be confined at hard labor, in charge of a guard, for four (4) months."

The proceedings, findings and sentence in the case of Private *Solomon Moore*, Company E, 25th Infantry, are approved, and the sentence will be duly executed.

6. Trumpeter *Richard Roper*, Company I, 9th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Trumpeter *Richard Roper*, Company I, 9th Cavalry, being duly mounted as musician of post guard, did become so much intoxicated as to be unable to perform his duty properly; and did fail to sound the calls at the stated hours. This at Fort Davis, Texas, November 17, 1872."

To which charge and specification the accused, Trumpeter *Richard Roper*, Company I, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'and did fail to sound the calls at the stated hours,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Trumpeter *Richard Roper*, Company I, 9th Cavalry, "To be kept in close confinement, on bread and water diet, for the period of seven (7) days."

The proceedings, findings and sentence in the case of Trumpeter *Richard Roper*, Company I, 9th Cavalry, are approved, and the sentence will be duly executed.

7. Private *Charles Southerner*. Company D, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Private *Charles Southerner*, Company D, 25th Infantry, did strike, beat, maltreat, and otherwise assault, with his fists, Private Hamilton P. Jones, Company D 25th Infantry; and did, without cause or provocation—with a hatchet in his hand—threaten to kill him, the said Private Jones, Company D, 25th Infantry. All this at or near the quarters of Company D, 25th Infantry, at Fort Davis, Texas, on the 21st day of November, 1872."

To which charge and specification the accused, Private *Charles Southerner*, Company D, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty, except the words 'to kill,' and substituting therefor the words 'to chop,' and of the excepted words, Not Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Southerner*, Company D, 25th Infantry, "To forfeit to the United States ten ($10 00) dollars of his monthly pay for one month; and to be confined at hard labor, in charge of a guard, for the same period."

The proceedings, findings and sentence in the case of Private *Charles Southerner*, Company D, 25th Infantry, are approved, and the sentence will be duly carried into effect.

8. Private *Charles Smith*. Company D, 25th Infantry.

CHARGE I—"Absence without leave."

Specification—"In this, that Private *Charles Smith*, Company D, 25th U. S. Infantry, did, without authority, absent himself from the quarters of his company. This at Fort Quitman, Texas, on the night of October 22, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Private *Charles Smith*, Company D, 25th U. S. Infantry, did, while absent without leave, when challenged by a sentinel and ordered to halt, refuse to obey said challenge and order, and ran away from the sentinel. This at Fort Quitman, Texas, on the night of October 22, 1872."

Specification 2d—"In this, that Private *Charles Smith*, Company D, 25th U. S. Infantry, while in confinement at the post guard house, did say to the officer of the day that he thought it wrong that he (Private *Smith*) should be in confinement; and when asked by Lieutenant D. Hart, (the old officer of the day) he being in the execution of his office, what caused him (Private *Smith*) to run from the guard last night, did reply, in a disrespectful tone and manner, as follows: 'I did'nt run from the guard, Sir; I was over to the hospital to get a pair of pants;' and when cautioned by Lieutenant Hart not to tell a lie, did persist in saying, 'it was not me, and I can prove it; don't put your hands on me; don't touch me; I'm a man, I am; you mus'nt talk that way to me,' or words to that effect; at the same time throwing up his hands in a defiant manner, and stepping back and assuming a defiant attitude; and although ordered by Lieutenant Hart, (the old officer of the day) to cease talking and stand at attention, did persistently talk and defy said Lieutenant Hart, in language and gestures, as above specified. This at Fort Quitman, Texas, on the morning of October 23, 1872."

To which charges and specifications the accused, Private *Charles Smith*, Company D, 25th Infantry, pleaded as follows:

To the specification of the first charge,	"Guilty."
To the first charge,	"Guilty."
To the first specification of the second charge,	"Not Guilty."
To the second specification of the second charge,	"Guilty"
To the second charge,	"Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification of the first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the first specification of the second charge,	"Not Guilty"
Of the second specification of the second charge,	"Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Charles Smith*, Company D, 25th Infantry, "To be confined at hard labor, in charge of the guard, for the period of twelve (12) months; the first seven (7) days of each month in solitary confinement, on bread and water diet; and to forfeit to the United States ten ($10.00) dollars per month, of his monthly pay, for twelve (12) months."

The proceedings in the case of Private *Charles Smith*, Company D, 25th Infantry, are approved. The findings and sentence are disapproved. He will be released from confinement and restored to duty.

9. Private *Robert Stanley*, Company H, 25th Infantry.

CHARGE—"Desertion."

Specification—"That Private *Robert Stanley*, Company H, 25th Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Bliss, Texas, on or about August 8, 1872, and go into the Republic of Mexico."

To which charge and specification the accused, Private *Robert Stanley*, Company H, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert Stanley*, Company H, 25th Infantry, "To be dishonorably discharged the service of the United States; with a loss of all pay and allowances now due or to become due; and to be confined, in such military prison as the Commanding General may designate, for the period of two (2) years."

The proceedings and findings in the case of Private *Robert Stanley*, Company H, 25th Infantry, are approved; but in view of the brutal treatment received by the prisoner from the First Sergeant of his company, before his desertion, the sentence is remitted. Charges against the First Sergeant may yet, and should, be preferred for his alleged brutal treatment of soldiers of his company. Private *Robert Stanley*, will be released from confinement and restored to duty.

10. Private *William Woods*, Company H, 25th Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *William Woods*, Company H, 25th Infantry, did

feloniously steal, take or carry away, and unlawfully dispose of, one Springfield musket, cal. .50, the property of the United States, and for which his company commander (Captain F. M. Coxe, 25th Infantry) was responsible. This at Fort Bliss, Texas, on or about August 8, 1872."

CHARGE II—"Desertion."

Specification—"That Private *William Woods*, Company H, 25th Infantry, who enlisted February 17, 1871, did desert the service of the United States at Fort Bliss, Texas, on or about August 8, 1872, and go into the Republic of Mexico."

To which charges and specifications the accused, Private *William Woods*, Company H, 25th Infantry, 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 accused:

Of the specification of the first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the specification of the second charge,	"Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Private *William Woods*, Company H, 25th Infantry, "To be dishonorably discharged the service of the United States; with a loss of all pay and allowances now due or to become due; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of four (4) years."

The proceedings and findings in the case of Private *William Woods*, Company H, 25th Infantry, are approved. The sentence is mitigated to confinement at hard labor, under charge of the guard at the station where his company may be serving, for one year; forfeiting to the United States twelve dollars per month, of his monthly pay, during the same period, and will be so executed.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

J. A. Augur

Acting Assistant Adjutant General.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private Henry Dillon ..... Company D, 11th Infantry.
2. Private Michael Hynes..... Company B, 4th Cavalry.
3. Private Henry Palmer..... Company K, 11th Infantry.

At Fort Duncan, Texas.

4. Hospital Steward G. W. Weed..... .....U. S. Army.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *December* 23, 1872.

General Court Martial Orders. No. 75.

I Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, May 1, 1872, pursuant to paragraph III, Special Order No. 74, Headquarters Department of Texas, dated San Antonio, Texas, April 13, 1872, and of which Lieutenant Colonel George P. Buell, 11th Infantry, is President, and Captain G. K. Sanderson, 11th Infantry, Judge Advocate, were arraigned and tried.

1. Private *Henry Dillon*, Company D, 11th Infantry.

Charge—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Henry Dillon*, Company D, 11th U. S. Infantry, did appear on guard mount so much under the influence of intoxicating liquor as to be utterly unable to perform the duties of a soldier. This at Fort Richardson, Texas, on or about the 11th day of June, 1872."

To which charge and specification the accused, Private *Henry Dillon*, Company D, 11th Infantry, pleaded "Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Henry Dillon*, Company D, 11th Infantry, "To be confined at hard labor, under charge of the guard at the post where his company may be serving, for the period of two months."

The proceedings, findings and sentence in the case of Private *Henry Dillon*, Company D, 11th Infantry, are disapproved. He will be released from confinement and restored to duty.

2. Private *Michael Hynes*, Company B, 4th Cavalry.

CHARGE I—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Michael Hynes*, of Company B, 4th U. S. Cavalry, has, by repeated drunkenness, since his assignment to Company B, (February 20, 1872) rendered himself perfectly worthless and unreliable as a soldier, having been confined the following number of times: May 6, 1872; released May 7, 1872; May 21, 1872; released May 27, 1872; and confined since June 13, 1872. All this at Fort Richardson, Texas, on the dates above set forth."

CHARGE II—"Insubordination, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Michael Hynes*, of Company B, 4th U. S. Cavalry, having entered the mess room of Company B, 4th Cavalry, being under the influence of intoxicating liquors, using obscene and profane language, did fail to comply with the order of Sergeant Burdell La Praide, Quartermaster Sergeant of Company B, 4th Cavalry, to desist; and did, when Sergeant La Praide was in the lawful execution of his duty, attempting to take him *(Hynes)* to the guard house, say 'It is all you can do; I will go with you, but I will make it a sorry time for you, you damned son of a bitch,' or words to that effect; and did break away from the said Sergeant La Praide and run to the quarters of his company, and get his *(Hynes')* carbine, saying 'come on, you son of a bitch, I am ready for you,' or words to that effect; and did use other language of a very obscene and vulgar character, to the said Sergeant La Praide and the company in general. All this at Fort Richardson, Texas, on the 13th day of June, 1872."

To which charges and specifications the accused, Private *Michael Hynes*, Company B, 4th Cavalry, pleaded as follows:

To the specification, first charge, "Guilty, except to the words 'has, by repeated drunkenness, since his assignment to Company B, (February 20, 1872) rendered himself perfectly worthless and unreliable as a soldier,' and to the excepted portion, 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 accused:

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 "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are due or may become due; and to be confined, at such military prison as the Commanding General of the Department may direct, for the period of one year."

The proceedings, findings and sentence in the case of Private *Michael Hynes*, Company B, 4th Cavalry, are disapproved. He will be released from confinement and restored to duty.

3. Private *Henry Palmer*, Company K, 11th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that he, Private *Henry Palmer*, Company K, 11th Infantry, at the time a member of the post guard, and being duly posted as a sentinel on post number six, did leave his post without any authority whatsoever. This at Fort Richardson, Texas, between the hours of 8:30 and 10:30 P. M., of June 8, 1872."

To which charge and specification the accused, Private *Henry Palmer*, Company K, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings in the case of Private *Henry Palmer*, Company K, 11th Infantry, are disapproved. The accused will be released from confinement and restored to duty.

II. Before a General Court Martial which convened at Fort Duncan, Texas, on Monday, October 14, 1872, pursuant to paragraph V, Special Order No. 179, and paragraph II, Special Order No. 184, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, October 8 and 17, 1872, and of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Captain FRANK W. PERRY, 24th Infantry, Judge Advocate, was arraigned and tried:

4. Hospital Steward *G. W. Weed*, U. S. Army.

CHARGE I—"Neglect of duty, to the prejudice of good order and military discipline."

Specification 1st—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, having been ordered by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, to have the water barrels of the hospital thoroughly washed out, by one of the hospital attendants, at least twice a week, failed to comply with this order. This at Fort Duncan, Texas, between or about the 9th day of September, 1872, and on or about the 19th day of September, 1872."

Specification 2d—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, having been ordered by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, to keep, in each ward of the hospital, a correct list of all and every article of bedding and furniture in use in said wards, and to verify such lists once a week, did fail to keep a correct list of said articles in the large ward of the hospital, he having reported on said list only three (3) blankets as being in use in said ward while there were really five (5) blankets in use in said ward. This at Fort Duncan, Texas, on or about September 17, 1872."

Specification 3d—"In this, that Hospital Steward *G. W. Weed* U. S. Army, stationed at Fort Duncan, Texas, being, per paragraph 1283, Revised Army Regulations of 1863, responsible for the cleanliness of the hospital kitchen, did neglect his duty by allowing the refrigerator, a part of the hospital kitchen furniture, to be in a very filthy condition. This at Fort Duncan, Texas, at Sunday morning's inspection, on or about September 15, 1872."

Specification 4th—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, having been ordered by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, to examine, very carefully, into the supply of blank forms (for official reports) on hand at the hospital, and report the precise number of each

kind not on hand which would be required for the year, did fail to make a correct report in regard to the same. This at Fort Duncan, Texas, on or about the 1st day of March, 1872."

Specification 5th—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, having been ordered by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, to attend, regularly, orderly call, and to copy into the order book of the hospital all and every one of the orders (issued from time to time from post headquarters) which had any relation to the medical department of the post, did fail to obey said order by not copying into said order book General Order No. 47, dated Headquarters Fort Duncan, Texas, September 19, 1872; which general order, in addition to its affecting the whole post had special relation to the medical department of the post, in so far as it fixes the hours of calls, including sick-call. This at Fort Duncan, Texas, between the 19th day of September 1872, and the 21st day of September, 1872, inclusive."

Specification 6th—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, having been ordered by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, to regularly attend orderly call, and copy into the order book of the hospital all and every one of the orders (issued from time to time from post headquarters) which in any manner whatsoever had relation to the medical department of the post, did fail to obey said order by not copying into said order book Special Order No. 112, dated Headquarters Fort Duncan, Texas, September 21, 1872; which order had relation to the medical department of the post, in so far as it detailed the Post Surgeon (Assistant Surgeon Wm. R. Steinmetz, U. S. Army) as a member of a garrison court martial. This at Fort Duncan, Texas, on or about the 21st day of September, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, when called upon by his commanding officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, for an explanation why he (Hospital Steward *Weed*) had failed to copy a certain order issued from post headquarters, which order had reference to the hours of calls, stated that he had asked Sergeant Robert A. Porter, of Company K, 24th Infantry, whether he (Sergeant Porter) was in possession of said order; and that Sergeant Porter had answered that he was not, or words to that effect; which statement was false; and which he, Hospital Steward *Weed*, knew to be false; and which was made in order to deceive his commanding officer. This at Fort Duncan, Texas, on or about September 23, 1872."

Specification 2d—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, appeared for Sunday morning's inspection, in the hospital ward, dressed in the fatigue uniform of a private soldier, without caduceus, stripes, or any insignia of his rank, whatsoever—and having a greasy pair of trowsers on—and that he presented himself in this condition and in a disrespectful manner to the inspecting officer, Assistant Surgeon Wm. R. Steinmetz, U. S. Army, Surgeon in charge of the hospital. This at Fort Duncan, Texas, on or about the 15th day of September, 1872."

Specification 3d—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, has, by his carelessness, inattention, and lack of application to his duties, become entirely incompetent to perform the clerical duties of his station, by making false and improper

entries in the records of the post hospital, and by omission of words and figures, and by inability to make simple arithmetical additions and subtractions; and, notably, by falsely copying reports required in the Surgeon General's or Medical Director's office—all the consequence of his inattention and inability to properly discharge his duties. This at Fort Duncan, Texas, between or about the 14th day of February, 1872, and on or about the 21st day of September, 1872."

Specification 4th—"In this, that Hospital Steward *G. W. Weed*, U. S. Army, stationed at Fort Duncan, Texas, has, by his carelessness, inattention to his duties, and general inaccuracy, failed to take proper care of the medical and hospital stores and property pertaining to the post hospital of Fort Duncan, Texas; whereby, through his incompetency, much property has been lost, or has been allowed to deteriorate in value; and, in other instances, has been unable to account for property known to be under his charge; and shown an ignorance in relation thereto, the result of inattention and lack of ability to familiarize himself with the details of his duties. This at Fort Duncan, Texas, between or about the 14th day of February, 1872, and on or about the 21st day of September, 1872."

To which charges and specifications the accused, Hospital Steward *G. W. Weed*, U. S. Army, pleaded as follows:

To the first specification of the first charge, "Not Guilty."
To the second specification of the first charge, "Not Guilty."
To the third specification of the first charge, "Not Guilty."
To the fourth specification of the first charge, "Not Guilty."
To the fifth specification of the first charge, "Not Guilty."
To the sixth specification of the first charge, "Not Guilty."
To the first charge, "Not Guilty."
To the first specification, second charge, "Not Guilty."
To the second specification, second charge, "Not Guilty."
To the third specification, second charge—in bar of trial.
To the fourth specification, second charge—in bar of trial.
To the second charge, "Not Guilty."

Which pleas in bar of trial were sustained by the court, and the specifications thrown out.

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge, "Not Guilty."
Of the second specification, first charge, "Not Guilty."
Of the third specification, first charge, "Not Guilty."
Of the fourth specification, first charge, "Guilty," but attach no criminality thereto.
Of the fifth specification, first charge, "Not Guilty."
Of the sixth specification, first charge, "Guilty," but attach no criminality thereto.
Of the first charge, "Not Guilty."
Of the first specification second charge, "Not Guilty."
Of the second specification, second charge, "Guilty," excepting 'appearing in a disrespectful manner to the inspecting officer,' but attach no criminality thereto.
Of the second charge, "Not Guilty."

And the court does therefore acquit him, Hospital Steward, *G. W. Weed*, U. S Army.

The proceedings, findings and acquittal in the case of Hospital Steward

G. W. Weed, U. S. Army, are approved. He will be released from arrest and restored to duty.

III. The General Court Martial instituted by paragraph V, Special Order No. 179, and paragraph II, Special Order No. 184, current series, from these Headquarters, of which Major HENRY C. MERRIAM, 24th Infantry, is President, and Captain FRANK W. PERRY, 24th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colm Augur
Aide-de Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Stockton, Texas.

1. Artificer John Histon .....Company F, 25th Infantry.
2. Private Henry Leonard .....Company K, 25th Infantry.
3. Corporal Joseph Mitchell .....Company K, 25th Infantry.
4. Private John Massey.....Company D, 9th Cavalry.
5. Artificer James Robinson .....Company F, 25th Infantry.

At San Antonio, Texas.

6. Sergeant Owen Brennan .....Company D, 10th Infantry.
7. Private William Corcoran.....Company C, 10th Infantry.
8. Private Robert Rippon .....Company C, 10th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *December* 26, 1872.

General Court Martial }
Orders, No. 76. }

I. Before a General Court Martial which convened at Fort Stockton, Texas on Friday, August 2, 1872, pursuant to paragraph VI, Special Order No. 129, and paragraph II, Special Order No. 193, Headquarters Department of Texas dated, respectively, San Antonio, Texas, July 23 and October 29, 1872, and of which Major Zenas R. Bliss, 25th Infantry, is President, and Captain James S. Tomkins, 25th Infantry, Judge Advocate, were arraigned and tried:

1. Artificer *John Histon*, Company F, 25th Infantry.

Charge—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Artificer *John Histon*, Company F, 25th Infantry, on being asked by Sergeant S. Hollomon, Company K, 25th Infantry, Acting Q. M. Sergeant, questions pertaining to his duties as saddler, did, without cause or provocation, curse and call the said sergeant low vulgar names, and draw a knife on him and threaten to kill him. This at Fort Stockton, Texas, on or about the 27th day of November, 1872."

To which charge and specification the accused, Artificer *John Histon*, Company F, 25th Infantry, pleaded "Not Guilty."

Finding.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Artificer *John Histon*, Company F, 25th Infantry, "To forfeit ten ($10.00) dollars per month, of his monthly pay

for three months; and be confined at hard labor, in charge of the guard, for the same period."

The proceedings and findings in the case of Artificer *John Histon*, Company F, 25th Infantry, are approved. The sentence is mitigated to read *two months* instead of "three (3)," and, as thus mitigated, will be duly carried into effect.

2. Private *Henry Leonard*, Company K, 25th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In this, that Private *Henry Leonard*, Company K, 25th Infantry, having been duly posted as sentinel in charge of public property in the Q. M. Department, did leave his post without authority, and could not be found by the officer of the day while visiting the sentinels. All this at Fort Stockton, Texas, on a well-defined post, in rear of, and extending from the Q. M. and commissary storehouse to the platform scales adjacent, on the night of the 5th and morning of the 6th of November, 1872, between the hours of 11 P. M. and 2 A. M."

To which charge and specification the accused, Private *Henry Leonard*, Company K, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Henry Leonard*, Company K, 25th Infantry, "To forfeit ten (10) dollars per month for five (5) months; and be confined at hard labor, in charge of a guard, for the same period."

The proceedings, findings and sentence in the case of Private *Henry Leonard*, Company K, 25th Infantry, are approved, and the sentence will be duly executed.

3. Corporal *Joseph Mitchell*, Company K, 25th Infantry.

CHARGE I—"Violation of the 42d Article of War."

Specification—"In this, that Corporal *Joseph Mitchell*, Company K, 25th Infantry, did lie out of his quarters without permission from proper authority. This at Fort Stockton, Texas, on the night of the 12th day of November, 1872."

CHARGE II—"Violation of the 44th Article of War."

Specification—"In this, that Corporal *Joseph Mitchell*, Company K, 25th Infantry, did fail to repair, at the time fixed by his commanding officer, to the place appointed for reveille roll-call; said failure not being caused by sickness or other necessity. This at Fort Stockton, Texas, on the 13th day of November, 1872."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification—"In this, that Corporal *Joseph Mitchell*, Company K, 25th Infantry, did give, as a reason for absence from reveille roll-call, that he had been detained at the 'rear,' said statement being false. This at Fort Stockton, Texas, on the 13th day of November, 1872."

To which charges and specifications the accused, Corporal *Joseph Mitchell*, Company K, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Corporal *Joseph Mitchell*, Company K, 25th Infantry, "To be reduced to the ranks; and forfeit to the United States ten ($10.00) dollars per month, of his monthly pay, for the period of four (4) months."

The proceedings and findings in the case of Corporal *Joseph Mitchell*, Company K, 25th Infantry, are approved. The sentence is mitigated to read *one month* in place of "four (4) months," and will be so executed. He will be released from arrest and returned to duty as a private soldier.

4. Private *John Massey*, Company D, 9th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that Private *John Massey*, Company D, 9th Cavalry, having been duly posted as sentinel, in charge of public property at the Q. M. corral, did leave his post without proper authority, and could not be found by the officer of the day while visiting the sentinels. All this at Fort Stockton, Texas, on a well-defined post, parallel to, and north of, the Q. M. stables on the night of the 5th and morning of the 6th of November, 1872, between the hours of 11 P. M. and 2 A. M."

To which charge and specification the accused, Private *John Massey*, Company D, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Massey*, Company D, 9th Cavalry, "To forfeit ten (10) dollars per month for five (5) months; and be confined at hard labor, in charge of a guard, for the same period."

The proceedings, findings and sentence in the case of Private *John Massey*, Company D, 9th Cavalry, are approved, and the sentence will be duly executed.

5. Artificer *James Robinson*, Company F, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that Artificer *James Robinson*, Company F, 25th Infantry, did become so drunk as to be unable to stand steady in ranks at tattoo roll-call; and on being ordered to the guard house under charge of the first sergeant of his company, did resist the said sergeant in the performance of his duty, and make a loud and boisterous noise on the parade which might have been heard all over the garrison. This at Fort Stockton, Texas, on or about the 6th day of November, 1872."

To which charge and specification the accused, Artificer *James Robinson*, Company F, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Artificer *James Robinson*, Com-

pany F, 25th Infantry, "To forfeit ten (10) dollars of his monthly pay for one (1) month; to be confined in charge of the guard for the same period; three (3) days of each week to be in solitary confinement, on bread and water, the remainder of the time to carry a log weighing thirty (30) pounds, in front of No. 1 sentinel, from reveille to retreat, every alternate two hours."

The proceedings, findings and sentence in the case of Artificer *James Robinson*, Company F, 25th Infantry, are approved, and the sentence will be duly executed.

II. Before a General Court Martial which convened at San Antonio, Texas, on Monday, October 28, 1872, pursuant to paragraph V, Special Order No. 189, Headquarters Department of Texas, dated San Antonio, Texas, October 24, 1872, and of which Major W. R. GIBSON, Paymaster U. S. Army, is President, and First Lieutenant A. GEDDES, 25th Infantry, Judge Advocate, were arraigned and tried:

6. Sergeant *Owen Brennan*, Company D, 10th Infantry.

CHARGE I—"Disobedience of orders."

Specification—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, on being ordered by First Sergeant John Hooten, Company D, 10th U. S. Infantry, (said First Sergeant John Hooten being then in the proper execution of his duty) to wear the uniform as prescribed in General Order No. 14, dated Headquarters Post of Austin, Austin, Texas, October 14, 1872, did disobey said order. This at the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, in repairing to his quarters, did make use of the following expression, to-wit: 'let that damned scoundrel come near me now and I will put an end to him,' or words to that effect; meaning by the words 'damned scoundrel,' First Sergeant John Hooten, Company D, 10th U. S. Infantry. This at Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 2d—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, did proceed to his quarters and bring from thence a loaded revolver, and discharge (or fire) two chambers of the same (with the intention of intimidating First Sergeant John Hooten, Company D, 10th U. S. Infantry, who was then in the execution of his duty.) This at the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 3d—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, did repair to the quarters of Second Lieutenant E. R. Clark, 10th U. S. Infantry, then in command of the Post of Austin, Austin, Texas, with a revolver, and still wearing the civilian hat, he, the aforesaid Sergeant *Owen Brennan* was ordered to remove by First Sergeant John Hooten, Company D, 10th U. S. Infantry. This at the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 4th—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, when returning from the quarters of the commanding officer Post of Austin, Austin, Texas, did carry a loaded revolver; and when First Sergeant John Hooten, Company D, 10th U. S. Infantry, did again order the said Sergeant *Owen Brennan*, to go to his quarters and change the civilian hat, he, the said Sergeant *Brennan*, was then wearing, for a forage cap, (the aforesaid First Sergeant John Hooten being then in the execution of his duty) he, the said Sergeant *Owen Brennan*, with-

out any apparent provocation, did raise and discharge (or fire) said revolver at the aforesaid First Sergeant John Hooten; the discharge, to all appearances, passing over the said First Sergeant John Hooten's left shoulder and within about two inches of his face. This on the parade ground of the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 5th—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, did, after discharging a loaded revolver at First Sergeant John Hooten, Company D, 10th U. S. Infantry, make several attempts to strike the aforesaid First Sergeant John Hooten, (who was then in the execution of his duty) with said revolver; he, the aforesaid Sergeant *Owen Brennan*, making use of said revolver until it was forcibly taken from him, the said Sergeant *Brennan*, together with a knife which was found open on the parade ground beside the person of the said Sergeant *Brennan*, and recognized to be his (the said Sergeant *Brennan's*) property. This on the parade ground of the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 6th—"In this, that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, did make use of threatening and abusive language, to the following effect: that if he (Sergeant *Owen Brennan*) ever succeeded in getting out of the guard house he would shoot First Sergeant John Hooten, Company D, 10th U. S. Infantry; calling him, the aforesaid First Sergeant John Hooten, 'a God damned son of a bitch.' This in the guard house at the Post of Austin, Austin, Texas, on or about the 18th day of October, 1872."

Specification 7th—"In this; that Sergeant *Owen Brennan*, Company D, 10th U. S. Infantry, did make use of the following expression: 'I am sorry I did not shoot the son of a bitch,' or words to that effect; meaning by the words 'son of a bitch,' First Sergeant John Hooten, Company D, 10th U. S. Infantry. This in the guard house at the Post of Austin, Austin, Texas, on or about the morning of the 19th day of October, 1872."

To which charges and specifications the accused, Sergeant *Owen Brennan*, Company D, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge,	"Not Guilty."
Of the first charge,	"Not Guilty."
Of the first specification, second charge,	"Not Guilty."

Of the second specification, second charge, "Guilty, with the exception of the words 'with the intention of intimidating First Sergeant John Hooten, Company D, 10th Infantry, who was then in the execution of his duty,' and of the excepted words, Not Guilty."

Of the third specification, second charge,	"Guilty."
Of the fourth specification, second charge,	"Not Guilty."
Of the fifth specification, second charge,	"Not Guilty."
Of the sixth specification, second charge.	"Guilty."
Of the seventh specification, second charge,	"Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Owen Brennan*, Company D, 10th Infantry, "To be reduced to the ranks as a private soldier; and to forfeit to the United States eight (8) dollars of his monthly pay for three (3) months."

The proceedings, findings and sentence in the case of Sergeant *Owen Brennan*, Company D, 10th Infantry, are approved, except the finding of the sixth specification to the second charge, which is disapproved, as not being sustained by the evidence. All the members of the court but one unite in a recommendation of the case to the favorable consideration of the reviewing authority. "In view of the long and faithful service of the prisoner, as in evidence from his company officers, and of his services in battle, in which he was twice wounded—as shown by his discharges—and, also, in view of the provocation offered at the time of the difficulty."

In consideration of the above recommendation, so much of the sentence as reduces Sergeant *Brennan* to the ranks is remitted; the remainder of the sentence will be executed.

7. Private *William Corcoran*, Company C, 10th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *William Corcoran*, Company C, 10th Infantry, being duly enlisted in the service of the United States, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, viz: from about the 21st of December, 1871, to the 14th November, 1872, indulged so excessively in intoxicating liquors, and become such an habitual drunkard that he has rendered himself incapable of a faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of the officers appointed over him. This at San Antonio, Texas, on or about the 14th day of November, 1872, and several months previous thereto."

To which charge and specification the accused, Private *William Corcoran*, Company C, 10th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Not Guilty."
Of the charge, "Not Guilty."

And the court does therefore acquit him, Private *William Corcoran*, Company C, 10th U. S. Infantry.

The proceedings, findings and acquittal in the case of Private *William Corcoran*, Company C, 10th Infantry, are approved. He will be released from confinement and restored to duty.

8. Private *Robert Rippon*, Company C, 10th Infantry.

CHARGE I—"Violation of the 44th Article of War."

Specification 1st—"In this, that he, Private *Robert Rippon*, Company C, 10th Infantry, having been regularly detailed by the first sergeant of his company, at retreat, on the 8th day of November, for guard on the following morning, did fail to repair, at the time fixed, to the usual place of parade. This at San Antonio, Texas, on or about the 9th of November, 1872."

Specification 2d—"In this, that he, Private *Robert Rippon*, Company C, 10th Infantry, did fail to repair to the usual place of parade, at the time fixed for drill, on the morning of the 12th November, 1872. This at San Antonio, Texas, on or about the date specified."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he, Private *Robert Rippon*, Company C, 10th Infantry, having been regularly detailed for duty in his company quar-

ters, did entirely neglect said duty; and did absent himself from his company and quarters without permission, from about 6 o'clock A. M. until about 4 o'clock P. M. of the 14th November, when he was brought to his company quarters (by one of the city police) in a drunken condition. This at San Antonio, Texas, on or about the time and date specified."

Specification 2d—"In this, that he, Private *Robert Rippon*, Company C, 10th Infantry, being duly enlisted in the service of the United States, bound honestly and faithfully to serve the United States, and to obey the orders of the officers appointed over him, has, from time to time, viz: from about the 13th of November, 1871, to the 14th of November, 1872, indulged so excessively in intoxicating liquors, and become such an habitual drunkard that he has rendered himself incapable of a faithful and trustworthy discharge of the duties of the military service, and unable to obey the orders of the officer placed over him. This at San Antonio, Texas, on or about the 14th of November, 1872, and for several months previous thereto."

To which charges and specifications the accused, Private *Robert Rippon*, Company C, 10th Infantry, pleaded "Guilty, but having submitted a statement which the court considered as annulling his plea, the Judge Advocate was directed to enter a plea of Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Guilty."
Of the first charge,	"Guilty."
Of the first specification, second charge,	"Guilty."
Of the second specification, second charge,	"Not Guilty."
Of the second charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, "To forfeit to the United States ten (10) dollars of his monthly pay for two (2) months; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for one month."

The proceedings, findings and sentence in the case of Private *Robert Rippon*, Company C, 10th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Gibson, I. T.

1. Private Daniel Bell.....Company C, 25th Infantry.
2. Private Edward Hamilton.....Unassigned, 10th Cavalry.
3. Private Aaron Wilson.....Company I, 25th Infantry.

At Fort Griffin, Texas.

4. John Hanratty.....late private Company G, 11th Infantry.

At Fort Brown, Texas.

5. Private Robert H. Harris.....Unassigned, 24th Infantry.

At Fort McKavett, Texas.

6. Private Thomas Williams.....Company M, 9th Cavalry.

At Fort Concho, Texas.

7. Hospital Steward James M. Conway.....U. S. Army.
8. Private George Minor.....Company D, 4th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,

San Antonio, Texas, *December* 27, 1872.

General Court Martial Orders, No. 77.

I. Before a General Court Martial which convened at Fort Gibson, I. T., on Monday, September 30, 1872, pursuant to paragraph I, Special Order No. 169, Headquarters Department of Texas, dated San Antonio, Texas, September 21, 1872, and of which Captain L. H. Carpenter, 10th Cavalry, is President, and First Lieutenant A. S. B. Keyes, 10th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Daniel Bell*. Company C, 25th Infantry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *Daniel Bell*, Company C, 25th Infantry, did go up the stairs leading to the barracks of Company I, 25th Infantry; and while in the gallery of said barracks did endeavor to create disturbance and disorder, by threatening to kill Private Aaron Wilson, Company I, 25th Infantry, by gesticulating as though he would draw a pistol, and by calling him (Wilson) a 'black son of a bitch,' and by using other threatening and abusive language. This at Fort Gibson, I. T., on or about the 9th day of November, 1872."

To which charge and specification the accused, Private *Daniel Bell*, Company C, 25th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Daniel Bell*, Company C, 25th Infantry, "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 ($10.00) dollars per month, of his monthly pay, for the same period."

The proceedings and findings in the case of Private *Daniel Bell*, Company C, 25th Infantry, are approved. The sentence is mitigated to read *one month* instead of "three;" and, as thus mitigated, will be carried into effect.

2. Private *Edward Hamilton*, unassigned, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification 1st—"In, that he, Private *Edward Hamilton*, unassigned detachment 10th Cavalry, did steal, carry away, and appropriate to his own use and benefit two (2) Colt's revolvers; one the property of Lieutenant S. L. Woodward, 10th Cavalry, and one the property of G. A. Treadwell, of Fort Gibson, C. N., of the value of fifteen (15) dollars, each. This at Fort Gibson, C. N., on or about the 6th day of December, 1872."

Specification 2d—"In, that he, Private *Edward Hamilton*, unassigned detachment 10th Cavalry, did steal and carry away, with intent to appropriate to his own use and benefit, thirty ($30.00) dollars, more or less, the property of Anthony Rodgers, a citizen of the Cherokee Nation. This at or near Fort Gibson, C. N., on the 9th day of December, 1872."

To which charge and specifications the accused, Private *Edward Hamilton*, unassigned, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Hamilton*, unassigned, 10th Cavalry, "To be dishonorably discharged the service of the United States, with the loss of all pay and allowances now due, or which may become due, except the just dues of the laundress; and to be confined, in such penitentiary as the Commanding General may direct, for the period of two (2) years."

The proceedings, findings and sentence in the case of Private *Edward Hamilton*, unassigned, 10th Cavalry, are approved, and the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be

sent, under suitable guard, and turned over to the warden with a copy of this order.

3. Private *Aaron Wilson*, Company I, 25th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification—"That Private *Aaron Wilson*, Company I, 25th Infantry, did, without sufficient cause or provocation, and with malice and intent to do bodily harm to Private Simon Thomas, Company C, 25th Infantry, with a revolving pistol, loaded with powder and ball, shoot the said Private Thomas; thereby wounding and severely injuring him (Thomas) in the thigh. This at Fort Gibson, I. T., on or about the 9th day of November, 1872."

To which charge and specification the accused, Private *Aaron Wilson*, Company I, 25th Infantry pleaded as follows:

To the specification, "Guilty, excepting the words 'without sufficient cause or provocation,' and of the excepted words, Not Guilty."

To the charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Aaron Wilson*, Company I, 25th Infantry, "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."

The proceedings, findings and sentence in the case of Private *Aaron Wilson*, Company I, 25th Infantry, are approved, and the sentence will be duly executed.

II. Before a General Court Martial which convened at Fort Griffin, Texas on Monday, November 11, 1872 pursuant to paragraph IV, Special Order No. 191, Headquarters Department of Texas, dated San Antonio, Texas, October 26, 1872, and of which Major A. E. LATIMER, 4th Cavalry, is President, and Captain THEODORE SCHWAN, 11th Infantry, Judge Advocate, was arraigned and tried:

4. *John Hanratty*, late private Company G, 11th Infantry.

CHARGE—"Violation of the 99th Article of War."

Specification—"In this, that he, *John Hanratty*, late private Company G, 11th U. S. Infantry, with a certain deadly weapon, known as a Springfield rifled musket, loaded and charged with powder and ball, did wilfully and maliciously point the said musket toward, and fire off and discharge the load from said musket, at and against Sergeant Gottfried Schuler, Company G, 11th U. S. Infantry, thereby inflicting upon him (said Sergeant Schuler) a mortal wound, by reason whereof the said Sergeant Schuler then and there did die; the said Sergeant Schuler being then Acting First Sergeant of the company aforesaid. All this as or near Fort Griffin, Texas, on or about the 7th day of December, A. D. 1870."

To which charge and specification the accused, *John Hanratty*, late private Company G, 11th Infantry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, *John Hanratty*, late a private of Company G, 11th Infantry, "To forfeit to the United States all pay and allowances that may now be due him; and to be confined at hard labor, at such military prison as the Department Commander may designate, for the period of seven (7) years."

The proceedings and findings in the case of *John Hanratty*, late private Company G, 11th Infantry, are approved. As the prisoner has already been in confinement two years, the term of imprisonment is reduced to four years; and, as mitigated, the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

III. Before a General Court Martial which convened at Fort Brown, Texas, on Monday, the 21st October, 1872, pursuant to paragraph I, Special Order No. 182, Headquarters Department of Texas, dated San Antonio, Texas, October 12, 1872, and of which Colonel ABNER DOUBLEDAY, 24th Infantry, is President, and First Lieutenant HELENUS DODT, 24th Infantry, Judge Advocate, was arraigned and tried:

5. Private *Robert H. Harris*, unassigned, 24th Infantry.

CHARGE—"Worthlessness, to the prejudice of good order and military discipline."

Specification—"That Private *Robert H. Harris*, 24th Infantry, unassigned, attached to Company G, 24th Infantry, has, by reason of persistent meanness, slovenly and filthy habits, and habitual beastly conduct, become utterly unfit, in every respect, for a soldier. This at Forts Clark, Duncan and Brown, Texas, and on the march, between Forts Duncan and Brown, Texas, on or about from May 7, 1872, to October 27, 1872."

To which charge and specification the accused, Private *Robert H. Harris*, unassigned, 24th U. S. Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Robert H. Harris*, unassigned, 24th U. S. Infantry, "To be confined, in charge of the guard at the post where his company may be serving, for the period of six (6) months; and to be dishonorably discharged the service of the United States, with loss of all pay now due or to become due."

The proceedings in the case of Private *Robert H. Harris*, unassigned, 24th Infantry, are approved; the findings and sentence are disapproved, the specification being too indefinite to judge of the extent of the offence. He will be released from confinement and restored to duty.

IV. Before a General Court Martial which convened at Fort McKavett, Texas, on Friday, October 25, 1872, pursuant to paragraph II, Special Order No 185, Headquarters Department of Texas, dated San Antonio, Texas, October 19, 1872, and of which Captain JOHN B. PARKE, 10th Infantry, is President, and First Lieutenant E O. GIBSON, Adjutant, 10th Infantry, Judge Advocate, was arraigned and tried:

6. Private *Thomas Williams*, Company M, 9th Cavalry.

CHARGE I—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Thomas Williams*, Company M, 9th

Cavalry, having been detailed on fatigue duty and sent out from the Post of Fort McKavett, Texas, for the purpose of obtaining cows for the use of the garrison, did leave his party, without authority, and did get drunk. All this at or near Fort McKavett, Texas, on or about the 12th of November, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Thomas Williams*, Company M, 9th Cavalry, was drunk and disorderly in the quarters of Corporal Atkins Martin, Company M, 9th Cavalry; and did discharge his carbine in or near said quarters. All this at or near Fort McKavett, Texas, on or about the 12th of November, 1872."

CHARGE III—"Disobedience of orders."

Specification—"In this, that he, Private *Thomas Williams*, Company M, 9th Cavalry, in violation of the following order, namely:

'FORT McKAVETT, TEXAS,
November 1, 1872.

COMPANY ORDER No. 5.

[*Extract.*]

Horses will not, habitually, be ridden faster than a walk, except in case where the necessity can be clearly shown.

(Signed) BYRON DAWSON,
First Lieutenant, 9th Cavalry,
Commanding Company M.'

did gallop his horse without necessity. All this at or near Fort McKavett, Texas, on or about November, 12, 1872."

To which charges and specifications the accused, Private *Thomas Williams*, Company M, 9th Cavalry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Thomas Williams*, Company M, 9th Cavalry, "To forfeit to the United States twelve (12) dollars per month, of his monthly pay, for four (4) months; and to be confined at hard labor, under charge of the guard at the post where his company may be serving, for the same period."

The proceedings and findings in the case of Private *Thomas Williams*, Company M, 9th Cavalry, are approved. The sentence is mitigated to read *two months* instead of "four;" and, as thus mitigated, will be carried into effect.

V. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 31, 1872, pursuant to paragraph IV, Special Order No. 129, and paragraph I, Special Order No. 206, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, and November 15, 1872, and of which Major JOHN P. HATCH, 4th Cavalry, is President, and First Lieutenant GEORGE G. LOTT, 11th Infantry, Judge Advocate, were arraigned and tried:

7. Hospital Steward *James M. Conway*, U. S. Army.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"In this, that he Hospital Steward *James M. Conway*, U. S. Army, did play at cards (for money) with private soldiers and patients in hospital, Steward *Conway* being at the time on duty in the same hospital, and entrusted with the care, discipline, &c., of the attendants and patients in the same. This at the Post Hospital, Fort Concho, Texas, on or about the night of the 4th of November, 1872."

Specification 2d—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, did drink liquor with private soldiers. This in the Dispensary of Post Hospital, at Fort Concho, Texas, on or about the 31st of October, 1872."

Specification 3d—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, did drink liquor with private soldiers, attendants and patients in hospital; Steward *Conway* being at the time on duty in the same hospital, and entrusted with the care, discipline, &c., of the said hospital. This at Post Hospital, Fort Concho, Texas, on or about the 4th of November, 1872."

CHARGE II—"Drunkenness on duty, in violation of the 45th Article of War."

Specification—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, did become so much under the influence of liquor as to be unfit to be trusted with the performance of his duties as Hospital Steward. Steward *Conway* being on duty at the time under the direction of Assistant Surgeon Buchanan. All this at Fort Concho, Texas, on or about the 4th of November, 1872."

CHARGE III—"Disobedience of orders, in violation of the 9th Article of War."

Specification 1st—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, having been ordered by his superior officer, Assistant Surgeon W. F. Buchanan, U. S. Army, to perform certain treatment in the case of a patient in hospital, (to drop a solution of Nitrate of Silver in the ears of Private Joseph Conway, Company I, 4th Cavalry, and to put up and administer to the same, one and one-sixth grains of Bichloride of Mercury and five grains of Iodide Potass, twice, daily) did fail and neglect to do the same; Steward *Conway* being at the time on duty under the direction of Assistant Surgeon W. F. Buchanan, U. S. Army. This at the Post Hospital, Fort Concho, Texas, on the 4th of November, 1872."

Specification 2d—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, having been ordered by his superior officer (Assistant Surgeon W. F. Buchanan, U. S. Army) to ascertain the whereabouts of Private Kirkstart, Company I, 4th Cavalry, a patient in, and absentee from hospital, and report the same to said Assistant Surgeon W. F. Buchanan, U. S. Army, did fail and neglect to obey the same; Steward *Conway* being at the time on duty under the direction of Assistant Surgeon W. F. Buchanan, U. S. Army. This at Fort Concho, Texas, on the night of the 4th of November, 1872."

Specification 3d—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, having been ordered by his superior officer, Assistant Surgeon W. F. Buchanan, U. S. Army, to have the lights of the hospital wards always extinguished at taps, excepting when there were cases in hospital requiring a light after that time, and to see that all patients and attendants were in their proper places, did fail and neglect to obey the same; Steward *Conway* being at the time on duty under the direction of Assistant Surgeon W. F. Buchanan, U. S. Army. This at Fort Concho, Texas, on the night of the 4th of November, 1872."

Specification 4th—"In this, that he, Hospital Steward *James M. Conway*, U. S. Army, having been ordered by his superior officer, Assistant Surgeon W. F. Buchanan, U. S. Army, to see that there was no smoking in the wards of the hospital, did fail and neglect to obey the same; Steward *Conway* being at the time on duty under the directions of Assistant Surgeon W. F. Buchanan, U. S. Army. This at Fort Concho, Texas, on the 4th of November 1872."

To which charges and specifications the accused, Hospital Steward *James M. Conway*, U. S. Army, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, first charge,	"Guilty."
Of the second specification, first charge,	"Not Guilty."
Of the third specification, first charge,	"Not Guilty."
Of the first charge,	"Guilty."
Of the specification, second charge,	"Not Guilty."
Of the second charge,	"Not Guilty."
Of the first specification, third charge,	"Not Guilty."
Of the second specification, third charge,	"Not Guilty."
Of the third specification, third charge,	"Not Guilty."
Of the fourth specification, third charge,	"Not Guilty."
Of the third charge,	"Not Guilty."

SENTENCE.

And does therefore sentence him, the said Hospital Steward *James M. Conway*, U. S. Army, "To forfeit to the United States twenty (20) dollars of his monthly pay, for two months."

The proceedings, findings and sentence in the case of Hospital Steward *James M Conway*, U. S. Army, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty.

8. Private *George Minor*, Company E, 4th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that Private *George Minor*, Company D, 4th Cavalry, did feloniously take, steal, and carry away from the quarters of Company D, 4th Cavalry, one or more woolen blankets, the property of members of Company D, 4th Cavalry; and did dispose of or appropriate them to his own use. This at Fort Concho, Texas, on or about the 7th day of October, 1872."

To which charge and specification the accused, Private *George Minor*, Company D, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification,	"Guilty."
Of the charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, the said Private *George Minor*, Company D, 4th Cavalry, "To be dishonorably discharged the service of the United States; forfeiting all pay and allowances now due, or that may become due; and be confined at hard labor, for a period of two years, at such military prison as the Commanding General of the Department may direct."

The proceedings in the case of Private *George Minor*, Company D, 4th Cavalry, are approved. The findings and sentence are disapproved. The accused will be released from confinement and restored to duty.

VI. The General Court Martial instituted by paragraph IV, Special Order No. 191, Headquarters Department of Texas, series 1872, and of which Major A. E. LATIMER, 4th Cavalry, is President, and Captain THEODORE SCHWAN, 11th Infantry, Judge Advocate, is dissolved.

VII. The General Court Martial instituted by paragraph V, Special Order No. 153, Headquarters Department of Texas, series 1872, and of which Colonel WILLIAM H. WOOD, 11th Infantry, is President, and Captain THEODORE SCHWAN, 11th Infantry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur

Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Richardson, Texas.

1. Private Aaron Winn ..... Regimental Band, 4th Cavalry.
2. Private Frank Thompson ..... Company B, 4th Cavalry.
3. Private Austin Wood ..... Company B, 4th Cavalry.
4. Private Leonard Knappenberger ..... Company E, 4th Cavalry.
5. Private Andrew P. Martindale ..... Company E, 4th Cavalry.
6. Private John McCann ..... Company E, 4th Cavalry.
7. Private James H. Taylor ..... Company E, 4th Cavalry.
8. Sergeant Daniel Maloney ..... Company K, 11th Infantry.
9. Sergeant S. D. Neal ..... Company K, 11th Infantry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *December* 30, 1872.

General Court Martial Orders, No. 78.

I. Before a General Court Martial which convened at Fort Richardson, Texas, on Wednesday, October 30, 1872, pursuant to paragraph I, Special Order No. 187, paragraph IV, Special Order No. 189, and paragraph I, Special Order No. 208, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, October 22 and 24, and November 18, 1872, and of which Captain C. Mauck, 4th Cavalry, is President, and Captain G. K. Sanderson, 11th Infantry, Judge Advocate, were arraigned and tried:

1. Private *Aaron Winn*, Regimental Band, 4th Cavalry.

Charge—"Desertion."

Specification—"In this, that he Private *Aaron Winn*, Regimental Band, 4th U. S. Cavalry, a duly enlisted soldier in the army of the United States, did desert the same on or about the 16th day of November, 1872; and did remain absent until apprehended at or near Weatherford, Texas, on or about the 18th day of November, 1872."

To which charge and specification the accused, Private *Aaron Winn*, Regimental Band, 4th Cavalry, pleaded "Guilty."

Finding.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

Sentence.

And the court does therefore sentence him, Private *Aaron Winn*, Regimental Band, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit to the United States all pay and allowances due, or that may become due, the just dues of the laundress excepted; and to be con-

fined at hard labor, in such military prison as the Commanding General may direct, for the period of five years."

The proceedings and findings in the case of Private *Aaron Winn*, Regimental Band, 4th Cavalry, are approved. The sentence is mitigated to forfeiture of all pay and allowances to date of the order promulgating the sentence; and to be confined at hard labor, under charge of the guard at the post of his company, for one year; forfeiting all pay and allowances during that time.

2. Private *Frank Thompson*, Company B, 4th Cavalry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Frank Thompson*, Company B, 4th U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at or near Fort Richardson, Texas, on or about the 16th day of November, 1872; and did remain absent until apprehended at or near Weatherford, Texas, on or about the 18th day of November, 1872. All this at or near Fort Richardson, Texas, on or about the 18th day of November, 1872."

To which charge and specification the accused, Private *Frank Thompson*, Company B, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Frank Thompson*, Company B, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are or may become due, the just dues of the laundress excepted; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of five years."

The proceedings and findings in the case of Private *Frank Thompson*, Company B, 4th Cavalry, are approved. The sentence is mitigated to forfeiture of all pay and allowances to date of the order promulgating the sentence; and to be confined at hard labor, under charge of the guard at the post of his company, for one year; forfeiting all pay and allowances during that time.

3. Private *Austin Wood*, Company B, 4th Cavalry.

CHARGE—"Breach of the 38th Article of War."

Specification 1st—"In this, that he, Private *Austin Wood*, of Company B, 4th U. S. Cavalry, did sell, or otherwise dispose of, one Spencer carbine, cal. .50, the property of the United States, and of the value of fifty dollars, issued to him as a part of his equipments. This on the 3d day of October, 1872."

Specification 2d—"In this, that he, Private *Austin Wood*, of Company B, 4th U. S. Cavalry, did sell, or otherwise dispose of, one overcoat, of the value of six dollars and forty-four cents, issued to him by the commanding officer of his company, Captain Clarence Mauck, 4th Cavalry. All this at or near Fort Richardson, Texas, on or about the 3d and 5th days of October, 1872."

To which charge and specifications the accused, Private *Austin Wood*, Company B, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Austin Wood*, Company B, 4th Cavalry, "To forfeit to the United States five dollars of his monthly pay for the period of six months; and to be confined at hard labor, in the post guard house, for the period of six months."

The proceedings, findings and sentence in the case of Private *Austin Wood*, Company B, 4th Cavalry, are approved, and the sentence will be duly executed.

4. Private *Leonard Knippenberger*, Company E, 4th Cavalry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Leonard Knippenberger*, Company E, 4th Cavalry, did steal, or aid in stealing, a certain lot of peaches, the property of a citizen (name unknown) of the State of Texas. This at or near Dallas, Texas, on or about August 18, 1872."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Leonard Knippenberger*, Company E, 4th Cavalry, did enter the quarters of Second Lieutenant R. G. Carter, 4th Cavalry, in an intoxicated condition, after being sent for several times by Lieutenant Carter, his commanding officer. This at Fort Richardson, Texas, on or about the 27th of August, 1872."

Specification 2d—"In this, that he, Private *Leonard Knippenberger*, Company E, 4th Cavalry, did, without permission of his company commander, Captain W. W. Webb, 4th Cavalry, and after he (Captain Webb) had told him to wait until he was sober, go to his post commander, Lieutenant Colonel Geo. P. Buell, 11th Infantry; and did make statements against, and seriously affecting the character of, Second Lieutenant R. G. Carter, 4th Cavalry; to the effect that he (the said Lieutenant Carter) had compelled him to sign blank vouchers, by threatening to punish him if he did not; and, that he (the said Lieutenant Carter) also made use of the following language: '*Knippenberger*, you are a d—d thief, and had better leave the service,' or words to that effect; which statements were maliciously false, within the knowledge of the said Private *Knippenberger*. This at Fort Richardson, Texas, on or about the 28th of August, 1872."

Specification 3d—"In this, that he, Private *Leonard Knippenberger*, Company E, 4th Cavalry, did subscribe and sign his name to a statement (made by Sergeant Anthony Petri, Company E, 4th Cavalry, to his company commander, Captain W. W. Webb, 4th Cavalry) affecting the character of Second Lieutenant R. G. Carter, 4th Cavalry, as an officer, by implying that he ill-treated him (Private *Knippenberger*) and others of the detachment at Dallas, Texas, in various ways; which statement was both malicious and false, within the knowledge of Private *Knippenberger*. This at Fort Richardson, Texas, on or about the 31st of August, 1872."

To which charges and specifications the accused, Private *Leonard Knippenberger*, Company E 4th Cavalry, pleaded:

To the first charge and its specification, "Not Guilty."
To the first specification, second charge, "Not Guilty."
To the second specification, second charge, "Not Guilty."

To the third specification, second charge—in bar of trial. Which plea, in bar of trial, was sustained by the court, and the specification thrown out.

To the second charge, "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Not Guilty."

Of the first charge, "Not Guilty."

Of the first specification, second charge, finds the facts as stated, but attach no criminality thereto.

Of the second specification second charge, "Not Guilty."

Of the second charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Private *Leonard Knippenberger*, Company E, 4th Cavalry, are approved. He will be released from confinement and restored to duty.

5. Private *Andrew P. Martindale*, Company E, 4th Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Andrew P Martindale*, Company E, 4th U. S. Cavalry, having been duly mounted as a member of the post guard, did become drunk while on his tour of duty; and was, thereby, unable to perform his duty as a sentinel, properly. All this at Fort Richardson, Texas, on or about the 22d day of October, 1872."

To which charge and specification the accused, Private *Andrew P. Martindale*, Company E, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Andrew P. Martindale*, Company E, 4th Cavalry, "To be confined at hard labor, at the post of his company, under charge of the post guard, for the period of eight months; and forfeit to the United States ten (10) dollars of his monthly pay, for the same period."

The proceedings and findings in the case of Private *Andrew P. Martindale*, Company E, 4th Cavalry, are approved. The sentence is mitigated to read *four months* instead of "eight;" and will be so executed.

6. Private *John McCann*, Company E, 4th Cavalry.

CHARGE I—"Drunkenness on duty."

Specification—"In this, that he, Private *John McCann*, Company E, 4th Cavalry, having been duly detailed by First Sergeant John J. Hack, Company E, 4th Cavalry, as cook's police, did become so drunk as to be totally unfit to perform his duties. This at Fort Richardson, Texas, on or about the 4th day of September, 1872."

CHARGE II—"Conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *John McCann*, Company E, 4th Cavalry, having been ordered by Quartermaster Sergeant Augustus A. Dresher, Company E, 4th Cavalry, to come with him (Sergeant Dresher) to the guard house, did run away from said Sergeant Dresher; and did run into the company quarters; and, in a threatening manner, take up his carbine; and did forcibly resist the said Quartermaster Sergeant Augustus A. Dresher, Company E, 4th Cavalry; he, Sergeant Dresher,

being at the time in the lawful execution of his duty. This at Fort Richardson, Texas, on or about the 4th day of September, 1872."

To which charges and specifications the accused, Private *John McCann*, Company E, 4th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Guilty."

Of the first charge, "Guilty."

Of the specification, second charge, "Guilty, except the words 'and did run into the company quarters; and, in a threatening manner, take up his carbine; and did forcibly resist the said Quartermaster Sergeant Augustus A. Dresher, Company E, 4th Cavalry,' and of the excepted words Not Guilty."

Of the second charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John McCann*, Company E, 4th Cavalry, "To forfeit to the United States ten (10) dollars of his monthly pay for the period of one month."

The proceedings, findings and sentence in the case of Private *John McCann*, Company E, 4th Cavalry, are approved; but in view of the fact that the prisoner has been in confinement over three months, the sentence is remitted. He will be released from confinement and returned to duty.

Private *James H. Taylor*, Company E, 4th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *James H. Taylor*, Company E, 4th Cavalry, did steal from Private John McGrath, Company E, 4th Cavalry, the sum of ninety-five ($95.00) dollars, more or less, in U. S. currency. This at Fort Richardson, Texas, on or about the 17th day of November, 1872."

To which charge and specification the accused, Private *James H. Taylor*, Company E, 4th Cavalry, pleaded "Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."

Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *James H. Taylor*, Company E, 4th Cavalry, "To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are due, or may become due, the just dues of the laundress excepted; and to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of three years."

The proceedings, findings and sentence in the case of Private *James H. Taylor*, Company E, 4th Cavalry, are approved, and the sentence will be duly executed. The military prison at the Texas State Penitentiary, at Huntsville, Texas, is designated as the place of confinement, where the prisoner will be sent, under suitable guard, and turned over to the warden with a copy of this order.

8. Sergeant *Daniel Maloney*, Company K, 11th Infantry.

CHARGE I—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Sergeant *Daniel Maloney*, Company K, 11th Infantry, while on detached service at Dallas, Texas, did steal, or aid in stealing, a pig, the property of a citizen, (name unknown); and did

bring, or aid in bringing, the same into camp. This at or near Dallas, Texas, on or about the 16th day of August, 1872."

CHARGE II—' Conduct to the prejudice of good order and military discipline."

Specification—" In this, that he, Sergeant *Daniel Maloney*, Company K, 11th Infantry, did subscribe and sign his name to a statement (made by Sergeant Anthony Petri, Company E, 4th Cavalry, to his company commander, Captain W. W. Webb, 4th Cavalry) seriously affecting the character of Second Lieutenant R. G. Carter, 4th Cavalry, by implying that he, Lieutenant Carter, had ill-treated him (Sergeant *Maloney*) and others of the detachment, at Dallas, Texas, in various ways; he knowing that the statement was both malicious and false. This at or near Fort Richardson, Texas, on or about the 31st day of August, 1872."

To which charges and specifications the accused, Sergeant *Daniel Maloney*, Company K, 11th Infantry, pleaded:

To the first charge and its specification, "Not Guilty."

To the specification, second charge—in bar of trial. Which plea, in bar of trial, was sustained by the court, and the specification thrown out.

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, first charge, "Not Guilty."

Of the first charge, "Not Guilty."

And the court does therefore acquit him.

The proceedings, findings and acquittal in the case of Sergeant *Daniel Maloney*, Company K, 11th Infantry, are approved. He will be released from arrest and restored to duty.

9. Sergeant *S D Neal*, Company K, 11th Infantry.

CHARGE—" Neglect of duty, to the prejudice of good order and military discipline."

Specification—" In this, that he, Sergeant *S. D. Neal*, Company K, 11th Infantry, having been placed in charge of two prisoners (deserters from Company F, 11th Infantry) to deliver to the commanding officer Fort Griffin, Texas, by virtue of the following order, viz:

'HEADQUARTERS POST OF FORT RICHARDSON,
FORT RICHARDSON TEXAS, *October* 10, 1872.

SPECIAL ORDER No. 236. [*Extract*]

Sergeant *S. D. Neal* and his detail will take charge of Privates Wesley and Bush, in confinement at this post as deserters from Company F, 11th Infantry, and on his arrival at Fort Griffin, will turn them over to the commanding officer, taking proper receipts therefor.

BY COMMAND OF LIEUTENANT COLONEL GEO. P. BUELL:
(Signed) CHAS. F. ROE,
First Lieutenant, 11th Infantry,
Post Adjutant.'

did fail to place a sentry or sentries over said prisoners; and on account of said failure, the said prisoners did escape from the custody of said Sergeant *Neal*. All this at or near Salt Creek, Texas, between Fort Richardson and Fort Griffin, Texas, on the morning of the 13th day of October, 1872."

To which charge and specification the accused, Sergeant *S. D. Neal*, Company K, 11th Infantry, pleaded " Guilty."

FINDING.

The court, after mature consideration, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *S. D. Neal*, Company K, 11th Infantry, "To be reduced to the grade of a private soldier."

The proceedings, findings and sentence in the case of Sergeant *S. D. Neal*, Company K, 11th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty as a private soldier.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Colon Augur.
Aide-de-Camp.

CASES TRIED BY A GENERAL COURT MARTIAL.

At Fort Clark, Texas.

1. Private Edward Berry ..... Company A, 9th Cavalry.
2. Private William Redford ..... Company A, 9th Cavalry.

At Fort Concho, Texas.

3. Private Joseph Conway ..... Company I, 4th Cavalry.

At Fort Davis, Texas.

4. Sergeant Thomas W. Randolph ..... Company I, 9th Cavalry.
5. Private John Warren ..... Company G, 25th Infantry.

At Fort Gibson, I. T.

6. Private Braxton Sanders ..... Company B, 10th Cavalry.

At Fort Sill, I. T.

7. Private Abraham Wolfe ..... Company L, 10th Cavalry.

HEADQUARTERS DEPARTMENT OF TEXAS,
San Antonio, Texas, *December* 31, 1872.

General Court Martial Orders, No. 79.

I. Before a General Court Martial which convened at Fort Clark, Texas, on Monday, October 14, 1872, pursuant to paragraph I, Special Order No. 180, Headquarters Department of Texas, dated San Antonio, Texas, October 9, 1872, and of which Major Albert P. Morrow, 9th Cavalry, is President, and First Lieutenant John S. Loud, Adjutant, 9th Cavalry, Judge Advocate, were arraigned and tried:

1. Private *Edward Berry*, Company A, 9th Cavalry.

Charge—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Edward Berry*, Troop A, 9th Cav-

alry, did, whilst corporal of the stable guard of his troop, during the stable call, prevent the prisoners in his charge from properly doing their duty, by engaging them in conversation. This at Fort Clark, Texas, on or about the 24th day of November, 1872."

Specification 2d—"In this, that he, Private *Edward Berry*, Troop A, 9th Cavalry, did, when ordered by Corporal Wm. Turner, Troop A, 9th Cavalry, to stop talking with the prisoners and attend to his duty, reply 'it is none of your damned business whether I attend to my business or not, and I'll do as I damn please.' or words to that effect; and did use threatening and insubordinate language to Corporal Wm. Turner, Troop A, 9th Cavalry, who was then in the execution of his office. This at Fort Clark, Texas, on or about the 24th day of November, 1872."

Specification 3d—"In this, that he, Private *Edward Berry*, Troop A, 9th Cavalry, did resist the authority of Corporal William Turner, Troop A, 9th Cavalry, when ordered to go to his quarters in arrest; and did strike the said Corporal Turner with his carbine; and did, when disarmed, run to possess himself of another carbine, threatening, at the same time, to shoot Corporal William Turner, who was in the execution of his office. This at Fort Clark, Texas, on or about the 24th day of November, 1872."

Specification 4th—"In this, that he, Private *Edward Berry*, Troop A, 9th Cavalry, did resist being arrested; and did use threatening language to the sergeant of the guard, (Sergeant John Corbett, Company G, 10th Infantry) who was in the execution of his office. This at Fort Clark, Texas, on or about the 24th day of November, 1872."

Specification 5th—"In this, that he, Private *Edward Berry*, Troop A, 9th Cavalry, did (he being corporal at the time, and left for the purpose of assisting Corporal William Turner, of same troop, the troop and all its officers being absent on scout) fail to give any assistance to said Corporal Turner in the care of the animals or property of his troop; and did procure whiskey for the prisoners whilst at stable duty; he, knowing it to be a violation of orders to allow the prisoners under his charge to have whiskey. All this at Fort Clark, Texas, on or about the 24th day of November, 1872."

To which charge and specifications the accused, Private *Edward Berry*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification, "Guilty."
Of the second specification, "Guilty."
Of the third specification, "Guilty."
Of the fourth specification, "Guilty, except the words 'and did use threatening language to,' and of the excepted words, Not Guilty; and substituting for the excepted words the word 'by.'"
Of the fifth specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Edward Berry*, Company A, 9th 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, in such military prison as the Department Commander may direct, for the period of five (5) years."

The proceedings and findings in the case of Private *Edward Berry*, Company A, 9th Cavalry, are approved. The sentence is mitigated to confinement

at hard labor, under charge of the guard, for six months; forfeiting twelve dollars per month of his pay, during that time, and will be so executed.

2. Private *William Redford*, Company A, 9th Cavalry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *William Redford*, of Troop A, 9th Cavalry, did disobey the order of First Sergeant Peter Alphonso, Troop A, 9th Cavalry, when ordered by said first sergeant to stop talking and groom his horse, by continuing to talk and not attending to his duty. This at the stables of his troop, during stable call, on the afternoon of November 27, 1872, at Fort Clark, Texas."

Specification 2d—"In this, that he, Private *William Redford*, of Troop A, 9th Cavalry, did deliberately take up a carbine, and put a cartridge in the same; and did come in front of First Sergeant Peter Alphonso and cock and aim said carbine (loaded with a metallic cartridge) at the said first sergeant with the intention of shooting him, (First Sergeant Peter Alphonso) and was only prevented from shooting by the sergeant grasping the carbine out of his *(Redford's)* hand. This at Fort Clark, Texas, November 27, 1872."

To which charge and specifications the accused, Private *William Redford*, Company A, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the first specification,	"Not Guilty."
Of the second specification,	"Not Guilty."
Of the charge,	"Not Guilty."

SENTENCE.

And the court does therefore acquit him, Private *William Redford*, Company A, 9th Cavalry.

The proceedings, findings and acquittal in the case of Private *William Redford*, Company A, 9th Cavalry, are approved. He will be released from confinement and restored to duty."

II. Before a General Court Martial which convened at Fort Concho, Texas, on Wednesday, July 30, 1872, pursuant to paragraph IV, Special Order No. 129, and paragraph I, Special Order No. 206, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, and November 15, 1872, and of which Major JOHN P. HATCH, 4th Cavalry, is President, and First Lieutenant GEORGE G. LOTT, 11th Infantry, Judge Advocate, was arraigned and tried:

3. Private *Joseph Conway*, Company I, 4th Cavalry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification 1st—"In this, that he, Private *Joseph Conway*, Company I, 4th Cavalry, having been regularly detailed for guard, did become so much under the influence of intoxicating liquor as to be unable to mount guard. All this at Fort Concho, Texas, on or about the 25th of November, 1872."

Specification 2d—"In this, that he, Private *Joseph Conway*, Company I, 4th Cavalry, when ordered by Sergeant William H. Sassman, Company I, 4th Cavalry, to go to the guard house, did refuse to obey, saying 'I won't go with you, and you can't take me,' or words to that effect; and did, whilst the said Sergeant William Sassman, Company I, 4th Cavalry, was gone to the guard house for a guard to compel obedience to his orders, absent himself from the company quarters; remaining absent until the following day. This at Fort Concho, Texas, on or about the 25th day of November, 1872."

CHARGE II—"Violation of the 21st Article of War."

Specification—"In this, that he, Private *Joseph Conway*, Company I, 4th Cavalry, did, without permission from proper authority, absent himself from the quarters of his company from about 8 o'clock A. M., November 25, 1872, to 6 o'clock A. M., the following day. All this at Fort Concho, Texas, on or about the dates above specified."

To which charges and specifications the accused, Private *Joseph Conway*, Company I, 4th Cavalry, pleaded:

To the first specification, first charge,	"Not Guilty."
To the second specification, first charge,	"Guilty."
To the first charge,	"Guilty."
To the second charge and its specification,	"Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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, Private *Joseph Conway*, Company I, 4th Cavalry, "That he be confined at hard labor, under charge of the guard, for a period of one year, at the post where his company may be serving; and that he forfeit twelve ($12.00) dollars of his monthly pay, per month, for the period of twelve months."

The proceedings and findings in the case of Private *Joseph Conway*, Company I, 4th Cavalry, are approved. The sentence is mitigated to read *six months* in place of "one year," and "twelve months," and will be so executed.

III. Before a General Court Martial which convened at Fort Davis, Texas, on Saturday, August 3, 1872, pursuant to paragraph V, Special Order No. 129, paragraph II, Special Order No. 156, and paragraph IV, Special Order No. 167, Headquarters Department of Texas, dated, respectively, San Antonio, Texas, July 23, September 3 and 19, 1872, and of which Colonel GEORGE L. ANDREWS, 25th Infantry, is President, and Second Lieutenant WALLACE TEAR, 25th Infantry, Judge Advocate, were arraigned and tried:

4. Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry.

CHARGE I—"Conduct to the prejudice of good order and military discipline."

Specification 1st—"That he, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, did appear in and near the post of Fort Davis, Texas, in a drunken condition, and using profane and boisterous language. This between the hours of 9 and 11:30 o'clock A. M., at Fort Davis, Texas, December 7, 1872."

Specification 2d—"That he, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, having been ordered by Second Lieutenant I. H. McDonald, 9th Cavalry, (being in the execution of his duty) to go to his quarters in arrest and remain there, did, without permission from proper authority, go to the store of the post trader, Fort Davis, Texas. This between the hours of 5 and 6 o'clock P. M., at Fort Davis, Texas, December 7, 1872."

CHARGE II—"Violation of the 9th Article of War."

Specification—"That he, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, did, upon being ordered to his quarters in arrest by his superior officer, Second Lieutenant I. H. McDonald, 9th Cavalry, (being in the

execution of his office) refuse to obey the order; and did say to Second Lieutenant I. H. McDonald, 9th Cavalry, 'by God, I'd as lief go to the guard house as any other place; I'll be God damned if I'll be imposed on by any God damned man; I am the best non-commissioned officer in the company,' or words to that effect; and, upon being ordered the second time by Second Lieutenant I. H. McDonald, 9th Cavalry, to go to his quarters, did again refuse, and did say 'God damn you, don't you push me; I wont allow you or any other man to push me,' or words to that effect; and did say to First Sergeant Andrew Carter, Company I, 9th Cavalry, (being in the execution of his office and acting under the orders of Second Lieutenant I. H. McDonald, 9th Cavalry,) 'let go of me, Sergeant Carter! by God I won't allow a Lieutenant or any other God damned man to push me,' or words to that effect; and did continue to resist said First Sergeant Carter until overpowered and carried into his company barracks; and did, there, before the enlisted men of Company I, 9th Cavalry, continue to use profane and violent language until compelled to desist. This at Fort Davis, Texas, December 7, 1872."

CHARGE III—"Violation of the 21st Article of War."

Specification—"That he, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, did, without permission from proper authority, absent himself from the post of Fort Davis, Texas; and did remain absent three (3) hours, more or less. This at or near Fort Davis, Texas, December 7, 1872."

To which charges and specifications the accused, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

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."
Of the specification, third charge,	"Guilty."
Of the third charge,	"Guilty."

SENTENCE.

And the court does therefore sentence him, Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, "To be reduced to the ranks as a private soldier; and to be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or to become due, except the just dues of the laundress; and to be confined, at such military prison as the reviewing authority may direct, for the remainder of his term of enlistment, viz: until October (4) fourth, (1874) one thousand eight hundred and seventy-four."

The proceedings and findings in the case of Sergeant *Thomas W. Randolph*, Company I, 9th Cavalry, are approved. The sentence is mitigated, as follows: "To be reduced to the ranks; to be confined at hard labor, under charge of the guard, for six months; and to forfeit ten dollars per month, of his pay, during that time;" and, as thus mitigated, will be duly carried into effect.

5. Private *John Warren*, Company G, 25th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification—"That Private *John Warren*, Company G, 25th Infantry, while in a state of intoxication, did disturb the peace and quiet of the garrison by shouting and using obscene and profane language; and, when arrested by the post guard, did offer violence against the members of the guard by drawing a large knife and attempting to cut Private Henry

Johnson, Company B, 25th Infantry, a member of the guard. This at Fort Quitman, Texas, on the 24th of November, 1872, between 8 and 9 o'clock P. M."

To which charge and specification the accused, Private *John Warren*, Company G, 25th Infantry, pleaded "Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *John Warren*, Company G, 25th Infantry, "To forfeit to the United States ten dollars ($10.00) of his monthly pay for five (5) months; and to be confined at hard labor, in charge of a guard, for the same period."

The proceedings, findings and sentence in the case of Private *John Warren*, Company G, 25th Infantry, are approved, and the sentence will be duly executed.

IV. Before a General Court Martial which convened at Fort Gibson, I. T., on Monday, September 30, 1872, pursuant to paragraph I, Special Order No. 169, Headquarters Department of Texas, dated San Antonio, Texas, September 21, 1872, and of which Captain L. H. CARPENTER 10th Cavalry, is President, and First Lieutenant A. S. B. KEYES, 10th Cavalry, Judge Advocate, was arraigned and tried:

6. Private *Braxton Sanders*, Company B, 10th Cavalry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification—"In this, that he, Private *Braxton Sanders*, B troop, 10th Cavalry, did steal, carry away, and appropriate to his own use and benefit, two (2) woolen shawls, of the value of fifteen (15) dollars, more or less, the property of William Percival, merchant of Fort Gibson, Cherokee Nation. This at Fort Gibson, C. N., on or about the 10th day of October, 1872."

To which charge and specification the accused, Private *Braxton Sanders*, Company B, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the first charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Braxton Sanders*, Company B, 10th Cavalry, "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, per month, for the same period." The court is thus lenient on account of the previous good character of the accused.

The proceedings in the case of Private *Braxton Sanders*, Company B, 10th Cavalry, are approved. The findings and sentence are disapproved, the theft of two shawls not being conclusively established by the evidence. He will be released from confinement and restored to duty.

V. Before a General Court Martial which convened at Fort Sill, I. T., on Monday, August 12, 1872, pursuant to paragraph II, Special Order No. 130, Headquarters Department of Texas, dated San Antonio, Texas, July 24, 1872, and of which Major GEORGE W. SCHOFIELD, 10th Cavalry, is President, and

Captain STEVENS T. NORVELL, 10th Cavalry, Judge Advocate, was arraigned and tried:

7. Private *Abraham Wolfe*, Company L, 10th Cavalry.

CHARGE—"Desertion."

Specification—"In, that he, Private *Abraham Wolfe*, Company L, 10th Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 19th day of August 1872; and did remain absent until he surrendered himself at Fort Sill, I. T., on or about the 11th day of October, 1872. This at or near Fort Sill, I. T., on or about the dates above specified."

To which charge and specification the accused, Private *Abraham Wolfe*, Company L, 10th Cavalry, pleaded "Not Guilty."

FINDING.

The court, having maturely considered the evidence adduced, finds the accused:

Of the specification, "Guilty."
Of the charge, "Guilty."

SENTENCE.

And the court does therefore sentence him, Private *Abraham Wolfe*, Company L, 10th Cavalry, "To forfeit all pay and allowances now due, or that may become due him; and to be dishonorably discharged the service of the United States."

The proceedings in the case of Private *Abraham Wolfe*, Company L, 10th Cavalry, are approved. The findings and sentence are disapproved. It is not probable that a man who had been a good and obedient soldier up to that time, would desert a month before the expiration of his term of enlistment. He will be released from confinement and discharged the service of the United States."

VI. The General Court Martial instituted by paragraph I, Special Order No. 173, current series, from these Headquarters, and of which Lieutenant Colonel A. McD. McCOOK, 10th Infantry, is President, and Captain G. B. RUSSELL, 9th Infantry, Aide-de-Camp, Judge Advocate, is dissolved.

VII. The General Court Martial instituted by paragraph II, Special Order No. 180, series of 1872, from these Headquarters, and of which Major ALBERT P. MORROW, 9th Cavalry, is President, and First Lieutenant JOHN S. LOUD, Adjutant, 9th Cavalry, Judge Advocate, is dissolved.

VIII. The General Court Martial instituted by paragraph I, Special Order No. 169, from these Headquarters, and of which Captain L. H. CARPENTER, 10th Cavalry, is President, and First Lieutenant A. S. B. KEYES, 10th Cavalry, Judge Advocate, is dissolved.

BY COMMAND OF GENERAL AUGUR:

J. A. AUGUR,
Acting Assistant Adjutant General.

OFFICIAL:

Aide-de-Camp.

NOTE.—This is the last of the series of General Court Martial Orders for 1872.